

Chemung County Stormwater Coalition Board Meeting  
Tuesday October 11,2022  
1:00pm at Stormwater Office

Meeting Attendees:

Andrew Avery  
Tom Whispel- Absent  
Kathy Szerszen  
Chris Doane  
Dick Gunderman  
Karen Tillotson – Absent  
Jimmie Joe Carl – Absent  
Jessica Verrigni  
Nikole Watts

Meeting Called to order: 1:01pm

Motion to Approve September 13, 2022 minutes. Motion by Chris Seconded by Kathy.

Kathy had a question, stated that Andy sent out information relating to the discussion on when an engineer is required. The information that was sent and what was reflected in the minutes, don't seem to mesh. The information talks about construction or operation in connection in many things and then any improvements or maintenance of any public work.

While inspecting dams or any work along those lines is there a need for an engineer to go along?

Andy stated that his understanding, that there is a dollar figure and it is really low, like \$5,000.00. Any public works improvement over \$5,000.00 is supposed to be signed off by an Engineer (P.E.). Andy stated in his opinion he thinks that amount is too low, and it probably reflects project that are 50 years old. The amount should probably be \$50,000 to \$100,000 because you can't do anything maintenance wise for \$5,000.00. Which means that anything you do legally requires an Engineer sign off. Kathy pointed out that it states improvements or maintenance.

Andy said all he wanted to point out was the legal responsibility of the districts for public works improvements that they are making.

Kathy asked how this reflects on some of the activity that is involved with the stream management program? Andy stated that if it is on private property, it doesn't technically need a engineer sign off, unless that stream is effecting public work facilities, like a bridge. If you are going more water or changing the direction that the water is coming in and effecting a public infrastructure, you would then need an Engineer to sign off. But to line someone's bank with stone, that does not require a P.E. sign off. \$5,000.00 is a low amount, but it is the law and it has not been changed because no one has complained.

Andy gave the example that if public works designed a project and it was not signed off on by Carl or himself and that project failed, that would leave the county open to be sued. The county has an engineering policy in place that indemnifies their engineers provided they don't do something criminal. Kathy stated all the municipalities also have that policy in place. Andy made the point that no one is going to complain if it works and Kathy added it is better to be safe than sorry. Andy then stated that he sees it as insurance.

Chris brought up that in the last meeting the district board had decided to not add money to the budget to help pay for Jimmie Joe. He asked that when they had the dam inspections and Jimmie Joe signed off on them, the insurance company liked it. Now that Jimmie Joe will not be inspecting the dams, does that mean the county insurance will now go up? Andy did not know that answer and that Karen was going to discuss that with Executive Moss and how that should be handled. Kathy then asked if the district is going to do the maintenance of the dams, in the past there was an inspector that would meet them and go out to inspect the dams. Andy pointed out that the inspector that goes out is not a licensed engineer. Dick stated that they never had a licensed engineer do it because it was left up to him to sign off when he was the watershed coordinator.

Andy went on to explain the law to Dick, on how any project over \$5,000.00 needs an engineer sign off. Andy acknowledges that the \$5,000.00 figure is ancient, it is still the law. He explained that he wanted to give this information to Karen so she could explain to the other board, that if you don't have an Engineer, nobody is going to complain if what you design and implement works, but if it fails and you didn't have an engineer sign off on it, they can come at you because you didn't follow the state law. It is information for the other board to take into consideration before they decide you don't want to have an engineer involved. Andy made a point that if a dam fails and it was inspected by someone who is a non-engineer that's when it will come into play. It was pointed out that the insurance company did like the fact that Jimmie Joe signed off on the dam inspection reports.

Kathy pointed out that for any stormwater related issue they would have Jimmie Joe, but for the stream maintenance program if something needs to be done, what insurance do the municipalities have, to ensure it is done appropriately if an engineer doesn't look at it. The point made was that if they are working on private property stabilizing the bank with rock, and that fails, the rock washed down and plugs a bridge which in turn makes that bridge or culvert blow out then someone drives through either get hurt or worse killed they are going to come after the group that put that project in that failed. Kathy stated that is exactly why she asked the questions, because the information provided and the information that was in last meetings minutes didn't go together.

Minutes approved by all.

Finances: approve the list of bills; Dick pointed out that he signed the list of bills last Tuesday. Motion by: Andy Seconded by Chris. Bills approved.

Andy asked the question on the purchases that the board approved. One computer and the other were handouts. Andy asked if they both had been purchased.

1. The computer was ordered and was delivered, the county just needs to install it.
  - a. Jess pointed out that she wasn't sure if Karen was going to pay half of the computer. It is the only county network computer. Andy stated that the district already agreed to pay half. It would be assumed that they would still pay have as it is a benefit to the district to have access to the network.
2. Nikole received the coupon code and order would be placed after meeting. In the budget that was sent to the board, there is some other education material that needs to be purchased before I place the order, so I can see what budget line the money is coming out of.

Soil and Water: No report

Engineer:

- Jimmie Joe exposed to covid, so working from home
  - o Took Kentworth trucking home
  - o Town of Horseheads drainage project: Turnberry
  - o Project in Baldwin

Technician report:

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### **September 26<sup>th</sup>, 2022:**

#### **Monday September 26<sup>th</sup>**

- Updated MS4 Outfall data from 2019-current on outfalls that have been added and removed so the data set is the most current information
- Sewer District Survey assistance- Chris Yearick and I went to Shulman's scrap yard so that I could grab a survey point of an existing sewer manhole.
- Field visit to John Updyke residence with Tom Whispel to check vegetated stabilization status for project close out.
- Reached out to Pete Rocchi to find out locations of drone photos that he needed.
- Dollar General Old Ithaca Road- phone calls to Town of Horseheads Code, Highway, & Supervisor to discuss the need of blocking off Dollar General parking lot of people bypassing the Rte. 13 Connector Road project detour to get to Holding Point.
- Emails to Instructor's of NYS Erosion and Sediment Control Certificate Program to start discussions of Review Course in Kingston, NY in late Fall.

#### **Tuesday September 27<sup>th</sup>**

- Drone photos for Town of Southport 2 locations. Downloaded photos to USB gave to Nikole to drop off to Town
- Site Inspection of soil restoration progress at Hickory Grove Solar Farm. Will require inspection report to be completed.
- Site Inspection of Hilliard Warehouse to check status of final stabilization effort. Will require an inspection report be completed.
- Correspondence with Town of Big Flats on Dshinesagain Solar Farm 5 acre disturbance request.

- Taught sewer district how to use our survey equipment. I will not be around when they need data gathered so I offered them to utilize it themselves.
- Request for guidance from DEC on a drainage issue within the Village of Elmira Heights. Not certain if it is an MS4 issue, zoning issue or other DEC permit issue.
- Site Inspection, Meeting and follow up phone calls/emails for Villa's subdivision project (Village of Horseheads) Lot #1. Will require additional inspection report be completed.
  - Complaint taken regarding placement of silt fence
  - Met with Lot #1 developer to discuss the issue and gain understanding of what happened
  - Followed up on site conversation with phone calls to Village and emails to all parties to discuss the need for a SWPPP change and agreement between all parties (Village, Developer, SWPPP consultant and builder) in regards to the stormwater swale.

### **Wednesday September 28, 2022**

- Email correspondence with:
  - DEC to find out what will be needed ahead of the MS4 audits on October 25<sup>th</sup>
  - County IT- new computer
  - Town of Big Flats Dshinesagain Solar
  - Town of Horseheads Coca-Cola page added to website
  - NYS E&S Committee Kingston training
  - Town of Horseheads Dollar General Old Ithaca Road O&M plan with Legal agreement
  - 2 requests for information on the NYS Erosion and Sediment Control Certificate program
- Created Coca-Cola webpage on Stormwater Projects website to track SWPPP review
- Corning Aviation Exit Road Underground Infiltration
  - Filled out the Post Construction Inspection report with photo log
  - GIS Maps
  - Follow up letter to Town with recommended action items
  - Submitted above information to Town

### **Thursday September 29, 2022**

- Email correspondence with:
  - City of Elmira regarding close out paperwork submitted from BME consultant for Six67 Apts.
  - Stamped fittings
- Renewed NYS DOT CORS subscription for our GPS survey equipment
- Stamped Fittings inspection Report, emails, and updating website

### **Friday September 30, 2022**

- Email correspondence:
  - NYS DEC regarding questions on the MS4 program in regards to a business in the Heights that is causing drainage and water quality issues
  - NYS E&SCCP Committee- discussions around the development of a Review Manual
  - NYS E&SCCP Review Course questions to 3 individuals

- Updyke Single Family Home inspection report, email and updating website

### **Saturday October 1, 2022**

- Email Correspondence:
  - Reviewed new drainage SWPPP submitted for Hibbard Road Lot #13 project
- Route 13 Connector Project Inspection report, emails and updating website
- Southern Tier Logistics inspection report, emails and updating website
- Hilliard Warehouse inspection report, emails and updating website
- Villa's Lot #1 inspection report, emails and updating website
- Hickory Grove Solar Farm inspection report, emails and updating website
- County DPW DEC Audit
  - Reviews 2020 self-assessment
  - Set date and time to meet with DPW staff

### **Monday October 3<sup>rd</sup>, 2022**

- Email Correspondence
- Printed and filed all inspection reports completed from home last week
- Site visit to Rte. Connector project to discuss inspection report findings and walk area with Engineer for project
- Updated GIS System with post construction inspection reports from 2021-2022 reporting year for:
  - Higher Hope Church- Big Flats
  - Soaring Ridge Subdivision- Big Flats
  - Raymour & Flannigan- Big Flats
  - Highland Hills Subdivision-Horseheads (T)
  - HMS Development- City
  - Brian Harris Storage- City
  - Hilliard Building Expansion- City
  - Aldi- City
  - Family Dollar- City
  - Link Road Pond- City

### **Tuesday October 4<sup>th</sup>, 2022**

- Preparations, meetings and building walk through with County DPW regarding NYS DEC's MS4 audit on October 25<sup>th</sup>.
- Follow up correspondence with Village of Wellsburg Code regarding solar farm project
- Discussions with New York State Conservation District Employees' Association regarding the New York State Erosion and Sediment Control Certificate.
- Updated GIS System with post construction inspection reports from 2021-2022 reporting year for:
  - Seneca Beverage- Horseheads (T)
  - X Gen- Big Flats (T)
  - U Haul- Horseheads (T)
  - Hunt Center- Big Flats (T)
  - Bush Road Compressor Station- Veteran (T)

- Chemung Supply- Horseheads (T)
- Chambers Road Solar- Big Flats (T)
- Corning Aviation- Big Flats (T)

### **Wednesday October 5<sup>th</sup>, 2022**

- Facility walk through with County DPW to assess conditions for DEC audit
- Rte. 13 Connector Project meeting
- Updated GIS System with post construction inspection reports from 2021-2022 reporting year for:
  - Six67 Apartments- City
- Reviewed final project close out documents for Six67 Apartments in the City of Elmira to see if they have met all conditions of approval from the SWPPP Acceptance letter. They are seeking project close out but haven't provided all of the necessary documents. Requested Operation and Maintenance Plan to be included with legal binding agreement.
- Post Construction field inspection Whitney Park-Town of Big Flats
- Dropped off paperwork to Big Flats Community Center for our monthly Coalition and Water Quality meetings
- Phone conference call regarding NYS E&S Certificate Program Review Book development and copyright discussion.

### **Thursday October 6, 2022**

Reviewed/ approved Operation and Maintenance plan along with legal agreement for the Six67 Apartments. Correspondence with City to get legal agreement signed and filed with the County Clerk.

- Drafted letter for the Town of Ashland for a project potentially needing to meet stormwater regulations if they disturb over 1 acre of soil.
- Field Inspections-
  - Hayes Rain Garden Post Construction Horseheads (T)
  - Glad Tidings Infiltration Basin Post Construction Big Flats
  - Whitney Park Infiltration Basin Post Construction Big Flats
  - Austin SFH Municipal Construction Insp. Big Flats
- Park Station Drone videos for Chemung County Public Information
- Started creating new Outfall spreadsheets for 2022 through 2037

### **Friday October 7<sup>th</sup>, 2022**

- Continued working on new outfall spreadsheets. Printed them out and am identifying outfall inspection needs for 2022-2023

DEC will be here October 25<sup>th</sup> for the audit.

### **Educator Report:**

- Open house in Horseheads for Carol Haff, 45 people attended
- Town of Chemung training at Wellsburg fire dept. The entire highway staff sat through the training video.
- Hendy Avenue 4<sup>th</sup> grade teachers, have two visits planned with them in the end of October, Middle of November.

- Michelle at Gardner Road,
- Pumpkin Express in horseheads (150-200) people
- Electronic recycling event registration
- Town of Southport Trunk or treat
- Town of Catlin Trunk or treat
- Andy stated that Wisner market in the City of Elmira will be having a trunk or treat, Nikole would look into it.
- Farmland protection grant, Executive Moss signed it and we are ready to go.
  - o Tanya McGee is moving on to Corning Inc. So I will be helping out with two other board members to finish the grant.
- Civil Service test will be held Nov. 5<sup>th</sup>

Old Business- N/A

#### New Business:

- Andy and Kathy will be meeting with David Sheen later this week to go over the Stormwater and Stream program so he is up to date on everything that is getting discussed.
- Kathy made a copy of the audit for David Sheen so he can also look at that.
- Big Flats community center will be hosting our stormwater and water quality meeting. Andy suggested doing some training. Good housekeeping training, to get more attendance.
- Nov. 10<sup>th</sup> training for code, town boards, zoning.
- Grant that was submitted for the planning of green infrastructure on the CSO was kicked out because the consultant forgot to put match. This grant was a partnership with the sewer district. Jess forwarded the letter to the consultant and Allie about the grant getting rejected.

Meeting Adjourn at 1:40pm Motion by Kathy and Seconded by Chris.

Respectfully submitted by Nikole Watts