



EAST OF HUDSON WATERSHED CORPORATION
EXECUTIVE COMMITTEE MEETING

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

TIME and DATE: 9:30 AM, Thursday, August 27, 2015

Meeting Minutes

1) Open Meeting

In Attendance: Michael Griffin (Town of Patterson); Warren Lucas (Town of North Salem); Chris Burdick (Town of Bedford); Peter Parsons (Town of Lewisboro); George Rodenhausen (Corporate Counsel); Antonino Modica (NYCDEP); Kevin Fitzpatrick (EOHWC); Joanne Tavino (EOHWC); John Belyea (EOHWC); Linda Matera (EOHWC)

2) Approve Meeting Minutes

Motion by Director Lucas, seconded by Director Burdick to approve the Executive Committee Meeting Minutes of July 23, 2015 as presented; all in favor.

3) Financial Update

Joanne Tavino notified the Board that final Year 1-5 funding in the amount of \$5.5 million for WSP balance has been received from the NYC DEP. Currently, the 2016 budget is being worked on. Joanne will consult with Kevin Fitzpatrick to get revised estimates on projects going in the ground in the fall of 2015. Director Griffin requested that George Rodenhausen complete amending the necessary agreements.

4) Project Update

Kevin Fitzpatrick informed the Board that a very productive meeting was held with the NYS DEC on Friday, August 21st to further discuss the proposal for revising the alternative method of calculating the phosphorus on channel stabilization practices. The NYS DEC will be reviewing the latest submittal provided this week and consider approving the alternative calculation method. An update will be provided at the September 24th Executive Committee Meeting.

Approval of Negative Declaration for Carmel-AM-111A

A motion by Director Parsons, seconded by Director Griffin to approve the SEQRA Negative Declaration for Carmel-AM-111A; all in favor.

WHEREAS, EOHWC is considering undertaking the installation of a stormwater retrofit project in the Town of Carmel involving construction of a subsurface infiltration system to be installed on the grounds of the Mahopac Falls Elementary School, located at 90-100 Myrtle Avenue in the Town of Carmel; and

WHEREAS, the Executive Committee of EOHWC has reviewed the Short Environmental Assessment Form dated 8/27/15 and all relevant environmental information related to the proposed project;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors of the East of Hudson Watershed Corporation that it:

1. Classifies the project as an unlisted action under SEQRA; and
2. Adopts a determination of non-significance, determining that the proposed action will not result in any significant adverse impacts on the environment and that a Draft Environmental Impact Statement will not be prepared.

Approval of Negative Declaration for Pat-EB-09-03A

A motion by Director Parsons, seconded by Director Griffin to approve the SEQRA Negative Declaration for Pat-EB-09-03A; all in favor.

WHEREAS, EOHWC is considering undertaking the installation of a stormwater retrofit project in the Town of Patterson involving construction of a subsurface infiltration system to be installed on the grounds of the Patterson's Veterans' Memorial Park, located at Maple Avenue in the Town of Patterson; and

WHEREAS, the Executive Committee of EOHWC has reviewed the Short Environmental Assessment Form dated 8/27/15 and all relevant environmental information related to the proposed project;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors of the East of Hudson Watershed Corporation that it:

1. Classifies the project as an unlisted action under SEQRA; and
2. Adopts a determination of non-significance, determining that the proposed action will not result in any significant adverse impacts on the environment and that a Draft Environmental Impact Statement will not be prepared.

Approval of Negative Declaration for Pat-EB-09-03B

A motion by Director Parsons, seconded by Director Griffin to approve the SEQRA Negative Declaration for Pat-EB-09-03B; all in favor.

WHEREAS, EOHWC is considering undertaking the installation of a stormwater retrofit project in the Town of Patterson involving construction of an organic filter to be installed on the grounds of the Patterson's Veterans' Memorial Park, located at North Street in the Town of Patterson; and

WHEREAS, the Executive Committee of EOHWC has reviewed the Short Environmental Assessment Form dated 8/27/15 and all relevant environmental information related to the proposed project;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors of the East of Hudson Watershed Corporation that it:

1. Classifies the project as an unlisted action under SEQRA; and
2. Adopts a determination of non-significance, determining that the proposed action will not result in any significant adverse impacts on the environment and that a Draft Environmental Impact Statement will not be prepared.

6) Approve Change Orders

Resolution to Approve Change Order for Patterson-PA-15A

A motion by Director Parsons, seconded by Director Griffin to Approve Change Order for Patterson-PA-15A from Insite Engineering in the amount of \$3,800; all in favor.

WHEREAS, Insite Engineering, Surveying & Landscape Architecture, P.C. submitted a change order request for an additional \$3,800 for Patterson-PA-15A; and

WHEREAS, Patterson-PA-15A are located on property of the Matthew Patterson Elementary School in the Town of Patterson and includes the construction of a surface sand filter; and

WHEREAS, the proposed change order request is for Insite to edit the design drawings and construction documents to reflect the agreement between the EOHWC, the Town of Patterson, and the Carmel Central School District to install a surface sand filter in place of the originally approved bioretention area; and

WHEREAS, this change order, if approved, would increase the design cost for Patterson-PA-15A from \$34,150 to \$37,950 with a proposed phosphorus reduction of 2.0 kg/yr. and a new efficiency of \$75,000/kg; and

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors of the East of Hudson Watershed Corporation that it approves the change order request from Insite Engineering, Surveying & Landscape Architecture, P.C. for an additional \$3,800 for Patterson-PA-15A.

Resolution to Approve Change Order for PW-342B

A motion by Director Lucas, seconded by Director Parsons to Approve Change Order for PW-342B from Hahn Engineering in the amount of \$3,650; all in favor.

WHEREAS, James J. Hahn Engineering, P.C. submitted change order request Number 2 dated 8-19-15 for an additional \$3,650 for PW-342B in project group 2015-06 of the first five year retrofit plan; and

WHEREAS, PW-342B is located on property of the Pawling Fire District in the Town of Pawling and includes the construction of a new pocket pond; and

WHEREAS, the proposed change order request is for Hahn to provide services to complete an application to the NYSDOT for Highway Work Permit for Non-Utility Work as requested by EOHWC as an addition to the original scope of work; and

WHEREAS, the proposed cost includes design drawings and a completed permit to be submitted to the NYSDOT; and

WHEREAS, this change order, if approved, would increase the design cost from \$15,080 to \$18,730 and would have an updated efficiency of \$65,000/kg with an estimated Phosphorus reduction of 1.68 kg/year.

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors of the East of Hudson Watershed Corporation that it approves the change order request from James J. Hahn Engineering, P.C. dated 8-19-15 for an additional \$3,650 for PW-342B increasing the design cost from \$15,080 to \$18,730.

7) Award Construction Contracts

One project (Carmel-AM-111A) was awarded a construction contract of the three that went out to bid on Friday, August 21, 2015. The two projects (Pat-EB-09-03A and Pat-EB-09-03B) that were not awarded contracts will go out to re-bid for lower estimates. An additional seven (7) projects will be awarded late September.

Resolution to Approve Construction Contract for Carmel-AM-111A

A motion by Director Parsons, seconded by Director Griffin to Approve the Construction Contract for Carmel-AM-111A to the lowest bidder, Sun Up Enterprises in the amount of \$294,316; all in favor.

WHEREAS, the proposed stormwater retrofit project known as Carmel-AM-111A is proposed to be located at Falls Elementary School in Putnam County, 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 new drainage facilities, including a sub-surface infiltration system, rip-rap, earthwork, catch basin/control structure and drainage pipes, and the removal of an existing catch basin and drainage pipe, and preparing, restoring and cleaning the project area, all in accordance with plans prepared by Lawrence J. Paggi, P.E., P.C. Consulting Engineering. The project is to consist of installation of parking structures to be financed by the Mahopac Central School District; and

WHEREAS, the project was publicly bid and five (5) bids were received and publicly read aloud at the EOHWC offices on August 21, 2015; and

WHEREAS, the lowest bid received was in the amount of \$294,316 submitted by Sun Up Enterprises and the highest bid received was in the amount of \$465,000 submitted by Coyle Industries.; and

WHEREAS, Lawrence J. Paggi, P.E., P.C. Consulting Engineering contacted the references for Sun Up Enterprises and contacted Sun Up Enterprises directly and was assured that they can complete the project for the amount bid; and

WHEREAS, Lawrence J. Paggi, P.E., P.C. Consulting Engineering has recommended that the EOHWC accept Sun Up Enterprises as low bidder for the project and proceed with contracts pending the submission of bonds and insurance by the contractor; and

WHEREAS, on August 27, 2015, the Executive Committee reviewed all available evidence and resolved that the project known as Carmel-AM-111A 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 of the East of Hudson Watershed Corporation that it accepts Sun Up Enterprises as low bidder for the project known as Carmel-AM-111A and authorizes the President or Vice President of the Corporation to execute the construction contract with Sun Up Enterprises pending the submission of bonds and insurance by the contractor and legal review by corporate counsel.

Resolution to Approve Construction Contract for Pat-EB-09-03B

No motion required.

8) Finalize O & M Policy

Director Burdick requested that this item be placed on the agenda for further discussion. However, in light of the fact that we are still in the process of completing inspections, Director Griffin requested that Kevin and John are given time to review the policy and projects so that they can come up with more accurate estimates before the O & M policy is finalized. Kevin requested that finalizing the O & M Policy be placed on the agenda for the September 24, 2015 Executive Committee Meeting for further discussion.

9) Evaluation of CPA/Audit Firm

Joanne requested permission from the Executive Board to put out an RFP for a new CPA firm. Additionally, she notified the Board that EOHWC will be moving from accrual to cash basis in order to accurately reflect the figures to the NYCDEP.

Motion by Director Parsons, seconded by Director Lucas to propose a resolution to authorize Joanne Tavino to put out an RFP for a CPA firm; all in favor.

8) Sign checks and vouchers

Director Griffin and Director Lucas requested that Joanne examine the bill for Comcast in greater detail to remove services which are not necessary for EOHWC.

Monthly checks and vouchers were signed. No action taken.

9) Other business

Discuss November/December 2015 Executive Committee Meeting Dates

It was discussed and established that November 19 and December 17 will be the dates of the remaining two Executive Committee Meetings in 2015. Director Griffin requested that Yvette Rivera place newspaper ads for both dates in advance of the meeting dates. Motion by Director Griffin, seconded by Director Parsons to set Executive Committee Meeting dates for November 19 and December 17, 2015; all in favor

Kevin requested that at the September 24th Executive Committee Meeting we discuss the items that will be placed on the October 22nd Executive Committee Meeting Agenda in preparation for the Board of Directors' Meeting to be held on November 10, 2015.

10) Enter into Executive Session to discuss personnel matter, motion proposed by Director Griffin, seconded by Director Parsons, all in favor.

11) Motion to come out of Executive Session proposed by Director Lucas, seconded by Director Griffin; all in favor.

**12) Adjournment – Motion to adjourn by Director Griffin, seconded by Director Burdick; all in favor.
Adjourned 11:24 am**