



# EAST OF HUDSON WATERSHED CORPORATION

## EXECUTIVE COMMITTEE MEETING

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

TIME and DATE: 9:30 AM, Thursday, November 19, 2015

### Meeting Minutes

#### **1) Open Meeting**

Voting Members in Attendance: Richard Williams for himself and as alternate for Michael Griffin (Town of Patterson); Warren Lucas (Town of North Salem); Chris Burdick (Town of Bedford); Peter Parsons (Town of Lewisboro)

Others in Attendance: Sabrina Charney-Hull (Town of New Castle); George Rodenhausen (Corporate Counsel); Christine Chale (Corporate Counsel); Vincent Giorgio (NYCDEP); Antonino Modica (NYCDEP); Kevin Fitzpatrick (EOHWC); Joanne Tavino (EOHWC); John Belyea (EOHWC); Yvette Rivera (EOHWC); Linda Matera (EOHWC)

#### **2) Approve Meeting Minutes**

Motion by Director Lucas, seconded by Richard Williams to approve the Executive Committee Meeting Minutes of October 22, 2015 as presented; all in favor.

Motion by Director Parsons, seconded by Director Lucas to approve the Special Executive Committee Meeting Minutes of November 10, 2015 as presented; all in favor.

#### **3) Financial Update**

Joanne reported that at the end of October we had \$14.4 million funds balance. Checks presented today total \$400,000 leaving our current funds balance at \$14 million. The residual funds at the end of years 1-5 remains at \$4.5 million.

#### **4) Project Update**

Kevin reported that we are nearing completion on a few construction jobs. An update will be provided at the December Executive Committee Meeting. There are five jobs that we will be going to bid on construction in December, pending the completion of installation agreements and finalizing additional paperwork. If not completed in December, they will be completed in the spring.

Additionally, Kevin notified the Board that we are awaiting a response to an inquiry made with the New York State of Environmental Conservation (NYSDEC) regarding channel stabilization for Kent-MB-311B. If approved by NYSDEC, applying the new channel stabilization method to Kent-MB-311B will increase the total phosphorus reduction from 1 kilogram to approximately 15 kilograms.

## **5) Year 6 Work Plan**

Kevin met with Steve Lauria, Christian Paggi, and Richard Rennia and has begun to provide them with the information for GIS, our existing files for Years 1-5, and some carry over projects so that they can start honing in on different ideas. A group of projects which have been identified over the past year as new projects have been presented for inclusion the work plan. In addition, Kevin identified projects for Year 6, which can be executed in-house.

## **6) Approve Change Orders**

### **Resolution to Approve Change Order for Carmel-CF-102 A&B**

Motion by Director Lucas, seconded by Richard Williams to approve change order for Carmel-CF-102 A&B from Con-Tech Construction Technology in the amount of \$14,750, decreasing the construction cost from \$179,550 to \$164,800.

WHEREAS, Con-Tech Construction Technology Inc. submitted change order request Number 1 dated 11-12-15 for a decrease of \$14,750 for Carmel-CF-102A and 102B in project group 2012-3 of the first five year retrofit plan; and

WHEREAS, Carmel-CF-102A and 102B is located on property of the Guidepost Seminary in the Town of Carmel; and

WHEREAS, the proposed change order request is for Con-Tech Construction Technology Inc. to remove the unused line items from the original contract totaling \$14,750 as a decrease to the original scope of work; and

WHEREAS, this change order, if approved, would decrease the construction cost from \$179,550 to \$164,800 and would have an updated efficiency of \$35,000/kg with an estimated phosphorus reduction of 6.72 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 Con-Tech Construction Technology Inc. dated 11-12-15 for a decrease of \$14,750 for Carmel-CF-102A and 102B decreasing the construction cost from \$179,550 to \$164,800.

Motion passed, all in favor.

## **Resolution to Approve Change Order for S-MU-16/17**

Motion by Director Burdick, seconded by Richard Williams to approve change order from R. Pagni and Sons, Incorporated for S-MU-16/17 in the amount of \$3,300, decreasing the construction cost from \$415,800 to \$412,500.

WHEREAS, R. Pagni & Sons Inc. submitted change order request Number 2 dated 11-12-15 for a decrease of \$3,300 for S-MU-16 and S-MU-17 in project group 2012-3 of the first five year retrofit plan; and

WHEREAS, S-MU-16 and S-MU-17 are located on property of the Somers Town Highway Garage and Material Yard in the Town of Somers; and

WHEREAS, the proposed change order request is for R. Pagni & Sons Inc. to remove the unused line items from the original contract totaling \$3,300 as a decrease to the original scope of work; and

WHEREAS, this change order, if approved, would decrease the construction cost from \$415,800 to \$412,500 and would have an updated efficiency of \$81,000/kg with an estimated phosphorus reduction of 5.87 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 R. Pagni & Sons Inc. dated 11-12-15 for a decrease of \$3,300 for S-MU-16 and S-MU-17 decreasing the construction cost from \$415,800 to \$412,500.

Motion passed, all in favor.

## **7) Approve Negative Declarations**

### **Resolution to Approve Negative Declaration for Patterson-PA-15A**

Motion by Director Burdick, seconded by Richard Williams to approve SEQRA Negative Declaration for Patterson-PA-15A.

WHEREAS, EOHWC is considering undertaking the installation of a stormwater retrofit project in the Putnam County, New York involving construction of a subsurface sand filter to be installed on the grounds of the Matthew Patterson Elementary School, located at 100 South Street, Town of Patterson; and

WHEREAS, the Executive Committee of EOHWC has reviewed the Short Environmental Assessment Form dated 11/19/15 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. Determines 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.

Motion passed, all in favor.

### **Resolution to Approve Negative Declaration for Patterson-PA-15B**

Motion by Director Burdick, seconded by Richard Williams to approve SEQRA Negative Declaration for Patterson-PA-15B.

WHEREAS, EOHWC is considering undertaking the installation of a stormwater retrofit project in the Putnam County, New York involving construction of a dry swale to be installed on the grounds of the Matthew Patterson Elementary School, located at 100 South Street, Town of Patterson; and

WHEREAS, the Executive Committee of EOHWC has reviewed the Short Environmental Assessment Form dated 11/19/15 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. Determines 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.

Motion passed, all in favor.

### **8) Finalize O & M Policy**

Kevin encouraged all municipalities to continue submitting their O&M Resolutions. Rich Williams suggested that each municipality be provided with a copy of the O & M plan for all their projects. Kevin reminded everyone that he and John prepared an O & M Manual that can address specific project needs for each type of practice. Director Parsons requested that a reminder memo be sent out every two weeks by a member of the Executive Committee mentioning the towns that have already passed the resolution. With regard to the policy, Rich Williams suggested that a schedule of values is developed and that one individual is designated to collect the man hour and equipment costs in advance for each municipality. Sabrina Charney-Hull requested a copy of the current O & M Manual to share with her highway supervisor. Kevin promised to send a copy to all supervisors.

### **9) Sign checks and vouchers**

Monthly checks and vouchers were signed. No action taken.

## **10) Other Business**

Director Burdick addressed a concern regarding the Town of Bedford being covered by the contractor's insurance policy and requested that the either East of Hudson Watershed Corporation or the contractor's insurance lists the town as a loss payee. Director Burdick asked that more advanced notice be given to the individuals in the municipalities who are involved with projects in an effort to improve communication. As part of the RFP investigation, John Belyea requested that a list be compiled of each municipality's requirements for permits.

### **Resolution to Amend Resolution R-1110-02**

Motion by Director Burdick, seconded by Rich Williams to amend Resolution R-1110-02 to correct the error in the name of the contractor by changing the name from Legacy Valve, LLC to Legacy Supply, LLC.

WHEREAS, on November 10, 2015, the Executive Committee adopted resolution R-1110-02 awarding the construction contract for the project known as Y-MU-10 to Legacy Valve, LLC as lowest responsible bidder, based on the recommendation of James J. Hahn Engineering, P.C.; and

WHEREAS, James J. Hahn Engineering, P.C. has advised that the name of the lowest responsible bidder in its recommendation was in error and that the correct name of the lowest responsible bidder Legacy Supply, LLC, not Legacy Valve, LLC; and

WHEREAS, the Executive Committee wishes to correct the error in the name of the contractor in resolution R-1110-02 without otherwise amending the resolution;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors of the East of Hudson Watershed Corporation that resolution R-1110-02 is hereby amended to correct the error in the name of the contractor by changing the name from Legacy Valve LLC to Legacy Supply, LLC, and resolution R-1110-02 is hereby affirmed in all other respects.

Motion passed; all in favor.

## **11) Executive Session**

Motion by Director Parsons, second by Director Lucas to enter into Executive Session to discuss personnel matters; all in favor. Motion by Director Parsons, seconded by Director Lucas to come out of Executive Session; all in favor. No decisions were made and no actions were taken in Executive Session.

**12) Adjournment – Motion to adjourn by Director Burdick, seconded by Director Parsons; all in favor. Adjourned 10:41 am.**