

EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, July 20, 2023

Meeting Minutes

1) Open Meeting

Voting Members in Attendance: Richard Williams, Sr. (Town of Patterson); Robert Scorrano (Town of Somers); Warren Lucas (Town of North Salem); Vincent Tamagna as alternate for Kevin Byrne (Putnam County); Tony Goncalves (Town of Lewisboro); Rich Franzetti as alternate for Michael Cazzari (Town of Carmel);

Others in Attendance: Christine Chale (Corporate Counsel); Kevin Fitzpatrick (EOHWC); Keith Giguere (EOHWC); Linda Matera (EOHWC); Cory Lapidus (EOHWC); Sofia Harrison (EOHWC)

2) Approve Meeting Minutes of June 23, 2022

Motion by Director Goncalves, second by Director Scorrano to approve the Executive Committee meeting minutes of June 22, 2023; all in favor.

3) Financial Update

Keith Giguere reported that as of the end of June cash and investments totaled \$15,868,000 of which \$9,870,000 is FAD related. There was an investment maturity for \$1,000,058.00 on July 17 which was brought back into cash. We are currently earning 4.15% interest on cash accounts, which is equivalent to what we can get on the investments. A new line item has been added to the investment memo for bank interest income year-to-date showing we've earned \$139,000 for the last 6 months. At the same time last year, we earned \$424.00 in interest at a rate of 0.05%. The current cash on hand in bank accounts is approximately \$500,000.

4) Reporting and Compliance

Linda Matera reported that the backup for O&M was submitted to Millie Magraw at Westchester County on June 23. It is currently in the process of being reviewed. Reimbursement checks to Westchester municipalities will likely be sent out late August/early September. A few members still owe compliance items. Vincent Tamagna will follow up with Kevin Byrne for the email confirmation showing he completed the NYS ABO Board Member Training.

5) Project Update

Kevin Fitzpatrick reported that we are currently at 710 kilograms of phosphorus reduction approved by New York State with another 31 kilograms pending. We are currently out to bid on PC-MB-1000

at John Simpson Road for an infiltration basin and L-MU-1017 at Lake Katonah for tiered bioretention on private property, which total approximately 12 kilograms. The next wave of bids will be about a month or so later for Y-MU-40 and S-AM-1015, totaling about 55 kilograms. We recently presented to the Town of Yorktown for Y-MU-40 and we have their approval to move forward. They have signed the installation agreement. The last piece of that puzzle is the approval by the Army Corps of Engineers (USACOE) for reimbursement and the funding agreement. They must finalize everything on their end and provide us with a document to review that will not be anything fundamentally different than what we've seen in the past. Kevin will meet with USACOE today to go over any additional information they are seeking and then it will be brought to the Board for approval. The larger projects just discussed in combination with some of the open catch basin filter projects will jump us up to 800 kilograms by early spring.

Director Lucas inquired about the status of the Keeler Lane project (NS-MU-601). Kevin said that Keeler Lane is an ongoing project, meaning that it is done but it's just a matter of tying together the final bits and pieces of stabilization. Director Lucas said he hasn't received any comments other than that the residents are pleased with the appearance and that a good job was done overall. Cory added that the contractor just needs to clean up and add some additional erosion control. Kevin said he was pleased with how the contractor dealt with any questions property owners had. He addressed the previous concern that Director Lucas had regarding whether the riprap at the bottom of the slope was sufficient and reported that after all the recent rainfall, it has held up well. The riprap is rated for a 50+ year storm. With every big storm that comes through, Kevin or Cory goes out to check it is working as intended so that if something gets washed out, they can take care of it immediately.

Kevin explained that the project in Kent at Longfellow Drive (Kent-MB-1000) is one in which we are working with a private developer to stabilize multiple, extremely large channels and will provide 75 kilograms of phosphorus reduction. The developer is on target to submit to NYCDEP and NYSDEC in early August for permitting. Feedback from that submittal will give us the ability to finalize the metes and bounds of the easement where the work will be done. Kevin will work with counsel and the developer to finalize details over the next few months. It is possible that we may be able to go out to bid in November or December with a winter or spring construction period, depending on the weather. Christine Chale indicated that she heard from the developer's attorney yesterday that they cannot provide comments until they get updated information from the surveyor about the new path. Kevin said they should have fully accepted everything that is in the agreements and contracts with the last piece being the metes, bounds and limits. It is understandable that they may be waiting for NYCDEP to change the path.

6) Telecommuting Policy

Director Williams and Christine reviewed the materials that came out of the Corporation regarding the telecommuting policy. Christine put together an interim policy that was reviewed by Director Williams. He provided comments that must be addressed. Kevin indicated that the memo that came out of the Corporation was just meant to be a collection of different policies that was found when we did the research which was asked of employees at the June meeting. Director Lucas emphasized the importance of having employees in the office at some point during the week. Christine said the topic

is not a negotiation, but rather something for the Board to decide what kind of policy, if any, they want to create. The document from Christine goes through some best practices and recommendations. It's meant to be an interim policy because we have never done this before and want to see how it works so we can decide if it should be a regular policy. It provides for a particular remote work plan. The idea is that it must be approved for the employee who is requesting it. This is for the benefit of the Corporation and only applies to exempt employees now, and not those who are hourly employees. Clarification is given that site inspections don't mean remote work because your work already requires you to be off-site, which is part of the job. *Alternate Franzetti entered the meeting accompanied by summer interns Mark and Emily.* Director Lucas suggested a well-functioning VOIP system and seamless data access to the server when offsite. Discussion ensued. It was determined that an email account should be set up in Outlook for Director Williams to provide him access to the shared calendar so that he can see where any employee is on any given day. Director Williams expressed concern over how to keep track of the work getting done. Christine said that theoretically it is all on the timesheet that shows what is being billed. Director Lucas said that there is presently implicit trust that everyone is doing their job and if that changes, the privilege to work remotely can be revoked. Christine pointed out that the employee is going to have to be responsible for creating and maintaining a safe workspace. The employee should have their own homeowner's policy for interested third parties along with a safe workspace. It was recommended that we ask New York Municipal Insurance Reciprocal (NYMIR) if they have recommendations for remote work policies and if there is anything they want us to do just as a risk management matter. Director Williams said that if our general liability isn't already held by NYMIR, he will reach out to them for recommendations. Christine also noted that employees need to make sure they have suitable seating and lighting, they're able to conduct confidential discussions and that it's legal to use their residence. Director Lucas said there is no zoning he is aware of which restricts someone from working from home 1-2 days per week. Further discussion ensued. Alternate Franzetti explained that the idea of remote work is that you can work from anywhere. Christine responded that she specifically didn't say home in her document because wherever the employees are working, they must be able to certify that they are in a place that is safe to work, with required connectivity and without distraction, regardless of where they are working. Director Scorrano emphasized that it shouldn't matter where employees are working, as long as they are doing their job. Christine also indicated that employees must only use the laptop issued by the Corporation and make sure it's regularly updated. Document originals should remain in the office with only copies being allowed off site. For the time being, employees will work using their cell phones to communicate for work until a VOIP option is settled on. The Corporation will not pay for internet access or telephone charges if an employee chooses to work from home. Reliable internet access will also be required. Director Williams said that the Executive Committee will come up with a set of safe work environment standards from NYMIR and the employees who are working from home remotely are going to have to certify they've met the requirements. Employees are expected to be in-person for meetings and site visits. Christine asked if there were any other considerations that should be taken into account. Kevin said that defining what on-site actually means because it can mean that someone is at a construction site or doing an inspection. Director Williams said that we need to come up with the number of hours employees are expected to be in the office versus working from home. Director

Lucas said the policy should be that the building remains open during the week. Director Williams said we need to focus on the policy for the employees we currently have and make modifications if we hire someone that has different requirements. He suggested starting with 3 days in the office, and 2 remote workdays. Alternate Franzetti said that it should be on a rotation so it's not the same days each week. Alternate Tamagna recommended there be a shared calendar with 2 people in the office 5 days per week and the rest the employees can figure it out. After that, the staff does a workplan, it gets reviewed and approved by the Executive Committee, and then it's added to the shared calendar. Director Williams said it will be placed on the August 8th Board of Directors meeting agenda for approval. It was requested that Christine provide a copy of the document she prepared to the employees because it affects them.

Motion by Director Williams, seconded by Alternate Tamagna to recommend the remote work policy for approval on August 8, 2023 at the Board of Directors meeting; all in favor.

7) August 8, 2023 Board of Directors' Draft Agenda

Director Williams presented the draft Board of Directors' meeting agenda. The personnel discussion for Cory's change in compensation and the telecommuting policy were added.

8) Checks and vouchers

Monthly checks and vouchers were signed. No action taken.

9) Other business

No other business.

10) Motion by Director Williams, seconded by Director Goncalves to enter into Executive Session to discuss a matter involving litigation; all in favor.

11) Motion to by Director Williams, seconded by Director Goncalves to come out of Executive Session; all in favor.

12) Adjournment - Motion to adjourn by Director Lucas, seconded by Director Scorrano; all in favor. Adjourned 11:07 AM.

PRESIDENT'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the July 20, 2023 meeting minutes approved by the Executive Committee.



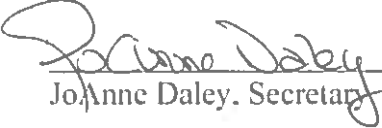
Richard Williams, Sr., President



Date

SECRETARY'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the July 20, 2023 meeting minutes approved by the Executive Committee.



JoAnne Daley, Secretary

August 24, 2023

Date