
EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, June 23, 2022

Zoom Videoconference

Meeting Minutes

1) Open Meeting

Voting Members in Attendance: Richard Williams, Sr. (Town of Patterson); Warren Lucas (Town of North Salem); Tony Goncalves (Town of Lewisboro); JoAnne Daley for James Schmitt (Town of Pawling); Dan Ciarcia for Matthew Slater (Town of Yorktown); Michael Cazzari (Town of Carmel); Vincent Tamagna as alternate for MaryEllen Odell (Putnam County)

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

2) Approve Meeting Minutes of May 26, 2022

Motion by Alternate Tamagna seconded by Director Lucas to approve the Executive Committee meeting minutes of May 26, 2022; all in favor.

3) Financial Update

Keith Giguere reported that the CHAR 500 Charities Bureau filing was accepted on June 3rd. Month ending May 31, there was \$15,580,000 in total cash, of which \$9,920,000 is FAD money and \$5,659,000 is WQIP. Checks cut this month total about \$150,000. Approximately \$64,000 was for O&M reimbursement checks. A replacement check was issued in the amount of \$23,000 to Dunn & Sgromo for a check lost in the mail from May.

4) List of Reporting and Filing Due Dates

Linda Matera reported that the last 2021 O&M check was received from the Town of Yorktown on June 16. The O&M reimbursement checks Keith was referring to will be mailed out today. The invoice and backup will be submitted to Westchester County for review. Once we receive the check from them we will reimburse the Westchester municipalities to make them whole for the O&M work they completed in 2021.

5) Project Update

Director Williams notified members that his adult son works for Insite Engineering which has been an issue with projects we have before the Corporation. He explained that he will recuse himself from any discussions and voting on any resolutions involving Insite, but will continue to chair the meeting. He asked if any members objected. Kevin Fitzpatrick said that when Insite submits proposals, they make note that Director Williams' son will not take part in any of the East of Hudson Watershed Corporation's projects.

Kevin reported that we recently submitted for an additional 4 kilograms to New York State Department of

Environmental Conservation (NYSDEC), bringing our total up to 670 kilograms. We plan to go out to construction on at least three projects over the next two months including New Castle, Kent and North Salem. They will bring in a significant block of kilograms to close out the year.

Recently, kickoff design meetings were held on some of the projects with Insite for bio-infiltration projects that will be installed within some FAD basins, and outside within the Town of Lewisboro and Putnam County. A few other design contracts will be wrapped up soon and will go out to construction bid in the fall. Approximately 150 kilograms should be expected by this time next year.

As an addendum to today's agenda Kent-MB-1000 will be discussed. The proposed project would call for channel stabilization and filter chambers to be installed within the Town of Kent. We met with the Town of Kent and private property owner separately to pursue some work to be done on their property as well as within the right of way. The Town of Kent and the private developer are both supportive of project. A conversation has already been had with NYSDEC to include it towards the end of next year. The proposed reduction could be roughly 78 kilograms. It will be a large project for which the developer pays all engineering costs. EOHWC would pay for the construction costs for the project so that we'll include any stabilization efforts on their property and any installation of filter chambers within the Town right of way. We are currently investigating to make sure we can move forward. The property owner has provided a site assessment, which has been reviewed by Kevin and Cory. Comments will be provided. Initial site investigations will be wrapped up before we get to a level of determining if we are going to enter into an installation agreement with the owner and how it's going to affect the cost of a projected easement on the site. It appears to be shaping up to be a very good project for the Corporation. This is a drainage area that goes directly down into Lake Carmel. It has a lot of support from both the town and developer. It's a FAD-connected basin. The projected cost ranges from \$750,000-\$1,000,000. This is the same level of project that Brewster Heights project (SE-POT-02) was from a few years ago. The cost would be similar but the installation would involve far less utilities. Director Williams said the Board needs to have a discussion today regarding the developer wanting us to buy an easement to do the work on his property. Typically, we require an easement to make sure the improvements are completed, and they remain there. In this instance he is looking for compensation for giving us the easement. Kevin said we have provided payment for an easement in the past, specifically with SE-POT-02. Paying for easements is allowed under the FAD agreement that is currently in place. Director Williams said that overall, the benefit to the Corporation and to the watershed is favorable. Director Lucas asked how much the easement will cost. Kevin said an assessment was done on site to get a ballpark figure of what might be appropriate before we inquired what they were asking for. In reality it's a sizeable easement of 4 acres between what runs along the back end of the property and what will stretch down through the hillside to connect to the middle branch. Currently, we are kicking around a number close to \$140,000 for the easement. Director Lucas asked if the easement is so we can work or is it because we are disturbing a large area. Kevin indicated that a large area will be disturbed in order to work and install the drainage swale that has to go in place to divert the flows. We will have a long-standing installation in the rear of the property that will stretch over that area. Alternate Ciarcia asked what the value of the 4 acres is to the developer. He emphasized that with negotiating Land Use applications there's some latitude by the municipality to acquire these things as well. Director Lucas said to Alternate Ciarcia's point, they can't build within 100 feet of the wetlands anyway. Director Williams said there are several drainage channels running across this property bisecting the property. We are going to intercept those drainage channels and divert them in a stable channel. Alternate Ciarcia said if that area is subject to all the various regulatory setbacks imposed by NYCDEP and perhaps local codes, was there any potential for the 4 acres and if it is buildable land. Director Lucas asked if the areas we're moving the water away from now becomes developable land. Kevin said in that theory it is, but it's a tough lot to do anything with. There's no guarantee that the Town is going to look at the finished product and say that it's a lot that can be developed. The reality is that this a very steep slope that goes through the entire parcel. Our area of interest when we fill in these channels and fix up all the

erosion there will absolutely provide some value to the developer. The easement will run along the back rear of the parcel. If this is going to affect anything, it will be the rear lot setback. We are not aware of what the Town of Kent's regulation is or how they would identify that within the Town, but it's expected that it would be the hard rear lot of the closest parcel. This swale that would run through the back of those residential lots and carry all the drainage south, which would connect to a depression area where we would pipe down through the property. The long piece that will be piped can be moved anywhere. The developer would probably put it in the middle of a street if he is able to develop the lot. The piece that will affect development will be that long running stretch where there will be a diversion swale towards the rear of the lot. Sabrina asked if that diversion swale is going to be encumbered through the easement or not. Kevin said it will be. Director Lucas recommended that Kevin sit down with the Town of Kent assessor to determine the value of the property. We may be improving the value of his property. Alternate Ciarcia agreed. Director Williams said they obtained 2 estimates on what the value of the easement would be. One was \$160,000 and the other was \$270,000. Sabrina highly recommended checking the Town assessor first because if you're encumbering a 4 acre parcel and improving it, to understand the value is important so we can pay accordingly. Director Williams said that if we were going to go forward with this before we sign the installation agreement, we should obtain 3 reports from a licensed appraiser to define the value, and not the assessor. Kevin has already done that so we have a preliminary idea of what this might be worth. Director Lucas asked it is being suggested that we are making it more valuable or that's how much value we're taking away. Director Williams said that what we would be paying for is the loss in value of the property. Director Williams said that Kevin has already gotten 2 estimates: one was the value of easement at \$160,000 and the other was the value of the easement at \$270,000. He noted that he saw the numbers but never actually saw the reports. Director Lucas asked if that is the amount they are taking out of the value of the property. Director Williams said yes. The developer is actually offering \$140,000, which is under the amount of the lowest estimate. Sabrina asked why. Director Williams said there is some benefit to the Corporation doing this. In the negotiations he started off from zero. He and Kevin met with the developer and had a conversation. Kevin said that the developer came back between the two estimates at \$215,000. We had to further the discussion. The developer is picking up all the engineering costs for it. He's done the Environmental Site Assessment already and acknowledges that we have to take it a step further for our level of comfort. Director Lucas asked what the estimated engineering cost would be on a project like this. Kevin said we might find ourselves between \$80,000-\$100,000 because of the amount of channels and the work. After that, field testing would have to be done to identify if there's anything hazardous there. Director Williams said the developer is adamant about what engineering firm he wants to use. If we put it out to bid, we can't guarantee that. Director Lucas said he would suggest that if the developer is paying \$100,000 or about that much for engineering, and is asking for some remuneration for the easement, it seems like a way of us paying for the engineering. In essence, it's costing us less money than it would have because he's paying a big chunk of it. Alternate Ciarcia asked where the developer is in the Land Use process. Director Williams said it's a commercially owned piece of property and is in an industrial zone.

Kevin explained that they were very close to closing out the installation at Peach Lake (NS-EB-901) on June 2nd. Approximately an hour after the install was being closed out, a major rain event came through the Towns of Southeast and North Salem. The rain washed out a tremendous amount of sediment flow from a nearby golf course and unfortunately flooded the Vail's Grove Community. Because of the reaction that the Vail's Grove Cooperative residents had to the flood and their concern over any future issues that might occur, we had to withdraw the project from the site and pull the basins out of concern that they themselves were going to remove them. Fortunately, the Fabco catch basins were easily removed within three hours. The installer is holding them at his site and is not charging us for the storage. While we are going to continue to negotiate with the cooperative to see whether they can be reinstalled at a later date, we found that while tracing back all the flooding waters, there was a massive failure in the infrastructure uphill from the site. We met with the DOT and identified all the problems that were found there. They

already implemented some preliminary corrective measures, but there is still more to unravel there before we'll be able to touch base with the cooperative to see whether we can get the project back into the ground. At this point we have not received any notifications for intent to go through insurance on anything, but our purpose was to put everything on record about the incident. We've done everything that can be done at this point. There's a good possibility that the entire issue can be traced back to Route 121 and unfortunately large sediment washout that occurred from the local golf course. Director Lucas said both he and Director Hay were there, as well as Kevin and 6 or 7 people from the DOT. We walked the entire drainage system. Jelly fish were installed there a while ago, which are large contact catch basins. The pipe that goes down to one is blocked. The water came up over the top of a driveway and tried to get down another basin which got covered with leaves. Both basins up on the road were DOT basins. The estimate was about 10-15 acres from an inch and a half of rain in 45 minutes, which is about 600,000 gallons. It came up over and flooded the entire roadway of Route 121 and cascaded over the bank for about 100 feet. It was about a foot deep in some areas. The DOT's position is their drains have been there forever so it's not their problem. We did look at the golf course and talked to the owner. It may be possible that there's some simple rip-rap that needs to be put in to stop that from happening. There may be some value in us going there and doing some work. The community wanted them out before the next storm and agreed to talk about reinstalling them sometime in the future. About 5 homes' basements were flooded. Director Williams said there's a lesson to be learned from this to never put inserts in the catch basins because hydraulically they are problematic, but in the right location it's a valuable tool that can be used, but we need to take a look at the overall watershed where they are being installed to make sure there isn't the potential for significant erosion problems should there be a heavier storm. If we get a very heavy storm, the water is going to push all of the debris and sediment down into the catch basins and they will fail every time. He suggested setting this as one of the criteria when we're installing these catch basin inserts to take a harder look at the watershed to make sure we're not going to run into the same problem. If they are being put into a shopping center with a nice clean parking lot, they're going to work great and won't require a lot of maintenance, but if you put them into a watershed that is basically all leaves and bare ground, then there will be problems. Director Lucas said that's basically what they found. The NYSDEC did call North Salem because the DOT has phosphorus numbers they need to meet and they are saying they have no place where that they can do any work. Director Lucas asked Kevin to comment on his discussion with NYSDEC regarding the matter. Kevin said that at this point it's a preliminary conversation to find out if there is a way for us to help the DOT with doing retrofits within the watershed. The NYSDEC looks very favorably on our program and the way we are able to connect with all the municipalities. They reached out and asked if there is any insight we can give and any way we can help the DOT get these done and into the ground. At this point, it's just a conversation. Director Lucas said he thinks our position, especially on things like this, is where is the funding coming from. Kevin agreed and said that if we are going to take on more kilograms, we are going to need additional funding.

6) Approve O&M Agreement-Kent/Putnam/EOHWC

Kevin explained that the agreement presented today is a standard agreement that we have between Putnam County and a few different municipalities. This particular agreement reflects Putnam County picking up the maintenance for a project in the Town of Kent (Kent-MB-602) for an installation along the banks of Lake Carmel. The Town of Kent doesn't feel as though they have the resources to mow the steep slopes and Putnam County has offered to pick this up and to pull it into their program for us. The same agreement is in place in Brewster and Carmel. Currently, it is just the one project, but should they require assistance on other projects, we will review whether we can amend that list.

Motion by Alternate Tamagna, seconded by Alternate Ciarcia to approve the operations and maintenance agreement between Putnam County, Town of Kent and East of Hudson Watershed Corporation.

WHEREAS, EOHWC is assisting its member municipalities, including the County of Putnam (“County”) and the Town of Kent (“Town”), in complying with the New York State Department of Environmental Conservation (“NYSDEC”) Municipal Separate Storm Sewer Systems Permit effective May 1, 2010, as amended (“MS4 Permit”) by the design and installation of stormwater retrofit practices (“SRPs”) approved by NYSDEC; and

WHEREAS, the MS4 Permit requires EOHWC’s member municipalities to provide proper operation and maintenance (“O&M”) of all completed SRPs installed by EOHWC or by the affected municipality which are part of the regional stormwater retrofit plan approved by EOHWC’s member municipalities and NYSDEC; and

WHEREAS, EOHWC has adopted an Operation and Maintenance Policy (“O&M Policy”) providing for the equitable sharing of the costs and responsibilities of O&M by all member municipalities in a manner consistent with the MS4 Permit bubble compliance concept, and all member municipalities have agreed to comply with the terms and conditions of the O&M Policy; and

WHEREAS, the County desires to provide O&M services to the Town on the terms and conditions provided in the form of agreement on file with the Secretary (“O&M Service Agreement”), and EOHWC desires to process the credits and debits for the costs of such O&M services as provided in the O&M Policy;

WHEREAS, approval of the O&M Service Agreement is a Type II action exempt from the State Environmental Quality Review Act (SEQRA) under 6 NYCRR 617.5(c)(1) as it relates to the routine maintenance of the SRPs; and

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of EOHWC as follows:

1. The execution and delivery of the O&M Service Agreement are hereby approved. The President of the EOHWC is hereby authorized to execute and deliver the O&M Service Agreement on behalf of the EOHWC, in substantially the form on file in the offices of the EOHWC, with such changes as may be approved by the party executing the same on behalf of the EOHWC.
2. The officers, employees and agents of the EOHWC are hereby authorized and directed for and in the name and on behalf of the EOHWC to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Motion passed; all in favor.

R-0623-01

7) SEQRA Determination/S-AM-1015

Kevin reported that S-AM-1015 is for stabilization of a heavily eroded channel on private property in the Town of Somers in the Amawalk Reservoir. We will be entering the parcel, stabilizing the full bank and the outfalls as well as installing filtration catch basin filters within the tributary neighborhood. The property owner and town are eager to get us on site to fix this up. Overall, it will be a great project. It is classified as an unlisted action with SEQR and the short form for the site assessment has been completed and it will have no negative impact.

Motion by Director Cazzari, seconded by Director Goncalves to approve SEQRA negative declaration for S-AM-1015 in the Town of Somers.

WHEREAS, EOHWC is considering undertaking the installation of a stormwater retrofit project in the Town of Somers involving channel stabilization at Woodcrest Terrance in the Town of Somers; and

WHEREAS, the Executive Committee of EOHWC has reviewed the Short Environmental Assessment Form dated 6/23/22 and all relevant environmental information related to the proposed project;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors of the East of Hudson Watershed Corporation that it:

1. Classifies the project as an unlisted action under SEQRA; and
2. Determines that the proposed action will not result in any significant adverse impacts on the environment and that a Draft Environmental Impact Statement will not be prepared.

Motion passed; all in favor.

R-0623-02

8) Approve Installation Agreements

Director Williams presented six installation agreements for approval and asked Kevin if we have any instances where we are installing catch basin inserts that are similar to what we experienced at Peach Lake. Alternate Ciarcia emphasized that depending on the municipality, many of the local drainage systems are usually exacerbated by the impact the inserts will have on hydraulics during a 100 year event or a failure. The criteria that should be looked at is more like a failsafe sort of situation. If a stormwater system on a road gets overwhelmed, the water will likely jump a curb and then go into an existing channel, or it will go down a driveway into somebody's house. It is additional criteria that needs to be considered when installing catch basin inserts. Director Williams agreed. Kevin informed members that he and Cory are currently reviewing them. L-CR-805 on Salem Hill Road is being looked at closely. It's in a residential area with tree cover and there's a possibility of sediment loading. The installation agreement is included today because it was on the docket already before we started dealing with the issue at Peach Lake. We can still move ahead with the installation agreement and continue our review of the site to see whether this is the correct approach and treatment option for this particular site. There is no concern of possible drainage failures on the other projects. Director Williams asked if we could get something from each project engineer stating that everything is going to be alright with the catch basin insert projects. Kevin said that he could put together a standard evaluation statement that the engineers will complete. Director Williams requested the same on for all the projects. Director Lucas requested something is provided indicating what impact the flow would have on residential areas given the worse situation. Director Williams said that he would like to see some sort of statement from the engineers and asked that Kevin draft something up for review by Christine Chale, and possibly, the Executive Committee. Kevin agreed and pointed out that there is a possibility of failure on any retrofit that gets clogged at the grade level or diversion point. He emphasized the importance of deeper investigation on all projects of every drainage area that is coming down that can affect our units. He will pull together a draft for review and then we can come to a conclusion. Alternate Ciarcia concluded by saying we need to ensure there is no pre-existing condition in terms of capacity issues because once the inserts are installed and something goes wrong there will be a problem.

a. C-NC-1000

Motion by Alternate Tamagna, seconded by Alternate Ciarcia to approve installation agreement for C-NC-1000 located at Walter Panas High School in the Town of Cortlandt.

WHEREAS, EOHWC is assisting its member municipalities, of which the Town of Cortlandt (the “Municipality”) is one, in complying with the New York State Department of Environmental Conservation (“NYSDEC”) Municipal Separate Storm Sewer Systems Permit effective May 1, 2010 (“MS4 Permit”) by the design and installation of stormwater retrofit projects approved by NYSDEC; and

WHEREAS, EOHWC is considering undertaking a stormwater retrofit project involving the installation of catch basin filtration units in the Municipality (the “Project”) on certain property located at 34.15-1-1 (the “Property”); and

WHEREAS, the EOHWC, Municipality, and Lakeland Central School District wish to enter into an agreement regarding the installation of the Project at the Property (the “Installation Agreement”) and EOHWC has received a draft of said Installation Agreement, a copy of which is on file with the office of EOHWC; and

WHEREAS, the EOHWC Executive Committee has considered the proposed Installation Agreement and all other relevant information and believes that entering into the Installation Agreement is in the best interest of the Corporation; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(2), (3), the Project constitutes a Type II action under the State Environmental Quality Review Act (“SEQRA”) because it consists of the replacement, rehabilitation or reconstruction of a structure or facility, in kind, and/or the retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure.

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of EOHWC as follows:

1. The Project is a Type II action under SEQRA and a Draft Environmental Impact Statement will not be prepared.
2. The execution and delivery of the Installation Agreement are hereby approved. The President of the EOHWC is hereby authorized to execute and deliver the Installation Agreement on behalf of the EOHWC, in substantially the form on file in the offices of the EOHWC, with such changes as may be approved by the party executing the same on behalf of the EOHWC.

Motion passed; all in favor.

R-0623-03

b. PR-CR-601

Motion by Director Lucas, seconded by Director Cazzari to approve installation agreement for PR-CR-601 at Cross Road in the Town of Pound Ridge.

WHEREAS, EOHWC is assisting its member municipalities, of which the Town of Pound Ridge (the “Municipality”) is one, in complying with the New York State Department of Environmental Conservation (“NYSDEC”) Municipal Separate Storm Sewer Systems Permit effective May 1, 2010 (“MS4 Permit”) by the design and installation of stormwater retrofit projects approved by NYSDEC; and

WHEREAS, EOHWC is considering undertaking a stormwater retrofit project involving the removal of impervious surfaces in the Municipality (the “Project”) on certain property located at Cross Road (the “Property”); and

WHEREAS, the EOHWC, Municipality, and owner(s) of the Property wish to enter into an agreement regarding the installation of the Project at the Property (the “Installation Agreement”) and EOHWC has received a draft of said Installation Agreement, a copy of which is on file with the office of EOHWC; and

WHEREAS, the EOHWC Executive Committee has considered the proposed Installation Agreement and all other relevant information and believes that entering into the Installation Agreement is in the best interest of the Corporation; and

WHEREAS, on 10/22/20, by Resolution No. R-1022-02, the EOHWC Executive Committee reviewed all available evidence and resolved that the Project would not have an adverse impact on the environment and that a draft environmental impact statement would not be prepared.

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of EOHWC as follows:

3. The execution and delivery of the Installation Agreement are hereby approved. The President of the EOHWC is hereby authorized to execute and deliver the Installation Agreement on behalf of the EOHWC, in substantially the form on file in the offices of the EOHWC, with such changes as may be approved by the party executing the same on behalf of the EOHWC.
4. The officers, employees and agents of the EOHWC are hereby authorized and directed for and in the name and on behalf of the EOHWC to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Motion passed; all in favor.

R-0623-04

c. L-CR-805

Motion by Director Lucas, seconded by Alternate Tamagna to approve installation agreement for L-CR-805 at Salem Hill Road in the Town of Lewisboro.

WHEREAS, EOHWC is assisting its member municipalities, of which the Town of Lewisboro (the “Municipality”) is one, in complying with the New York State Department of Environmental Conservation (“NYSDEC”) Municipal Separate Storm Sewer Systems Permit effective May 1, 2010 (“MS4 Permit”) by the design and installation of stormwater retrofit projects approved by NYSDEC; and

WHEREAS, EOHWC is considering undertaking a stormwater retrofit project involving the installation of catch basin filtration units in the Municipality (the “Project”) on certain property located at Salem Hill Road (the “Property”); and

WHEREAS, the EOHWC and Municipality wish to enter into an agreement regarding the installation of the Project at the Property (the “Installation Agreement”) and EOHWC has received a draft of said Installation Agreement, a copy of which is on file with the office of EOHWC; and

WHEREAS, the EOHWC Executive Committee has considered the proposed Installation Agreement and all other relevant information and believes that entering into the Installation Agreement is in the best interest of the Corporation; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(2), (3), the Project constitutes a Type II action under the State Environmental Quality Review Act (“SEQRA”) because it consists of the replacement, rehabilitation or reconstruction of a structure or facility, in kind, and/or the retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure.

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of EOHWC as follows:

1. The Project is a Type II action under SEQRA and a Draft Environmental Impact Statement will not be prepared.
2. The execution and delivery of the Installation Agreement are hereby approved. The President of the EOHWC is hereby authorized to execute and deliver the Installation Agreement on behalf of the EOHWC, in substantially the form on file in the offices of the EOHWC, with such changes as may be approved by the party executing the same on behalf of the EOHWC.
3. The officers, employees and agents of the EOHWC are hereby authorized and directed for and in the name and on behalf of the EOHWC to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Motion passed; all in favor.

R-0623-05

d. S-AM-1015

Motion by Director Lucas, seconded by Director Cazzari to approve installation agreement for S-AM-1015 at Woodcrest Terrace in the Town of Somers.

WHEREAS, EOHWC is assisting its member municipalities, of which the Town of Somers (the “Municipality”) is one, in complying with the New York State Department of Environmental Conservation (“NYSDEC”) Municipal Separate Storm Sewer Systems Permit effective May 1, 2010 (“MS4 Permit”) by the design and installation of stormwater retrofit projects approved by NYSDEC; and

WHEREAS, Mr. Thomas Dachille is the owner of certain property known as 110 Woodcrest Terrace, Amawalk, New York 10501, Tax Lot 26.20-2-47; and

WHEREAS, Mr. Wayne A. Darer and Rochelle E. Pruzan, are the owners of certain property known as 112 Woodcrest Terrace, Amawalk, New York 10501, Tax Lot 26.20-2-48; and

WHEREAS, Mr. Thomas Hunter and Mary Hunter, are the owners of certain property known as 10 Farese Way, Amawalk, New York 10501, Tax Lot 27.17-1-23; and

WHEREAS, EOHWC is considering undertaking a stormwater retrofit project involving the stabilization of an emerging channel and installation of catch basin filtration units in the Municipality, (the “Project”) on the Owners’ respective properties located at 110 Woodcrest Terrace, 112 Woodcrest Terrace and 110 Farese Way (collectively, the “Property”); and

WHEREAS, the EOHWC, Municipality, and the Owners of the Property wish to enter into three separate agreements regarding the installation of the Project at the Property, one agreement for 110 Woodcrest Terrace, one agreement for 112 Woodcrest Terrace and one agreement for 10 Farese Way (the “Installation Agreements”) and EOHWC has received drafts of said Installation Agreements, copies of which are on file with the office of EOHWC; and

WHEREAS, the EOHWC Executive Committee has considered the proposed Installation Agreements and all other relevant information and believes that entering into the Installation Agreements is in the best interests of the Corporation; and

WHEREAS, on June 23, 2022, by Resolution No. R-0623-01, the EOHWC Executive Committee reviewed all available evidence and resolved that the Project would not have an adverse impact on the environment and that a draft environmental impact statement would not be prepared.

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of EOHWC as follows:

1. The execution and delivery of the Installation Agreements are hereby approved. The President of the EOHWC is hereby authorized to execute and deliver the Installation Agreements on behalf of the EOHWC, in substantially the form on file in the offices of the EOHWC, with such changes as may be approved by the party executing the same on behalf of the EOHWC.
2. The officers, employees and agents of the EOHWC are hereby authorized and directed for and in the name and on behalf of the EOHWC to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Motion passed; all in favor.

R-0623-06

e. Carmel-AM-1000

Motion by Director Lucas, seconded by Alternate Ciarcia to approve installation agreement for Carmel-AM-1000 at Marina Drive in the Town of Carmel.

WHEREAS, EOHWC is assisting its member municipalities, of which the Town of Carmel (the “Municipality”) is one, in complying with the New York State Department of Environmental Conservation (“NYSDEC”) Municipal Separate Storm Sewer Systems Permit effective May 1, 2010 (“MS4 Permit”) by the design and installation of stormwater retrofit projects approved by NYSDEC; and

WHEREAS, pursuant to Resolution No. R-0924-02 amending the Project Selection Policy, taking into account the facts and circumstances of the project, the recommendation of the Director of Engineering, and the efficiency of the project, the Executive Committee hereby determines that the mortgage or other liens affecting the subject Property are not required to be subordinated; and

WHEREAS, Greater Mahopac Post, No. 5491 Veterans of Foreign Wars is the owner of certain property known as 134 E. Lake Blvd, Mahopac, New York, 10541 Tax Lot 76.30-1-13; and

WHEREAS, Spiros and Lola Velezis, LLC (Four Brothers Restaurant) is the owner of certain property known as 654 US Route 6, Mahopac, New York 10541, Tax Lot 76.5-1-54.1; and

WHEREAS, White Sail Homeowners Association are the owners of certain property known as 4 Marina Drive, Mahopac, New York 10541, Tax Lot 76.5-1-52; and

WHEREAS, EOHWC is considering undertaking a stormwater retrofit project involving installation of catch basin filtration units in the Municipality (the “Project”) on the Owners’ respective properties located at 134 E. Lake Blvd, 654 US Route 6, and 4 Marina Drive(the “Property”); and

WHEREAS, the EOHWC, Municipality, and the Owners of the Property wish to enter into three separate agreements regarding the installation of the Project at the Property, one agreement for 134 E. Lake Blvd, one for 654 US Route 6, and one for 4 Marina Drive (the “Installation Agreements”) and EOHWC has received drafts of said Installation Agreements, copies of which are on file with the office of EOHWC; and

WHEREAS, the EOHWC Executive Committee has considered the proposed Installation Agreements and all other relevant information and believes that entering into the Installation Agreements is in the best interests of the Corporation; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(2), (3), the Project constitutes a Type II action under the State Environmental Quality Review Act (“SEQRA”) because it consists of the replacement, rehabilitation or reconstruction of a structure or facility, in kind, and/or the retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure.

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of EOHWC as follows:

1. The Project is a Type II action under SEQRA and a Draft Environmental Impact Statement will not be prepared.
2. The execution and delivery of the Installation Agreements are hereby approved. The President of the EOHWC is hereby authorized to execute and deliver the Installation Agreements on behalf of the EOHWC, in substantially the form on file in the offices of the EOHWC, with such changes as may be approved by the party executing the same on behalf of the EOHWC.
3. The officers, employees and agents of the EOHWC are hereby authorized and directed for and in the name and on behalf of the EOHWC to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Motion passed; all in favor.

R-0623-07

f. Carmel-GL-815

Motion by Director Lucas, seconded by Alternate Ciarcia to approve installation agreement for Carmel-GL-815 at Lake Gleneida in the Town of Carmel.

WHEREAS, EOHWC is assisting its member municipalities, of which the Town of Carmel (the “Municipality”) is one, in complying with the New York State Department of Environmental Conservation (“NYSDEC”) Municipal Separate Storm Sewer Systems Permit effective May 1, 2010 (“MS4 Permit”) by the design and installation of stormwater retrofit projects approved by NYSDEC; and

WHEREAS, EOHWC is considering undertaking a stormwater retrofit project involving installation of one catch basin and several catch basin filtration units in the Municipality (the “Project”) on certain property located in the DOT right of way (the “Property”); and

WHEREAS, the EOHWC, Municipality, and owner(s) of the Property wish to enter into an agreement regarding the installation of the Project at the Property (the “Installation Agreement”) and EOHWC has received a draft of said Installation Agreement, a copy of which is on file with the office of EOHWC; and

WHEREAS, the EOHWC Executive Committee has considered the proposed Installation Agreement and all other relevant information and believes that entering into the Installation Agreement is in the best interest of the Corporation; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(2), (3), the Project constitutes a Type II action under the State Environmental Quality Review Act (“SEQRA”) because it consists of the replacement, rehabilitation or reconstruction of a structure or facility, in kind, and/or the retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure.

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of EOHWC as follows:

1. The Project is a Type II action under SEQRA and a Draft Environmental Impact Statement will not be prepared.
2. The execution and delivery of the Installation Agreement are hereby approved. The President of the EOHWC is hereby authorized to execute and deliver the Installation Agreement on behalf of the EOHWC, in substantially the form on file in the offices of the EOHWC, with such changes as may be approved by the party executing the same on behalf of the EOHWC.
3. The officers, employees and agents of the EOHWC are hereby authorized and directed for and in the name and on behalf of the EOHWC to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Motion passed; all in favor.

R-0623-08

9) Award Solicitation 2022-02

Director Williams recused himself from voting on the award of Solicitation 2022-02 for design services to Insite Engineering, Surveying and Landscape Architecture and handed the chair over to Director Lucas.

Kevin discussed that Solicitation 2022-02 included three projects: Y-MU-40, Carmel-GL-915, and PW-MB-1000 that called for bio-infiltration, the Pawling project also involves impervious cover removal and outfall stabilization around Lake Dutchess. In bidding these projects and reviewing the proposals we found that it’s in the best interest to split up between Hudson Valley Engineering Associates (HVEA) and Insite Engineering, Surveying and Landscape Architecture submitted the most appropriate proposals that comes with value to the Corporation. It is recommended that HVEA is award Y-MU-40 and PW-MB-1000 and Insite is awarded Carmel-GL-915. In making our recommendation all of the elements of the

selection criteria, past performance, qualification, proximity to the project, and overall cost were weighed.

Motion by Director Lucas, seconded by Director Cazzari to approve the award for design services for Solicitation 2022-02 for stormwater retrofit project PW-MB-1000 located at Lake Dutchess in the Town of Pawling in the amount of \$52,000 to Hudson Valley Engineering Associates.

WHEREAS, the proposed stormwater retrofit projects known as PW-MB-1000, located at Lake Dutchess in the Town of Pawling is in project group 2022-02, and is included in the Years 6-10 MS4 regional plan approved by the NYS Department of Environmental Conservation; and

WHEREAS, the work consists of providing design services and construction administration services as described in the Request for Proposals 2022-02 with an estimated phosphorous reduction of 4.91 kg/year and an estimated efficiency of \$50,000/kg; and

WHEREAS, the Request for Proposals was advertised and five (5) proposals were received at the East of Hudson Watershed Corporation offices on June 2, 2022 as described in the tabulation on file; and

WHEREAS, the Review Committee of the EOHWC has reviewed all proposals according to the requirements set forth in the EOHWC Procurement Policy and found the proposal of best value as described in the committee report to have been submitted by Hudson Valley Engineering Associates (“Engineer”) in the amount of \$52,000.00; and

WHEREAS, EOHWC contacted the references for Engineer and contacted Engineer directly and was assured that they can complete the project for the amount proposed; and

WHEREAS, the EOHWC Review Committee has recommended that the corporation accept Engineer as best value proposer for the project and proceed with contracts pending the submission of all necessary documents per the EOHWC Procurement Policy; and

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors that it accepts Hudson Valley Engineering Associates as best value proposer for the design of projects for the project PW-MB-1000 and authorizes the President or Vice President of the Corporation to execute the design contract with Engineer subject to the following conditions:

1. Submission of insurance by the proposer as required by the design contract;
2. Review of the design contract by the Corporation’s Counsel.

Motion passed; all in favor.

R-0623-09

Motion by Director Lucas, seconded by Director Cazzari to approve the award for design services for Y-MU-40 located at Hallock’s Mill in the Town of Yorktown in the amount of \$52,000 to Hudson Valley Engineering Associates.

WHEREAS, the proposed stormwater retrofit projects known as Y-MU-40, located at Hallock’s Mill

in the Town of Yorktown is in project group 2022-02, and is included in the Years 6-10 MS4 regional plan approved by the NYS Department of Environmental Conservation; and

WHEREAS, the work consists of providing design services and construction administration services as described in the Request for Proposals 2022-02 with an estimated phosphorous reduction of 27.89 kg/year and an estimated efficiency of \$50,000/kg; and

WHEREAS, the Request for Proposals was advertised and five (5) proposals were received at the East of Hudson Watershed Corporation offices on June 2, 2022 as described in the tabulation on file; and

WHEREAS, the Review Committee of the EOHWC has reviewed all proposals according to the requirements set forth in the EOHWC Procurement Policy and found the proposal of best value as described in the committee report to have been submitted by Hudson Valley Engineering Associates (“Engineer”) in the amount of \$52,000.00; and

WHEREAS, EOHWC contacted the references for Engineer and contacted Engineer directly and was assured that they can complete the project for the amount proposed; and

WHEREAS, the EOHWC Review Committee has recommended that the corporation accept Engineer as best value proposer for the project and proceed with contracts pending the submission of all necessary documents per the EOHWC Procurement Policy; and

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors that it accepts Hudson Valley Engineering Associates as best value proposer for the design of projects for the project Y-MU-40 and authorizes the President or Vice President of the Corporation to execute the design contract with Engineer subject to the following conditions:

1. Submission of insurance by the proposer as required by the design contract;
2. Review of the design contract by the Corporation’s Counsel.

Motion passed; all in favor.

R-0623-10

Motion by Director Lucas, seconded by Director Cazzari to approve the award for design services for Carmel-GL-915 located at Gleneida Avenue in the Town of Carmel in the amount of \$57,000 to Insite Engineering, Surveying and Landscape Architecture.

WHEREAS, the proposed stormwater retrofit projects known as Carmel-GL-915, located at Gleneida Avenue in the Town of Carmel is in project group 2022-02, and is included in the Years 6-10 MS4 regional plan approved by the NYS Department of Environmental Conservation; and

WHEREAS, the work consists of providing design services and construction administration services as described in the Request for Proposals 2022-02 with an estimated phosphorous reduction of 15.96 kg/year and an estimated efficiency of \$40,000/kg; and

WHEREAS, the Request for Proposals was advertised and five (5) proposals were received at the East of Hudson Watershed Corporation offices on June 2, 2022 as described in the tabulation on file; and

WHEREAS, the Review Committee of the EOHWC has reviewed all proposals according to the requirements set forth in the EOHWC Procurement Policy and found the proposal of best value as described in the committee report to have been submitted by Insite Engineering, Surveying & Landscape Architecture, P.C. (“Engineer”) in the amount of \$57,000.00; and

WHEREAS, EOHWC contacted the references for Engineer and contacted Engineer directly and was assured that they can complete the project for the amount proposed; and

WHEREAS, the EOHWC Review Committee has recommended that the corporation accept Engineer as best value proposer for the project and proceed with contracts pending the submission of all necessary documents per the EOHWC Procurement Policy; and

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors that it accepts Insite Engineering, Surveying & Landscape Architecture, P.C. as best value proposer for the design of projects for the project Carmel-GL-915 and authorizes the President or Vice President of the Corporation to execute the design contract with Engineer subject to the following conditions:

1. Submission of insurance by the proposer as required by the design contract;
2. Review of the design contract by the Corporation’s Counsel.

Motion passed; all in favor (with Director Williams recused).

R-0623-11

Director Williams returned to the meeting and resumed the chair.

10) O&M Program Update

11) Checks and vouchers

Monthly vouchers were signed. No action taken.

12) Other business


13) Adjournment - Motion to adjourn by Director Goncalves, seconded by Director Lucas; all in favor. Adjourned 10:22 AM.

PRESIDENT'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the June 23, 2022 meeting minutes approved by the Executive Committee.



Richard Williams, Sr., President




Date

SECRETARY'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the June 23, 2022 meeting minutes approved by the Executive Committee.



JoAnne Daley, Secretary



Date