



**SLPID Meeting Minutes
Malta Community Center and Zoom
January 11, 2022, at 3:00 p.m.**

Call to Order: Chair Kathleen Simmonds 3:03 p.m.

Roll Call Commissioners present: Simmonds, Mazzotti, Baker

Commissioners absent: Supley, Carringi

Staff present: Cristina Connolly, Lake District Administrator

Others: Mike VanPatten, Asst. Treasurer. Consultants: Dean Long

Public: David Meager, Account Executive for Amsure insurance

PRESENTATIONS:

David Meager, Account Executive for Amsure insurance

Discussion: Dave Meager began with saying we spoke about SLPID insurance, bonding, and cyber security for the SLPID Assistant treasurer as an independent contractor last year. SLPID currently has bonding for employee theft with a \$100,000 limit. This insurance does not include independent contractors. One year ago, Mr. Meager did talk with Travelers insurance who would write a bond for employees and one independent contractor for a limit of \$500,000. The \$500,000 is more in line with reality.

Doing so, would increase \$900 per year for crime coverage on the current policy that is currently \$350 per year. However, doing so is not advantageous to SLPID with cost or with independent contractor classifications. Mr. Meager suggests SLPID acquiring a true contract with all independent contractors. The contract for the person handling the money should include holding a bonding policy and cyber security insurance.

Mr. Meager continued that SLPID is a public entity, using taxpayer dollars. He then asked how are you protecting them and what are your internal controls?

Mike said Crissy first approves every check, and then the entire SLPID board does monthly. The commissioners see every transaction available.

Mike then asked about the SLPID funds deposited in the Adirondack Trust Company insured by FDIC and having municipal insurance with M&T if this is sufficient insurance on the cash balance?

Mr. Meager said his understanding is FDIC and M&T are insurance strictly in the bank if the bank were to fail, not for misappropriations of independent contractors. SLPID needs the contractor to have a bond policy for the person who handles the money for misappropriations and any other person who works for

the contractor or has access. Mr. Meager then said that no company would give a bonding policy if no internal controls were in place.

Mr. Meager then asked Mike who writes the checks for SLPID? Mike said he does. Mr. Meager asked who reconciles the statements? Mike said he does. Mr. Meager then said this is the opposite of internal controls, an insurance company will ask this, and will not give out bonding unless proper controls are in place with two sets of eyes and signatures. Misappropriations happen when one person controls all the money.

Commissioner Simmonds said the SLPID legislation from 1986 and County law requires the SLPID Treasurer to be bonded.

Mike and Mr. Meager will talk further to get a dialogue going for Mike to be bonded.

Mr. Meager stressed, first internal controls need to be in place, or any bonding company will be reluctant to issue a bond. The commissioners need to know this is taxpayer money, and the money needs to be protected.

Mike said Crissy is the Treasurer and he the Assistant Treasurer. Mr. Meager replied yes, but as an employee, Cristina is covered. Independent contractors need to have their bonding. SLPID needs good internal controls, or most entities have a bookkeeper and then an annual CPA audit for recommendations. The auditor will also recommend internal controls.

Mr. Mazzotti noted SLPID did have an audit in 2021, which were recommendations.

Mr. Meager continued discussing the need for cyber liability as a real hot issue right now. There are people with full-time jobs worldwide trying to hack into computers, and SLPID is vulnerable if they hacked into the Treasurers computer. Without cyber insurance and bonding in place for the person handling the SLPID funds, which are taxpayer money, it will be very difficult to explain to the public why and how it happened after knowing and talking about this for so long.

The big exposure is your computer will be locked up and SLPID will have to pay a ransom without insurance in place. If Mike has anyone else that has access to SLPID information working with him, they should also be bonded and have cyber security on their computer. Again, the company issuing the policies will want a complete application to show internal controls. If they are not in place, no one will be willing to write a policy.

Mike said Crissy has access to all the banks, accounting, and payroll he does the preparation.

Commissioner Baker said that is the impediment, there are no internal controls with one person doing the work. The SLPID commissioners decided that Cristina would sign all the checks from here on out.

Commissioner Mazzotti said that moving forward, Crissy will sign the checks and asked about her also reconciling the accounts? Chair Simmonds said Cristina can do this and to note does already have a lot on her plate.

Dean suggested that Mike becoming an employee would be the simplest. Cristina mentioned that has been discussed many times in the past as an option.

Commissioner Mazzotti said moving forward, Cristina signs the checks, and we should consider the issue about reconciliation too for an extra set of eyes. Mike said he goes through QuickBooks for all transactions, and QuickBooks take care of it.

Mike will be in contact with David Meager to discuss further.

Motion to adjourn the meeting and go into the Organizational meeting at 3:29 p.m.:

First: Simmonds Second: Mazzotti All Commissioners present voted: YEAH

2022 Organizational Resolutions are attached to the minutes

Motion to close the Organizational meeting and resume the regular meeting at 3:36 p.m.:

First: Simmonds Second: Mazzotti All Commissioners present voted: YEAH

Secretary report (SLPID Chair)

***Present December 2021 minutes.**

Discussion: Past minutes were emailed out to the commissioners for review.

Motion to accept December 21, 2021, minutes:

First: Simmonds Second: Mazzotti All Commissioners present voted: YEAH

Treasurer report (Mike VanPatten)

Discussion: Mike put together a year-end 12/31 report highlighting the balance sheet and income statement showing the cash position of fixed assets. What is important is the profit and loss and concern of SLPID being in a position where we are spending more than we take in. This is the real money, not the internal budget. The budget is a management tool, and these are the official numbers of what we took in and the actual cash that goes out. The real cash loss is \$37,000.

The second part of the report shows the income from County and Towns each year and the expenses starting with 2011. Most years, SLPID was showing an excess of cash for future expenditures for equipment. Years 2020, 2021, and our current budget for 2022 show a cash loss. We have been using our savings account with \$123,000 left to support our operations. Mike stressed we need to live within our means and stick to the budget for normal operations.

Chair Simmonds asked for clarification that we can increase the budget by 2% each year yet, 2018 and 2020 income went down, up, and down. If we are always adding 2%, why is it going down?

Mike said that we went over budget one year, so there is a formula of how much in the budget you get the next year. You put your numbers in, and here is what you can charge for next year. If you go over that, they take it back. Mike said his point is that we could save all those years, and now we are not.

Chair Simmonds said yes, we put the taxpayer's money to good use by purchasing needed equipment which is good for operations for the taxpayers.

Chair Simmonds made a motion to take \$47,000 out of the line item for herbicide treatments (weed control Solitude) since we are not doing a treatment this year and start fresh for 2022. This way, we stay within the line items.

On the other hand, Dean asked where does the money go that was not spent on the line items?

Cristina said it went to pay other bills that did not have a line item that commissioners decided to move

forward with, not planned in the budget; BioBase, advertisement, website, chestnut removal, contingency.

Chair Simmonds other question is that payroll taxes, insurance, and service fees were \$35,000 for 2021, and we only allocated \$12,000 in the 2022 budget, which means we will be in the negative for that.

Mike answered that these are preliminary internal controls, and we have never gone over payroll in the line items ever, plus we had leftover money. Mike said he puts the salaries, including an estimate of taxes in the budget, plus the unemployment rate went up.

Chair Simmonds said her point is, we are setting ourselves up to be in the hole if it is not allocated as a line item.

Chair Simmonds said we are paying ADP \$100 per week to process payroll for one employee five months out of the year. Can we investigate a less expensive payroll company or can Mike calculate it?

Mike said he would have to do the figures by hand. Crissy is paid once every two weeks.

Chair Simmonds said that it would be a good idea for Mike to process the check as it is not much work and \$100 per week for one check seems a bit excessive; when we have a full staff, that cost is fine.

Cristina suggested she get paid once a month and save \$300 per month for the five months.

Chair Simmonds said SLPID spent \$5,500 on ADP for the year and did not think we were getting our bang for the buck.

Mike will set up ADP for a one-month pay for the Administrator's salary. ADP calculates everything the employees' taxes, sick leave, holidays, etc.

RESOLUTION # 18-2022

Whereas the Commissioners approve to move \$47,740 from the budget line item weed control Solitude for a balance of \$27,260. NOW THEREFORE, BE IT RESOLVED, the Commissioners direct the action to reduce the line item of Solitude to \$27,260 and this action be incorporated in the minutes of the District.

First: Mazzotti Second: Baker All Commissioners present voted: YEAH

Chair Simmonds said this way, we are in line with the money coming in, and the line item will still cover Dean's projects.

Commissioner Mazzotti asked about SLPID accepting donations. Cristina said yes, SLPID could accept donations and has a donation spot on the website. She has suggested a page for donations on the website describing each department. The donor can choose where their contribution can go specifically. Cristina has this as a recommendation in the 2022 projections for SLPID commissioners to promote donations.

Commissioner Mazzotti asked Cristina to draft a letter to SLA to contribute \$6,000 for education programs and \$6,000 toward the Fish Creek asking reclamation project.

Motion to accept to pay the monthly bills as reviewed by commissioners:

First: Mazzotti Second: Baker All Commissioners present voted: YEAH

Motion to accept Treasurer's report:

First: Simmonds

Second: Baker

All Commissioners present voted: YEAH

***Lake Administrator report: (Cristina Connolly)**

Discussion: Lake Stewards – meetings have begun for planning the 2022 lake steward season.

Cristina has forwarded a new steward job description advertisement to share with PRISM, SUNY ESF, and local colleges. When it is closer to the season, she will post with the State Labor Department and reach out to her other contacts.

Next, Cristina will be finalizing the GIS data for the State's final report.

Cristina completed changes to the HR Manual and forwarded it to the consultant for review.

She has been working with Tracey and Dean on reviewing and finalizing the WMP update.

Cristina spoke with the President and Vice President of the Riley Cove Association. A different attorney created the Riley cove lease than the SLPID attorney. It is incomplete and was never signed by either party. Cristina asked the commissioners for permission to place an addendum on the lease agreement and have the SLPID attorney double-check it, then both parties sign, so it is official. All commissioners present gave permission to go ahead.

Cristina noted that a Procurement guide is another policy that SLPID does not have in place that is required by law. She would like to complete a Procurement guide if time allows this winter, and this would be another item for the SLPID attorney to review when completed. All commissioners in attendance said yes in agreement.

Cristina emailed the commissioners on changes with the SLPID insurance policy and was asked to increase the truck deductible to \$1,000 to save money. Cristina said the savings would be \$61 per year. Commissioners in attendance said this was not worth changing.

Cristina emailed out a contract for NE Aquatic to come again this summer with the Weedoo for water chestnut and debris clean-up. This is the same price as last year.

Chair Simmonds asked as far as the WMP it will be in its 100% final form by January 15, then going up on the website on February 1 for the public to review, and a public hearing at the SLPID March meeting to get wrapped up. Cristina and Dean replied, yes.

RESOLUTION #19-2022

Whereas the Commissioners approve to contract with NE Aquatic Weed Harvesting, LLC., for rental of a Weedoo machine with an operator to remove water chestnuts and other debris in Saratoga Lake. The contract period is July 25, 2022- July 29, 2022, with a bad weather date of August 1, 2021 – August 5, 2022. in the amount not to exceed \$9,500. NOW THEREFORE, BE IT RESOLVED, the Commissioners direct the action to contract with NE Aquatic Weed Harvesting, LLC, and this action be incorporated in the minutes of the District.

First: Simmonds

Second: Mazzotti

All Commissioners present voted: YEAH

Fish Creek Reclamation (Dean Long)

Discussion: Commissioner Mazzotti asked about the previous discussion over the summer with the catch basins at the streams and if we are having a hard time keeping that up to par?

Dean said he discussed catch basins as a management position and needs to reach out to the NYS DOT engineer to maintain Route 9p and catch basins. DOT works on 5-year plan cycles, and we don't know where they are in the rotation. There will be State and Federal money for infrastructure improvements. Dean said we need to get on the list that we need catch basins to protect the water quality and some level of stormwater control with lots.

Commissioner Mazzotti asked what we could do to expedite this? Dean said we need to start discussions with NYSDOT and contact Assemblywoman Carrie Woerner to write a letter asking for better stormwater management on Route 9p.

Commissioner Mazzotti asked Cristina and Dean to work together, move forward, and meet with Assemblywoman Carrie Woerner.

Fish Creek Reclamation:

Dean presented to the commissioners a quick list of steps for the coming months and the goal to be at the point to discuss the RFP process in March and find out what additional services are needed.

Depending on which funding categories we fall into, we still need the information to negotiate the Army Corp permitting successfully. We need accurate numbers and what the impacts will be, etc. Dean said most of this we have talked about before. There are items in the grant application and some level of cost-benefit analysis that we will need to hire a consultant with experience dealing with this. Some may be done by formulas the State utilizes. This is the beginning of what we will have to pay for preparation.

The other item is finding the best applicant. FEMA projects go to the State, and the State distributes the project to sub-applicants. Under some applications, it may be SLPID. Most will be under the County or the Town. It depends on which program we fall under with FEMA. The goal is to finish figuring this out and confirm with the State to make certain that whoever is the applicant is okay with doing this. It may be County Soil and Water Conservation, and this is what we want to accomplish finding out over the next few months.

The other item is the thermistor strings, and the cost of building is within the \$5,000 range. The thermistor strings provide critical information on how the nutrients flow through the lake. It is \$5,000 for materials, but it does produce a lot of data. A suggestion is to do an RFP to SUNY Oneonta or Freshwater Institute to run the project. At the end of the season, you end up with a few hundred thousand data points, and the data is not easy to manipulate. That is why an RFP for a University or other agency should handle and launch it by May.

Dean said he would also do a price on Dan Buckley volunteering to do it.

Cristina asked whether we could take advantage of some of the EPA grants; they seem to fall right into a few of the projects SLPID has lined up? Commissioner Mazzotti asked about hiring consultants to review grants?

Dean said he would like to see the thermistors placed in the kaydeross Creek and four more around the lake on swim platforms to see how the lake behaves in different areas.

Chair Simmonds said we are looking at 31 thermistors total.

Commissioner Mazzotti asked Cristina to speak with SLA about donating \$6,000 for thermistors.

It was agreed, SLPID will move ahead with the thermistors and the GPS for lake water flow which is about \$1,000.

Chair Simmonds made a motion to move ahead with the two projects of Thermistor strings and GPS for lake water flow.

First: Mazzotti

Second: Baker

Commissioners present: YEAH

Chair Simmonds said the PCR testing, turbidity meter, and HAB testing kits are on hold for the 2023 budget.

Commissioner Mazzotti asked what is the plan for HAB's. Cristina said the goal for 2022 is that County Soil and Water Conservation District and County Stormwater Management offices both have acquired drones. If there is a HAB seen, she will give them a call to document, and they will keep the record. If we need to send out samples, it will be a couple hundred dollars per sample, not a significant cost.

Commissioner Mazzotti then asked about the public being notified and the public informing SLPID, which would be you (Cristina) to act quickly. Cristina said yes, she has put together a couple of documents for HABs the past year and will make sure that does go out to the public expedited as we have a duty to notify the public.

Commissioner Mazzotti commented that public knowledge and outreach are essential. The public knowing gives SLPID a better opportunity to correct it, plus it is a health and safety issue. All agreed that SLPID messages should go out immediately to the public as best as possible.

Cristina noted that SLA had been a help with pushing SLPID messages on social media.

Dean's report closed with a recap that at the SLPID March meeting, we will follow up on the RFP and hopefully have costs in place to decide and have further information to report on the Fish creek project.

Cristina asked permission for a few questions.

-Is there a yearly maintenance with the thermistors? Dean said no. The batteries can be replaced yourself, and the circuitry is pretty stable. The cost is \$60-\$70 each, so you will not repair them.

-Where is the money coming within the budget for the Fish Creek project? Can we settle that now so everyone understands?

Chair Simmonds replied, yes.

Fish Creek \$11,000

Thermistor project \$5,000

lake flow GPS \$1,000 plus a subscription to a data service.

Weedoo \$9,500

Chair Simmonds said the funds will all come out of the line item for Solitude.

-Cristina then asked the money for hiring CT Male is a gamble we are taking to go the next step to see if this will come to fruition. Dean said correct. We don't know if we can go further until the CT Male study is complete to present the idea and then know?

Dean said as long as the stream is flowing, they can survey in the winter.

-Cristina asked when a grant is received. Will SLPID need to put up funds for the grant money? Dean said to get the funding, the applicant will have to carry out the permitting and \$50,000 is a low-end price for permitting, and it is hard to say how much.

-Cristina asked should we talk to the County DPW first to make sure they would be on board? Dean said yes when we find out who the applicant is if it is County DPW and hope they or whoever would pay the permit fee.

-Years ago, there was talk about dredging this spot. Do you know why it was not carried out then? Dean said it was never discussed on this scale, although everyone has known since the '70s.

-Cristina said one last question is on the BioBase subscription fee. There is a free subscription for Government entities. The only difference from what we are paying for is one of the GB for data is slightly less. If we can be okay with that, it is a free subscription. We have paid \$1,400 for the past two years. Dean said he would check on that.

RESOLUTION #20-2022

Whereas the Commissioners approve to contract with CT Male, for survey and sediment removal volume estimates for the section of Fish Creek identified in the 2010 study as being a restriction along the Fish Creek of approximately 1,600 feet. This scope also includes any required letter reports or figures to include with the SLPID's application to FEMA. The fee for the sediment removal estimate is \$1,200. The fee for the bathymetric survey is \$9,200. Plus, a 5% contingency fee of \$510. Total fee not to exceed \$9,710. The Lake District Administrator will approve and sign the final contract.

NOW THEREFORE, BE IT RESOLVED, the Commissioners direct the action to contract C.T. Male, and this action be incorporated in the minutes of the District.

First: Mazzotti

Second: Baker

All Commissioners present voted:

Lake Level (Commissioner Carringi)

Discussion: None

Communications (Commissioner Supley)

Discussion: None

Old business – Chair Simmonds said the projected plan for 2022 that Cristina prepared we should go through it at the next meeting to talk about these falling into place in the future.

The next SLPID meeting is March 17, 2022, at Malta Community Center at 3:00 p.m.

New business – None.

Motion to adjourn the meeting at 4:37 p.m.

First: Baker

Second: Mazzotti

All Commissioners present voted: YEAH