



EAST OF HUDSON WATERSHED CORPORATION

MONTHLY EXECUTIVE COMMITTEE MEETING

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

TIME and DATE: 9:30 AM, Thursday, August 28, 2014

Meeting Minutes

1. Meeting Opening @ 9:40 a.m.

In Attendance: Michael Griffin, Warren Lucas (alternate or Peter Parsons), Chris Burdick, Bruce Walker, Ken Schmitt, Rich Williams, Sabrina Charney-Hull, Sharon Dirac, Joanne Tavino, Kevin Fitzpatrick, Danielle Harris, George Rodenhausen, Vincent Gregorio (DEP)

Absent: David Kelly, Bruce Barber, Walter Artus

2. Approval of Minutes - Executive Committee Meetings 07/14/14 and 8/07/14

A discussion took place on the format of meeting minutes. After discussion, the Committee agreed that the official minutes (recorded and posted) would be written to include actions, motions and/or resolutions (as well as attendees). General discussion and commentary will be excluded.

Revised minutes for 7/24/14 and 8/7/14 will be prepared and presented for approval and adoption at the next Executive Committee meeting on 9/11/14.

3. Interim Office Update

Kevin Fitzpatrick reported on changes and developments during the current transition period, including the transfer of billing accounts (from Rahul Verma's name); identifying new protocols; and putting additional check points in place internally. He also addressed the need for a temporary part-time clerical position in the office (for approximately three months). Specific details, including proposed hourly rate and scope of services will be presented at the next Executive Committee meeting on 9-11-14.

4. Project Status Update

Mr. Fitzpatrick presented an updated report; revised since the last meeting.

A discussion took place on the status of projects in the categories of "Projects for Review," "Projects Stopped," and "Projects for Further Discussion." The following motions were made in each of the categories presented:

"Projects for Review"

Mr. Fitzpatrick requested authorization to give the engineers permission to move ahead with design on seven projects, including:

Pat-EB- 09-03A
Pat EB-09-03B
MK-NC-20
MK-NC-21
MK-NC-22
SE-POT-02
Y-MU-13

Thereupon a motion by Director Burdick seconded by Director Lucas, it was unanimously agreed to authorize the engineers to move ahead with design on these projects. (Vote: For-6; Against-0; Abstain-0)

"Stopped Projects"

Seven projects presented in this category, including:

Carmel-CF-103
Carmel-PA-03
Kent-MB-311B
NS-MU-01A
NS-MU-01B
NS-MU-01C
NS-MU-11

Mr. Fitzpatrick requested that authorization be given to contact and engage the engineers on these projects for further review of each project (to sit down with EOHWC and have discussions on how to get the project to work through better efficiencies. The engineers would not be permitted to perform additional design work (i.e. 100% or 60%), but would be permitted to bill EOWHC for the one or two hours of time spent in these discussions.

The Committee identified and limited the authorization to three of the seven projects specifically, specifically:

Kent-MB-311
NS-MU-01B
NS-MU-11

Thereupon a motion by Director Burdick seconded by Director Lucas, it was unanimously agreed to authorize Kevin Fitzpatrick to contact and engage the engineers for further review on these three projects. (Vote: For-6; Against-0; Abstain-0)

“Projects for Future Discussion”

RE: Pu- Val-PA-02

Thereupon a motion by Chris Burdick, seconded by Director Lucas, it was unanimously agreed to allow Project Manager Kevin Fitzpatrick to conduct further review of the project with the design engineer, John Folchetti. (Vote: For-6; Against-0; Abstain-0)

Letter to Municipalities

Thereupon a motion by Director Burdick, seconded by Director Schmitt, it was unanimously agreed that a letter would be drafted by Mr. Fitzpatrick for Director Griffin’s signature. The letter will be sent to each of the member municipalities, identifying the projects that are being taken “off hold” and will summarize “known” projects within the municipality. The letter will also request that municipalities provide EOHWC with potential stormwater retrofit projects to be considered, and that the proper documentation be submitted to Mr. Fitzpatrick for any new potential projects, particularly those with considerable phosphorous efficiency. (Vote: For-6; Against-0; Abstain-0)

(Ms. Charney-Hull agreed to review a draft of the letter when completed).

5. Change Order Requests & Payment Vouchers

RE: L-CR-11A-11C

A change order request has been recommended by Engineer (Insite), and accepted by the Contractor (ELQ Industries). The change order involves no change in contract price. Mr. Fitzpatrick noted that the change is being made to L-CR-11A stormwater basin grading.

Thereupon a motion by Director Burdick seconded by Director Schmitt, it was unanimously agreed to authorize the change order as recommended by the Engineer (Insite) and accepted by the Contractor (ELQ Industries) for EOHWC stormwater project L-CR-11A to 11C. (Vote: For-6; Against-0; Abstain-0)

RE: Pat-MB-06

A change order request has been submitted in the amount of \$4,314.66 over the contract value, recommended by the Engineer (Kellard Sessions) and accepted by the Contractor (Linda Holding Corp. /Maggio & Sons).

Thereupon a motion by Director Burdick seconded by Ken Schmitt it was unanimously agreed to authorize the change order to pay Linda Holding Company the amount of \$4,312.66, subject to the provision of appropriate supporting documentation from Linda Holding Corp. and to be negotiated at a later date with Kellard Sessions for payment of a portion of the change order cost. (Vote: For-6; Against-0; Abstain-0)

RE: Pat-EB-09

Thereupon the motion by Director Burdick seconded by Ken Schmitt it was unanimously agreed to authorize payment of a voucher in the amount of \$58,828.41 to Linda Holding Corp. (Vote: For-6; Against-0; Abstain-0)

RE: VB-DI-31 & 32 – Unit Pricing and Cost increase

Thereupon a motion by Director Burdick seconded by Ken Schmitt it was unanimously agreed to authorize payment of additional costs (not to exceed \$250,000) for unit price increases above the contract value, subject to the provision of proper documentation from Brennan, Contractor & John Folchetti, Engineer. (Vote: For-6; Against-0; Abstain-0)

RE: S-MU-03

A discussion took place related to rock removal on the project (BOCES). Mr. Fitzpatrick noted that the line item estimate of 50 cubic yards (at \$300 per cubic yard) has been surpassed. Because the contractor has exceeded the amount in contract by more than 20%, we are allowed to renegotiate the price more palatable. Presently, the contractor (Legacy Valve) has come in at \$240 per cubic yard (which will create a change order in the amount of \$5,000 in about one month).

The Committee expressed an interest in reviewing contract terms. Mr. Fitzpatrick will provide a copy of the contract to members for review.

Further action tabled.

6. Municipal Reimbursements

Discussion took place on municipal reimbursement related to SRP NS-MU-05. Director Lucas has submitted a request for reimbursement with supporting documentation. EOHWC staff will review the request and supporting documents and address at next Executive Committee meeting on 9/11/14.

7. EOHWC Bank Accounts/signatories

Director Lucas will secure signature from Peter Parsons (elected as Vice-President in 2014) as required.

8. Status of Audits & Tax Filings (2012 & 2013)

Form 990 (2012) - amended 2012 form is being completed and will be sent out in approximately one week.

Audit (2012) - Audit is complete. Board was presented with audited financial statements at last quarterly meeting on August 12th. Ms. Harris will send copy to NYCDEP per their request.

Form 1023 - Ms. Harris reported that she is importing final data; and she will submit final draft for George Rodenhausen review. Document should be finalized and sent in approximately one week.

Audit (2013): Ms. Tavino received a list of required items from auditor; she is compiling and sending items to Nick Giangrande.

Form 990 (2013): An extension has been filed; the form will be submitted before the extension deadline (November 15, 2014). The CHAR500 will be completed and sent as well.

9. EOHWC Meeting with NYCDEP on 8/21/14

A meeting took place with NYCDEP (Mike Meyer and Nino Modica) and EOHWC staff (D. Harris, J. Tavino and K. Fitzpatrick). No Board members were present.

Attendees (NYCDEP & EOHWC) suggested that regular meetings will take place every six weeks (next meeting scheduled for 9/23/14).

10. Review & Sign Checks & Vouchers

Vouchers were reviewed and checks signed.

11. Other Business

Hardware/Software

Thereupon a motion by Director Lucas seconded by Director Burdick, it was unanimously agreed to authorize payment of up to \$1,000 for the purchase of computer hardware and software to ensure security of EOHWC electronic documents and records.

12. Next Executive Committee Meeting & Agenda Items

Members agreed to schedule and conduct the next Executive Committee meeting on Tuesday, September 11, 2014. Agenda items will be submitted and prepared as received.

13. Adjournment

Thereupon a motion by Director Griffin seconded by Director Lucas, the meeting was adjourned at 12:30 p.m.