



EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, January 28, 2021

Zoom Videoconference

Meeting Minutes

1) Open Meeting

Voting Members in Attendance: Rich Williams (Town of Patterson); Peter Parsons (Town of Lewisboro); Warren Lucas (Town of North Salem); Matthew Slater (Town of Yorktown); JoAnne Daley as alternate for James Schmitt (Town of Pawling); Rich Franzetti as alternate for Ken Schmitt (Town of Carmel)

Others in Attendance: MaryAnn Carr (Town of Bedford); Christine Chale (Corporate Counsel); Patrick Logan (Corporate Counsel); Vincent Giorgio (NYCDEP); Michael Quinn (Town of Yorktown); Millie Magraw (Westchester County); Kevin Fitzpatrick (EOHWC); Joanne Tavino (EOHWC); Linda Matera (EOHWC); Cory Lapidus (EOHWC)

2) Approve Meeting Minutes of December 17, 2020

Motion by Director Parsons, seconded by Director Lucas to approve the meeting minutes of December 17, 2020; all in favor.

3) Financial Update

Joanne Tavino reported that there is no change in the financial reports from the January Board of Directors' meeting. Checks drawn today total \$36,475 of which \$23,147 are FAD disbursements. The 2020 audit has begun and will be conducted remotely via Zoom February 3rd. The week of February 15-19 will be the final wrap up of the audit. Comments will be presented at the February Executive Committee meeting.

A \$1.5 million T-bill at Ramirez and Company is coming due on Tuesday. It will be reinvested because we currently have \$7 million in FAD funds to work with over the summer.

4) List of Reporting and Filing Due Dates

Joanne reported that the 1099 forms for outside consultants have been completed, mailed and filed for 2020. The fourth quarter payroll forms have all been filed as well. All O&M submittals have been received and we will be working through the calculations. Lewisboro will be contacted to finalize their submission. Linda Matera has been in touch with Board members to get their Annual Board Evaluations and Conflict of Interest forms submitted for 2021. Board members have until May 15th to complete their Putnam County Financial Disclosure.

5) NASEM Stakeholders' Meeting

Director Williams and Director Lucas attended the last NASEM Stakeholders' meeting which was mostly focused on West of Hudson Watershed issues. Another meeting is being held today which both supervisors will attend.

6) Corporation Comptroller

Director Williams announced that Joanne will be retiring from the comptroller position as of June 3, 2021. A solicitation has been put together and we will begin the search for a replacement. Comments and questions were invited. Director Lucas mentioned that in his conversation with Joanne, she is still invested in making sure the right person is hired and she has offered to train that individual. Kevin stressed the importance of having someone in the position by April so there is sufficient time to train them and have additional overlapping time for a solid month. Director Lucas agreed with Kevin and further indicated that it would be best to have the overlapping be closer to 6 weeks instead of a month. Director Williams asked if any Executive Committee members had any thoughts on the salary range. Both Director Lucas and Rich Franzetti agreed that the salary range should remain as is and adjusted as necessary depending on the individual's experience. Director Williams asked Linda to begin advertising locally and online. Joanne mentioned that when she was looking for work she utilized Robert Half Agency and other agencies that focused on accountants. An agency that specializes in that area may be an option to consider if we don't get the desired response to advertising. Christine Chale suggested advertising through Government Finance Officers' Association (GFOA) or New York Conference of Mayors (NYCOM).

7) Corporation Funding

Director Williams announced that we are currently in year 11 of the 10 year program and should be working on the next 5 years, for which we don't have funding. In the past, we made the case that the Corporation is very efficient at running this program, including NYCDEP and NYSDEC. With times getting a little tougher and money getting a bit tighter, the challenge will be more difficult to try to convince other agencies to help fund the Corporation. Serious thought should be given about proving that the work we are doing is making a difference. In that regard, New York City is still doing reports on individual reservoirs and getting summaries of the sampling results. In Director Williams' last contact with David Warne he mentioned that he would share the reports once they became available. Director Williams asked if Vincent could look into getting him copies of the annual reports on each reservoir including which treatments have been done. Vincent Giorgio indicated that he is unaware of the effort but would look into it. Director Williams will send Vincent a copy of a report from the previous year for reference. It was further suggested that Kevin and Cory look into trying to justify the benefits of the Corporation as far as the impact on water quality. Kevin said that the problem with getting funding for Years 11-15 is finding out what goals we are being asked to meet. There's an opportunity to get more retrofit funding but we need to know what phosphorus goal or heightened education expectation we are working towards. We may need to put pressure on the NYSDEC to get an answer to what that new permit is going to require us to do when the MS4 document comes out. Director Williams indicated that once that MS4 permit comes out, it will most likely include the goal we need to reach. Based on the conversations thus far, it appears as though the phosphorus number will stay the same. There may be some refocusing

on different areas, such as green infrastructure. Kevin stated that in his conversation with Tom Snow it sounded like we should continue working past our previous goal of 460 kilograms of phosphorus reduction. The retrofits will be lined up and ready to go when we are given the goal number. In a recent conversation Director Lucas had with Tom, he was told they are trying to get the Army Corps and WQIP money to work together. Kevin indicated that we are not that far away from having that specific match value. Director Lucas will inquire if Tom has an idea what is coming out in the MS4 for bubble compliance and other funding. Kevin also announced that the green infrastructure grants are out there that the CFA is awarding. He and Cory are pursuing them aggressively and are trying to get something submitted. In the past, many municipalities have gone after these grants on their own and tell us after the fact. They list us as the local match without us knowing about it. Kevin suggested that it might be appropriate for a letter to come from EOHWC's office or from Director Williams' office notifying member municipalities and reminding them that if they are going after these grants, they need to involve EOHWC at the beginning. Director Williams agreed with Kevin and indicated that he would be happy to assist in notifying the municipalities.

8) Project Update

Kevin reported that we are starting to gear up for construction and are out to bid on Carmel-CF-601, which is for channel stabilization on NYCDEP property. Rich Franzetti said that the installation agreement will be brought before the Town Board at the February 10th meeting and hopefully voted on the week after.

The next two construction projects that we will be going out to bid on in mid-February are in Pound Ridge and Southeast at Scolpino Park. They will most likely be awarded at the March Executive Committee meeting. The catch basin insert project at Mount Kisco Village Hall (MK-NC-601) will be completed today.

The 2020 Annual Report will go to New York State by the end of next week. We are looking to go out to RFP on a group of catch basin insert projects scattered throughout the watershed that can be installed very quickly during the summer. Kevin offered to address any project-specific questions. Director Lucas reported that the property owner on the Keeler Lane project (NS-MU-601) requested Exhibit C, which was received about a week ago. She is fine with moving forward but her lawyer is reviewing it before giving final approval.

a) Amendment to Reimbursement Agreement-Tilly Foster/PC-MB-701

Kevin provided a brief history of past meeting discussions of the Tilly Foster project. The project was for installation of channel stabilization and a wet-extended detention pond that netted the Corporation approximately 21 kilograms of phosphorus reduction. That reduction has been accounted for and sent into New York State already. We originally agreed to an amount not to exceed \$240,350 for eligible costs. Putnam County overshot that amount and came back to us requesting an updated reimbursement. They submitted an additional reimbursement of \$137,158.42, which represents 50% of the overage. They overshot the construction cost for more than that but have accepted that they need to take financial responsibility for the project. Today we have an amendment to the reimbursement agreement in order to move forward with payment to Putnam County and specifically any final review that the DEP might want to exercise. As long as everything is accepted by the DEP for funding and acceptable costs, we can move

ahead and issue the payment to Putnam County. Rich Franzetti indicated that he is satisfied with the backup provided to satisfy his questions from the December Executive Committee meeting. Director Williams inquired about the information provided. His understanding was that there was about \$236,000 in material and equipment costs and somewhere around \$148,000 in man power costs. Joanne said that there were 2 submittals. Most of the materials and equipment were paid in the September 2020 voucher. The voucher submitted recently in the amount of \$137,158.42 represents the labor costs. The submittal wasn't necessarily for the timing of the work as much as it was for what they could provide backup for. They provided well above what they submitted for originally, so it was allocated towards equipment and materials because they had much more of that. It's a bit different than what we normally do with regard to when the work was done. Director Lucas asked how we got to the point of this going so far above the agreed reimbursement. Kevin said that at that time during construction, it was an extremely wet summer and they kept battling wet terrain and a high water table while trying to get the project done. The materials and the amount of time it took caused the cost to run over. We should have been notified when they saw it was starting to run over so we would have the chance to evaluate it. When they went out to bid for construction the bids came back significantly higher, so Putnam County used their own resources and materials because they felt that they could do it for much less. While it still came in under the estimates that Putnam County had gotten from the contractors, it was certainly higher than what they thought they could do. Director Williams clarified that he is not opposed to approving the resolution or giving Putnam County the additional money. What's difficult to understand is that we're basing the number we're giving to Putnam County off of \$137,158.42 of unaccounted for expenses. Kevin doesn't believe it's unaccounted for but promised to go through the backup with Joanne and present it in a way that clarifies what the other costs are. Executive Committee members agreed that it should be tabled until the March 25th Executive Committee meeting when the costs can be presented in more detail.

9) O & M Program Update

Kevin reported that 2020 O & M from all towns have been submitted. We are awaiting clarification from Lewisboro. Kevin will be in touch with Director Parsons after the meeting to lock in Lewisboro's value for the calendar year.

Kevin discussed the possibility of going out to RFP for the O&M on catch basin inserts so that we have a contractor on call that will clean all basins and replace all filters throughout the watershed. Many towns have voiced the concern that they don't want town personnel going into homeowners' associations or on commercial properties to address these filters. This is the most practical way to solve the issue as we start installing them. The intention was to do the RFP then submit it to the Technical Committee for comments and then go out to bid in late February/early March. Consideration is being given to whether it's in our best interest to include other types of retrofits in this RFP as well. In a lot of cases, towns don't have vacuum trucks and they're going out to RFP themselves, and hiring people to come in with vacuum trucks to clean their particle separators, hydrodynamic separators and storm filter vaults. It may serve the Corporation well to include those services as well on an RFP. Kevin requested feedback on the idea. Director Lucas said that some years ago the Westchester towns received \$175,000 each and some of them purchased vacuum trucks. Director Williams indicated that as far as he is aware, towns in Putnam are covered as well. Kent borrows Putnam County's vacuum truck from time to time. Rich Franzetti suggested keeping the RFP for O&M of catch basin inserts separate from the RFP for the particle

separators, HDS and vaults. We can see the costs and determine if we are saving anything by going that route. A cost benefit analysis needs to be prepared to determine the benefit to the Corporation. Christine advised that it could be done as a bid alternate per what Rich Franzetti indicated instead of doing it as a separate solicitation. Director Williams asked how we would pay for the O&M if we went the route of hiring a contractor. Kevin said that if we go out to bid and get those figures now, we can include them in the budgets for the municipalities. In other words, if we know what everyone's percentage is based on the policy, we can have every municipality budget for that value for the 2022. Basically, the municipalities would split that cost similarly to the way it is done now. As indicated by Rich Franzetti, this could just be a good exercise in figuring out the best way to lower that dollar amount. Director Lucas emphasized that it is critical to have the catch basin inserts addressed through the RFP or they may be ignored.

10) Checks and vouchers

Monthly vouchers were signed. No action taken.

11) Other business

No other business was brought forward.

12) Personnel Issue

Joanne announced that Linda will be added to the EOHWC health insurance. An adjustment will be made to her compensation for the stipend previously allowed and family health insurance benefits will be added as of April 1, 2021.

**13)Adjournment - Motion to adjourn by Director Parsons, seconded by Director Lucas; all in favor.
Adjourned 10:25 AM.**