

EXECUTIVE COMMITTEE MEETING
11:00 A.M., Thursday, December 14, 2023

Meeting Minutes

1) Open Meeting

Voting Members in Attendance: Richard Williams, Sr. (Town of Patterson) for himself and as alternate for Tony Goncalves (Town of Lewisboro); Warren Lucas (Town of North Salem); Steve Woelfle as alternate for Robert Scorrano (Town of Somers); JoAnne Daley as alternate for James Schmitt (Town of Pawling); Vincent Tamagna as alternate for Kevin Byrne (Putnam Country)

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

2) Approve Meeting Minutes of November 16, 2023

Motion by Director Lucas, seconded by Alternate Tamagna to approve the meeting minutes of November 16, 2023; all in favor.

3) Financial Update

Keith Giguere reported that there is \$15,615,000 in total cash, of which \$10,300,000 is FAD funds and the remainder is WQIP funds. The FAD keeps growing because interest is being earned on it faster than it can be spent. The rate at which we are earning interest is going to change because the federal government will be cutting rates by 1.25%-1.5% over the next year.

4) Project Update

Kevin reported that the fully executed Army Corps of Engineers agreement for Y-MU-40 was returned to EOHWC yesterday. It is for approximately \$1.4 million for the construction of bioretention and bioinfiltration in the Town of Yorktown. Phosphorus reduction is expected to be about 30 kilograms. The Notice to Proceed can now be sent to Coyle Construction and billable items for construction can now take place.

Minor redesign changes were made to L-MU-1017 and S-AM-1015. We are close to going back out to bid on L-MU-1017. The first attempt to get construction bids with the previous design brought in bids that were much higher than what Insite and the EOHWC staff felt were appropriate. We were able to work with the property owners to gain better access and with a few minor design changes we were able to reduce the cost. We plan to go back out to bid on it this winter.

Some design changes were made to the channel stabilization for the project in Somers for S-AM-1015. Tweaks were made to the design for a channel that cuts into a neighbor's property and goes back out onto the original property to appease a neighbor so that they would give us an installation agreement. Kevin and Cory have been working with the Town of Somers and property owners to work through it and once we get it back from the design engineer, we will move forward with the next steps, whether it's something they can include in the project as is, or if they believe a design change order is necessary.

With the new permit having come out yesterday, the game plan had always been to make sure we're pressing forward with any open FAD projects because the FAD agreement expires with the existing project set, therefore it's necessary to put priority on any of the open projects to get them completed.

5) SEQRA/Kent-MB-1000

Kevin explained that SEQRA for Kent-MB-1000 is being recirculated after getting input from involved agencies to make sure we conduct a coordinated review and update the Lead Agency letter. It is being circulated to the New York State Department of Environmental Conservation (NYSDEC) and New York City Department of Environmental Protection (NYCDEP). We did receive input from the NYCDEP requesting a more thorough look at the full project taken from short form to full EAF. Generally, with a stormwater retrofit project, we don't trigger full EAF. The NYCDEP did request the full EAF because involves just shy of 10 acres of disturbance and two construction permits.

Motion by Alternate Daley, seconded by Alternate Tamagna to approve the SEQRA Negative Declaration for Kent-MB-1000.

WHEREAS, EOHWC is proposing to undertake the installation of a stormwater retrofit project in the Town of Kent involving the stabilization and rerouting of multiple municipal outfalls which have created heavily eroded channels; and

WHEREAS, the project will be located on both private and municipal property at multiple locations along Longfellow Drive and a vacant lot located between Ludington Court and Longfellow Drive; and

WHEREAS, to facilitate the installation of said stormwater retrofit project, the EOHWC is also considering the acquisition of a permanent drainage easement over of the said vacant lot located between Ludington Court and Longfellow Drive, which is privately owned; and

WHEREAS, the Executive Committee has classified the Project as an unlisted action, and based on agency input, it is necessary to recirculate to involved and interested agencies in a coordinated review; and

WHEREAS, the Executive Committee has reviewed a full Environmental Assessment Form (EAF) dated December 13, 2023 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:

1. Stormwater Retrofit Project K-MB-1000 is an unlisted action under SEQRA for which a coordinated review will be conducted; and

2. The Director of Engineering is directed to circulate a notice to all involved and interested agencies declaring EOHWC's intention to serve as lead agency in the environmental review of the stormwater retrofit project together with a copy of the Full EAF and requesting their consent or lack of consent within thirty days.

Motion passed; all in favor.

R-1214-01

6) Wastewater Study discussion

Kevin explained some of the municipalities had been missed and there was a significant amount of information that was not included. The Board discussed the summary report, and the requirements of the contract scope.

Director Lucas said that we expected a report that contained everything so that people would use that as one of the documents in support of grants and similar applications. Kevin said that he asked Woodard and Curran to halt further work while the board assess the responsiveness of the summary report. . A conference is to be scheduled regarding specific items that were required to be included in the scope.

7) O&M Program Update

Cory explained that he has been trying to round everyone up to make sure they have made their final O&M submission for 2023. The only submissions we've received to date are from Bedford, Kent and the Town of Pawling. He requested that towns work to get their documentation submitted ASAP because the deadline of December 31st is quickly approaching. Alternate Tamagna suggested that the request be sent to Tommy Fiore at Putnam County. Kevin said that once everyone submits, they will be following up with a visit to the projects and checking that what was claimed to have been done is accurate. If it's delayed in getting to us, it is going to delay it even further because we have to go out and verify.

8) Annual Board of Directors Meeting Agenda

Director Williams presented the agenda for the Annual Board of Directors meeting. It was agreed that a Presentation to Board Members and Funding Agreement Status would be items added to the agenda.

Christine suggested that the Corporation insurance is reviewed at every annual meeting. She requested that Keith generate a report on what the requirements are, what we have, when it expires, who is the carrier and align it to the funding agreements. It was suggested that the bonding also be reviewed at the same time because it is part of the insurance.

9) Checks and vouchers

Monthly vouchers were signed. No action taken.

10) Other business

Vincent Giorgio indicated that his best estimate for the new FAD agreement is early next year. They

have a couple of issues left that need clarification to make sure they consistent with the requirements of the NYSDEC agreement. His understanding is that it will go to senior staff for review before it's sent to the EOHWC.

11) Motion by Alternate Tamagna, seconded by Alternate Daley to enter into Attorney/Client session; all in favor.

12) Motion to by Alternate Tamagna, seconded by Alternate Daley to come out of Attorney/Client session; all in favor.

13) Motion by Alternate Tamagna, seconded by Alternate Daley to re-enter into Attorney/Client session; all in favor.

14) Motion to by Alternate Tamagna, seconded by Alternate Daley to come out of Attorney/Client session; all in favor.

15) Adjournment - Motion to adjourn by Alternate Tamagna, seconded by Alternate Daley; all in favor. Adjourned 12:05 PM.

PRESIDENT'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the December 14, 2023 meeting minutes approved by the Executive Committee.

Richard Williams, Sr.

Richard Williams, Sr., President

1/25/24


Date

SECRETARY'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the December 14, 2023 meeting minutes approved by the Executive Committee.



JoAnne Daley, Secretary



Date