

EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, August 25, 2022

**Meeting Minutes**

**1) Open Meeting**

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

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

**2) Approve Meeting Minutes of July 21, 2022**

Motion by Alternate Daley, seconded by Director Williams to approve the Executive Committee meeting minutes of July 21, 2022; all in favor.

**3) Financial Update**

Keith Giguere reported that the Westchester O&M reimbursement has been received and the checks will be mailed to towns after the meeting. The total for cash and investments for August is \$15,340,000 of which \$9,861,000 is FAD related. Questions and comments were invited.

**4) Banking Resolution/PCSB**

Keith explained that we are starting the process of converting from M&T Bank to Putnam County Savings Bank (PCSB). We've had several conversations with the representative from PCSB concerning the application. Forms will be sent out to signatories after we have a resolution. Director Williams thanked Keith and Director Lucas for their work on the changeover. It is going to be very beneficial to the Corporation. Keith said that we should pick up over \$130,000 in interest next year from the switch.

Motion by Director Williams, seconded by Alternate Daley to authorize the Treasurer to open a bank account at Putnam County Savings Bank in the name of East of Hudson Watershed Corporation.

WHEREAS, EOHWC is duly authorized and permitted to maintain bank accounts at Federal Deposit Insurance Corporation (FDIC) insured banks with a customer service branch located in the Watershed Towns, pursuant to its Certificate of Incorporation and Bylaws and its duly adopted Manual of Fiscal Policies and Procedures (the "Manual"); and

WHEREAS, EOHWC has heretofore resolved to open and manage accounts in its name with M&T Bank; and

WHEREAS, pursuant to Section 4.01-2.4 of the Manual, entitled “Diversification,” the Board of Directors of EOHWC has determined that it is in the best interest of EOHWC to open an additional account at another banking institution; and

WHEREAS, the Board of Directors has researched reputable banking institutions and has determined that PCSB Bank is one such institution.

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

1. PCSB Bank is an authorized financial institution of EOHWC, subject to the conditions set forth in the Manual of Fiscal Policies and Procedures; and
2. The Treasurer of EOHWC is hereby authorized to open an account at PCSB Bank in the name of EOHWC; and
3. Pursuant to the Manual, the President, Treasurer, or Vice President of EOHWC shall be authorized signatories on the account, in addition to any Designated Board Director, who shall be so designated by resolution of the Executive Committee; and
4. Pursuant to Resolution # R-0104-12, dated January 4, 2022, the following individuals were authorized as bank signatories of EOHWC:
  - a. Richard Williams, Sr., President
  - b. Warren Lucas, Treasurer
  - c. Matthew Slater, Vice President
  - d. James Schmitt, Designated Board Director

The officers, employees and agents of EOHWC are hereby authorized and directed for and in the name and on behalf of 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-0825-01

## **5) Project Update**

Kevin Fitzpatrick reported that we are currently at 670 kilograms. Two projects (NewC-NCR-801 & L-CR-803) are out for construction bids to be awarded in September. Bids for the Courtmel Road project NewC-NCR-801 came in yesterday. We were pleasantly surprised that the numbers came in as we hoped. We had a lot of fears with the present supply chain issues and how it could have affected the project. Bids have been sent to the engineer of record for review and recommendation. It will be a reimbursement project with the Army Corps of Engineers (ACOE). We will likely begin construction early winter because we need to know that we have a number that we can lock in with ACOE. No construction can start until we’ve locked in the funding agreement with them. We expect that to be at least a two-month delay at best. Christine Chale asked if the bid tabulation was available to share today for NewC-NCR-801. Kevin said it is available. Linda Matera projected it on screen as requested. Kevin explained that 6 bids came in and the lowest was submitted by Con-tech Construction for \$822,451.00. The range of \$822,451 to \$1,000,000 is where we were expecting

them to be. The project has two different locations on DEP property. There's channel stabilization with some water quality treatment done on each location as well. The design engineer is reviewing the bids and we will look to award it in September. The other construction project we are out to bid on currently is L-CR-803 at Lewisboro Town Park for subsurface infiltration that is in the FAD. We expect to get started immediately after it's awarded.

We are continuing to move forward on design of all other projects, and we expect to have a busy end of 2022 and beginning of 2023. There are a number of bio-infiltration projects that we expect to install late winter.

#### **6) Construction Bid Rejection/Y-MU-602**

Kevin explained that bids were submitted for Y-MU-602 at Junior Lake on June 16<sup>th</sup>. There was additional work we wanted to do beyond the Fabco filters we'd planned to install. Insite Engineering is the engineer of record. They saw some spots on site that could use a little bit of work. Generally, it was just resurfacing around the basins, possibly new grades to be installed. We went out to get a number to see what it would cost the Corporation. The bids that were submitted were too high to accept. It's our recommendation that we reject the bids and work with the Town of Yorktown to determine what the best course of action would be on those individual sites. Alternate Ciarcia asked Kevin to share the bid documents with him so he can get a handle on what the problematic basins are. Kevin agreed to share the bid documents. He said they have photos of all the problematic basins as well.

Motion by Director Williams, seconded by Alternate Ciarcia to reject all bids submitted for stormwater retrofit project Y-MU-602 located at Junior Lake in the Town of Yorktown; all in favor.

#### **7) O&M Update**

Kevin reiterated Keith's earlier notice that checks are being sent out to the Westchester towns for the reimbursement of 2021 O&M. He and Cory will continue to conduct inspections at various project sites.

#### **8) Checks and vouchers**

Monthly vouchers were signed. No action taken.

#### **9) Other business**

Director Williams said that some members met with NYSDOT to discuss their issues with MS4 and how we might be able to assist them. They provided additional information with regard to what they have done so far and what they have looked at. We are trying to figure out the right path to take to be of assistance to them. Kevin said so far, we've met with their science end. The next step is to have a contractual talk with their representation and make sure that this all makes sense. He does see a pathway to help them and the individual municipalities out as well. We will continue to work on it.

**10) Adjournment - Motion to adjourn by Director Williams, seconded by Alternate Daley; all in favor. Adjourned 9:46 AM.**

**PRESIDENT'S CERTIFICATE**

I certify that the foregoing is a true and correct copy of the August 25, 2022 meeting minutes approved by the Executive Committee.

*Richard Williams*

Richard Williams, Sr., President

*9/22/22*

Date