
QUARTERLY MEETING OF DIRECTORS AND MEMBERS
LOCATION: Business Office: 2 Route 164, Suite 2, Patterson, NY 12563
TIME and DATE: 10:00 a.m., Tuesday, August 10, 2021

Meeting Minutes

1) Open of Meeting at 10:00 AM

Voting Members in Attendance: Richard Williams, Sr. (Town of Patterson) for himself and as alternate for Warren Lucas (Town of North Salem), Rick Morrissey (Town of Somers) and Gina Picinch (Village/Town of Mount Kisco); Peter Parsons (Town of Lewisboro); JoAnne Daley (Town of Pawling); Rich Franzetti as alternate for Kenneth Schmitt (Town of Carmel); Sam Oliverio (Town of Putnam Valley); Sabrina Charney Hull as alternate for Jeremy Saland (Town of New Castle); Dan Ciarcia as alternate for Matthew Slater (Town of Yorktown); Lauri Taylor (Village of Pawling); Tony Hay (Town of Southeast); Maureen Fleming (Town of Kent)

Others in Attendance: Christine Chale (Corporate Counsel); Vincent Giorgio (NYCDEP); Millie Magraw (Westchester County Planning); Kevin Fitzpatrick (EOHWC); Keith Giguere (EOHWC); Linda Matera (EOHWC); Cory Lapidus (EOHWC)

2) Pledge of Allegiance

3) Approve Meeting Minutes: May 11, 2021

Motion by Director Parsons, seconded by Director Oliverio to approve the Annual Board of Directors Meeting Minutes of May 11, 2021; all in favor.

4) Financial Update

Keith Giguere reported the total expenditures year to date is \$577,593 and total income for the same period is \$1,838. The current fund balance is \$17.4 million of which \$2.7 is Putnam WQIP, \$3.9 is Westchester WQIP and \$10.8 million is FAD. The total value invested in treasuries is \$6.4 million and \$1.5 million is in bank CDs. Investment income since inception is currently \$441,412. Open contract balances total \$757,000. FAD commitments are \$4.9 million and outstanding balances are \$558,000.

5) Remove/Add Check Signers

Director Williams discussed the need to replace a check signer and asked if Director Parsons would be available to sign checks until the end of the year. Director Parsons agreed to sign until that time. Director Williams indicated that with new supervisors being elected in January the Board would see a turnover and a new check signer would be chosen at that time. Linda Matera requested a motion to remove former Board member Chris Burdick as a check signer from the East of Hudson Watershed Corporation (EOHWC) operating account at M&T Bank. A Certified Banking Resolution will be prepared by M&T to officially process the change. Motion by Director Williams seconded by

Director Parsons to remove Chris Burdick as a person authorized to sign checks for the East of Hudson Watershed Corporation; all in favor.

6) List of Reporting and Filing Due Dates

Linda reported that other than MaryAnn Carr completing the Fiduciary Acknowledgement and Conflict of Interest, no other members or alternates have submitted completed compliance forms. Dan Ciarcia promised to complete his soon. Alternate Daley mentioned that she would remind Supervisor Schmitt to complete his financial disclosure. Director Oliverio said that Bruce Barber had been out for a while and is now just returning back to work as wetlands inspector.

Director Williams reminded members that their O&M inspections are due and requested that they be submitted to the Corporation by the end of August.

7) Amendment to Procurement Policy

Christine Chale explained that the (EOHWC) staff requested the use of electronic submissions rather than hard copies for professional services, not public bids. EOHWC is permitted to accept electronic submissions and it is recommended that in utilizing those types of procedures on an electronic system you adhere to the same kind of procedures that are used for bids or proposals in a hard copy form in which they are kept sealed and confidential. One of the options being considered is Bidnet, which is an online bid process. It is secure in terms of how it processes bids and proposals. It is an option for the Executive Committee to consider if the Board authorizes professional services to be procured by electronic means. The resolution presented today will amend the existing policy to allow electronic submissions.

Kevin explained that what has been seen over the years is that some engineers send a bid in at the last minute by way of UPS or the postal service in the hopes of having it delivered on time which doesn't always happen. In addition, we are ending up with lots of paper which ultimately gets sent out electronically to the Technical Committee for review and recommendation. It makes sense to eliminate the paper if we can and receive proposals electronically. This amendment should be an easy update to get us up to speed. Alternate Franzetti said that he uses Bidnet to post public notices and then hard copies are delivered. He asked if anyone has used it to accept bids and how they process bids. Kevin said that what they are essentially looking to do is create a lockbox where the bids would go and our staff would not have access to that box until noon on the day of the opening. Director Oliverio explained that Bidnet holds the electronic submission until the specified date and time. Putnam Valley had problems in the past with hard copies somehow being leaked to individuals and that is why it is used. Christine mentioned that having the bids submitted on thumb drives offers another option for an RFP type of proposal. Alternate Charney-Hull added that Bidnet or another company that offers a similar service would be a good option because it provides less of a chance of them getting into people's hands. Kevin said that there have been issues with hard copies of bids not being delivered. We don't want them to send the proposals too early because then they are sitting around for a while. Using an electronic service seems like the most secure option. Bidnet will be evaluated to make sure it offers all of the important security features discussed today.

Motion by Director Oliverio, seconded by Alternate Franzetti to approve the resolution to amend the East of Hudson Watershed Corporation Procurement Policy in order to authorize receipt of proposals for professional services contracts in electronic format.

WHEREAS, the East of Hudson Watershed Corporation (the "Corporation") wishes to amend its Procurement Policy (the "Policy") in order to authorize the receipt of proposals for professional service contracts in electronic format; and

WHEREAS, there is on file with the Secretary of the Corporation a proposed amendment to the Policy to incorporate said change (the “Amendment”); and

WHEREAS, the Amendment would revise Guideline 6 of the Policy to read as follows:

Guideline 6 – Professional Services. Professional service contracts where the estimated fee is:

Over \$25,000: require a written RFP approved by the Executive Committee and written proposals from at least 3 consultants/contractors;

\$7,501 to \$25,000: require a written RFP approved by the Executive Committee and written proposals from at least 2 consultants/contractors;

\$2,000 to \$7,500: require written proposals from at least 2 consultants/contractors, with procurement at the discretion of the Purchasing Officer.

Any written RFP shall describe the required services, quantity, schedule, and deliverables. The EOHWC may allow the publication of RFPs and the submission of proposals in electronic format, provided the electronic proposals are submitted via secure means and use of a third-party site must be approved by the Executive Committee. The Purchasing Officer shall compile a list of the providers from whom proposals have been requested and the proposals received.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the selection of the provider or providers.

WHEREAS, the Board of Directors of the Corporation deems the Amendment to be in the best interests of the Corporation.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the East of Hudson Watershed Corporation hereby amends the Corporation’s Procurement Policy pursuant to the terms of the Amendment.

Motion passed; all in favor.

R-0810-01

8) Project Update

Kevin reported that we are getting ready to start construction in the fall on Courtmel Road in New Castle (NewC-NCR-801) and at Scolpino Park in Southeast (SE-EB-715). Both have been in the permitting process over the last few months but we are now nearing the finish line on both projects. Kevin will be in touch with both towns to start moving things forward. We will be restarting the Leonard Park project in Mount Kisco (MK-NC-22) that was shut down for the summer for use of the public grounds by the residents. In addition, the long-awaited installation agreement from Urban Edge was received for Mount Kisco Commons (MK-NC-602) for the catch basin insert which we

expect to begin in the fall. Army Corps funding is actively being pursued for a large group of non-FAD projects that came in and will likely continue to come in over the next few months. They can be included on the Army Corps funding which will provide an approximately 75-80% match to the Corporation's 20-25%. We expect to have that agreement in place within the next few weeks to a month. Typically, we pick up the engineering fees and they pick up the shared construction. In order to qualify for funding, the projects must be far enough along and we have to have a good idea of what the budget is going to be for construction. The Army Corps year ends September 1st, therefore we will be coordinating with them to figure out whether or not it's going to be contracted for the next calendar year or if it's something we have to start working on quickly. A similar contract was done with the project at Leonard Park (MK-NC-22) over the last year as well as the upcoming project in New Castle.

In the next few months we'll be submitting the Year 11 Workplan to New York State Department of Environmental Conservation (NYSDEC). We will have to have a conversation with them to find out what they would like to see in it. It may be a continuation of existing projects or they want us to meet specific requirements. Currently, a Year 11-20 goal has not been established but we'll continue talking with the NYSDEC to see what their expectations might be and if we're going to see a permit anytime soon for all the municipalities in the watershed that they are presently working on. Director Williams said that he had conversations with NYSDEC and they are saying the release of the new MS4 permit is imminent and not to expect a lot of changes from the current version. They're touting the release of the MS4 Permit with the new East of Hudson Watershed Corporation implementation plan. There was an implementation plan done which established the standards for the phosphorus reduction for each municipality somewhere around 2008 or so. They are updating and changing all that and maybe adding in schools. Kevin said that part of the conversations he's had with Tom Snow over the last two years he pointed out that some school districts have worked with us and allowed our retrofits to be installed. We want to avoid putting anything in place that is going to penalize us. A lot of work has already been done with John Jay High School in Cross River so it wouldn't be fair to ask them to come up with more.

a) **Program Summary**

Kevin presented the Program Summary and invited questions.

10) O&M discussion

Kevin explained that a revision to the O&M Manual was originally on the agenda but was taken off because the revision was very minor. It was decided that it wouldn't be put in place now because it would require that each individual municipality approve it in order for us to amend the manual today. The amendment will be addressed at another time. Alternate Franzetti inquired as to what the nature of the amendment is. Kevin clarified that when it was originally put together reference was made to a specific calendar year. We want to amend it to be more general and reference the third Friday of a specific month.

Kevin asked that each municipality look at its O&M needs quarterly and try to get submittals into us so they can be reviewed and filed throughout the year rather than just December/January. We will be discussing with corporate counsel and the Executive Committee about going out to RFP for services to replace catch basin inserts throughout the watershed because they need addressing. The blanket purchase order that is in place will be used to purchase them for installation and also contains language for maintenance. It will have to be determined whether we can utilize that BPO for maintenance moving forward or if we will have to go out to get a more aggressive price. Kevin will work with the Executive Committee and Technical Committee to figure out.

11) Other business

Director Hay inquired about the COVID policy regarding entry into the building with regard to mask wearing. Discussion ensued and it was determined that it would be left up to the vaccinated or unvaccinated individual as to whether or not they choose to wear a mask.

Director Williams said that Chris Burdick worked with Senator Peter Harkham to secure \$300,000 for the organization to study all the waste water needs of the member municipalities. More details are forthcoming. In speaking with Assemblyman Burdick, and Tom Snow at NYSDEC who is preparing the contracts, we've had a number of conversations of what the scope would look like and what is involved. It has been confirmed that the administrative costs of the organization for managing the grant will be an eligible cost which means we can get reimbursed for that and have our staff involved. The funding covers not only those areas within the East of Hudson Watershed but also areas of individual municipalities that extend outside of the watershed. More information will be provided as we are informed. To get the process started Director Williams will be sending a letter out to everybody requesting three things: 1) Submit any wastewater studies that have been conducted in the past in your individual municipality to the East of Hudson Watershed Corporation, who will be the repository for all this information; 2) Identify any areas of concern within the watershed that you have that you may need to have us look at for wastewater and/or alternate septic system design technologies; 3) Identify those same areas outside of the watershed that you would like to see studied. Alternate Ciarcia asked if this is for collection systems or treatment, or both. Director Williams indicated it would be for both. \$300,000 for that large of an area is not going to go very far. Alternate Daley asked if there will be additional funding based on the reports. Director Williams said that Assemblyman Burdick's hope is that we are going to get a study to identify the needs and then he is going to try to secure funding to get those projects built. Director Oliverio mentioned that he has some areas in his town that are very hard hit. Director Williams said he is not exactly sure how this is going to evolve because \$300,000 can only go so far. We may not meet everybody's wish list but we do have to get started on it. Alternate Franzetti pointed out that Director Parsons has the East of Hudson community grant money as does Carmel and he is not sure which other communities do but there is a study presently being done by the New York City Department of Environmental Protection (NYCDEP) that is being run by the towns. Director Williams requested any information coming from that study as well as from each municipality. Christine Chale asked what the initiative was for the study. Vincent Giorgio said that the NYCDEP was required to provide a certain level of funding which was given to them by NYSDEC to study those communities. Draft reports are due on August 15th and final reports are due December 1st. Christine asked if the NYCDEP would share draft reports. Vincent said he would look into it. Alternate Franzetti and Director Parsons indicated that they would be happy to share their RFPs with Christine.

12) Adjournment – Motion to adjourn by Director Williams, seconded by Director Oliverio; all in favor. Adjourned: 10:39 AM.

PRESIDENT'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the August 10, 2021 Quarterly Meeting Minutes approved by the Board of Directors.

Richard Williams

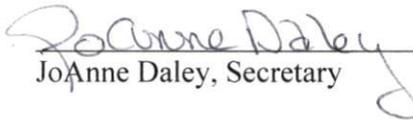
Richard Williams, Sr., President

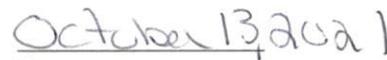
10/12/21

Date

SECRETARY'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the August 10, 2021 Quarterly Meeting Minutes approved by the Board of Directors.


JoAnne Daley, Secretary


Date