

# Meeting Notes

Rensselaer County MS4 Communities Meeting

Poestenkill Town Hall

May 21, 2019

10:00 a.m.

Introductions were made due to a new face around the table.

Ms. von der Heide stated that there were about 40 attendees at the Contractor Training held in Schodack on May 8<sup>th</sup>. A couple of people didn't show up and a couple of people who hadn't previously enrolled showed up. A final list of attendees should be forthcoming. A suggestion of holding the training earlier in the year was made. Ms. Fuda stated that we should probably hold the training around the county so we could pick up folks who might not want to travel to Schodack. Ms. von der Heide stated that the Brunswick Community Center would be a good location.

Ms. von der Heide handed out several items including DEC grants, a write-up on recycling and composting and a portion of a presentation handout on Green Infrastructure. Ms. von der Heide stated that she had attended a webinar that had two speakers, one good and one not so good. The good speaker was from Washington, D.C., and was in charge of engineering and installing green infrastructure. The handout gave hints learned by first-hand experience. Washington has a Green Infrastructure maintenance manual. Ms. Barrie stated that DEC has a Green Infrastructure manual that can be found on the DEC's MS4 website.

The conversation then trended to needing some sort of financial mechanism to ensure that BMPs are taken care of and that the community was requiring a Letter of Credit with their warranties or otherwise the maintenance would be placed on the site's tax bill. Schodack requires an escrow account since they found a letter of credit to be problematic. A community had run into a bank warning that the letter of credit becoming part of a contractor's bankruptcy's assets and that the community would have a limited time to access the funds. Maintenance of owner/operator commercial sites is the problem of the owner/operator. Mr. Yagelski stated that if the owner/operator isn't taking care of a BMP, then the water isn't being treated or retained and it's as if the BMP doesn't exist. The discussion then went to drainage districts. Mr. Barringer stated that with the drainage districts, the developer puts \$1,000 (per lot) into a stormwater slush fund for when maintenance is needed. Additional costs will be footed by the property owners in the drainage districts. Ms. Fuda stated that in Schodack, with its many subdivisions, there would be too many drainage districts and that each district would require a separate budget, which would be too problematic, especially since there were already many water and sewer districts.

The discussion then evolved into a situation where the developer had installed the stormwater BMPs but that the town highway department started to dump the road water into the facility as well and was causing problems. The attendees agreed that the issue was the town's making since

the facility wasn't designed to take the additional water of the roadway and that water should be sent elsewhere. Ms. Fuda stated that she found that with residential subdivisions, the most important thing is to educate the homeowners association. She has educated her homeowners associations and found most to take good care of their BMPs once they understand their importance. She found the problem with the homeowner associations is usually the developers who don't want to let the actual homeowners take over. One of her stormwater pond lots were taken by Rensselaer County for back taxes. She is requesting that her assessor assess the lot with a low value (instead of a building lot – which it's not) and getting the town to take it and give it back to the homeowners association with the requirement that they take care of it. Issues with developers include developers using separate LLCs for each development and developers and builders pointing their fingers at each other. The name on the SWPPP is the one responsible for it. Have a pre-construction meeting where all the parties are around the table and training certificates and contact information are given. No building permits or COs should be given unless the BMPs are working.

The discussion then went to the site visit planned after the meeting to the Hope Solar Farm to look at the temporary haul road. Mr. Bradley stated that the haul road installed at the solar farm appears to be working as permeable pavement and handed around pictures he took after heavy rains on Monday. Less than 3 crusher run of a shale from the West Sand Lake mine was used. It has no fines and has packed down well. The underlying soils are good. Marofi fabric was used under the shale. A discussion of the required width of the haul road ensued. Mr. Bradley stated that his stormwater concern with the site was not with the haul road which did not seem to be creating a problem, but with the compaction along the rows of arrays. In places, it appeared that the water dripping from the arrays was starting to create a drip line. He was going to require scarifying between arrays and the seeding of clove since there was very little coverage on the site which was previously used as a cornfield.

The next meeting will be on July 16, 2019 at the Schodack Island State Park.

Attendees:

Mary Barrie	NYS DEC R-4
Nadine Fuda	Schodack
Richard A. Saville	Castleton
Philip Koziol	Schodack/Laberge
William Bradley	Brunswick
Nick Petramale	East Greenbush
Paul Barringer	Poestenkill
Linda von der Heide	Rensselaer County
Michael Wager	Sand Lake
Adam Yagelski	East Greenbush
Sam Morreale	East Greenbush
Mark Hendricks	Rensselaer