



EAST OF HUDSON WATERSHED CORPORATION

EXECUTIVE COMMITTEE MEETING

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

TIME and DATE: 9:30 AM, Tuesday, February 17, 2015

Meeting Minutes

1) Open Meeting

In Attendance: Michael Griffin for himself and as alternate for Bruce Walker (Putnam County); Kevin Winn as alternate for Chris Burdick (Town of Bedford), Peter Parsons (Town of Lewisboro), Sabrina Charney-Hull (Town of North Castle), Warren Lucas (Town of North Salem); Vincent Giorgio (NYCDEP), Antonino Modica (NYCDEP), George Rodenhausen (Corporate Counsel), Sharon Dirac (EOHWC), Joanne Tavino (EOHWC), Kevin Fitzpatrick (EOHWC)

Absent: Chris Burdick, Ken Schmitt, Bruce Barber, Walter Artus

2) Approve Executive Committee Meeting Minutes – January 22, 2015

Thereupon a motion by Director Parsons, seconded by Director Lucas, it was unanimously agreed to approve the Executive Committee Meeting minutes of January 22, 2015 as presented.

3) Project Status Update

Kevin Fitzpatrick gave an update on municipal projects submitted by Bedford, North Salem and Lewisboro to be considered as Year 5 projects. Several Bedford projects will be included while a few are on private property and as such need follow-up with owners. North Salem Keeler Lane project and Peach Lake project same status as last meeting; will present to DEC. Lewisboro project also to move forward.

Discussion took place regarding design RFP's. Updates completed; design manual also to be updated. Include new Professional Services agreement as attachment, which has language with regard to EOHWC right to cancel anytime. Specifics regarding a stop gap measure at 30% design (subsequently defined as initial evaluation/feasibility analysis). Design work cannot proceed past this point unless approved by EOHWC. Urgency is no excuse to move forward beyond the initial evaluation which will include estimated cost per kg. RFP should include engineer's estimated costs of the initial evaluation.

Spring 2015 schedule currently has 6 projects to begin construction. Kevin Fitzpatrick provided corrected information on Carmel-AM-111A; Mahopac Falls Elementary School (which was not awarded to low bidder Yonkers Construction last summer) and recommends moving forward based upon updated efficient of approximately \$100,000/kg for 3kg reduction.

SE-POT-02 will not be necessary to split as previously considered. Project is at 95% design for 22.5 kg reduction. Additional reimbursement is being sought by Town. Suggestion was made to prepare a letter putting the project on hold and setting up a meeting with Tom Fenton, Town Engineer and Tony Hay, Supervisor to discuss how to proceed, with EOHWC approving all work.

Town of Putnam Valley has agreed to O&M for Put-Val-PA-02, which has a 8 kg reduction at \$107,000/kg. Suggestion of a redesign suggested by Folchetti is not approved. Agree to proceed with original design, and any paving deemed Non-SRP will not be paid for by EOHWC. Also recommended by Kevin Fitzpatrick was to change unit price contract to lump sum, since Legacy has held to their bid price. Agreement with Town addressing O&M and Non-SRP will be drafted.

Kent-MB-311B (Patterson Crossing) was discussed regarding changes in efficiency calculations. EOHWC will only move forward if efficiency calculations are good. The executive committee identified steps forward which will include a conversation with George Rodenhausen and Rich Williams to outline this project in order to make a determination, which will be reported back to the committee.

4) FOIL request Kent MB-311B

Documents gathered by Sharon Dirac to be reviewed by George Rodenhausen. Initial discussions reflected in documentation. Rich Williams, having worked with Insite on this project will report back to board as it relates to FOIL requests on this project.

5) Status of Agreements

Reimbursement agreement with Town of Lewisboro for project L-CR-30 to be completed – town to submit costs for engineering fees.

Reimbursement agreement sent to Supervisor Hay for various Southeast projects pending Supervisor Hay's acceptance.

Installation agreement for Kent-PA-31 with owner Putnam Stone will be completed by George Rodenhausen today.

6) NYC DEC Reports

DEC Approval was received on Year 5 Work Plan, which was forwarded to executive Committee. Year 5 progress report was submitted February 4th; currently waiting to hear back.

7) Review & Approve Pending Vouchers/Change Orders:

It was determined that voucher for annual 2015 permits and bonds for the completed Brewster Wells and Tonetta projects are considered O&M and as such should be paid by the municipality.

Kellard Sessions letter received with regard to projects cancelled (Pat-EB-09-02 and Pat-MB-05) stating no additional monies are due in response to Corporate counsel previous conversations with controller stating that a signed letter is all that is required to close out a contract. Executive Committee made aware of new procedure to be implemented going forward.

Somers Reis Park retainage held until sufficient documentation on breakdown of costs required by the DEP is received from the town. Completion letter to be sent to Somers stating no additional payments are due from EOHWC.

Discussion of 2014 submissions from Hahn received a few days late. Agreed OK to pay. However; for future late submissions that our auditors advise EOHWC books be reopened and restated, then the extra cost shall be charged back.

Lewisboro projects L-CR-11A-E change order received eliminating D and E with new schedule of values for A, B and C. All info reviewed and approved by Kevin Fitzpatrick.

8) Update of Status of Accounting Report (NYCDEP)

Discussion regarding data request for estimated costs from municipalities for projects that are on the DEP 2012-2013 Project Accounting Report revolved around admin costs spent on projects that design and construction costs were paid by municipality. Vincent Giorgio offered to ask for clarification. George Rodenhausen recommends submittal of report with footnotes on any caveats listed. The 2014 DEP report will be finalized once the audit is completed in March.

Putnam County meeting delayed due to inclement weather. DEP requested non-SRP items be excluded from EOHWC spent figures. The receivable currently on books will be updated accordingly. Somers actual costs also necessary for finalizing the DEP report and anticipated to be received in the next week or two.

9) Review Unaudited Financial statements

Unaudited Financial Statements submitted to committee for review prior to meeting. Reports are accepted for presentation to the Board at the February 24 meeting.

Data being tracked in the Accounting System will be upgraded to 3 user system. Question came up with regard to backup. All data currently being manually backed up by controller daily and being taken off sight. Recommendation made to go to cloud backup and continued refinement of project database to ensure accuracy.

10) Enter into Executive Session motion to discuss personnel matters proposed by Peter Parsons seconded by Warren Lucas; all in favor.

11) Motion to come out of Executive session proposed by Warren Lucas seconded by Peter Parsons; all in favor. No action taken in executive session.

12) Other business –

Kevin Fitzpatrick shared information given to him by Woodard and Curran with regard to a pilot study testing green infrastructure which is not yet recognized by DEC. Towns may want to take a look at it. EOHWC will not take the time in Year 5 to pursue.

13) Adjournment – motion to adjourn by Warren Lucas; seconded by Peter Parsons; all in favor. Adjourned 11:50am.