

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: INVASIVE SPECIES SUB-COMMITTEE

DATE: DECEMBER 10, 2014

COMMITTEE MEMBERS PRESENT: OTHERS PRESENT:

SUPERVISORS DICKINSON
CONOVER
MONROE
FRASIER
BEATY
SIMPSON
STROUGH

KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD

PAUL DUSEK, COUNTY ADMINISTRATOR

MARTIN AUFFREDOU, COUNTY ATTORNEY

JOAN SADY, CLERK OF THE BOARD

FRANK E. THOMAS, BUDGET OFFICER

SUPERVISORS BROCK

MERLINO

SEEBER

TAYLOR

DAVE DECKER, EXECUTIVE DIRECTOR OF THE LAKE GEORGE WATERSHED
COALITION

SARAH MCLENITHAN, SECRETARY TO THE CLERK OF THE BOARD

Mr. Dickinson called the Invasive Species Sub-Committee Meeting to order at 10:51 a.m.

Although no formal agenda was distributed, Mr. Dickinson informed the only item on the agenda was to receive a report from Dave Decker, Executive Director of the Lake George Watershed Coalition (LGWC).

Privilege of the floor was extended to Mr. Decker who distributed copies of the Work Plan Development Response No. 3 for the 2013 Consolidated Funding Application (CFA) to the Committee members; *a copy of same is on file with the minutes.*

Mr. Decker stated last January the County had received an award letter for the 2013 CFA Grant which suggested the New York State Department of State (NYS DOS) would contact the County in order to develop a Work Plan. Over the last several months, he continued, the Work Plan had been developed and the latest draft of the Work Plan was summarized on the handout in the table labeled "Contractual Services". He explained there were 15 tasks included in the Work Plan which would be attached to the contract and the first 7 tasks were related to administration, such as meetings and the designation of an oversight committee. He said Tasks 8-13 were the 6 tasks included in the original application for funding. Mr. Decker stated the Invasive Species Sub-Committee needed to understand what the 6 tasks were and consider the Work Plan so it could be sent back to the NYS DOS to be recognized as the official Work Plan. He said the Work Plan would be attached to the contract and sent to the County to be signed and returned. He estimated it would take about 90 days for the County to receive the finalized contract back from the NYS DOS. He informed once the County signed and returned the contract, they could simultaneously submit vouchers for the expenses and local matching funds requirements which had been incurred to date.

Mr. Decker informed the NYS DOS had announced a new program over the last several months called the Grants Gateway Program. Up until now, he continued, all grant applications had been paper submissions. He reported there had been a visit from Matthew Malay, of the Office of the Secretary of State, who had met with Robert Blais, Mayor of the Village of Lake George, and some Warren County Supervisors to review the new system. He added a letter had been received dated November 9, 2014 which outlined the new system. As of January 1, 2015, he explained, all grant application submissions would be made through an electronic gateway. He said this new system should expedite and streamline the process to release grant funding.

Martin Auffredou, County Attorney, asked if the vouchers to be submitted would include the expenses to date for the boat wash stations and Mr. Decker replied affirmatively noting that the expenses and local matching funds requirements would be included on the vouchers. Mr. Decker commented there were new thresholds pertaining to how local matching funds were demonstrated. He advised the invoices and other documentation would be scanned and burned onto a CD or uploaded to a flash drive to be transmitted electronically to the NYS DOS and the New York State Comptroller's Office. Mr. Auffredou commented that as a result of discussions between himself and Messrs. Conover, Decker and Dickinson, it had been decided that it was best to bring these types of matters to the Invasive Species Sub-Committee for review and to receive updates from Mr. Decker. When he had reviewed the materials some time ago, he continued, there had been an email from Kenneth Smith, of the NYS DOS, addressed to Chairman Geraghty and others, including Mr. Decker, which had indicated the NYS DOS was looking for verification from the Chairman of the Board of Supervisors that the CFA Grant submission was accurate. Due to the request for verification, Mr. Auffredou stated, he felt it was best that the matter be presented to the Invasive Species Sub-Committee for review. He advised it was important for the Committee reach a consensus that the Work Plan reflected the intent of the CFA Grant submission so the verification could be made by the Chairman and the documentation and vouchers could be submitted to the NYS DOS.

Mr. Monroe asked if the grant funding was limited to Lake George and Mr. Decker replied affirmatively. Mr. Monroe opined one of the flaws in the Lake George Boat Inspection/Washing Program was that if the intent was to protect all of the waterbodies in Warren County and the Adirondack Region, then the Program should offer to wash all boats that exited Lake George. He added he would like to see some of the funding used towards washing of boats exiting Lake George to ensure the 5 invasive species present in Lake George were not spread to other waterbodies. Mr. Dickinson agreed and opined this was a serious shortcoming of the first year of the Lake George Boat Inspection/Washing Program. He informed the Program washed boats exiting Lake George but only upon request. Mr. Monroe recalled the LGPC Decontamination Activity Report which was reviewed at the October 8, 2014 Committee Meeting and noted sites, such as the Huletts Landing Wash Station appeared to have little activity while the Norowal Wash Station appeared much busier. He said if there were funds available they would be better utilized towards washing boats exiting Lake George, as opposed to conducting a study. Mr. Dickinson said he had assumed there was a problem with Zebra Mussels in Lake George and they had been found on occasion but did not appear to be reproducing. He noted Task 11 was for the contractual services for detection, removal and analysis of Zebra Mussel colonies. Mr. Decker responded Task 11 had been outlined on the Work Plan because it had been included in the original application. Procedurally, he continued, one of the next steps after signing the contract would be to establish a project advisory committee as specified in the Work Plan. He suggested the Invasive Species Sub-Committee act as the project advisory committee. He read the following from the contract:

"The contractor (Warren County) shall establish a project advisory committee to oversee all aspects of the project in cooperation with Municipal officials and the project consultants of applicable...."

Mr. Decker advised the Invasive Species Sub-Committee would take the required actions of the project advisory committee. He said if there was something the Committee wanted to modify or amend in the Work Plan, such as allocate funds from one task to another an amendment request could be submitted. He stated if it was determined that Zebra Mussels were no longer an issue and the Committee wanted to redirect funds, there was a process to do so. He added the problem was that changes could not be made until after the contract was signed. He explained the applications had been rated, scored and evaluated competitively across New York State and changing the scope of work before the contract was signed would give the appearance of a "bait and switch".

Mr. Conover agreed it was logical to have the Invasive Species Sub-Committee act as the project advisory committee. He asked everyone to keep in mind that in order to protect Lake George, there were things they needed to do beyond the scope of Lake George. He opined by protecting the other waterbodies, they would also be protecting Lake George. He said if there was a way to allocate even a modest amount of the funding to help with that initiative it would be beneficial.

Mr. Monroe stated much of the burden of dealing with invasive species had fallen on the lake associations. He informed that through 2011, the Loon Lake Association had spent 2,000 hours of volunteer time and Chestertown had expended about \$400,000 on one invasive species in Loon Lake. He reported there was a new association called the Adirondack Lakes Alliance and at a recent meeting, he had made a presentation pertaining to a draft Memorandum of Understanding (MOU) which they hoped to have signed by Towns, Counties and lake associations recognizing the threat of invasive species and agreeing to work together to prevent the further spread of them in the Adirondack Region. He mentioned a map had been developed with the locations of boat washing stations, the entrances to the Adirondacks and major intersections near waterbodies. He said they had estimated 20 to 25 wash stations would be needed to protect the waterbodies in the Adirondack Region and the information had been provided to the Governor's Office and the New York State Department of Environmental Conservation (NYS DEC).

Mr. Monroe reported about his recent phone conversation with a NYS DEC representative where it had been indicated that they were thinking along the same lines about protecting the waterbodies in the Adirondacks. He advised local support would really benefit the process and he noted many lake associations had a minimal dues structure of about \$20 per year. He said he had asked many of the lake associations if they would be willing to request their members to contribute an additional \$20 per year and the answer had been yes. The President of the Adirondack Lakes Association, Mr. Monroe continued, had requested a show of hands to determine who would be interested in participating in an Adirondack Regional strategy and the result had been unanimous. He commented the groups in attendance had included the Adirondack Park Association, NYS DEC, and some Adirondack environmental groups.

Mr. Decker advised the funding award was from the NYS DOS Environmental Protection Fund (EPF) Local Waterfront Revitalization Program (LWRP) Grant which had a designated waterbody list and Lake George was included on this list. He said given the fact that Mr. Monroe indicated there was an existing draft MOU amongst several Adirondack organizations, he felt they would be in a good position to apply for the next round of CFA funding which would be available in May of 2015. He advised this would be a joint application of two economic regions: the Adirondack Region and the Capital Region. Mr. Monroe pointed out it would be three regions as the Mohawk Valley Region would also be included. Mr. Decker apprised the NYS DOS would look favorably upon a joint application of this nature. He mentioned the CFA's which had been submitted last August would be announced on December 11, 2014.

Mr. Decker said if there was a particular waterbody in Warren County which was outside of the watershed and that waterbody could be a source of invasive species coming into Lake George, then a good case could be made to expend grant funding to place a wash station at the shore. He added if the waterbody was outside of Warren County it would be more difficult to present that case. He pointed out the possibility of a municipality, such as Warren County submitting a CFA on behalf of multiple municipalities.

Pertaining to the handout, Mr. Strough commented the total dollar amount of Tasks 8 through 13 was \$607,369 and the grant award was \$482,050 and he asked if this was because Task 13 had not been included in the original application. Mr. Decker responded the tasks also reflected part of the

local matching funds requirement which had already been expended. Mr. Strough asked if all 6 tasks would be pursued with the awarded \$482,050 and Mr. Decker replied affirmatively. Mr. Strough asked if the allocation of the \$482,050 would be determined by the Invasive Species Sub-Committee and Mr. Decker replied affirmatively. Mr. Dickinson pointed out once the contract was executed, the Invasive Species Sub-Committee would act as the project advisory committee. Mr. Decker distributed a second handout to the Committee members which reflected an Excel Spreadsheet; *a copy of same is on file with the minutes*. He explained the amounts listed in "Column A" reflected the amount of funding applied for in the CFA which totaled \$2.3 million. He noted "Column B" reflected the amounts the NYS DOS had determined should be the Work Plan based on their suggested allocation. He mentioned "Column C" reflected the proposed budget for contractual services pertaining to the projects. He reiterated once the contract was executed, requests for modifications or amendments could be submitted. He noted this would merely be a letter from the Chairman of the Board of Supervisors and normally the NYS DOS would be receptive to amendments and modifications, assuming the matter was in line with the original application. A brief discussion ensued.

Mr. Beaty asked for clarification purposes if the County would be able to increase the amount of funding for Task 13 by submitting a request to amend or modify the grant award and Mr. Decker replied affirmatively. Mr. Decker stated if the County did not submit a request then the funding would be allocated as outlined on the handout. Mr. Beaty asked if changes could be made as long as the request fell within Tasks 8 through 13 and Mr. Decker responded that changes could be made as long as they fell within the scope of the application. In answer to a question, Mr. Decker said he required the Committee's acceptance and authorization for communication to be sent to the NYS DOS. Mr. Conover asked if this communication would come from the Chairman of the Board of Supervisors and Mr. Auffredou replied affirmatively.

Motion was made by Mr. Conover and seconded by Mr. Simpson to authorize the Chairman of the Board of Supervisors to sign correspondence pertaining to the CFA Grant award contract as prepared by the County Attorney.

Mr. Monroe suggested the Committee meet after the execution of the contract to determine if there were any modifications or amendments they wanted to submit. Mr. Decker stated it was not too early to commence discussions on what would be included in the next application. He noted the next meeting of the Regional Economic Development Council would have many organizations submitting projects. Mr. Dickinson asked about the process to designate the Invasive Species Sub-Committee as the project advisory committee. Mr. Auffredou responded he believed the intent was that this Committee would be the advisory committee. Mr. Decker explained once the contract was signed, the first task of the Work Plan was to hold a "kickoff" meeting and the second was for the County to establish the project advisory committee. He said the correspondence from the Chairman should state the Invasive Species Sub-Committee was designated as the project advisory committee. Mr. Auffredou pointed out the application had required the designation of the person of authority and Chairman Geraghty had been designated as same.

Mr. Dickinson called the question and the motion was carried unanimously to authorize the Chairman of the Board of Supervisors to sign correspondence pertaining to the CFA Grant award contract as prepared by the County Attorney.

Mr. Conover expressed the need to schedule Committee Meetings to decide if there was any need for amendments or modifications to the Work Plan and to discuss the projects to be included in the next application. Mr. Decker advised the application could be based on a broader range than just Lake George. Mr. Monroe asked if joint applications were viewed more favorably and Mr. Decker

replied affirmatively. Mr. Decker explained this CFA funding award had been collaborative as the LGWC represented 25 entities. Mr. Monroe pointed out Essex and Washington Counties had been included in this CFA grant application and Mr. Decker agreed and noted Warren County had submitted the application on behalf of all of the LGWC members. Once the contract was signed, he continued, he would solicit the local matching funds from all of those Counties. He advised the Towns were usually solicited for contributions towards Town-based projects but the LGWC had not engaged the Counties for contributions in the past.

As there was no further business to come before the Invasive Species Sub-Committee, on motion made by Mr. Conover and seconded by Mrs. Frasier, Mr. Dickinson adjourned the meeting at 11:20 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist