

CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY (IDA)
MINUTES OF MEETING
March 18, 2019

Present

Board Members: Austin DuBois, Chairman
Adam Pollick, Marlon Ramos, and Nancy Thomas
Excused Members: Michael Curry, Jack Penney, Joshua Smith
Staff: Cher Vickers, Executive Director

1. **Roll Call**: Chairman DuBois called the meeting to order at 6:07 pm. A quorum is present.
2. **Proof of Notice of Meeting**: Accepted.
3. **Reading and Approval of minutes of the previous meeting**

The Chairman allowed time for board members to read the minutes from the previous meetings if they had not already done so.

Approval of the February 25, 2019 board meeting minutes:

Ms. Thomas: Motion to approve the February 25, 2019 minutes as presented
Mr. Ramos: Motion seconded.
Discussion: None.
VOTE: Unanimously adopted.

4. **Report of the Treasurer; Approval of Payment of Bills**

Treasurer Marlon Ramos presented the Treasurer's Report to the board and discussed the activities in the accounts (see enclosure).

Discussion took place on what can be done to have the accounts perform better.

On a motion made by Adam Pollick and seconded by Nancy Thomas, the Treasurer's Report was accepted and payment of bills (Check Nos. 769 through 771) approved.

Also reviewed was the Five-Year Budget. As changes were made previously to the 2019 Annual Budget, those changes needed to be reflected in the Five-Year Budget. A motion to adopt the Five-Year Budget as presented was made by Adam Pollick, seconded by, Marlon Ramos, and unanimously approved.

5. **Chairman's Report**

The Chair talked about a meeting he and the Director attended on the federal Opportunity Zone, sponsored by Pattern for Progress. He explained how the Opportunity Zone works and the area that it applies to in the city. along with the Executive Director, Meghan Taylor (Regional Director, Empire State Development) and Bill Fioravanti (Office of Economic Development, Orange County) to discuss Scobie Drive and its possible future uses.

Another discussion topic was a contract for the Executive Director. The board have been sent a sample of a former director's contract; a draft for the current director has been done but has not been reviewed by the director. It will be reviewed and sent to the board for their review.

The chair discussed ongoing education, both for the director and the board. If anyone learns of any conferences/workshops/meetings that seem to be applicable to the IDA, please share with the director so she can e-mail it to everyone for their possible follow-up.

There are several meetings coming up and if any of the board are interested in attending, they may do so, with reimbursement by the IDA for their expenses. There is a conference in May that the Chair will attend on economic development, and he encouraged others to attend as well.

On May 27 there is a free webinar on IDA finances that was shared with the board. The Chair and Executive Director are attending at this time.

Board member Nancy Thomas brought up a topic that has been discussed among several members, that of attending the work session for the city and/or the City Council meeting on Monday evening. We believe on both of these occasions our choices for IDA board membership will be discussed and possibly voted on. It would be appropriate for the IDA to be at either one or both meetings if someone has the time in their schedule. At this time, there is no one available to attend.

The Chair mentioned a handout he received from a recent meeting that was prepared by the attorney firm of Hodgson Russ. He invited the firm to attend the next board meeting to discuss with them how we may be able to use their services and they become a resource for the IDA. They would work in conjunction with the current IDA Counsel.

A question came up concerning expenditure of funds and the IDA's Procurement Policy. The Chair and Counsel will review the policy.

6. Counsel's Report

IDA Counsel John Buckley mentioned GEMMA and his phone conversation with county officials concerning this project. After discussion amongst the board members, the board gave their unanimous consent for him to continue working with county officials on this project.

On a motion made by Chair Austin DuBois and seconded by Nancy Thomas, the board unanimously agreed that IDA Counsel should let Cobin file a Declaratory Judgment Action in Orange County Supreme Court for the \$300,000 that Wells Fargo holds. The court can make the decision on ownership of those funds.

7. Executive Director's Report

Executive Director Cher talked with the board about the reports and the 2019 Mission Statement for PARIS. The Mission Statement stayed the same, a few minor changes were made to the 2018 Operations and Accomplishments; 2019 Performance Measurements stayed the same.

On a motion made by Marlon Ramos and seconded by Adam Pollick, the board approves the following reports and Mission Statement as presented: 2019 Mission Statement, the 2018 Operations and Accomplishments Report, and the 2019 Performance Measurements; unanimously approved.

8. **New Business**

At this time no new business to discuss.

9. **Old Business**

Belvedere/Lake Drive

Mr. Akins, Property Rights Consultant for the engineers doing the work on the Lake Drive Bridge, for the Lake Drive easement, spoke with the Executive Director and stated he needs a formal resolution from the board signed. A resolution is before the board for this purpose.

On a motion made by Nancy Thomas and seconded by Adam Pollick, the board agrees to grant an easement so that the city may do any needed work; unanimously agreed. Adoption of Resolution No. 2019-03-18-02 was taken, and the resolution unanimously passed.

Scobie Drive DEC Sampling Report

James Mclver from C.T. Male sent a proposal for the water sampling that NYS DEC requires to be done at Scobie Drive back in December. This testing is part of the Brownfield Cleanup Program and keeping us in the program for this property. This testing is also needed to keep the tax credits for the site.

On a motion made by Austin DuBois and seconded by Nancy Thomas, the board agrees to contract with C.T. Male for James Mclver's services as outlined in their proposal/contract. Adoption of Resolution No. 2019-03-18-02 was taken, and the resolution unanimously passed.

10. **Old Business**

On a motion made by Nancy Thomas and seconded by Adam Pollick, the board meeting adjourned.

CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY

Treasurer's Report as of March 18, 2019

OPERATING Account				
Opening Balance	As of February 25, 2019		\$ 239,521.61	
<i>Disbursements</i>				
Check Number	Check Date	Payee	Amount	Remarks
769	2/25/2019	United States Postal Service	\$ 268.00	Rental of post office box, #1298
770	3/18/2019	Salvick Corp.	1,688.75	Inv. # 112
771	3/18/2019	Diana Hesse	706.25	Inv.# 2019-03-18
TOTAL			\$ 2,663.00	
<i>Deposits</i>				
		Payor	Amount	Remarks
	3/4/2019	Sprint	1,957.80	Cell Tower
	3/11/2019	AT&T	3,347.18	Cell Tower
	3/11/2019	T-Mobile	4,230.25	Cell Tower
TOTAL			\$ 9,535.23	
Closing Balance	As of March 18, 2019		\$ 246,393.84	

APPLICATIONS FUND Account			
Opening Balance	As of February 1, 2019		\$ 14,137.50
Closing Balance	As of February 28, 2019		\$ 14,137.50

LESSOR/TENANT Account			
Opening Balance	As of February 1, 2019		\$ 2,400.00
Closing Balance	As of February 28, 2019		\$ 2,400.00

MONEY MARKET Account			
Opening Balance	As of February 1, 2019		\$ 741,566.43
Interest credit			511.99
Closing Balance	As of February 28, 2019		<u>\$ 742,078.42</u>

City of Newburgh Industrial Development Agency (IDA)

Budget and Financial Plan

Budgeted Revenues, Expenditures, and Changes in Current Net Assets

Revenue & Financial Sources	Actual 2017	Estimated 2018	Estimated 2019	Estimated 2020	Estimated 2021	Estimated 2022
Operating Revenues:						
Charges for Services	\$0.00	\$250.00	\$2,500.00	\$0.00	\$500.00	\$500.00
Rental & Financing Income	156,804.00	121,020.00	124,000.00	127,000.00	\$130,000.00	\$130,000.00
Other Operating Income	0.00	0.00	500.00	515.00	530.45	546.36
Non Operating Revenues:						
Investment Earnings	\$0.00	\$1,020.00	\$7,040.00	\$1,070.00	\$1,000.00	\$1,000.00
State Subsidies/Grants	0.00	0.00	0.00	0.00	0.00	0.00
Federal Subsidies/Grants	0.00	0.00	0.00	0.00	0.00	0.00
Municipal Subsidies/Grants	0.00	0.00	0.00	0.00	0.00	0.00
Public Authority Subsidies	0.00	0.00	0.00	0.00	0.00	0.00
Other Non-Operating Revenues	0.00	500.00	0.00	0.00	530.00	530.00
Proceeds from the Issuance of Debt	0.00	0.00	0.00	0.00	0.00	0.00
Total Revenues & Financing Sources	\$156,804.00	\$122,790.00	\$134,040.00	\$128,585.00	132,560.45	132,576.36
Expenditures						
Operating Expenditures:						
Salaries & Wages	\$37,985.00	\$55,000.00	\$55,000.00	\$25,000.00	\$25,000.00	\$35,000.00
Other Employee Benefits	0.00	5,000.00	5,000.00	0.00	0.00	0.00
Professional Services Contracts	14,604.00	70,000.00	50,000.00	50,000.00	50,000.00	50,000.00
Supplies & Materials	0.00	0.00	0.00	0.00	0.00	0.00
Other Operating Expenditures	17,046.00	30,000.00	20,000.00	6,000.00	8,000.00	8,000.00
Nonoperating Expenditures:						
Payment of principal on bonds & financing arrangement	0.00	0.00	0.00	0.00	0.00	0.00
Interest and other financing charges	0.00	0.00	0.00	0.00	0.00	0.00
Subsidies to other public authorities	0.00	0.00	0.00	0.00	0.00	0.00
Capital asset outlay	0.00	0.00	0.00	0.00	0.00	0.00
Grants and donations	0.00	0.00	0.00	0.00	0.00	0.00
Other Non-Operating Expenditures	0.00	0.00	0.00	0.00	0.00	0.00
Total Expenditures	\$69,635.00	\$160,000.00	\$130,000.00	\$81,000.00	\$83,000.00	\$93,000.00
Capital Contributions	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Excess (deficiency) of revenues and capital contributions over expenditures:	\$87,169.00	-\$37,210.00	\$4,040.00	\$47,585.00	\$49,560.45	\$39,576.36

**City of Newburgh Industrial Development Agency
83 Broadway, Newburgh NY 12550**

**Mission Statement
January 1 to December 31, 2019**

Mission Statement:

The mission of the City of Newburgh Industrial Development Agency is to advance job opportunities, health, general prosperity, and the economic welfare of the people of the City of Newburgh and to improve its recreational opportunities, prosperity, and standard of living, through the promotion, development, encouragement, and assistance of industrial, manufacturing, warehousing, commercial, research, and recreation facilities, educational or cultural facilities, health care facilities, and continuing care retirement communities, in the City of Newburgh.

City of Newburgh Industrial Development Agency
2019 Mission Statement
Operations and Accomplishments
January 1-December 31, 2018

Mission Statement

The mission of the City of Newburgh Industrial Development Agency is to advance the job opportunities, health, general prosperity and economic welfare of the people of the City of Newburgh and to improve its recreation opportunities, prosperity, and standard of living, through the promotion, development, encouragement and assistance of industrial, manufacturing, warehousing, commercial, research and recreation facilities, educational or cultural facilities, health care facilities, and continuing-care retirement communities, in the City of Newburgh.

Operations

The City of Newburgh Industrial Development Agency (NIDA) is a public authority of the State of New York organized under Article 18-A of the New York State General Municipal Law to serve the City of Newburgh.

The mission of the Agency is to encourage economic development throughout the city, to assist in the retention of existing jobs, and the creation and attraction of new jobs. The NIDA programs are discretionary and provide companies with access to tax-exempt bond financing and/or tax benefits to acquire or create capital assets, such as purchasing real estate, constructing or renovating facilities, and acquiring new equipment. All applicants must satisfy eligibility requirements and demonstrate a need for assistance. NIDA administers its programs within the requirements of regulations enacted by New York State.

The Agency functions as a part-time office. All of its members are independent. Staffing, legal, and bookkeeping services are provided under contract.

The Board makes policy, establishes best practices, and directs the management of the Agency.

The Board establishes Agency goals, and monitors achievements/completion of tasks through email discussion and review of activities at monthly meetings.

Although the Agency functions on a part-time basis, staff are responsible for the day-to-day operations of the Agency and for compliance with state laws, regulations, and best practices.

As needed, the Board will hold work sessions to permit active participation of its members in management of the Agency.

The Agency's funds are maintained and secured in several interest-bearing accounts at TD Bank. All expenditures must be approved by the Agency.

Accomplishments

Goal #1: Promote private investment for development, job creation, and retention.

Facilitate job generation, assist in the creation of new business, expansion of existing businesses. In cooperation with the City of Newburgh, Orange County, and Economic Development facilitators, and property owners review potential eligible projects and authorize incentives consistent with all applicable legislation.

The Agency will respond to inquiries for potential Project to determine applicability for sites and properties in the City and eligibility for IDA Assistance. In addition the Agency meets and reaches out to property owners/developers to explain Agency assistance. For the following year the Agency consider:

- Website creation or reorganization
- Prepare a brochure that can be submitted at meetings
- Outreach and educate multipliers on the benefits of agency assistance

Goal #2: Dispose of agency-owned property.

Scobie Drive Brownfield: Negotiations for a compost operation were held. A conclusion was made that they were not the highest and best use for the site.

Several other projects were entertained. For 2019 a RFP will be prepared and distributed.

Goal #3: Undertake compliance requirements.

Administer the Agency in compliance with enabling legislation.

- Hold at least two Governance and Audit/Finance Committee Meetings a year.
- Review, edit as necessary and re-affirm policies and operations.
- Monitor economic data.
- Conduct open monthly meetings.
- Monitor projects.
- Complete an Annual Audit and submission of PARIS.
- Maintain and update web site.

City of Newburgh Industrial Development Agency
Mission Statement and Performance Measurements
January 1 to December 31, 2019

Mission Statement:

The mission of the City of Newburgh Industrial Development Agency is to advance the job opportunities, health, general prosperity, and economic welfare of the people of the City of Newburgh and to improve its recreation opportunities, prosperity, and standard of living, through the promotion, development, encouragement and assistance of industrial, manufacturing, warehousing, commercial, research, and recreation facilities, educational or cultural facilities, health care facilities and continuing care retirement communities, in the City of Newburgh.

Enabling Legislation:

The City of Newburgh Industrial Development Agency was formed under Article 18 A of the NYS General Municipal Law as a public benefit corporation. It can provide financial assistance consistent with the aforementioned law. It is subject to compliance with the Public Authorities Accountability Act of 2005 and Public Authorities Reform Act of 2009 and all subsequent and applicable regulations and laws of the State of New York.

Stakeholders: City of Newburgh government and school district
City of Newburgh residents and businesses

Performance Goals and Measures:

Goal #1: Promote private investment for development, job creation and retention.

Measures.

- Facilitate disposition and development of vacant IDA industrial/commercial properties.
- Support new business, business retention, and job generation through coordination with the City of Newburgh and involved economic development organizations -- respond to leads, determine eligibility for IDA financing and other business assistance, make referrals, and support/facilitate regional economic development initiatives beneficial to the City.
- Marketing and Outreach: Sponsor a workshop for economic facilitators to learn about IDA and other benefits available for re- development of existing facilities, expansion of existing businesses, and development of vacant sites in the City of Newburgh.
- Induce and execute eligible projects that generate private investment and create or retain jobs.

Goal # 2: Dispose of agency-owned property.

- Scobie Drive Brownfield: Market the site by RFP.
- Outreach to industry leaders for interest in the site.

Goal # 3: Maintain the Agency in Compliance with all applicable New York State requirements

- Hold at least two Governance and Audit Committee Meetings a year.
- Annually review and adopt/re-adopt policies and operations.
- Monitor economic data.
- Conduct open monthly meetings.
- Complete an annual audit.
- Monitor projects.
- Complete PARIS reporting.
- Maintain and update web page.
- Manage the Agency in conformance with all applicable state laws and regulations.

Additional Questions:

1. Have the board members acknowledged that they have read and understood the mission of the public authority? YES

2. Who has the power to appoint the management of the public authority?

The Members of the Agency approve the appointment of its chief executive and chief financial officers consistent with the qualifications stated in the Agency's By-Laws. The Governance Committee screens applicants' qualifications and experience; suitable candidates are interviewed; the Finalist is voted on by the Board.

3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority.

Yes, the Agency's By-Laws establish responsibilities and experience required for its management positions.

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

The Board makes policy, establishes best practices, and directs the management of the Agency.

The Board establishes Agency goals, and monitors achievements/completion of tasks. They communicate by phone, meetings, and e-mail discussion. Decisions are voted on at monthly meetings.

Although the Agency functions on a part-time basis, the executive director is responsible for the day-to-day operations of the Agency and for compliance with state laws, regulations and best practices, and maintaining ongoing communication with the Board and Counsel via e-mail.

The Board approves all expenditures.

The Agency's Committees undertake their duties consistent with adopted Charters recommended by the Authorities Budget Office.

5. Has the Board acknowledged that they have read and understand the responses of each of these questions? Yes, by annual adoption of the Mission Statement.

CITY OF NEWBURGH INDUSTRIAL DEVELOPMENT AGENCY

Resolution No. 2019-03-18-01

The undersigned, being present at a duly constituted meeting of the officers of the City of Newburgh Industrial Development Agency (hereinafter the "IDA"), pursuant to the by-laws of this agency and all applicable statutes, adopt the following Resolution:

WHEREAS, the IDA is the owner in fee simple of a parcel of property that is situated at 207 Lake Drive in the City of Newburgh, New York and bears Tax Map Identification Number 42.-2-6.11, having acquired title to such parcel by a Bargain and Sale Deed dated August 27, 2004 and recorded September 3, 2004 in the Orange County Clerk's Office in Liber 11604 of Deeds at Page 686 and by Quit Claim Deed dated August 27, 2004 and recorded September 3, 2004 in the Orange County Clerk's Office in Liber 11604 of Deeds at Page 694.

WHEREAS, the IDA hereby agrees to convey a permanent easement of approximately 4,889 square feet of the real property, known to the parties to said conveyance as Parcel No. 1, Map No. 1, as shown on a map titled Lake Drive over Quassick Creek Project, Acquisition Map, PIN 8761.39, being a portion of Tax Map No. 42-2-6.11.

WHEREAS, the City of Newburgh represents that the easement shall be used only for public right of way purpose.

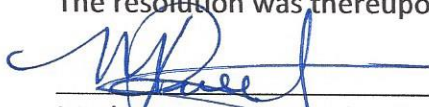
WHEREAS certain documents are required from the IDA in order to convey the permanent easement of said property;

1. the IDA authorizes to convey a permanent easement as described in paragraph 2 above to the City of Newburgh in consideration of its payment of \$5,500 to the IDA.
2. the IDA hereby authorizes the Chairman of its Board of Directors or the Executive Director, to execute a permanent easement and all closing documents necessary for the completion of this transaction.
3. a copy of this Resolution may be shown to third parties, who may rely upon the authority vested herein.

The foregoing resolution was duly put to vote, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Austin DuBois	✓			
Nancy Thomas	✓			
Michael Curry			✓	
John Penney			✓	
Adam Pollick	✓			
Marlon Ramos	✓			
Joshua Smith			✓	

The resolution was thereupon duly adopted.



Marlon Ramos, Recording Secretary

3/18/19

Date

**CITY OF NEWBURGH
INDUSTRIAL DEVELOPMENT AGENCY**

RESOLUTION NO. 2019-03-18-02

**AUTHORIZING A CONTRACT WITH C.T.MALE
FOR EMERGING CONTAMINANTS SAMPLING
ON THE 5 SCOBIE DRIVE PARCEL**

WHEREAS:

The City of Newburgh Industrial Development Agency (IDA) has been notified that the NYS Department of Environmental Conservation (NYS DEC) is undertaking a statewide evaluation of “emerging contaminants” at remediation sites. Emerging contaminants are PFAS compounds (the NYS DEC is tracking 21 compounds at this time), and 1,4-dioxane at a lower detection level than what was typically analyzed.

The NYS Department of Environmental Protection sent a letter to the City of Newburgh Industrial Development Agency, as a qualifying site, requesting a couple of groundwater samples to be analyzed for these analyses.

As the I.DA is the owner of 5 Scobie Drive and a participant in the Brownfields Cleanup Program (BCP), this request falls under the IDA jurisdiction for compliance.

The IDA requested of James McIver, C.T. Male & Associates, a proposal to fulfill DEC’s request of testing emerging contaminants. Mr. McIver and his firm have been used in the past on numerous occasions to assist the IDA with issues that may arise at the 5 Scobie Drive site.

NOW THEREFORE BE IT RESOLVED:

1. The Board of the IDA have been made aware of DEC’s request;
2. The Board of the IDA have read Mr. McIver’s proposal to assist the IDA, and any questions or concerns about the proposal have been addressed;
3. In order to comply with DEC’s request of the IDA, the Board of the IDA will adopt, by resolution, the C.T. Male proposal/contract for these services;
4. The Board of the IDA authorizes the Executive Director to sign the contact with C.T. Male;
5. The Board of the IDA acknowledges and permits Mr. McIver access to 5 Scobie Drive in

order to complete the testing sampling;

6. Any additional person(s) or another person in lieu of Mr. McIver needing access is granted so long as the IDA is notified at least two days prior to accessing the parcel, by e-mail, the name(s) of the people.

7. As payer of the C.T. Male proposal, any reports or information gathered are the property of the IDA and a copy of said information will be transmitted to the IDA, preferably by postal service.

8. The proposal/contract amount is \$10,250.00 and is payable upon IDA's receipt of materials.

9. The proposal is part of this resolution and is attached.

The foregoing resolution was duly put to vote, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Austin DuBois	✓			
Nancy Thomas	✓			
Michael Curry			✓	
John Penney			✓	
Adam Pollick	✓			
Marlon Ramos	✓			
Joshua Smith			✓	

This resolution was thereupon duly adopted on March 11, 2019.



Marlon Ramos, Secretary
March 11, 2019

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C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

12 Raymond Avenue, Poughkeepsie, NY 12604
845.454.4400 www.ctmale.com



March 12, 2019

Mr. Austin DuBois, Chairman
City of Newburgh Industrial Development Agency
City Hall, 3rd Floor
83 Broadway
Newburgh, New York 12550

VIA EMAIL

Re: *Proposal, Emerging Contaminants Sampling*
5 Scobie Drive, Newburgh, New York
NYSDEC BCP No.: C336085

Dear Mr. DuBois:

C.T. Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. (C.T. Male) is pleased to provide this proposal to conduct groundwater sampling for the emerging contaminants 1,4-dioxane and per- and polyfluoroalkyl substances (PFAS) at the above-referenced property located in the City of Newburgh, Orange County, New York, (the Site). The scope of services has been developed in response to a request by the New York State Department of Environmental Conservation (NYSDEC).

In accordance with the NYSDEC's request for emerging contaminant sampling at 5 Scobie Drive, the following tasks are proposed:

Work Plan Preparation

C.T. Male will prepare an Emerging Contaminants Sampling Work Plan for review and comment by the NYSDEC. The NYSDEC requires submittal of a sampling plan for their approval prior to conducting the emerging contaminants sampling. The Work Plan will propose collection of groundwater samples from three of the previously installed monitoring wells on the Site, and analysis of the groundwater samples, along with applicable quality control samples for the emerging contaminants, validation of the laboratory data by a third party data validator, upload of the environmental data to the NYSDEC EQuIS database system, and a brief letter report of findings.

C.T. MALE ASSOCIATES

Mr. Austin DuBois

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Monitoring Well Sampling

C.T. Male will collect a groundwater sample from each of three selected monitoring wells for laboratory analysis of emerging contaminants. Prior to sampling, the static water level in the well will be measured, and the monitoring well will be purged and allowed to recover to near static conditions. Groundwater samples will be collected employing low flow sampling techniques using a peristaltic pump with new, dedicated tubing at each monitoring well for field and laboratory analysis. The field parameters to be determined are pH, temperature, turbidity and specific conductance.

The samples will be collected in laboratory provided containers and placed in a laboratory provided cooler containing ice. A chain of custody will be prepared and the sample will be picked up at the Site by a laboratory provided courier or shipped for next day delivery.

Laboratory Analyses

The groundwater samples will be analyzed for 1,4-dioxane and the Full PFAS Target Analyte List. The analytical methods, detection limits, data reporting and the 21 compounds constituting the Full PFAS Target Analyte List will be consistent with the NYSDEC-issued, July 2018 "Groundwater Sampling for Emerging Contaminants" document.

Laboratory Reporting and Data Validation

The laboratory will generate a NYSDEC ASP Category B data deliverable package of the investigative analytical data. A Data Usability Summary Report (DUSR) of the analytical data will be prepared to confirm that the data meets the project specific criteria for data quality and data use. The DUSR will be completed by an independent data validator and will be conducted in accordance with Appendix 2B of DER-10 entitled, *Guidance for Data Deliverables and the Development of Data Usability Summary Reports*.

Reporting

C.T. Male will prepare a brief letter report for submittal to the NYSDEC, to summarize the results of the groundwater sampling. The letter report will include drawings showing which monitoring wells were sampled, analytical summary tables and the laboratory analytical report.

Investigation Derived Wastes

Investigation derived wastes (IDW) that are anticipated to be generated include monitoring well purge water, disposable pump tubing and used nitrile gloves.

The purge water will be subjectively assessed for evidence of impacts (i.e., sheen, petroleum and/or chemical odors, discoloration, etc.) via organoleptic perception. If the purge water appears subjectively impacted, it will be transferred into DOT-approved 55-gallon drums and staged at a secure location within the Site boundaries pending characterization and off-site disposal at a permitted facility. If the purge water does not appear subjectively impacted, it will be discharged to the ground surface in the vicinity of the monitoring well that the groundwater originated from. Disposable pump tubing and nitrile gloves will be placed in trash bags and disposed of off-site as solid waste.

C.T. MALE ASSOCIATES

Mr. Austin DuBois

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Project Schedule

C.T. Male will complete the Work Plan within one week following receipt of signed authorization to proceed. C.T. Male will complete the emerging contaminants sampling within approximately four to five weeks following approval of the Work Plan by the NYSDEC. This schedule is based on the availability of field personnel at the time of authorization. Delays can occur due to weather, laboratory backlog, or authorization by the NYSDEC (if required) that could alter the time line for the project.

Fee

The estimated cost to complete the emerging contaminants sampling is \$10,250.00, as depicted below.

Task	Unit	# Units	Unit Price	Total
Prepare Emerging Contaminants Work Plan for DEC Review, Comment and Approval	LS	1	\$1,500.00	\$1,500.00
C.T. Male Sampling Technician to Collect Groundwater Samples (Includes Travel Time) - Estimated	HR	12	\$80.00	\$960.00
Prepare Report of Findings	LS	1	\$1,500.00	\$1,500.00
Laboratory Analyses (assumes sampling 3 monitoring wells)	LS	1	\$3,565.00	\$3,565.00
Upload Data to NYSDEC EQulS database	LS	1	\$500.00	\$500.00
Data Validation	LS	1	\$1,650.00	\$1,650.00
Mileage and Tolls - Estimated	AT COST	1	\$175.00	\$175.00
Field Equipment and Incidentals (printing, postage, etc.) - Estimated	AT COST	1	\$400.00	\$400.00
Cost Estimate				\$10,250.00

Authorization

If this proposal is acceptable, please sign the attached Contract Agreement, which will serve as our authorization to proceed.

C.T. MALE ASSOCIATES

Mr. Austin DuBois

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Again, we appreciate the opportunity to work with you. Please do not hesitate to call me or Jim McIver at (845) 454-4400. if you have questions.

Sincerely,

C.T. MALE ASSOCIATES

A handwritten signature in cursive script that reads "David R. Lent".

David R. Lent
Managing Geologist

Ec: Cherisse Vickers, Executive Director, NIDA
Jim McIver, P.G., Managing Geologist, C.T. Male