



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, July 26, 2018

Meeting Minutes

1) Open Meeting

Voting Members in Attendance: Peter Parsons (Town of Lewisboro) for himself and as alternate for Chris Burdick (Town of Bedford); Warren Lucas (Town of North Salem) for himself and as alternate for JoAnne Daley (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); Vincent Giorgio (NYCDEP); Kevin Fitzpatrick (EOHWC); Joanne Tavino (EOHWC); Yvette Rivera (EOHWC); Linda Matera (EOHWC)

2) Approve Meeting Minutes of June 28, 2018

Motion by Director Parsons, seconded by Director Lucas to approve meeting minutes of June 28, 2018 with amendment to item #5b, changing developer to First Selectman, Rudy Marconi; all in favor.

3) Financial Update

Joanne Tavino reported that expenditures January through June are currently \$732,000. Presently, there is \$8.8 million in available funds. Checks written this month total \$22,800. The recent Treasury bill purchase is yielding 2.03%. The investments are doing well and the interest rates continue to rise.

4) Project Update

Kevin reported that the Year 8 Work Plan is due to the New York City Department of Environmental Protection (NYCDEP) and New York State Department of Environmental Conservation (NYSDEC) in October. We are seeking any new projects that primarily target the FAD basins. Additionally, any municipal reimbursements that will incorporate execution under Years 7 or 8 will be considered as well.

Two construction contracts from Year 4 projects, MK-NC-22 (Leonard Park) and Pat-EB-09-03B (Veteran's Memorial Park), will go to bid and be awarded in the August and September Executive Committee meetings. Construction is anticipated to begin on Pat-EB-09-03b shortly after Labor Day. In addition, a Year 6 project known as Kent-MB-602 (Haviland Road Outfall) will go out to bid for construction and be awarded in September. Director Lucas inquired about the project NewC-NCR-601 that is listed as inactive on the Project Update spreadsheet. Kevin indicated that New Castle is presently submitting for the CFA grant. If they are unable to obtain it, the concern is that EOHWC may not be able to tackle the project at this time because of the several million dollar estimated cost and limited Westchester funding; therefore, it has been labeled as inactive.

Last week, Kevin met with a new technology provider that was brought to our attention by Bruce Walker while he was still working with Putnam County. It essentially provides a lot of benefits and is an alternative to a stormwater filter. It is a product called bio-char which uses charcoal to target phosphorus reduction. According to the company's notes, they can get close to a 90% reduction. Although the product will need to be investigated further, it does look promising. They will be sending more information on to us. The O&M for it is incredibly discounted because it treats the water and when taken out, can sold back and used as a soil amendment, whereas in the case of a storm filter, it is taken out and disposed of. Hopefully, more information will be gathered in time to be presented at the August Executive Committee meeting. Even if the NYSDEC only approves it at 50%, it is still an improvement over a stormwater filter. Kevin will look to include it in the Year 8 Work Plan. Kevin maintained that every effort will be made to reduce the cost of O&M; however, bio-char appears to be very promising and may be the answer. Joanne reminded members that earnings on investments can be used for O & M.

Director Parsons inquired about the additional \$2 million needed to arrive at the \$7.5 million in FAD projects that requires being budgeted in the Year 8 Work Plan. Kevin and Joanne have been working on a preliminary draft budget to be presented at the August Board of Directors' meeting. The NYSDEC will be notified that it will not arrive in time for the October 1 deadline due to the date of our October Board of Directors' meeting. Kevin has been working with Rich Franzetti at the Town of Carmel and Bruce Barber at the Town of Kent to identify more FAD projects to include. It was stressed that a consistent effort must be made to reach that goal in order to qualify for the next round of funding. Director Parsons revisited an inquiry made at the June meeting by Director Lucas to Vincent Giorgio regarding whether the NYCDEP has any projects we can undertake for them. Vincent indicated that he forwarded the question to the appropriate individual but has not received a response.

Director Parsons reminded Kevin that he would be willing to set up a meeting between him and Ridgefield's First Selectman, Rudy Marconi if Kevin believes there is a possibility of a project due to the major inflow from Ridgefield, Connecticut into Lake Treusdale. Director Lucas questioned whether our funding could be used to do projects in Connecticut. Joanne mentioned that she and Kevin were researching it and found that it talks about the requirements of the MS4 Permit which requires us to reduce the phosphorus and includes the entire FAD. Vincent questioned how O&M would be handled in that situation. Joanne reminded members that our funding agreement states that earnings could be used towards O&M. Kevin stated that we would hire the contractor, use the earnings and the member municipalities would pick up the expense. George said he would investigate whether a reduction in Connecticut would qualify towards satisfying our reduction. Kevin said it may depend on how the rules are written for the MS4 Permit that each municipality is responsible for reducing phosphorus within their borders. Rich recalled the original permit never having identified load reductions per watershed and per municipality. George indicated that he recalled the same as Rich in that the original MS4 Permit defined the reduction requirements by town; however, the question should be asked of the NYSDEC. Kevin will reach out to Ken Kazinski and Bob Capowski to get clarification and will provide an update to members at the August meeting.

5) Award Solicitation 2018-03

Kevin explained that the solicitation being awarded today is for two channel stabilization projects PR-CR-701 and PR-CR-702 within Pound Ridge and located on private property. Easement agreements will be secured in both cases. We advertised in the Journal News as is required by the Procurement Policy to which only two firms responded. It was pointed out that since having changed our Procurement Policy from selecting approved firms to public advertising, fewer bids are submitted because we are not reaching

everyone. Michael Quinn and Rich suggested running the advertisement on the Empire State Registry to cast a wider net. In addition, it was recommended that advertising be switched from the Journal News to the Poughkeepsie Journal. Kevin concluded that the bid submissions came in from KC Engineering and Land Surveying in the amount of \$56,000 and Pitingaro and Doetsch Consulting Engineers in the amount of \$33,000. Based on best value proposal, it is was recommended that East of Hudson Watershed Corporation (EOHWC) enter into a Professional Services Agreement with Pitingaro and Doetsch Consulting Engineers, P.C.

Motion by Director Parsons, seconded by Rich Franzetti to approve the award for design services for Solicitation 2018-03 for stormwater retrofit projects PR-CR-701 and PR-CR-702 in the amount of \$33,000.

WHEREAS, the proposed stormwater retrofit projects known as PR-CR-701 at Parkview Drive and PR-CR-702 at Dingee Road are located on private property in the Town of Pound Ridge within a recognized FAD basin in project group 2018-03, and are included in the Years 6-10 MS4 regional plan approved by the NYS Department of Environmental Conservation; and

WHEREAS, the work consists of providing design and construction administration services for the stabilization of eroded channels which are tributary to NYSDEC Wetland; and

WHEREAS, a Request for Proposals was advertised and two (2) proposals were received at the East of Hudson Watershed Corporation offices on July 3, 2018; and

WHEREAS, the Review Committee of the EOHWC has reviewed the proposal according to the requirements set forth in the EOHWC Procurement Policy and found the proposal of best value has been submitted by Pitingaro and Doetsch Consulting Engineers, P.C. in the amount of \$33,000; and

WHEREAS, EOHWC contacted the references for Pitingaro and Doetsch Consulting Engineers, P.C. and contacted Pitingaro and Doetsch Consulting Engineers, P.C. directly and was assured that they can complete the project for the amount proposed; and

WHEREAS, the EOHWC Review Committee has recommended that the corporation accept Pitingaro and Doetsch Consulting Engineers, P.C. as best value proposer for the project and proceed with contract pending the submission of all necessary documents per the EOHWC Procurement Policy; and

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors that it accepts Pitingaro and Doetsch Consulting Engineers, P.C. as best value proposer for design of the projects for PR-CR-701 and PR-CR-702, and authorizes the President or Vice President of the Corporation to execute the design contract with Pitingaro and Doetsch Consulting Engineers, P.C. subject to the following conditions:

1. Submission of insurance by the engineer as required by the design contract;
2. Review of the design contract by the Corporation's Counsel.

Motion passed; all in favor.

(R-0726-01)

6) August 16th Board of Directors Meeting Agenda

The Board of Directors' draft meeting agenda was approved to be distributed with no changes.

7) O&M Program Update

Kevin reported that we are continuing to make progress on O&M. The Town of Carmel made their submissions recently and a meeting is scheduled with Southeast next week to review their efforts.

6) Checks and vouchers

Monthly checks and vouchers were signed. No action taken.

8) Other business

No other business was brought forward.

9) Adjournment

Motion to adjourn by Director Parsons, seconded by Rich Franzetti; all in favor. Adjourned 10:02 AM.

DRAFT