



EAST OF HUDSON WATERSHED CORPORATION

EXECUTIVE COMMITTEE MEETING

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

TIME and DATE: 9:30 AM, Thursday, April 26, 2018

Meeting Minutes

1) Open Meeting

Voting Members in Attendance: Peter Parsons (Town of Lewisboro); Chris Burdick (Town of Bedford); Warren Lucas (Town of North Salem); Rich Williams (Town of Patterson); Vincent Tamagna as alternate for MaryEllen Odell (Putnam County); JoAnne Daley as alternate for James Schmitt (Town of Pawling); Rich Franzetti as alternate for Ken Schmitt (Town of Carmel)

Others in Attendance: Michael Quinn (Town of Yorktown); George Rodenhausen (Corporate Counsel); Kevin Fitzpatrick (EOHWC); Joanne Tavino (EOHWC); Yvette Rivera (EOHWC); Linda Matera (EOHWC); Vincent Giorgio (NYCDEP)

2) Approve Meeting Minutes of March 27, 2018

Motion by Director Parsons, seconded by Rich Franzetti to approve the meeting minutes of March 27, 2018; all in favor.

3) Financial Update

Joanne Tavino pointed out that the new format presented today for the financial update will be used going forward:

- a. Balance Sheet/Statement Revenue and Expenditures**
- b. Cash Flows and Contract Balances**

This month's treasury trades yielded \$17,900 worth of interest. Year to date interest on East of Hudson Watershed Corporation (EOHWC) investments is \$35,000. Our most recent purchases are yielding 1.8% and 2.17%. Approximately \$600,000 has been spent to date this quarter. Checks written today total \$39,306. The current fund money total is \$8.9 million, \$7 million of which is in treasuries.

- c. Forms 990 and CHAR 500**

Joanne reported that the draft tax returns were received and will require a few changes. The final version will be received in time for the May 8th board meeting, at which time will be presented for approval and must be submitted by the May 15th deadline.

4) List of Reporting and Filing Due Dates

Joanne reported that we are up to date on most items, with the exception of a few members that are new to our board who have to complete the New York State required board member/alternate training and provide their fiduciary duty form. Director Parsons offered to reach out to those members if an extended period of time passes and those items continue to be incomplete.

The re-adoption of the Procurement Policy was overlooked in January because there were no changes. It will be presented for re-adoption at the May board meeting.

A majority of board members have not completed their financial disclosures which are due to Putnam County by May 15th. Joanne offered to resend the link from Putnam County to those who have not yet completed their disclosure. Lastly, Director Parsons inquired about the “Year 6-10 Work Plan (DEC approved) copies to Counties” item deadline. Kevin promised to look into it and update the schedule.

5) Project Update

Kevin identified a point of concern from the March meeting in which EOHWC was seeking to obtain a notice from the New York City Department of Environmental Protection (NYCDEP) stating that moving forward with channel stabilization and catch basin insert projects on their properties would not qualify as a significant construction activity and would therefore not require a maintenance bond for the Land Use Permit. The Land Use Permit division has agreed to write up a letter with those guidelines indicating that these types of projects, although will be reviewed on a case by case basis, will not require a maintenance bond. Kevin expects that the letter will be received sometime in May. Additionally, Kevin indicated that he has a follow-up meeting with NYCDEP to discuss new projects and will inquire about the status of the letter at that time.

A meeting with KC Engineering concerning the Metro North projects is scheduled for April 27. FABCO has been alerted that we want to start moving forward with surveys and installation of the projects rapidly. A quick turnaround is anticipated once we have the green light from Metro North and NYCDEP. The expectation is that all Metro North projects will be installed this calendar year, as long as we can get them scheduled.

Director Parsons inquired about answers to the questions that arose regarding Carmel-CF-601 during last month’s meeting of the Executive Committee. Kevin indicated that he has confirmed that the survey is included in the proposal submitted by KC Engineering and they have acknowledged that the survey is required for the work. Additionally, Director Parsons asked if we were able to obtain access for Kent-MB-602. Kevin indicated that the property owner is in full support; however, it is in the hands of his attorney for review.

a) Y-MU-601 – 30% Initial Evaluation

Kevin discussed the 30% approval of the project on Front Street in the Town of Yorktown and determined that it is worth moving forward with. The project is for the installation of a wetland system on municipal property. The parcel is landlocked and will require an easement with one of two possible candidates in order to access the lot for construction and for Yorktown to access it for maintenance in the future. The project efficiency is approximately \$70,000 per kilogram with just under 8 kilograms of phosphorus removal. Michael Quinn recommended that Kevin meet with the Highway Superintendent before starting the project to make him aware of it. Kevin agreed to reach out to Highway Superintendent and provide the details of the project. Additionally, it was explained that the engineer stopped the evaluation just shy of the full-report because it would not significantly impact the project. They were able to provide a cost analysis and layout concept with drawing. We originally intended on getting a much larger kilogram reduction but found that the New York State Department of Environmental Conservation (NYSDEC) wetlands took over much more of the property than originally mapped. Dvirka and Bartilucci did not complete the entire report because they required guidance as to how we wished to proceed in order to continue moving forward. With the concept sketch and cost analysis they were agreeing to provide, it was enough information for us to make that decision. Kevin clarified that the engineer’s probable cost of \$500,000 does not include the engineering cost and is for the construction estimate only; however, the efficiency provided does include both the engineering and construction cost.

Motion by Director Parsons, seconded by Director Lucas to move forward with the Y-MU-601, pending a conversation with the Town of Yorktown Highway Superintendent and completion of easements; all in favor.

6) Change Order/SE-POT-02

Kevin explained that in the contract awarded to Brennan Construction, it was originally anticipated they would accomplish one portion of the project. Then, towards the end of the calendar year based upon requirements of the NYSDEC's outlook on the northern long-eared bat in the region, they were going to leave the remainder of the clearing for the later part of the year when they are legally allowed to cut down trees. For this reason they would like to bring in a tree surveyor to identify any trees that would be in question. In the case that there are no trees within the boundaries of our channels, they can proceed and get the project done quickly. This would cut off approximately a year in construction time from the project with no significant impact on the efficiency. The cost for the assessment and report from Ecological Solutions is \$2,500. If roosting trees are found within the boundaries, they will provide an additional plan as part of their proposal. Kevin emphasized that we do not have to accelerate the timeline of construction, but feels it may be worth the additional cost if it can be completed a year sooner.

Motion by Director Parsons, seconded by Director Burdick to approve change order number 1 for SE-POT-02 in the amount of \$2,500 for a habitat assessment/report to be conducted by Ecological Solutions.

WHEREAS, Brennan Construction Company submitted change order request Number 1 dated 4/13/18 for an additional \$2,500 for SE-POT-02 in the first five year retrofit plan; and

WHEREAS, SE-POT-02 is located on property of Brewster Heights in the Town of Southeast and consists of stabilizing four (4) heavily eroded channels; and

WHEREAS, the proposed change order request is to address a request for a tree survey by the contractor. The costs incurred are to hire an arborist to assess the habitat and provide a report as an addition to the original scope of work; and

WHEREAS, this change order, if approved, would increase the construction cost from \$1,725,715 to \$1,728,215 and would have an unchanged efficiency of approximately \$30,000/kg with an estimated phosphorus reduction of 67.6 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 Brennan Construction Company dated 4/13/18 for an additional \$2,500 for SE-POT-02 increasing the construction cost from \$1,725,715 to \$1,728,215.

Motion passed; all in favor.

7) O & M Program Update

Joanne informed members that we are awaiting the receipt of two remaining O&M checks from the Village of Brewster and the Town of Carmel. Once received, towns that completed the work will be paid.

8) Review of New York City Watershed Protection Program

Director Parsons asked Director Williams if he would be interested in sitting on the ad hoc committee for the National Academies of Sciences, Engineering and Medicine. Director Williams indicated that due to

his limited available time, he would not be able to accept the nomination but felt that both Kevin and Rich Franzetti are very qualified. Kevin pointed out that although his area of expertise is in stormwater, he would be willing to become more familiar with wastewater in order to better represent the group. Director Williams questioned if Kevin can represent the group on the panel and still get paid for it through the corporation. Kevin replied that he cannot get paid through the corporation and may only represent the corporation as it relates to stormwater. George Rodenhausen indicated the issue may be better addressed by the coalition with regard to compensation. Director Burdick pointed out the May 8th deadline. Director Parsons requested that Kevin look into what is required to nominate a candidate and notify him if a signature is needed. Director Lucas indicated that it would be helpful to also have someone on the panel that can represent the wastewater topic. Rich Franzetti indicated that he has six sewer plants, four of which are in the watershed. George suggested doing a motion to nominate Kevin and/or Rich to represent the group.

Motion by Director Parsons, seconded by Director Burdick to nominate Kevin Fitzpatrick and Rich Franzetti to represent East of Hudson Watershed Corporation on the ad hoc committee of the National Academies of Sciences, Engineering, and Medicine; all in favor.

9) Summer Intern

The resume of Daniel LaPietra, a qualified candidate for the summer intern position was presented. Daniel is an engineering student attending the University of Buffalo and resides locally. Kevin noted that his resume is impressive for a college student and believes that he is an excellent candidate to help us out with the task we have for the summer. Members of the Executive Committee agreed that Daniel is qualified and recommended his hire for approval at the board meeting in May.

Motion by Director Parsons, seconded by Director Burdick to recommend the summer intern employment of Daniel LaPietra to the full Board of Directors; all in favor.

10) BOD Meeting Agenda

Director Burdick suggested adding O&M funds from Westchester County as an agenda item. Director Parsons will brief Director Burdick on his meeting with the Westchester Planning Department so he can provide an update at the board meeting.

8) Putnam County Sublease

Joanne discussed that a meeting was held with Putnam County Industrial Development Agency (IDA) to discuss the possibility of subleasing office space. Although our current lease with Hudson Valley Trust does not permit us to sublease, Larry Maxwell has provided a letter after meeting with his Board that allows us to sublease the office next to the copier room. A doorway will be opened through the wall in the vestibule area as access and the door within the East of Hudson Watershed Corporation (EOHWC) offices will be locked. The cost agreed upon per month between EOHWC and Putnam County IDA was \$250.

Motion by Director Burdick, seconded by Director Parsons to approve the proposed sublease of office space between EOHWC and Putnam County IDA in the amount \$250 per month; all in favor.

9) Checks and vouchers

Monthly checks and vouchers were signed. No action taken.

10) Other business

Joanne inquired if Vincent Tamagna had the opportunity to speak with Sam Oliverio regarding replacing Rick Morrissey on the Finance Committee. Vincent said Sam inquired about the responsibilities involved before considering making the commitment. Joanne offered to reach out to Sam to provide details.

11) Adjournment

Motion to adjourn by Director Parsons, seconded by Director Burdick; all in favor. Adjourned 10:24 AM.

DRAFT