



EXECUTIVE COMMITTEE MEETING

9:00 A.M., Thursday, February 25, 2021

Zoom Videoconference

Meeting Minutes

1) Open Meeting

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

Others in Attendance: Christine Chale (Corporate Counsel); Patrick Logan (Corporate Counsel); Vincent Giorgio (NYCDEP); Millie Magraw (Westchester County); Kevin Fitzpatrick (EOHWC); Joanne Tavino (EOHWC); Cory Lapidus (EOHWC); Linda Matera (EOHWC)

2) Approve Meeting Minutes of January 28, 2021

Motion by Director Parsons, seconded by Director Lucas to approve the meeting minutes of January 28, 2021; all in favor.

3) Financial Update

Joanne Tavino reported the fund balance as of January 31 was \$17.9 million; \$11 million FAD, \$2.8 million Putnam, and \$4.1 million Westchester. Checks drawn today total \$44,972. FAD expenditures for the month are \$15,443.

4) Audit Update

Joanne reported that the audit is wrapping up and went extremely well. Patricia Brennan is ahead of schedule this year and is currently working on the draft financials, which will be received well ahead of the March meeting for everyone to review. Any member who gets a confirmation letter from Sickler, Torchia, Allen and Churchill should respond as quickly as possible. Director Parsons informed Joanne that his confirmation was mailed yesterday.

5) List of Reporting and Filing Due Dates

Joanne informed members that all filings that come from EOHWC are up to date. No other items are due until the end of March. Linda Matera has been helping with the individual members' filings. We are continuing to see them come in. Putnam County reached out to provide an update on the completed financial disclosures and close to half of them have been submitted at this point.

6) Project Update

Kevin Fitzpatrick reported that we are currently out to bid on two channel stabilization projects located in Pound Ridge (PR-CR-701) and Carmel (Carmel-CF-601). We are expecting to award those projects at the March Executive Committee meeting.

Over the last few weeks we've been working to advance some funding options for the Corporation. We're pursuing approximately \$2 million for non-FAD projects that will be taking place almost entirely in Westchester. A portion of that money would be coming from the US Army Corps of Engineers (USACE) and the other is an application we sent in as part of the Green Infrastructure Grant for Consolidated Funding. We are hoping to fund a project in Yorktown that was put together by Kevin and Cory Lapidus. Both funding sources would represent a 75% match for construction of the project, leaving EOHWC to put in 25% which translates into approximately \$670,000 being used from Westchester WQIP funds. We had the opportunity to speak with USACE and feel confident that we will be able to secure that funding. Once we do, we'll get the contracts out for signature ASAP. We are still in need of the Board to continue pursuing funding for the Corporation. It an important step forward for doing projects outside the FAD basin.

More projects will be going to construction as we get into spring. We will soon be going out to construction on Scolpino Park in Southeast (SE-EB-715). We are close to final permitting for everything needed for construction at New Castle for the Courtmel Road project (NewC-NCR-801). It's a very big channel stabilization project on two channels that we've been working on with NYCDEP. A package of projects are currently being put together that the USACE and NYSDEC have picked which will give us good value. Director Slater inquired about details of the project in Yorktown. Kevin indicated that the Woodard and Curran Years 6-10 Workplan prepared five years ago identified a project just outside of Mercy College in Northern Westchester Executive Park (Y-MU-1001). It's a strip along the eastern side of Strang Boulevard, which is just open space. According to what we are looking at and the preliminary design done by Woodard and Curran, there's a good amount of drainage crossing out of the Mercy College campus into an existing stream to the east of Strang Boulevard. We are looking to put some practices in along that strip and treat the runoff before it reaches the stream. As far as a construction start date is concerned, we will have to wait for the grant to give an estimated time frame. We would like to sit down with Yorktown to go through a collection of the projects that have popped up. Some of the projects that the USACE chose are in Yorktown. Kevin requested to meet with Director Slater and anyone else he feels should be part of the meeting to go through all the new additions to the Workplan. Director Slater mentioned that they are in a transition with respect to their engineering department, but he would like to meet with Kevin to be briefed on the projects the USACE is proposing and figure out how the Town of Yorktown can be supportive. Kevin said that Michael Quinn was on the EOHWC Technical Committee and will need to be replaced. Appointing a new member of the Technical Committee should be done at the May Board of Directors' meeting. Chris Chale noted that in the conversations with USACE, Tom Snow at NYSDEC was very helpful in working through the technical issues with respect to qualifying as an agency that can be awarded funds.

7) Change Order/SE-EB-715

Kevin reported that we will soon be going to construction for Scolpino Park (SE-EB-715), which is for construction on porous pavement and installation of a focal point proprietary practice that is essentially similar to bioretention. As we were getting our final permits, the NYSDEC notified us that we will also need to have a bog turtle protection plan officially referred to as an Encounter and Education Plan which needs to be in place for the construction contractor on site. There are certain measures that will need to be taken in order to successfully protect the bog turtles while we are doing our retrofit practice. Insite Engineering recently provided a cost \$3,300 that was not available at the time the final agenda was

emailed. This cost covers the work that Insite Engineering is doing to coordinate with their consultant and the payment for the consultant himself to create this Education and Encounter Plan. With the change order, the estimated efficiency will be somewhere between \$59,000/kg to \$60,000/kg. The way we plan to address this is to get the Education and Encounter Plan in place and tie that in with some installation of protective barriers on site. The NYSDEC has given us the option of utilizing these protective barriers instead of having an on-site monitor at all times. The on-site monitor would cost approximately \$1,000 per day for monitoring the construction site to make sure the bog turtles are safe. Having a certified professional on-site daily could become very expensive therefore the best and most cost-effective option is to get the Education and Encounter Plan in place that would give us a monitor on call that can come by at any point in time to address the situation. Kevin noted that there may be an additional change order that comes in the future. A conditional approval was requested for the \$3,300 pending submission of the necessary paperwork from Insite Engineering and to give the Corporation President authority to execute the change order when the complete paperwork is submitted.

Motion by Director Parsons, seconded by Director Lucas to approve change order request #1 in the amount of \$3,300 submitted by Insite Engineering to address requirements for an Education and Encounter Plan as well as construction monitoring by a certified professional that is licensed in bog turtle treatment and giving the President authority to execute the change order when complete paperwork has been submitted; all in favor.

8) Amendment to Project Design Manual

Kevin proposed an amendment to the Project Design Manual to add additional proprietary practices that were identified that can be used in our program which are acceptable for our engineers to design. One change would be pollutant concentration loading for open space land use types, which the DEC is asking us to begin implementing. Previously, it was 0.59 mgs. and has now dropped down to 0.28 because the DEC found that open space loading has significantly dropped since they are no longer allowing the use of certain fertilizers on big open spaces like golf courses, baseball fields, and open lawns on private property. We may not see a big impact to our program, however it is a change and it only affects our numbers moving forward.

9) Comptroller Candidate discussion/Marcia Espinosa-Oliva

Director Lucas informed members that Joanne Tavino will be retiring on June 3rd and she has given us a significant amount of lead time to find a replacement. The position was advertised and we received a good number of resumes. Of the candidates interviewed, Marcia Espinosa-Oliva has the necessary qualifications and appears to be a good fit. We are currently in the process of doing a background check. Joanne added that Marcia came into the office on Tuesday for almost two hours. She had a chance to meet everyone and see the office. Marcia was very open to the details of the position. Joanne indicated that she has the utmost confidence that Marcia is a great fit for the position after checking her references. Marcia is currently in the process of completing an audit for the organization in which she is currently working so the option of being flexible in the beginning was offered to her to start out 1-2 days per week. She was agreeable to that option. Director Lucas stated that once the background check has come back we will meet with members again and set a salary and start date.

10) O & M Program Update

Joanne reported that the accounting portion for 2020 O & M was completed last week. The numbers are going up every year because we have more projects to maintain and more of the highway departments are getting involved with the work. All of the invoices were sent out last week as well as notices to those who will be receiving a payment for the work they completed. Confirmations from our auditor will be going

out asking either how much is owed to a municipality or how much will be paid by a municipality. It was requested that they are completed and returned promptly. The first payment has already been received from Putnam Valley and deposited.

Kevin reported that everything for 2020 O&M has been calculated and accounted for. After coming out of a snowy winter, we will start up our site inspections in the spring and make sure everything is addressed. A lot of the O & M work that was done this past year addressed many projects that were not touched previously. Much progress was made on projects that needed TLC. The towns did a good job and we're looking forward to another successful year.

11) Checks and vouchers

Monthly vouchers were signed. No action taken.

12) Other business

No other business was brought forward.

**8) Adjournment - Motion to adjourn by Director Parsons, seconded by Director Lucas; all in favor.
Adjourned 9:32 AM.**