



**Minutes
Annual Meeting
Wednesday, March 1st, 2023**

10:00am

Please note: All voting items are indicated by an *

1. Call to order and Roll Call

Commissioners Present: John Atkin (Chair, CT), Patricia Bisacky (CTDPH), Nisha Patel (CTDEEP), Michael Lynch (CTAGO), John Scagnelli (Vice-Chair, NJ), Robert Schuster (NJDEP), Loel Muetter (NJDOH), Virginia Wheatley (NJDOH), Philip DeGaetano (Vice-Chair, NY), Selvin Southwell (NYSDEC), Jeffrey Myers (NY), Judith Baron (NY).

Others in Attendance: Evelyn Powers (IEC), Michael Flood (EPA Region 2), Thomas Holl (NJGAU)

A quorum was present.

Patricia Bisacky, the delegated representative of Connecticut Department of Public Health Commissioner Juthani, was introduced and welcomed by Chair Atkin. Patricia Bisacky is a Supervising Environmental Analyst in the Environmental Health and Drinking Water Branch, Emerging Contaminants Unit at CTDPH.

2. Approval of minutes from the June 1st, 2022 Quarterly Meeting (Appendix A) *

A motion to approve the minutes from the June 1st, 2022 quarterly meeting was made by Commissioner Scagnelli and seconded by Commissioner Baron. With no one opposed, the minutes were unanimously approved.

Notes from the December 7th, 2022 meeting (no quorum) was presented in appendix B. Summaries of the monthly Executive Committee meetings held January 18th, 2023 and February 1st 2023 were presented in appendix C.

3. IEC Finances and Current Grant Funds Update

a. FY23 Q1 Profit and Loss Statement and Balance Sheet (Appendices D and E)

Evelyn reviewed the FY23 Q1 Profit and Loss (Statement of Financial Activity) and Balance. Overall, the Commission is tracking under-budget for the first quarter, with expenses at about 90% of projected budget. Line items that are running over-budget, particularly facility expenses, utilities and supplies, had high outlays at the beginning of the fiscal year due to the facility move and should taper out over the year. Evelyn emphasized that the second half of the fiscal year is always the most expensive due to the seasonal nature of the Commission's work. Personnel and travel, which are currently significantly under-budget, will ramp up as seasonal interns are onboarded and sampling events increase during the 3rd and 4th quarters. Commissioner Scagnelli inquired about the income

deficit. Evelyn explained that this is due to indirect and fringe expense that have not been drawn down from the federal grants, as well as work to be invoiced related to the NJDEP-funded harbor monitoring. Commissioner Myers and Evelyn discussed implementing some format changes in the statement of financial activity, specifically adding a column indicating the % of annual budget expended for each line item.

b. Funding and Grants Update

- CWA §106 Assistance agreements funding and closeout update

Evelyn reviewed the status of IEC's CWA §106 assistance agreements. IEC's FFY20 agreement has been closed out. The FFY19 agreement will be closed out shortly (pending submission of a revised federal financial report reflecting final draw). The FFY21 agreement is the agreement primarily supporting IEC's 106 workplan activities currently, with approximately \$459K remaining as of end of February. IEC's FFY22 award (\$751,000) has yet to be drawn from.

- CWA §106 FY23 Draft Workplan (Appendix F)

Draft FY23 workplan for CWA §106 assistance agreement is in development and will be distributed to the Commission for comments. The project and budget period for the agreement and workplan would be October 1, 2023 through September 30, 2025, with funds awarded by October 1, 2023. The agreement will support IEC's ongoing core programs primarily FY 2025 (FY22 106 award will primarily support IEC activities in FY24). Some new tasks that have been proposed in draft workplan include: Strategic plan and development of PFAS analytical capability and procurement of laboratory equipment to support that development.

- LISS FFY23 Base Program and Supplemental funding update

IEC has \$840K is available LIS funds (FY21 and FY22 awards). IEC submitted an FY23 base monitoring budget request of \$598,000 in December. An additional \$401K for supplemental funding for LIS pathogen monitoring network expansion was submitted in February. Evelyn anticipates that the LIS Management Committee will approve both requests in April budget meeting. Commissioner DeGaetano asked if there is any equipment that could or should be considered for supplemental funding. Evelyn highlighted the equipment that has been procured and installed recently now that we have additional space, including a Total Organic Carbon analyzer and additional nutrient analyzer. PFAS analytical equipment, which is included in the FY23 106 budget, is the next likely addition. IEC's water surveys are increasing, with boat charter costs exceeding \$100,000 a year. IEC may want to consider procurement of a boat in its strategic planning, although a thorough cost-benefit analysis would be wise, as there are additional operational, insurance, marina costs associated with boat ownership. IEC's district is so spread out geographically, that one boat may not meet all of IEC's monitoring needs or eliminate the need for charter services.

- NJDEP Harbor Monitoring Project

An amendment for the second year of the NJDEP-funded harbor monitoring project (which is already underway) was signed in December with a budget of \$213K. IEC and NJDEP held two meetings with NJDEP staff to refine and expand the scope for third year, which will include additional parameters (Dissolved organic carbon, metals, continuous monitor deployment) and some modifications to sampling locations. Due primarily to continuous monitoring equipment procurement, the budget for year three is anticipated to be approximately \$500K.

- Brooklyn College/NYCDEP Alley Creek Constructed Wetlands Project

Evelyn has had renewed discussions with Brett Branco, Brooklyn College Professor and director of the Science and Resiliency Institute of Jamaica Bay, regarding IEC serving as a subcontractor on a project to assess the effectiveness of constructed wetlands in Alley Creek (tributary to Little Neck

Bay) in reducing pathogens and nutrients in water and sediment. The project has been discussed on and off over the past two years, and has been held up in New York City's budget process, as the project is ultimately funded through NYCDEP. Bob Schuster asked if carbon was part of the scope, as there is research on the ability of tidal wetlands to sequester carbon. Evelyn will follow up with Brooklyn College, as the scope is still being finalized.

- State Appropriations and Outreach

Considerable outreach since December meeting. Evelyn distributed annual letters to states on expenditures and income, with annual appropriations request to all three states. New York's Executive Budget was released February 1st. IEC's appropriation remains at \$41,600 in the NYS Executive Budget. Evelyn sent a letter to Governor Hochul requesting appropriation increase in 30 day amendments. Evelyn prepared written testimony for NYS joint legislative budget session to be held on 2/14 and Commissioner DeGaetano, participated in lobby days in Albany. Commissioners Baron and Myers also performed some legislative outreach to key legislators. Evelyn is preparing 2023 state summaries, highlighting recent activities specific to each state. Started with NYS summary, which is complete. New Jersey and Connecticut will be forthcoming. The Commission relies on state appropriations (combined with in-kind project match) to meet the non-federal match requirement for federal awards. Evelyn reviewed the non-federal match requirement, which is a fixed \$214,051 for IEC's annual CWA Section 106 assistance agreement. The Long Island Sound funding also has a non-federal match requirement, which is an aggregate match for the whole LIS program. IEC strives to meet its LIS match burden, which is approximately 66% of the project budget. This is typically met through in-kind match documented by the Town of Greenwich.

Nisha Patel (CTDEEP) was also able to secure an increase in appropriation from Connecticut, from \$3333 to \$12,000, following the annual appropriation request letters to the states. Chair Atkin thanked Nisha Patel for her efforts. Nisha Patel indicated she was happy to secure the increase to support the Commission's work.

- Other sources of funding

NYSDEC issued an advance notice of application period opening for 604b funding. This federal source of funding, which is passed through the states, only opens every 4+ years, and eligible applicants include interstate agencies and regional planning organizations.

IEC has been in discussions with NYSDEC regarding the potential for IEC to partner with NYSDEC on administering a septic system replacement program. The program, funded through Bipartisan Infrastructure Law awarded to NYSDEC from the Long Island Sound Office of the EPA, would supplement an existing septic system replacement program, and focus on Nassau and Suffolk county septic system upgrades in the Long Island Sound watershed.

4. Laboratory/Office Operations Update

a. Update on new facility operations

Operations at BioBAT are going well. Linescape, the project architect, issued a final punch list on 2/7. There was a meeting yesterday on remaining minor items including a chipped lab bench, a special electrical inspection as the final lighting has been installed and modification of fume hood to vent the acid cabinet through the fume hoods.

b. BioBAT Art Space potential exhibit

Evelyn and some Commissioners held a meeting in the beginning of February with Elena Soterakis, BioBAT Art Space curator, and Yoko Shimizu, artist, to discuss concepts for the exhibit on IEC's work to open in May 2024. Evelyn shared photographs of IEC field work and lab analyses with Elena and Yoko Shimizu, an Austria-based artist who will be putting together the exhibit. Yoko will be visiting New York and be an "artist-in-residence" at IEC for approximately 3 weeks in May. Elena Soterakis is working on the community engagement portion of exhibit, as well as budget presentations to supporters, and the historical component of the exhibit with additional collaborators. Evelyn also shared with BioBAT other opportunities for collaboration, including City of Water Day in July, and Sweep, coordinated by Riverkeeper which is a series of shoreline cleanups. Michael Flood emphasized that EJ and Climate Change should be a focus us/included in community engagement

c. Strategic Plan Discussion

A strategic planning effort was discussed at last Commission meeting and Executive Committee meeting. Now that we have a 10 year lease, time to plan strategically for the future growth of the Commission, it is an appropriate time to consider a 5-10 year strategic plan. A placeholder was included for this in FY23 106 workplan under program management, with a line item budget of 30K-50K budget. Michael Flood mention that EPA is reviewing the eligibility of this activity and expects to have guidance soon.

5. Director's Report

Evelyn highlighted IEC's upcoming water quality monitoring projects and commitments. Many of these were discussed under funding. Evelyn will also be preparing progress reports for EPA, which will also be distributed to Commissioners.

a. Project Highlights and Updates:

- Coordinated Volunteer Pathogen Monitoring
- Long Island Sound Monitoring
- NJDEP Harbor Monitoring Project
- Harlem River Urban Waters Federal Partnership
- Laboratory Proficiency studies and on-site assessments by external accrediting authorities

b. Other meetings and project/grant updates

Nothing additional that was not discussed in other bullets above.

c. Staffing

Evelyn posted seasonal internship opportunities on our website, distributed the posting to Commissioners and regional partners, as well as posting at about 100 colleges and universities through the Handshake® website. IEC anticipates hiring 3-4 paid seasonal interns, including one intern for each of our three major monitoring programs (Long Island Sound, Harbor Monitoring Network, Coordinated Volunteer Water Quality Monitoring Network) as well as a lab-based intern to assist with the increased analytical work during the summer. Interns are expected to work full-time (37.5 hours a week), five days a week, and be available from May through October (with some flexibility at the beginning and end of the season to accommodate academic schedules).

6. Old Business

- a. Commissioner vacancies

7. New Business

- a. Executive Director Performance Appraisal process and schedule

8. Upcoming Meetings

Wednesday June 7th, 2023 (IN-PERSON)

Wednesday September 6th, 2023

Wednesday, December 6th, 2023

APPENDICES:

- A- June 1st, 2022 Quarterly Meeting Minutes
- B- December 7th 2022, Quarterly Meeting Notes
- C- January 18th, 2023 and February 1st, 2023 Executive Committee Meeting Summaries
- D- FY23 Q1 Profit and Loss Statement
- E- FY23 Q1 Balance Sheet
- F- Draft FY23 CWA §106 Workplan