



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, February 28, 2019

Meeting Minutes

1) Open Meeting

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

Others in Attendance: Jordan Hardy (New York State Senate); Vincent Giorgio (NYCDEP); George Rodenhausen (Corporate Counsel); Kevin Fitzpatrick (EOHWC); Joanne Tavino (EOHWC); Linda Matera (EOHWC);

2) Approve Meeting Minutes of January 24, 2019

Motion by Director Burdick, seconded by Director Parsons to approve the meeting minutes of January 24, 2019; all in favor.

3) Financial Update

Joanne Tavino reported that the current fund balance is approximately \$6.7 million. Checks written today total about \$80,000. Year-to-date investment income through February 7th was \$10,620. Another T-bill will be maturing on March 21st. Current investments total \$4,128,184 which mature in \$1 million increments. Director Burdick requested on future Investment Update Memos the word "Treasuries" appears in the subject line in parentheses to make it clear that we are not purchasing stock.

4) List of Reporting and Filing Due Dates

Joanne reported that internally all items are up to date. It was noted that the Financial Disclosure column on the New York State Authorities Budget Office (NYS ABO) Compliance Schedule 2019 cannot be updated until Joanne hears from Jan Miller at Putnam County because she is the person keeping track. Whenever Jan provides an update the column will be updated.

5) 2018 Audit

Joanne reported that she has made many attempts have been made to obtain completed Conflict of Interest forms from individuals whose names are highlighted on the schedule, as has the auditor, and neither have had total success in doing so. Those who are not compliant make it difficult for the audit to get completed. Director Williams suggested sending out the schedule to the entire Board. Committee members agreed that it would be a good idea. Director Burdick requested that the NYS ABO Compliance Schedule be carried

forward to the next meeting to keep an eye on it until we've attained full compliance. Director Parsons offered to send a notice to non-compliant members.

Motion by Director Williams, seconded by Director Burdick to authorize Director Parsons to send a notice along with the 2019 NYS ABO Compliance Schedule to Board members requesting completion of required forms for the 2018 Audit; all in favor.

6) Project Update

Kevin Fitzpatrick reported that we went to bid on two design solicitations (2019-01 & 2019-02) which are currently being looked at by the Review and Technical Committees and will be awarded at the March 14th meeting. The Year 4 project at Leonard Park in Mount Kisco (MK-NC-22) went out to bid for construction and values came back much higher than anticipated. Kevin will work with Rennia Engineering Design to see what can be eliminated to reshape the project to lower the cost. In anticipation of summer construction, we'll be going to bid on Kent-MB-601 which is a multiple pond system in the town of Kent to be awarded in April. It is currently under review by the town for file comments.

The former Readers' Digest property project (MK-NC-602) has over 120 acres of completely untreated property. When the developers that purchased the property began construction, as part of their requirement, they had to reach a certain reduction from the Watershed Inspector General for the property of the channels and they had to treat everything that was there. In total there was about 20 kilograms of phosphorus that came from the commercial development end. We came in probably 10 years too late in the entire design process. The New York State Department of Environmental Conservation (NYS DEC) agreed to give us 7.7 kilograms since the developer had to go above and beyond what was required on site and that it would be acceptable for East of Hudson Watershed Corporation (EOHWC) to get credit at no cost. There may be an additional opportunity to get credit on the residential portion where apartments and condos will be going in, which hasn't been addressed yet. It needs to be evaluated first to see if it will work out as well as did the commercial side.

7) SE-POT-02

Kevin stated that this is to close the loop from the January meeting and the email discussion regarding questions that came up regarding Brennan's efforts out in the field. This change order wraps up everything that was discussed previously. Director Parsons inquired if an answer was given regarding the issue of use of the Sheriff's Deputy instead of flaggers. Kevin said that the contractor did not receive a bill from the Sheriff.

Motion by Director Burdick, seconded by Vincent Tamagna to approve change order number 2 for SE-POT-02, leaving the overall construction cost unchanged.

WHEREAS, Brennan Construction Company submitted change order request Number 2 dated 1/4/19 representing no change in the overall contract price of \$1,728,215.00 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 all additional items which were identified and executed within the field by the contractor and engineer as well as the reduction of all unused line items from the contract cost. This change order presents no change in overall contract price, as the construction contractor is providing a credit of \$7,703.74 to keep the overall construction cost unchanged; and

WHEREAS, this change order, if approved, would not increase the construction cost 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 1/4/19 reflecting no increase in overall contract price of \$1,728,215.00 for SE-POT-02.

Motion passed; all in favor.

8) O & M Program Update

Kevin reported that the notices to the municipalities who will owe went out as part of the audit process. We are still waiting on a good deal of the notices to be accepted by the towns. We've asked each municipality to acknowledge they owe to the bubble compliance as part of the audit process. Some have come in, others have not. We will continue to push the representatives ourselves. If we get resistance, we will let the Board know as this needs to be wrapped up by our next meeting. Joanne clarified that once the audit is done the invoice will be generated and mailed. Vincent Tamagna suggested sending the invoice and making the audit a separate function. Joanne agreed to send out the invoices earlier next year.

9) FABCO Case Study Press Release

Kevin reported that FABCO reached out to request permission to use our name in their case study press release. It is being brought before the Board for approval before being printed. George said that it would be fine because we are not endorsing or signing off on it. It's coming from them and not from us.

10) Checks and vouchers

Monthly checks and vouchers were signed. No action taken.

11) Other business

George informed members that the 2019 Conflict of Interest form has been revised to clarify some areas of confusion.

12) Adjournment

Motion to adjourn by Director Burdick, seconded by Director Parsons; all in favor. Adjourned at 9:57 AM.



East of Hudson Watershed Corporation

2 Route 164, Suite 2
Patterson, NY 12563

PRESIDENT'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the February 28, 2019 meeting minutes approved by the Executive Committee.



Peter Parsons, President

3/14/2019
Date



East of Hudson Watershed Corporation

2 Route 164, Suite 2

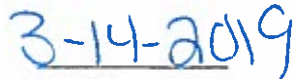
Patterson, NY 12563

SECRETARY'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the February 28, 2019 meeting minutes approved by the Executive Committee.



JoAnne Daley, Secretary



Date