

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 8, 2023

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 Jamie McGlasson (Town of Kent); Robert Scorrano (Town of Somers); Warren Lucas (Town of North Salem) for himself and for Kevin Hansan (Town of Pound Ridge); JoAnne Daley as alternate for James Schmitt (Town of Pawling); Lauri Taylor (Village of Pawling); Tony Hay (Town of Southeast); Tony Goncalves (Town of Lewisboro); Michael Preziosi as alternate for Richard Becker (Town of Cortlandt); Vincent Tamagna as alternate for Kevin Byrne (Putnam County); Sabrina Charney Hull as alternate for Lisa Katz (Town of New Castle); Ed Brancati as alternate for Gina Picinich (Town of Mount Kisco); Ellen Calves (Town of Bedford); Thomas Diana (Town of Yorktown)

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

2) Pledge of Allegiance

3) Approve Meeting Minutes: May 11, 2023

Motion by Alternate Tamagna, seconded by Alternate Brancati to approve the Meeting Minutes of May 11, 2023; all in favor.

4) Financial Update

Keith Giguere reported that there has been no change since the financial update at the July Executive Committee meeting. June cash and investments totaled \$15,868,000 of which \$9,870,000 is FAD related. A new line item has been added to the investment memo for bank interest income year-to-date showing we've earned nearly \$140,000 as of June 30. That was a result of moving money from M&T Bank to PCSB. Director Lucas inquired about the \$309,000 on the Statement of Revenues and Expenditures report and the Change in Market Value-Investments line item of \$165,000. Keith said that the \$165,000 is the paper value of the investments we are holding that can be sold. Director Lucas asked if the interest being made includes the change in market value amount. Keith indicated that it is and is included in Total Interest Income. Last year we had many investments that had very low earning rates of 1% or less so they were underwater as far as value was concerned. Last year we were running negative in market value investments, however, they are now in the positive. Director

Lucas pointed to the fact that the total value of investments currently is around \$309,000. Keith added that that number includes what's on paper.

5) Project Update

Kevin Fitzpatrick reported that the current kilogram phosphorus reduction total is 710 for Years 1-10. An additional 32 kilograms is pending approval from the New York State Department of Environmental Conservation (NYSDEC) as the project in North Salem (NS-MU-601) closes out. Prior to the October 10th Board meeting, we will enter into contracts for construction on various projects for another 70 kilograms. Winter 2023/spring 2024 are planned to be active construction seasons. The phosphorus reduction total will increase from 710 to somewhere in the range of 800-900 rapidly, once we get going with all of the projects that are lined up. Lastly, we have not received any feedback from NYSDEC regarding the new permit. Until that time, we will continue working as we have been.

a. Program Summary

Kevin presented the Program Summary and invited members to contact him with specific project-related questions.

6) O&M Program Update

Kevin announced that Sofia Harrison was hired as a summer intern and has been working with Cory to go through individual projects across the watershed doing inspections. This summer has had a lot of intense storms and maintenance of our projects is falling behind. We need to make sure municipalities are on top of whoever is doing the maintenance within your own towns. For most, that normally tends to be the highway department. It doesn't have to be because many park and recreation departments have been addressing O&M as well, especially if the projects happen to be in parks. Severe weather seems to be becoming the new norm in this region; therefore we can't just fall back on the fact that workers can't get out to do O&M because of a storm. Our inspections revealed that municipalities are behind on maintenance, and we want to make sure we finish out the last quarter of the year addressing these items. Many of the towns are still cleaning up from the 8 inches of rain that fell in June. In northern Westchester, particularly in Cortlandt and Yorktown, towns got hit hard and they are still trying to open the roads. Consideration should be given to the possibility of having a contractor go out and clean out all of the HDS units and filter chamber units, which is basically anything a vac truck would be used for. It could be a group effort that can at least advance all of these items forward without having to reallocate staff to address stormwater retrofits when they are trying to fix a culvert to open a road. Tallying all our chamber designs may be something worth considering and having a contractor doing the work for individual towns. Director Goncalves asked if inspection reports will be shared with the towns. Kevin said summaries for each will be put together and sent to towns well in advance of September. While the Corporation cannot pay for the maintenance of retrofits, if we all came together and split it up as part of the O&M program, it would be a cost shared similar to regular maintenance. In this case we are making sure that it is being taken care of rather than put off until later. Director Lucas indicated that his town has inserts in a couple of different locations and suggested negotiating a better price because they are very expensive. Kevin agreed. Director Lucas added that he would not have allowed them to be installed had he realized the expense of replacing the cartridges. Kevin indicated that the cartridges are expensive to an extent, but the other part is the actual cleaning of the basins, which should be part of the MS4 program. While much of the cost can be absorbed into daily operations of the highway department, the cost adds up at \$200 a filter plus the manpower to physically install them. Director Lucas also questioned how we know the filters are no longer working because there can be a catch basin that happens to not be getting much water and there is no way to know if they are clean. When we questioned it, their answer was because it is a year later. Anyone

who currently has them installed in their town should expect the expense of replacement filters over time. Director Lucas reiterated that it would be helpful if we could figure out how to get them at a more reasonable price. Kevin said that there are enough inserts across the watershed that it's worth pursuing Fabco to request a better price. Eventually, we'll have an idea of how many we are using collectively in a particular calendar year so we can request a price on a certain quantity.

7) Telecommuting Policy

Director Williams requested that Christine Chale present the Remote Work Policy Procedure draft that she prepared. Christine stated that the policy was created so an employee can request a remote workplan. The Executive Committee indicated that the plan should at least include 60% of regular hours in the office per week. Remote work is not intended to include offsite work that is a routine part of in-office work. The policy applies to someone who is working from home using a laptop. The location where the employee would be working needs to be identified. Even though they are working at home, it should be confirmed that it is a safe place to work because they are still working for the Corporation. The laptop must be a work provided laptop. There was some discussion at the Executive Committee meeting about potentially going to a different phone system, but presently we only have office phones. There is some language included about being available for on-screen consultations and only using a corporate laptop and making sure it is regularly updated. Original documents must be kept in the office and hard copies should be kept in a secure location. If brought home, no confidential documents should be removed. Job duties, fieldwork meetings and visits happen whether you are working remotely, or on-site. Travel reimbursement will be from the closer of the remote or the office location. The request to work remotely would have to be approved by the employee's supervisor. Director Williams indicated that an issue was raised today regarding the policy requiring at least 2 people to be present in the building. If one employee is in the building and the other is out in the field doing inspections, it does qualify as two employees being in the office. Director Calves asked if phones can be forwarded. Director Lucas said they can be, however, the possibility was discussed of switching over to VOIP. Director Lucas added that the current employees work very well together and apart. They are dedicated and get the job done. Part of this has to do with trust and the employees we have now are very trustworthy.

Motion by Director Williams, seconded by Director Lucas to approve the Telecommuting Policy as presented; all in favor.

8) Other business

Director Williams asked Vincent Giorgio if there is any news on the contract for additional funding from New York City Department of Environmental Protection (NYCDEP). Vincent said it is currently in the process of being worked on. Kevin pointed out that everyone should keep in mind that the value of \$10 million will be earmarked for 5 years of what our new permit goal might be, so if we say 460 kilograms hypothetically, that will mean we are running at an efficiency of \$20,000 per kilogram in the coming years. Once we've completed Years 1-10, we will have no FAD funding moving forward. When we started, we were at \$85,000 per kilogram but now we are closer to \$50,000-\$60,000 per kilogram. If we are going to rely on the one funding agreement, that will mean any projects we do will have an efficiency of \$20,000 per kilogram. Director Williams indicated that we are not going to have enough money going forward. Director Lucas inquired about the funding coming from the Army Corps of Engineers (ACOE). Director Williams said that we are going to have to get more aggressive with obtaining WQIP funding. Kevin indicated that we are running very tight with our efficiencies, but \$20,000 per kilogram will be hard to do. We must keep our eyes open for other funding opportunities, which will likely need to be in the \$10 million range because \$40,000

per kilogram is much more achievable. Once we drop to \$20 million, the low hanging fruit is gone, and it will be difficult. Director Williams said that one of the reasons we have not been able to look for additional funding is that we are still waiting on the permit, which we've been waiting on since 2017. Kevin said he understands the challenges presented to individual towns, but there is a lot more in the permit than we're dealing with at EOHWC. Hopefully, when it does come out, we'll have a game plan to hit the ground running. If there is any intention for greater discussion, that will be a coalition matter. We are eager to help in any way we can with any part of the permit because we are able to assist with any water quality issues and we are not just locked in on phosphorus and nitrogen reduction. We will have WQIP funding that can carry over, however, there will inevitably be a gap between when we complete 920 kilograms of reduction and when the payment from the NYCDEP and the contract gets settled. While we are looking at things internally, we can start looking ahead and getting an idea of what the timeline is going to be for how we can assist the member municipalities across the board.

9) Motion by Director Williams, seconded by Alternate Brancati to enter into executive session to discuss a personnel issue involving a particular person; all in favor.

10) Motion by Director Williams, seconded by Alternate Brancati to come out of executive session; all in favor.

11) Motion by Alternate Tamagna, seconded by Director Diana to approve a salary increase in the amount of \$11,123 for Cory Lapidus; all in favor.

12) Adjournment – Motion to adjourn by Director Taylor, seconded by Director Diana; all in favor. Adjourned: 10:44 AM.