



## EAST OF HUDSON WATERSHED CORPORATION

### QUARTERLY MEETING OF DIRECTORS AND MEMBERS

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

TIME and DATE: 10:00 a.m., Tuesday, October 16, 2018

#### Meeting Minutes

#### 1) Open of Meeting at 10:00 a.m.

Voting Members in Attendance: Peter Parsons (Town of Lewisboro); Warren Lucas (Town of North Salem); Chris Burdick (Town of Bedford); Ian Gilbert (Town of Yorktown); Michael Quinn (Town of Yorktown); Steve Ferreira as alternate for Linda Puglisi (Town of Cortlandt); Steve Woelfle as alternate for Rick Morrissey (Town of Somers); Kevin Hansan (Town of Pound Ridge); Edward Brancati as alternate for Gina Picinich (Town of Mount Kisco); Joseph Zarecki as alternate for Robert Liffland (Village of Pawling); JoAnne Daley as alternate for James Schmitt (Town of Pawling); Maureen Fleming (Town of Kent); Sabrina Charney-Hull as alternate for Michael Greenstein (Town New Castle); Rich Franzetti as alternate for Ken Schmitt (Town of Carmel); Sam Oliverio (Town of Putnam Valley).

Others in Attendance: Christine Chale (Corporate Counsel); Bruce Barber (Putnam Valley); Vincent Giorgio (NYCDEP); Kevin Fitzpatrick (EOHWC); Linda Matera (EOHWC)

#### 2) Pledge of Allegiance

#### 3) Approve Meeting Minutes: August 14, 2018

Motion by Director Parsons, seconded by Director Burdick to approve the Board of Directors Meeting Minutes of August 14, 2018; all in favor.

#### 4) Financial Update

Kevin Fitzpatrick reported on behalf of Joanne Tavino that expenditures year-to-date January through September total approximately \$1.2 million. The current fund balance is \$8.2 million, which includes all investments. The total revenue for year-to-date investments made is \$88,000, which includes unrealized gains.

##### a. Adoption of 2019 Budget

Kevin presented the 2019 Budget for adoption which was reviewed and recommended by the Executive Committee at the September meeting. Director Lucas noted that it would have been helpful to have a 2018 and 2019 column for comparison and requested that it be included on future budgets.

Motion by Director Burdick, seconded by Director Lucas to adopt the 2019 ABO Budget as presented; all in favor.

##### b. Investment Update

Kevin reported that since the start of treasury trading, nearly \$150,000 has been earned in investment income on \$7 to \$8 million invested. Director Parsons complimented Joanne on being extraordinarily successful on the management of East of Hudson Watershed Corporation's (EOHWC) cash.

## **5) List of Reporting and Filing Due Dates**

The List of Reporting and Filing Due Dates was presented by Director Parsons and questions were invited. No questions were asked.

## **6) Project Update**

Kevin reported that the current NYSDEC credit total is approximately 436 kilograms. By the end of this year, we expect to have close to 530 kilograms completed which includes the Brewster Heights project (SE-POT-02) that's been in the works for quite some time. It's moving along very well and is expected to be completed by the end of the year. We are continuing to push forward with all Year 6 and 7 projects. Many of these projects have been targeted for the construction season in 2019, which we are trying to line up with the funding that will be available from New York City Department of Environmental Protection (NYCDEP). The first round of FAD funding is anticipated sometime in September 2019.

Director Parsons requested an update on the Metro North group of projects. Kevin explained that we went out to design RFP earlier in the year on about six projects at individual Metro North train stations along the Harlem Line. Essentially, phosphorus reduction was targeted utilizing the catch basin insert SRP. The preliminary design and survey is currently nearing completion. We continue to be on target for installation this calendar year. The benefit with this particular project is that while a pond or wetland tends to shut down construction once we get into the winter months, with a brief break in weather these inserts can be put into the ground very easily. Kevin promised to notify all the individual municipalities once that point is reached and will strive to make sure they are not being installed during a major holiday shopping season. Director Lucas inquired if we will continue to use FABCO catch basin inserts. Kevin replied that he planned to and would have to obtain new quotes for the Metro North group of projects.

### **a. Program Summary**

Kevin presented the Program Summary and welcomed inquiries from member municipalities. No inquiries were made.

### **b. Year 8/2019 Work Plan**

Kevin reported that the Year 8/2019 Work Plan will be submitted to the New York State Department of Environmental Conservation (NYSDEC) at the end of this week. As mentioned previously, the work plan is almost fully invested in the FAD basins and FAD-connected areas. Given the funding requirements for EOHWC, that's the target we can get the best value from for projects. It does not eliminate projects that you may have outside of the FAD basin, but it absolutely makes it more difficult. Members were encouraged to bring those projects to his attention. A good example of a project outside the FAD basin is in the town of Somers where we were able to match a grant they received from the NYSDEC. Another example from Year 6 is a project in the town of New Castle for which we will hopefully be able to match their NYSDEC grant. Right now, absent the new funding source, matching opportunities will be the best way to get projects accomplished outside the FAD. Kevin requested that

members reach out to him in the beginning of the process so he can assist with formulating any projects rather than at the end when it is more difficult.

## 7) **O & M discussion**

Kevin reported that an email and hard copy letter were recently sent out to every town and highway supervisor notifying all that now is the time to start compiling all O & M documents and make sure they are submitted to us in a timely manner. We are eager to make sure we can get these bills wrapped up and your payments out to you. January 15, 2019 is the absolute deadline for submissions. If you do not get your documents in by that date, you will have to wait an entire calendar year before those values will be accounted for. Anything that you have completed at this point can be submitted and does not have to wait to be sent in when the work is completed in its entirety. This gives everyone ample time to address that last cleanup for the fall. If you feel you have an MS4 coordinator that is a better contact in your municipality, please share their name with us.

### a. **Usage of WQIP Funds for O & M**

Director Parsons asked if Kevin had formed a reasonably good relationship with Westchester County Planning on moving the O & M funds to EOHWC. In addition, he indicated that a new individual would be replacing David Kvinge to handle all WQIP issues. Kevin stated that in the past he's spoken with Norma Drummond and noted that it's gone through Westchester County to cover expenses for Westchester municipalities. At this point, more detail is needed along with a signed agreement. It's our anticipation that we'll get some funding made available in late 2018 and the rest will come in 2019. The way it will work is we'll go about business as usual with regard to O & M and EOHWC will submit the documentation that the municipalities provide to us to Westchester County. Westchester County would then pass the money to EOHWC. Since we are already collecting all those documents as it is, it seems like an easier approach. If a more efficient way to execute this process is figured out when speaking with Norma and the new representative, Kevin will share the information with members. An update will be provided at the Board of Directors meeting in January. Funding for 2016, 2017 and 2018 are all eligible for reimbursement using the Westchester County funds towards Westchester municipalities. Chris Chale added that George Rodenhausen was in contact with the office that was working on the contract. It hasn't been received yet. It will most likely require approval by resolution from each of the municipalities. When a final version is available, we will alert everyone to do that.

## 8) **Adoption of Sexual Harassment Policy**

Director Parsons presented a revised Sexual Harassment Policy for adoption.

Motion by Director Parsons, seconded by Director Burdick to adopt the Revised Sexual Harassment Policy for the East of Hudson Watershed Corporation.

At the Meeting of the Board of Directors of the East of Hudson Watershed Corporation held on October 16, 2018,

**WHEREAS**, pursuant to New York State Labor Law § 201-G(1), the New York State Division of Human Rights has issued a model sexual harassment prevention policy; and

**WHEREAS**, pursuant to New York State Labor Law § 201-G(1)(b), every employer within the State must adopt the model sexual harassment prevention policy promulgated pursuant to Labor Law §

201-G or establish a sexual harassment prevention policy to prevent sexual harassment that equals or exceeds the minimum standards provided by such model sexual harassment prevention policy; and

**WHEREAS**, the Executive Committee has recommended to the Board of Directors revision of the Corporation's Sexual Harassment Policy to conform to recent amendments of the New York State Labor Law; and

**WHEREAS**, the Directors have reviewed the proposed revision and find the revised Sexual Harassment Policy to reflect the requirements of State law and the policies of the Corporation;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the East of Hudson Watershed Corporation hereby adopts and approves the revised Sexual Harassment Policy; and

**BE IT FURTHER RESOLVED** that the East of Hudson Watershed Corporation Personnel Policies and Procedures Manual is hereby amended by the deletion of Appendix C, "EOHWC Sexual Harassment Policy and Complaint Procedure," and by the addition of the newly adopted Policy as Appendix C.

Motion passed; all in favor.

(R-1016-01)

#### 9) **Proposed 2019 Meeting Dates**

Director Parsons presented the proposed meeting dates for 2019. Board members had no changes.

Motion by Director Burdick, seconded by Director Gilbert to adopt the 2019 meeting dates as presented; all in favor.

#### 10) **Other business**

Director Gilbert addressed the Yorktown sewer project. An agreement was requested with Westchester County for the transfer of monies for the execution of the project. The County said they may be changing their policy so that the money is not extended until it has been expended. Director Lucas said that the County handled North Salem's Peach Lake project in the same manner where he had to spend the money before they would reimburse it. Director Gilbert said the issue resides with cash flow. Admirably, Yorktown's Controller operates very conservatively and does not expend money that Yorktown does not have, so the possibility of submitting bills directly to the county was discussed. Director Lucas indicated that may cause an even longer delay. Director Parsons added that Norma Drummond is easy to work with and encouraged Director Gilbert to reach out to negotiate a reasonable agreement.

Director Lucas announced that David Kvinge, the Director of Environmental Planning for Westchester County, is on the MS4 Committee. They are currently taking comments and a new draft will likely be out soon. They anticipate having a release date by the end of the year with an estimated start date sometime in March 2019; however, if they get the same amount of comments as they previously did, then a release date of 2020 is more probable. With the previous draft, there was a range of approximately \$550,000-\$750,000 that it was going to cost per year to get the headcount for all the work they expected each municipality to accomplish. It's a significant expense that should be looked at closely in the next draft. Director Lucas promised to provide updates as he receives them. Rich Franzetti followed up by informing members that New York Water Environment Association (NYWEA) is doing a review for the state. His comments were requested and he will be following up. Additionally,

he indicated that he is on the committee to review the new draft before it comes out and promised to keep EOHWC updated. Director Lucas requested that Rich make the point that the cost per town is much too expensive. Board members thanked Director Lucas and Rich Franzetti for their work on the MS4.

**11) Adjournment – Motion to adjourn by Director Burdick, seconded by Director Oliverio; all in favor. Adjourned 10:25 AM.**