



EAST OF HUDSON WATERSHED CORPORATION
EXECUTIVE COMMITTEE MEETING

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

TIME and DATE: 9:30 AM, Thursday, March 24, 2016

Meeting Minutes

1) Open Meeting

Voting Members in Attendance: Peter Parsons (Town of Lewisboro); Rich Williams (Town of Patterson) for himself and as alternate for Bruce Walker (Putnam County); Warren Lucas (Town of North Salem); Chris Burdick (Town of Bedford);

Others in Attendance: Vincent Giorgio (NYCDEP); Antonino Modica (NYCDEP) Kevin Fitzpatrick (EOHWC); Joanne Tavino (EOHWC); John Belyea (EOHWC); Yvette Rivera (EOHWC); Linda Matera (EOHWC)

2) Approve Meeting Minutes

Motion by Director Parsons, seconded by Director Burdick to approve the Executive Committee Meeting Minutes of February 25, 2016 as presented; all in favor.

3) List of Compliance Due Dates

Joanne Tavino reported that all deadlines are expected to be met on time. The New York City Department of Environmental Protection (NYC DEP) Annual Report will be complete and ready to go on March 31.

4) Audit

Joanne requested a motion to accept the 2015 draft audit with the following changes as requested by George Rodenhausen: On page 7, "assume the obligations of the" should be deleted and replaced with "assist its member". Additionally, on page 12, Item 10B should read "The process has been initiated by Westchester County, Putnam County and NYC DEP to authorize use of the remaining fund balance for years 6 through 10 of the stormwater retrofit regional plan".

Motion by Director Lucas, seconded by Director Burdick to accept the 2015 Audit with the following changes as indicated: page 7, delete "assume the obligations of the" and insert "assist its member"; page 12, Item 10B should read "The process has been initiated by Westchester County, Putnam County and NYC DEP to authorize use of the remaining fund balance for years 6 through 10 of the stormwater retrofit regional plan." All in favor.

5) Financial Update

The current fund balance as of February 29th is \$13.3 million with checks written today totaling \$375,000. We are still on target to end the program with a balance of approximately \$6 million.

6) Project Update

Kevin Fitzpatrick reported that nothing has changed since last month with regard to estimated totals. Construction is restarting on projects that stopped for the winter. Many of the open projects will be reaching completion soon. Kent-MB-311B at Patterson Crossing will be awarded today. Carmel-CF-113A and Pat-EB-09-03B have been postponed. The two potential projects located in Bedford were discussed with Kevin Winn of the Town of Bedford and Doug Hahn of Hahn Engineering. Doug will provide the reports. Director Lucas announced that he is in the process of getting permission to move forward on the Peach Lake project (NS-MU-01) and that the design has been completed by Hahn Engineering. Kevin will reach out to Hahn Engineering to obtain the file drawings. Director Parsons informed Kevin that the Lewisboro Town Board has agreed to borrow the funds for paving on the Schoolhouse Road project (L-CR-28).

7) Award Construction Contract

a. Kent-MB-311B

This project involves stabilization of an eroded channel and installation of a micro-pool treatment pond. It is estimated to give us 11.7 kg. with an approximate efficiency of \$27,000 per kg. The lowest construction bid was submitted by from Legacy Supply LLC in the amount of \$239,208.00. While a maintenance agreement is in place between the Town of Kent, Town of Patterson and Camarda Crossing , an installation agreement will need to be drawn up for EOHWC. Director Lucas suggested adding the maintenance agreement as the fourth condition in the resolution. It was also suggested by Director Burdick that the fourth condition also mention an easement. Director Williams stated that it should mention that a maintenance agreement is in place for the future of the project.

Motion by Director Burdick, seconded by Director Lucas to approve that the resolution to award the construction contact for Kent-MB-311B with the added condition of an easement and maintenance agreement be in place for the project.

WHEREAS, the proposed stormwater retrofit project known as Kent-MB-311B is proposed to be located at intersection of Route 311 and Interstate I-84 in the Town of Kent, New York, and is included in the first five year MS4 regional plan approved by the NYS Department of Environmental Conservation; and

WHEREAS, the work consists of installation of a micro pool with extended detention, the elimination of a severely eroded channel with piping and redirection of the eroded channel flow to the micropool, all in accordance with plans prepared by Insite Engineering, Surveying, and Landscape Architecture, PC; and

WHEREAS, the project was publicly bid and five (5) bids were received and publicly read aloud at the EOHWC offices on March 15, 2016; and

WHEREAS, the lowest bid received was in the amount of \$239,208.00 submitted by Legacy Supply, LLC and the highest bid received was in the amount of \$560,934.00 submitted by Con-Tech Construction Technology, Inc.; and

WHEREAS, the phosphorus removal of 11.7 kilograms for this project has an efficiency of approximately \$26,500 Kg P-removed; and

WHEREAS, Insite Engineering, Surveying, and Landscape Architecture, PC, contacted the references for Legacy Supply, LLC and contacted Legacy Supply, LLC directly and was assured that they can complete the project for the amount bid; and

WHEREAS, Insite Engineering, Surveying, and Landscape Architecture, PC, has recommended that the EOHWC accept Legacy Supply, LLC as lowest responsible bidder for the project and proceed with contracts pending the submission of bonds and insurance by the contractor; and

WHEREAS, on March 24, 2016, the Executive Committee reviewed all available evidence and resolved that the project known as Kent-MB-311B would not have an adverse impact on the environment and that a draft environmental impact statement would not be prepared;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors that it accepts Legacy Supply, LLC as lowest responsible bidder for the project known as Kent-MB-311B and authorizes the President or Vice President of the Corporation to execute the construction contract with Legacy Supply, LLC subject to the following conditions:

1. Submission of bonds and insurance by the contractor as required by the construction contract;
2. Approval and execution of the installation agreement between the Town and the Corporation by the Town Board and by the Corporation's President or Vice President; and
3. Review of the construction contract and installation agreement by the Corporation's Counsel.
4. Execution of an easement and maintenance agreement to be in place for the future of the project between the Town and the Corporation by the Town Board and by the Corporation's President or Vice President.

Motion passed; all in favor.

8) RFQ for Engineering-schedule interviews

The RFQ for engineering was sent out two months ago and interviews will need to be scheduled in order to establish a list of approved firms. Kevin stated that there were 11 submissions, 5 of which are new firms and the balance were firms we already have a relationship with as well as town engineers. A small group of Executive Committee members which were designated as the Review and Award Committee conducted the interviews in 2014. The question arose as to whether it is necessary to conduct interviews this time around. Kevin confirmed that Corporate Counsel has clarified the necessity of conducting interviews for the engineering firm selection process. It was determined that for the interview process, the Review and Award Committee will be composed of Director Lucas, Director Parsons, Director Williams, and Kevin Fitzpatrick.

Motion by Director Burdick, seconded by Director Williams to approve conducting interviews with perspective engineering firms subject to confirmation by the East of Hudson Watershed Corporation's Corporate Counsel; all in favor.

7) O & M Discussion

Director Lucas inquired about the best way to conduct maintenance in each town. Kevin Fitzpatrick discussed that when he and John meet with the highway departments, they will already be familiar with each project so as to offer recommendations where required on certain projects. Every town has been supplied with documentation from evaluations and site visits conducted during the past year and are aware of the projects that require repair. Over the last few weeks, John has met with many highway departments and requested that each town complete the O & M form and return it before April 15. Kevin reported that we have been receiving some responses and are making progress.

8) Sign checks and vouchers

Monthly checks and vouchers were signed. No action taken.


9) Other business

None

**10) Adjournment – Motion to adjourn by Director Burdick, seconded by Director Parsons; all in favor.
Adjourned 10:33 am.**

PRESIDENT'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the minutes approved by the Executive Committee.



Peter Parsons, President

4/29/16
Date