

Minutes
INTERSTATE ENVIRONMENTAL COMMISSION

Quarterly Meeting
Wednesday, September 5th, 2018
10:00 am

Hudson River Foundation
17 Battery Place
Suite 915
New York, NY 10004
Dial-in Number: 877-359-1417
Participate Code: 78

1. Call to order and Roll Call

Commissioners in Attendance:

New Jersey: Jill Lipoti, Chair, Bruce Friedman (via phone), John Scagnelli (via phone), Loel Muetter (via phone)

New York: Judith Baron, Robert Elburn (via phone), Rose Trentman (via phone)

Connecticut: Patricia Sesto (via phone), David Wrinn (via phone), Denise Ruzicka (via phone)

Other in attendance: Evelyn Powers, Executive Director, IEC; Brian Wilton, Senior Counsel, NJ Governor's Authorities Unit.

2. Approval of minutes from the June 6th, 2018 Quarterly meeting (Appendix A)

A motion was duly made by Commissioner Baron and seconded by Commissioner Sesto to approve the minutes of the June 6th, 2018 quarterly meeting. With no one opposed, the minutes were approved and filed.

3. Election of Vice Chairs and Executive Committee members (for those elections held over from June 2018 meeting)

Elections were held to fill the statutory representative vacancies on the Executive Committee for the state of New Jersey and the state of Connecticut. These were elections that were held over from the June 2018 meeting as statutory representatives were awaiting approval to accept nominations. Commissioner Sesto asked Denise Ruzicka and David Wrinn if they would be able to accept a nomination. Denise Ruzicka indicated that at this time she would not be able to

serve, but that CTDEEP just hired an Assistant Director for the Division of Water and Land Use Planning that may be the statutory representative from CTDEEP and who may be able to serve on the Executive Committee in the near future. David Wrinn indicated that he is able to serve, at least in the interim until the CTDEEP statutory representative was on board. Commissioner Sesto nominated David Wrinn to serve on the Executive Committee as statutory representative from the state of Connecticut. With no one opposed, David Wrinn was elected to the Executive Committee.

For the state of New Jersey, Bruce Friedman indicated that he received managerial approval to be able to serve on the Executive Committee. Commissioner Lipoti nominated Bruce Friedman. There were no other nominations. With no one opposed, Bruce Friedman was elected to the Executive Committee.

4. Transition from NEIWPC

With the importance of the transition and the transition date approaching, this item was moved up in the agenda. Ms. Powers reviewed the milestones that had been accomplished towards completing the transition from NEIWPC.

Milestones:

- a. Grants.gov registration updated
- b. Provisional Indirect Rate Approved by EPA
- c. FY17 Long Island Sound Monitoring Award (for Summer 2018 monitoring).
- d. FY18 Long Island Sound Monitoring Award (for 2018-2019 monitoring).
- e. Transition Plan to EPA
- f. Approval of FY18 CWA Section 106 workplan
- g. Quality Management Plan Approved by EPA Regions 1 and 2
- h. Administrative Capability Review by EPA
- i. FY19 IEC budget Executive Committee approval 8/14/2018
- j. Payroll Company Agreement
- k. Insurance Policies
- l. Equipment title transfer from NEIWPC
- m. Staff Transition (9/07/2018)
- n. FFY19 CWA 106 Grant Match Documentation received

Commissioner Scagnelli inquired about how IEC is meeting the required non-federal "match" of \$214,051. Ms. Powers explained that the match does not have to be cash. As with the FY18 106 grant application, in-kind projects that are related to IEC's 106 workplan tasks, and that are funded through non-federal funds which are not being used to match other federal grants were offered as match by the Town of Greenwich, Connecticut and the NYSDEC Division of Water. The Greenwich projects include inflow and infiltration reduction capital construction projects and operation of some tidal gauges in the Byram River and Greenwich Harbor. Similarly, the NYSDEC match includes operational costs of continuous monitoring gauges in the South Shore Estuary

Reserve. Ms. Ruzicka inquired about the source of funds for the Greenwich projects. Commissioner Sesto clarified that they are county tax dollars, not federal or state funds.

Next Steps

- a. FFY19 CWA Section 106 grant application (Appendix B)

Ms. Powers presented the FFY19 CWA Section 106 grant workplan. This workplan was developed with input from the Technical Advisory Committee as well as input from state-specific meetings. The FFY19 Section 106 grant application is due September 30th, 2018. Typically, there continues to be some revision of the workplan at the request of EPA. Commissioner Lipoti requested that a motion to approve the submission of the current FFY19 CWA Section 106 grant workplan (Appendix B) be made. Commissioner Sesto made a motion that was seconded by Commissioner Baron. With no one opposed the motion to submit the FFY19 Section 106 grant workplan with a target budget of \$735,000 was approved.

- b. Employee Handbook (Appendix C)

Mr. Friedman inquired about items in the employee handbook that refer employees to report issues such as sexual harassment or other unethical behavior involving the Executive Director to the Chair or other member of the Executive Committee. Mr. Friedman asked whether it was appropriate to report such conduct to someone who was not on the staff of the Commission. Commissioner Lipoti thought due to the small size of the Commission staff and the absence of a separate Human Resources manager, it was important for the staff to have a recourse if they had harassment or other concerns that either involved the Executive Director or felt were not being addressed by the Executive Director. Mr. Wilton indicated volunteered to get some guidance on the matter and report back. Ms. Ruzicka inquired about a social media policy for the Commission to guide what types of material employees post to social media platforms and how these platforms are used when dealing with Commission-related posts. Ms. Powers replied it is an important policy to develop especially as IEC looks to developing its social media presence and has reached out to staff of similar agencies for guidance and sample policies. Commissioner Scagnelli offered to review the employee handbook.

- c. Part-time bookkeeper/consultant
- d. Set up various accounts (credit card, Federal Express/UPS, Staples, etc.)
- e. Commissioner briefing book

The Commissioner briefing booklet is the last significant deliverable in IEC's FY2017 106 workplan. Ms. Powers is developing a draft booklet.

- f. Bylaws Committee

The Commission has discussed setting up a bylaws committee to review and revise the Commissions bylaws. Commissioner Baron offered to chair the committee and requested nominations for members. Commissioner Scagnelli, Robert Elburn, Bruce Friedman and

Commissioner Lipoti volunteered to serve on the committee. Ms. Ruzicka offered to forward sample Bylaws from the Connecticut Flood Control Commission for comparison and review.

g. Other Committees

No other committees were suggested at this time.

5. IEC Finances and Current Grant Funds Update

a. Treasurer's Report on IEC Finances (Appendix D)

Ms. Powers reviewed the Treasurer's Report (Appendix D). Ms. Powers noted that as IEC begins managing its own grants and finances, the Chase checking account will be used as the operating account and there will be more transactions into it (from grant drawdowns) and expenditures. A motion, duly made and seconded, for the Treasurer's Report to be approved was made. With no one opposing, the Treasurer's report was approved.

b. FFY18 consolidated budget report (Appendix E)

Ms. Powers reviewed the FFY18 consolidated budget report (Appendix E). The report summarized the sources of funding (grants) available or pending. Ms. Powers reported that the key point to know is that the FY17 106 grant, administered by NEIWPCC, closes September 30th, 2018. The funds in this grant must be spent on IEC District FY17 106 eligible activities prior to that date. As of June 30, 2018, IEC has \$174,000 in unspent FY17 106 funds. All other grants will carry over to IEC administration.

c. FFY19 IEC Budget (Appendix F)

Ms. Powers reviewed the FFY19 IEC Budget that was circulated to the entire Commission and approved during a special Commission meeting conference call by a majority of the Executive Committee on August 14th, 2018.

d. Western Long Island Sound (LISS) FY18 Base and Enhancement Funding (submitted January 31st)

- Total \$159,133 funded for IEC monitoring as part of FY18 LISS Workplan
- Funds have been added to open FY17 award, grant duration extended

b. Unified Water Study funding

6. Director's Report

Ms. Powers referred Commissioners to the FFY18 third quarter report of grant activities (Appendix G) and highlighted some of the activities that have been a large part of IEC's activities.

a. FFY 18 Third Quarter Report of Grant Activities (Appendix G)

b. Project Highlights and Updates:

- WLIS monitoring

- Unified Water Study (UWS) Embayment Monitoring
 - Chlorophyll a analyses in support of UWS
 - Facility Inspections Update
 - Volunteer Pathogen Monitoring
 - Proficiency studies
- c. Other meetings and project/grant updates
- FY19 106 Workplan development meetings w/States
 - Partner Management and Workgroup Meetings
- d. IEC Website Launch

The re-designed IEC website was launched on August 26th, 2018. Some content is still being tweaked and some glitches fixed, but overall it was a success and is a considerable improvement over the previous website.

- e. Staffing
- Two Environmental Analyst Positions
- f. Update on Grants submitted

Ms. Powers reported on two grants that were submitted: The Five Star and Urban Waters Restoration Program proposal and the EPA Local Environmental Education grant. Unfortunately, neither proposal was selected for funding. Feedback on the EPA Environmental Education grant indicated that the match demonstrated in the application (teacher and volunteer time) was not eligible. Ms. Powers reported that many of the Five Star and Urban Waters Restoration Program proposals seemed to be awarded to smaller, watershed-type organizations that do not have many, or any other sources of consistent funding.

- g. Long Island Water Quality Monitoring (South Shore Nassau County) RFQ submitted 7/31.

Ms. Powers submitted a proposal in response to an RFQ for organizations to perform water quality monitoring along the south shore of Nassau County. Ms. Powers was contacted by Elizabeth Cole, Deputy Director of the Long Island Regional Planning Council and will be meeting with the council to discuss the proposal on September 10th.

- h. Town of Hempstead Tour and EOI Letter

Ms. Powers toured the Town of Hempstead Laboratory, which was closed in June 2017. The town is renovating the laboratory, and is looking for partners to form a marine science consortium.

- i. BioBat Facility Tour

Ms. Powers raised the issue of the current laboratory space being increasingly inappropriate to complete IEC's work. IEC's monitoring and analytical requests are increasing, and now that IEC is responsible for its own management and grant administration, it is the appropriate time to look for a better suited space. Ms. Powers toured the BioBat facility, located at the Brooklyn Army Terminal in Sunset Park, Brooklyn in July. The space is being developed through grants from the

NYC Economic Development Corporation into laboratory space, one floor at a time. The facility is on the water, accessible by train, NYC ferry (and boat) and car. Bruce Friedman indicated that it is increasingly difficult to find suitable laboratory facilities, even for NJDEP. A broker is developing a proposal for an approximately 1600 square foot space located on the south end of the BioBat building.

7. Old Business

8. New Business

Commissioner Sesto requested that the issue of the proposed storm surge barriers be discussed by the Commission. The US Army Corps of Engineers is proposing six alternatives. The study area does not include the entire potentially affected region and public stakeholder meetings to date have been limited to New York City and Newark. Commissioner Baron also raised concern about the proposed alternatives and lack of public input.

Bruce Friedman raised the issue of CSOs and recent incidences over the summer where medical and hygiene waste had washed up on New Jersey Beaches shore. Mr. Friedman indicated that New Jersey has screens on its CSO outfalls that prevents floatable from being released but that New York State does not. Mr. Friedman raised the question as to whether this is something the Commission can possibly look into. Ms. Powers indicated that she had also received calls from NYSDEC regarding the issue as similar waste had washed up on Nassau County beaches in mid-August after heavy rain. It was still undetermined whether those incidences were the result of illegal dumping or a CSO overflow or SSO bypass. Issues of floatable reductions should be addressed in various Long-term control plans under development. It is certainly an area where IEC can assist in the dialogue of best practices.

9. Upcoming Meetings

- Thursday, October 4th (Executive Committee call)
- Thursday, November 7th (Executive Committee call)
- Wednesday, December 5th, 2018
- Wednesday, March 6th, 2019
- Wednesday, June 5th, 2019

10. Adjourn

The meeting was adjourned at approximately 12:03 pm

APPENDICES:

- A- June 6th 2018 Annual Meeting Minutes
- B- FFY19 106 Grant Workplan
- C-Employee Handbook August 2018

D-Treasurer's Report of IEC finances (May 1st 2018-July 31st, 2018)

E- FFY18 consolidated budget report

F- FFY19 IEC Budget

G- FFY18 Third Quarter Report of Grant Activities

Respectfully Submitted,

Evelyn Powers

Executive Director