

# EAST OF HUDSON WATERSHED CORPORATION

## EXECUTIVE COMMITTEE MEETING

LOCATION: Business Office: 2 Route 164, Patterson, NY 12563

TIME and DATE: 9:30 AM, Thursday, January 8, 2015



### Meeting Minutes

#### 1. Open Meeting

In Attendance: Michael Griffin (Town of Patterson), Warren Lucas (for himself and as alternate for Peter Parsons), Christ Burdick (Town of Bedford), Bruce Walker (Town of Putnam Valley), Sabrina Charney-Hull (Town of North Castle), Sharon Dirac (EOHWC), Joanne Tavino (EOHWC), Kevin Fitzpatrick (EOHWC), George Rodenhausen (Corporate Counsel), Vincent Giorgio (NYCDEP), Nino Modica (NYCDEP), Joe Barbagallo (Woodard & Curran), Steven Lauria (Woodard & Curran)

Absent: David Kelly, Ken Schmitt, Rich Williams, Bruce Barber, Walter Artus

#### 2. Approve Executive Committee Meeting Minutes - December 18, 2014

Thereupon a motion by Director Burdick, seconded by Director Griffin, it was unanimously agreed to accept and approve the December 18, 2014 Executive Committee meeting minutes as presented, with change requested by Director Burdick (i.e. identify alternates as “for himself and as alternate for” in the “In Attendance” section of minutes).

#### 3. Project Status Update

##### a. S-MU-03 Payment Update (Woodard & Curran)

Mr. Fitzpatrick introduced Joseph Barbagallo and Steve Lauria of Woodard & Curran (W&C). A discussion took place on the status of payment made to the Contractor on EOWHC stormwater retrofit project S-MU-03 (BOCES) for additional work related to drainage repairs completed at the BOCES site in the amount of \$21, 664.85. EOHWC paid the full amount to the contractor (Change Order #3 approved by resolution at the October 23, 2014 Executive Committee meeting). Mr. Barbagallo (W&C) agreed to pay 10% of the total amount paid to the Contractor. It was also agreed that the amount would be deducted from the current payment voucher (Invoice #122568) submitted by W&C in the amount of \$34,000.

Thereupon a motion by Director Burdick, seconded by Director Parsons, it was unanimously agreed to approve and pay Woodard & Curran’s invoice in the amount of \$34,000 less ten percent (10%) of the amount paid to the Contractor (\$2,166.00).

b. Letter from Putnam County – Project Proposal (Fair Street Highway Facility)

Thereupon a motion by Director Burdick; seconded by Director Lucas; it was unanimously agreed for the President to authorize the Putnam County Fair Street Highway Facility project, contingent upon an executed agreement (between EOHWC and the County) capping the EOHWC cost at \$200,000 and providing that any change order costs and all Operation & Maintenance (O&M) costs will be the responsibility of Putnam County. The agreement will also stipulate that eligible costs are limited to those related to phosphorous reduction.

**4. Review of EOHWC Invoices to:**

a) NYCDEP (Invoice #3)

Ms. Tavino (EOHWC Controller) presented a draft invoice to NYCDEP in the amount of \$5.5 million for approval and signature of EOHWC President.

Thereupon a motion by Warren Lucas, seconded by Director Burdick, it was unanimously agreed for Michael Griffin to sign the invoice.

Ms. Tavino was instructed by the Board to submit the signed invoice to NYCDEP.

b) Putnam County (PCNGC: Lighting)

Ms. Tavino presented a draft invoice to Putnam County in the amount of \$91,000 (charges related to non-SRP costs, specifically lighting) on the Putnam County Golf Course SRP.

Thereupon a motion by Director Burdick, seconded by Director Lucas, it was unanimously agreed to approve the issuance of the invoice to Putnam County in the amount of \$91,000 (non-SRP costs).

Ms. Tavino instructed to submit the invoice to the Director of Finance at Putnam County.

**5. Update on Annual Project Accounting Reports & Meeting with NYCDEP**

EOHWC staff reported that progress is being made on responses to both items from NYCDEP (a.) Letter from Mike Meyer to M. Griffin dated 7-31-14; and (b.) Email from Mike Meyer to R. Verma dated 7-31-14.

EOHWC staff met with the DEP on December 23, 2014 and reviewed the items submitted and discussed the status of outstanding items. Updates will be submitted as completed.

**6. Discuss: Encumber EOHWC Funds for O&M (per Resolution #0513-03)**

A discussion took place on Operation and Maintenance costs on EOHWC SRP projects. The Committee agreed that a proposal will be made to the full Board of Directors (at the annual

meeting on January 13, 2015) to rescind the resolution approved at the May 13, 2014 Board of Directors meeting (to encumber funds for O&M).

**7. Discuss Agenda for Board Meeting on January 13, 2015**

Ms. Dirac (Office Manager) presented a draft agenda for the upcoming annual meeting of the EOHWC Board of Directors.

A final agenda will be sent to the Board on Friday, January 9, 2015.

**8. Review & Approve Pending Vouchers/Change Orders: NONE**

**9. NYSDEC Report – January Update (Year 5 Work Plan)**

Mr. Fitzpatrick (Project Manager) presented a summary of the Year 5 Work Plan. The report will be distributed at the annual meeting on January 13, 2015.

**10. Update Status of Recruitment**

New Engineer (Full –time)

Response to advertising was limited. Resumes have been reviewed by EOHWC staff; interviews will be scheduled in the next few weeks.

Office Assistants (Extend Temporary Status or Hire as Regular Part-Time)

The Committee agreed that the status of two temporary Office Assistants should be changed to regular part-time status. A resolution will be prepared by Corporate Counsel and presented to the full Board at the annual meeting on January 13, 2015.

Christian Paggi Contract (expired 12/31/2014)

Thereupon a motion by Director Burdick, seconded by Director Parsons, it was unanimously agreed to establish a new per-diem contract for Christian Paggi (engineering services) as stipulated in an agreement that will be created by Corporate Counsel and executed between Paggi and EOHWC. The agreement will include a limit of 24 hours per month, and will be effective through 5/31/15. The agreement will also address conflict of interest (related to Paggi Engineering as EOHWC professional engineering services provider).

Mr. Rodenhausen (Corporate Counsel) will prepare the agreement for signature by EOHWC President Michael Griffin.

In-House Engineering

A discussion took place regarding in-house engineering services (project design by EOHWC employee/engineer), and the matters of procurement process, insurance coverage and licensing

requirements. Mr. Rodenhausen (Corporate Counsel) will research and report on licensing requirements (employee as engineer). No further action taken.

**11. Other Business: None**

**12. Adjournment**

Thereupon a motion by Director Burdick, seconded by Warren Lucas, the meeting was adjourned at 12:00 pm.