



EAST OF HUDSON WATERSHED CORPORATION  
QUARTERLY MEETING OF DIRECTORS AND MEMBERS

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

TIME and DATE: 10:00 a.m., Tuesday, August 13, 2019

**Meeting Minutes**

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

Voting Members in Attendance: Peter Parsons (Town of Lewisboro) for himself and as alternate for Warren Lucas (Town of North Salem); Rich Williams (Town of Patterson); Rich Franzetti as alternate for Ken Schmitt (Town of Carmel) and Tony Hay (Town of Southeast); JoAnne Daley as alternate for James Schmitt (Town of Pawling); Chris Burdick (Town of Bedford); Vincent Tamagna as alternate for MaryEllen Odell (Putnam County); Michael Quinn as alternate for Ian Gilbert (Town of Yorktown); Michael Preziosi as alternate for Linda Puglisi (Town of Cortlandt); Steve Woelfle as alternate for Rick Morrissey (Town of Somers); Edward Brancati as alternate for Gina Picinich (Town of Mount Kisco); Lauri Taylor as alternate for Robert Liffland (Village of Pawling); Maureen Fleming (Town of Kent); Sam Oliverio (Town of Putnam Valle)

Others in Attendance: Christine Chale (Corporate Counsel); Vincent Giorgio (NYCDEP); Kevin Fitzpatrick (EOHWC); Joanne Tavino (EOHWC); Linda Matera (EOHWC)

**2) Pledge of Allegiance**

**3) Approve Meeting Minutes: May 14, 2019**

Motion by Director Parsons, seconded by Director Oliverio to approve the Board of Directors Meeting Minutes of May 14, 2019; all in favor.

**4) Financial Update**

Joanne Tavino reported that the expenditures through July 2019 total \$638,720. The fund balance as of July 31<sup>st</sup> was \$1 million for Putnam and \$5 million for Westchester. The \$15 million in FAD funding has been processed and we expect to receive a check this week. Ideally, \$10 million should be invested before the September 18<sup>th</sup> Federal Reserve meeting because the interest rates are going down.

Updates regarding the investment account are sent to the Finance Committee monthly. We have approximately \$4.2 million invested and have earned about \$60,000 in interest this year and about \$240,000 since we started the investment program.

**a. Changes for 2019 Audit**

Information has been received regarding the audit that indicates changes should be made because of the incoming FAD money. It has been called for by the FAD agreement in order to separate the FAD funds. A copy of the supplemental schedule, which was provided to board members, will be included in the

upcoming audit. It shows the separation of FAD money. In addition, every few years auditors should be looked into to see if changes should be made. While the firm itself does not have to change, NYS ABO recommends you change the partner who is actually doing the work every few years. Sickler, Torchia, Allen, Churchill recommended we work with Joseph Montalto. Director Parsons recommended that Joanne meet with Joseph in person. Joanne agreed and will reach out to set up a meeting this month.

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

Joanne thanked members for achieving 100% in submitting their Financial Disclosures. Bruce Barber's Conflict of Interest form still has not been submitted. Michael Preziosi and Lauri Taylor are in the process of doing their board training. The towns of Carmel and Pawling have submitted their O&M inspection forms but we have not received any from other towns. Director Burdick thanked Joanne for her work on the List of Reporting and Filing Due Dates.

#### **6) Approve Westchester IMA**

Director Parsons explained that the agreement is between Westchester County and East of Hudson Watershed Corporation and allows \$750,000 to be used to reimburse Westchester County members of EOHWC for their O&M from 2016 until 2021. Members extended their thanks to Millie Magraw for her work in getting the funding approved by Westchester.

Motion by Director Burdick, seconded by Director Parsons to approve the Westchester IMA regarding O&M expenses.

At the Quarterly Meeting of the Board of Directors of the East of Hudson Watershed Corporation held on August 13, 2019

**WHEREAS**, the County of Westchester has presented a proposed Intermunicipal Agreement ("IMA") to the East of Hudson Watershed Corporation ("Corporation") pursuant to which the County would disburse an amount not to exceed \$750,000 to the Corporation in reimbursement of operation and maintenance ("O&M") expenses of Westchester County members of the Corporation for eligible projects, pursuant to the terms and conditions of the IMA; and

**WHEREAS**, Corporation counsel has reviewed the IMA in draft form and provided comments on the IMA to the County, which comments have been incorporated therein; and

**WHEREAS**, the Executive Committee has reviewed the IMA, deems it to be in the best interests of the Corporation; and recommends that the Board of Directors approve the proposed IMA;

**NOW THEREFORE IT IS HEREBY RESOLVED**, by the Board of Directors of the East of Hudson Watershed Corporation that it approves the proposed IMA and authorizes the President or Vice President of the Corporation to execute the Intermunicipal Agreement and to take all necessary steps to implement it.

Motion passed; all in favor.

**R-0813-03**

## **7) Use of WQIP Funds**

Director Parsons requested an update from the town of Somers on where they stand on the \$10 million for the sewer project. Steve Woelfle of the town of Somers said that he is only aware that Rick Morrissey is working on it with Woodard and Curran. Director Burdick explained the city has taken the position that as long as there is unspent money, we will not receive any additional money. Somers, Yorktown and New Castle are the three municipalities that have an earmark of \$10 million each. On the Somers project, North Salem's supervisor, Warren Lucas, has been talking with Somers Supervisor Morrissey about seeing whether there can be some agreement between those two municipalities to use excess capacity at Heritage Hills. That would resolve an issue that North Salem has with respect to Croton Falls train station. That is something that is currently being looked into to see whether that could be done. Rick has discussed with Heritage Hills how to make sure that the excess capacity goes to the town rather than some unrelated third party. Woodard and Curran attended a meeting of supervisors and explained that they were working on all of this. Director Parsons stated that it is important because currently we cannot do any projects outside the FAD basins because we have no funding for them. This means that we are getting to the point where some of the projects will be very inefficient. We are getting to the point where projects have an efficiency that is over \$100,000 per kilogram. Kevin pointed out that the target efficiency was somewhere in the range of \$60,000 to \$70,000 per kilogram.

Director Burdick inquired about the new format of the EOHWC Operation and Maintenance Costs attachment. Joanne explained that the format of the spreadsheet presented today was created solely for the purpose of clarifying information for Westchester County. We will revert back to the previous format in the future.

## **8) FAD Funding Update**

Joanne notified members that the \$15 million in FAD funding has been processed and a check is expected to arrive in the mail in the coming days.

## **9) Project Update**

Kevin Fitzpatrick stated that the current active projects moving forward will target the FAD basins as well as the connected-FAD basins. Active projects total 361 kilograms. That accounts for a large part of the remaining NYSDEC phosphorus reduction requirement. The phosphorus reduction total to date is 525 kilograms. As we move towards Years 9 and 10 we will see a much smaller workplan submitted to NYSDEC because we are very close with our projections in reaching the total that we need. Workplans in the future, including the one submitted in October, will be directed more towards making sure we put our efforts towards the best projects possible to meet our requirements with both NYSDEC and NYCDEP. The plan is to ride the active projects that are currently out for construction and complete them. Kevin asked that member municipalities contact him with any new projects that come up because there may be more efficient ones. With a submission of 15 kilograms soon to be made to NYSDEC, our total will be approximately 540 kilograms.

Director Parsons asked why the Burden Preserve projects (NewC-NCR 33A&B) are still in the design stage. Kevin indicated that there needed to be adjustments to the full design. The design is something we were working on at EOHWC, but we could consider going out to bid on those design efforts.

**a. Program Summary**

Kevin invited questions from individual municipalities regarding any of the projects on the summary presented and requested he be informed of any prospective projects that supervisors might be aware of.

**10) O & M discussion**

Director Parsons explained that there were existing O&M agreements between Putnam County, Brewster and Carmel which required annual renewal. The language in the amendment presented today renews them automatically each year, unless a change to the agreement is requested.

**a. Putnam County O&M Amendment to Agreement with Brewster**

Motion by Director Parsons, seconded by Ed Brancati to approve the amendment to the O&M agreement between Putnam County and the Village of Brewster.

At the Quarterly Meeting of the Board of Directors of the East of Hudson Watershed Corporation held on August 13, 2019

**WHEREAS**, on October 2, 2018, the East of Hudson Watershed Corporation (the “Corporation”), the County of Putnam (the “County”) and the Village of Brewster (the “Village”) entered into an agreement (the “Agreement”) for operation and maintenance (“O&M”) of certain stormwater retrofit practices by the County in the Village; and

**WHEREAS**, Section 7 of the Agreement provides that the Agreement shall terminate one year from the effective date, provided that the Agreement shall be renewed and continued for successive one year terms upon consent of the parties; and

**WHEREAS**, the Corporation wishes to extend the Agreement and amend Section 7 to provide that the Agreement shall automatically renew on a year to year basis, provided that either the Village or the County may terminate the Agreement at any time upon thirty (30) days written notice to the other parties as more fully set forth in the annexed proposed amendment;

**WHEREAS**, the Executive Committee has reviewed the Agreement and the proposed amendment, deems the amendment to be in the best interests of the Corporation, and recommends that the Board of Directors extend the Agreement and adopt the proposed amendment;

**NOW THEREFORE IT IS HEREBY RESOLVED**, by the Board of Directors of the East of Hudson Watershed Corporation that it extends the Agreement and approves the proposed amendment; and authorizes the President or Vice President of the Corporation to execute the amendment and to take all necessary steps to implement it.

Motion passed; all in favor.

**R-0813-05**

**b. Putnam County O&M Amendment to Agreement with Carmel**

Motion by Director Parsons, seconded by Vincent Tamagna to approve the amendment to the O&M agreement between Putnam County and the town of Carmel.

At the Quarterly Meeting of the Board of Directors of the East of Hudson Watershed Corporation held on August 13, 2019

**WHEREAS**, on November 29, 2018, the East of Hudson Watershed Corporation (the “Corporation”), the County of Putnam (the “County”) and the Town of Carmel (the “Town”) entered into an agreement (the “Agreement”) for operation and maintenance (“O&M”) of certain stormwater retrofit practices by the County in the Town; and

**WHEREAS**, Section 7 of the Agreement provides that the Agreement shall terminate one year from the effective date, provided that the Agreement shall be renewed and continued for successive one year terms upon consent of the parties; and

**WHEREAS**, the Corporation wishes to extend the Agreement and amend Section 7 to provide that the Agreement shall automatically renew on a year to year basis, provided that either the Town or the County may terminate the Agreement at any time upon thirty (30) days written notice to the other parties as more fully set forth in the annexed proposed amendment;

**WHEREAS**, the Executive Committee has reviewed the Agreement and the proposed amendment, deems the amendment to be in the best interests of the Corporation, and recommends that the Board of Directors extend the Agreement and adopt the proposed amendment;

**NOW THEREFORE IT IS HEREBY RESOLVED**, by the Board of Directors of the East of Hudson Watershed Corporation that it extends the Agreement and approves the proposed amendment; and authorizes the President or Vice President of the Corporation to execute the amendment and to take all necessary steps to implement it.

Motion passed; all in favor.

**R-0813-04**

**11) Other business**

Kevin acknowledged the great job that Robert Irving of Putnam Valley did when he interned with EOHWC this summer. He had a chance to view all of the O&M sites individually and helped out with identification of new projects.

**12) Adjournment** – Motion to adjourn by Director Burdick, seconded by Director Oliverio; all in favor. Adjourned 10:55 AM.