



EAST OF HUDSON WATERSHED CORPORATION

2 Route 164, Suite 2, Patterson, NY 12563

845-319-6349

EXECUTIVE COMMITTEE MEETING

via Videoconference

TIME and DATE: 9:30 AM, Monday, June 1, 2020

Meeting Minutes

1) Open Meeting

Voting Members in Attendance: Rich Williams (Town of Patterson); Chris Burdick (Town of Bedford); Warren Lucas (Town of North Salem); Peter Parsons (Town of Lewisboro); Rich Franzetti as alternate for Ken Schmitt (Town of Carmel)

Others in Attendance: Vincent Giorgio (NYCDEP); Michael Meyer (NYCDEP); George Rodenhausen (Corporate Counsel); Christine Chale (Corporate Counsel); Victoria Polidoro (Corporate Counsel) Kevin Fitzpatrick (EOHWC); Joanne Tavino (EOHWC); Linda Matera (EOHWC)

2) Kent-MB-601 discussion

Director Williams notified Executive Committee members that on Thursday, May 28, 2020 at 4:00 PM an email was received from the attorney representing the town of Kent. East of Hudson Watershed Corporation was being put on notice to immediately cease and desist on all work on contaminated soil at Montrose Drive in the town of Kent. They are alleging that we are endangering the water supply to the residents in the area and encouraging the presence of vermin.

George Rodenhausen summarized the history of the project and the Corporation's relationship with the Town, answered questions from the Directors and proposed that he respond to the Town attorney with a letter stating that no more movement of soil would be performed, but the EOHWC would complete the stabilization of the site.

George stressed that it is important to document where we are in the process and that Supervisor Fleming understand that the work she is concerned with is done and we are into the final phases. It wouldn't make sense for anyone to stop the work at this point and leave the site. Doing that would just increase the risk to public health. The Town attorney's letter is making accusations that the Corporation is jeopardizing public health. We can actually comply with her directive to stop moving the soil simply because it's already been done. We are being cooperative by carrying out our plan to stabilize and finish the project for everyone's benefit. Kevin indicated that the site cannot be left open and should be stabilized before we leave.

Director Burdick asked if stabilization at the site is something required under state law, and if so, Kent should be informed that we have a legal obligation to stabilize the site because we own the project, not the property. Kevin confirmed that stabilizing the site is, in fact, a requirement. Kevin said that he would circulate pictures and a video of the site to Executive Committee members. George requested that Kevin also provide a picture of what the site looks like as of today. The response to Kent's attorney will mention their legal obligation under state law to stabilize the site to the extent it applies. It's our hope that the discussion after our response will continue with Supervisor Fleming and that there can be some

resolution in the interest of completing the project. Director Lucas asked if we cease and desist as we are being asked, who has the responsibility to finish the project. George confirmed that the property is owned by the town of Kent. If we don't do stabilize it, they are required to. Kevin stated that the option for us to take the contaminated soil off site and stick to the original design is no longer an option. Joanne Tavino reported that that we are currently into the project for \$1 million. Kevin added that the efficiency is approximately \$100,000 per kilogram with about 12 kilograms of reduction.

Director Lucas clarified that we were willing to clean their site up at our expense and it was refused. Kevin said it has been made very clear to everyone working on the site that all inquiries should be directed to the East of Hudson Watershed Corporation (EOHWC) and should not be discussed with residents.

After further discussion among the members of the Executive Committee concerning the proper response by counsel, Director Williams indicated that once counsel's response letter is sent and they've had some time to look it over, he would reach out Supervisor Fleming for discussion. Director Williams asked if everyone was in agreement that we are moving in the right direction by sending the letter as discussed. Committee members agreed.

3) Adjournment

Motion to adjourn by Director Burdick, seconded by Director Lucas; all in favor. Adjourned 10:18 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 June 1, 2020 meeting minutes approved by the Executive Committee.



Rich Williams, Sr., President



Date



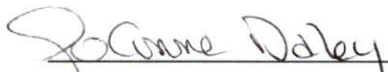
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SECRETARY'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the June 1, 2020 meeting minutes approved by the Executive Committee.



JoAnne Daley, Secretary



Date