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EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, March 28, 2024

Meeting Minutes

1) Open Meeting

Voting Members in Attendance: Richard Williams, Sr. (Town of Patterson) for himself and for Tony Goncalves (Town of Lewisboro); Robert Scorrano (Town of Somers); Ellen Calves (Town of Bedford); JoAnne Daley for James Schmitt (Town of Pawling); Vincent Tamagna (Putnam County); Michael Cazzari (Town of Carmel)

Others in Attendance: Warren Lucas (Town of North Salem); Sabrina Charney-Hull (Town of New Castle) via Zoom; Janet Anderson (Town of Lewisboro) via Zoom; Millie Magraw (Westchester County); Christine Chale (Corporate Counsel) via Zoom; Vincent Giorgio (NYCDEP); Kevin Fitzpatrick (EOHWC); Keith Giguere (EOHWC); Linda Matera (EOHWC); Cory Lapidus (EOHWC)

2) Approve Meeting Minutes of February 22, 2024

Motion by Alternate Tamagna, seconded by Director Scorrano to approve the meeting minutes of February 22, 2024; all in favor.

3) Financial Update

Keith Giguere reported there is over \$10 million in FAD funds, and \$3.2 million in WQIP funds of which 50% is committed. The sublease with the Putnam County IDA will be coming to an end at the end of April, which accounted for \$3,000 per year of additional income. The 2023 audit is complete and went well this year. Patricia Brennan will be presenting it today. We had an Audit Committee meeting on Tuesday, and all went well.

4) Audit Presentation

Patricia Brennan presented the 2023 financial statements. She noted that there has been a significant change in the financial statements this year. While the East of Hudson Watershed Corporation is a non-profit, it is considered a government non-profit so the reports this year are based on the Government Accounting Standards Board (GASB). The Corporation is an enterprise fund which still functions like a corporation but does not function on a fund basis, but will still be reporting on an accrual basis. This means that items such as accounts payable and accrued expenses remain unchanged. There's no re-statement of prior year numbers in this financial statement from an FASB non-profit statement to a GASB governmental statement. One of the significant changes is there is going to be a management discussion analysis in the financial statements that was not present in the prior years. It's a requirement for the government accounting standards to be in this financial statement report. Your audit opinion is unmodified this year. It is a clean opinion. A detailed report was presented, and questions were welcomed. Keith will reach out to Patricia for an unsecured copy

for ABO submission.

5) Reporting and Compliance

Linda Matera reported that we are currently up to date with all of the reporting requirements. Three of the 2023 O&M checks have been received to date for which the invoices were sent out on February 22nd. We are waiting for the arrival of 6 more checks from Brewster, Carmel, Lewisboro, New Castle, North Castle and Yorktown before we can submit to Westchester County for reimbursement to the Westchester municipalities. Sabrina Charney-Hull mentioned that New Castle's was approved for payment last night. Director Lucas asked if the towns with new supervisors know what the invoice is for and who the East of Hudson Watershed Corporation is. Kevin said he contacted the new members and explained who we are and what we do, so they understand why they received an invoice. Most of them have already been presented to their town boards for approval so we should receive the payments sometime in April. Linda added that the Board member compliance items are still trickling in. The Annual Board Evaluations have been sent to JoAnne Daley to share with members of the Governance Committee for review. They will be submitted to the ABO tomorrow to meet the March 31st deadline.

6) Project Update

Kevin Fitzpatrick reported that we are currently at 716 kilograms of phosphorus reduction. With spring upon us we will be closing out a few projects that will give us the final bump at the end of April at which time we will find ourselves closer to 760. We will be closing out North Salem (NS-MU-601), and more than likely, John Simpson Road (PC-MB-1000), as long as we can get a break from torrential rain and get enough grass growth to call it stabilized. There are no other major updates on individual projects. Projects in yellow on the project update spreadsheet represent the installation agreements that are currently being worked on. The EOHWC staff and Cassandra have been working to move them little by little and then we will go out to construction shortly after.

Kevin informed members that the new permit is currently in effect. He reminded everyone that while the EOHWC is not able to assist municipalities yet, the workplan has to be submitted to the New York State Department of Environmental Conservation (NYSDEC) by the end of the calendar year. Director Lucas asked if the individual towns had to do that or if the EOHWC does it for them. Kevin said that every municipality that has a phosphorus reduction requirement should probably send in a workplan by the end of the calendar year. In the case here, we would send in a notice to NYSDEC. Obviously, they know who we are and how we function. What is submitted by the Corporation will represent those individual towns. Director Lucas asked if the individual towns had to do it themselves. Kevin said he doesn't have the answer to that question. Sabrina explained that her understanding is that by July we need to have the map forward. As a municipality, when it comes to EOHWC we can say that it is our intent to utilize the EOHWC to satisfy our phosphorus reductions through umbrella compliance as we have done in the past. They are looking for a workplan, not an action, so as individual municipalities can call out just what we have been doing under the previous permit and say that we are going to move forward the same way for our phosphorus reduction. Sabrina is willing to share the language she developed for New Castle's plan with the other watershed communities. She will run it by Kevin and make sure that we are covered in regards to a workplan and not necessarily a deliverable. Director Williams said that the challenge we have is that we don't know what the reports are going to look like at this time, so we don't know what they are going to request from each individual municipality. He agrees that they are probably going to have something

that allows us to acknowledge the EOHWC as filling those requirements but at this time we're not sure. Sabrina said that she has to produce something to meet the deadlines and is not trying to reinvent the wheel and cover all bases without having those deliverables from NYSDEC that they say they are going to get us. We need to move forward. Director Williams said that it behooves all of us to start look around our communities to find additional projects to put into the workplan. Kevin said that is one of the main points of why he brought the permit topic up because every town should have their highway departments, town engineer and town representatives starting to build that catalogue of items that we might be able to evaluate and see how they can be part of the program. The more the better so we can get the best product out of it.

7) SEQRA Determination/PW-MB-1000

Kevin explained that PW-MB-1000 at Lake Dutchess is for the installation of stormwater infrastructure to capture and redirect flows along a private roadway and onto private property towards a bio-infiltration practice. It will treat runoff from a county road and a private road along Lake Dutchess prior to the release of stormwater into Lake Dutchess itself. The installation will have a positive impact on the lake and community. He advised the Board to move forward with the unlisted action and no negative impact. JoAnne Daley asked if Kevin spoke with the Lake Dutchess HOA. Kevin said they are in a conversation with them but would like to have the SEQRA taken care of now and then we still need to work through the installation agreement with counsel and the private property owner.

Motion by Director Scorrano, seconded by Director Calves to approve the SEQRA Determination for PW-MB-1000.

WHEREAS, EOHWC is considering undertaking a stormwater retrofit project involving the installation of catch basins within Dutchess Drive, with stormwater piping to connect them to a bio-filtration system (the "Project") located at 19 Dutchess Drive, Pawling, NY 12564 (the "Property"); and

WHEREAS, EOHWC as project sponsor has prepared and reviewed a Short Environmental Assessment Form dated 03/20/2024 and reviewed all available and relevant information concerning potential environmental impacts of the project;

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

1. Lake Dutchess Bio-Filtration Stormwater Retrofit known as PW-MB-1000 is classified as an unlisted action under the State Environmental Quality Review Act (SEQRA); and
2. That said stormwater retrofit project will not cause any potential significant adverse environmental impacts and that a draft environmental impact statement will not be prepared.

Motion passed; all in favor.

R-0328-01

8) Approve Installation Agreement/PW-MB-1000

Kevin explained that it was our intention to approve the installation agreement for PW-MB-1000 today but with comments from the owner we are going to hold off.

9) O&M Update

Kevin said that he and Cory will be generating a new O&M manual for the municipalities that will be presented as a draft for the Executive Committee to review at the next meeting with the intent of having it adopted by the full board in May. The changes are not major. After having worked with everyone for years, we just want to clean it up a bit and provide clear guidance.

10) Checks and vouchers

Monthly vouchers were signed. No action taken.

11) Other business

Director Williams asked Vincent Giorgio about the proposal in 2022 for the Corporation to receive funding from the state in the amount of \$10,000,000 and \$15,000,000 from the city. Vincent said he is not familiar with the \$15,000,000 from the city but is familiar with funding from the state. Director Williams asked if counsel was done with the comments on the contract. Christine asked if they wanted to review them in a separate meeting. Further discussion ensued. It was agreed that a Zoom meeting would be set up next week to review the comments.

12) Personnel discussion

Kevin explained that we are interested in bringing an intern back for the summer. Sofia Harrison worked with us last summer and did a great job. She knows exactly where the projects are, so we are interested in bringing her back and she is interested in joining us. The question is if we can bring a previous temporary employee back on for the summer, or whether it is something we have to go back out to advertise for. Director Williams said that while the staff is not permitted to, the Executive Committee can make a motion to bring her back. Kevin said the exact details of her return will be presented at the April meeting for approval. Keith added the position was budgeted for 2024.

13) Adjournment - Motion to adjourn by Director Scorrano, seconded by Director Cazzari; all in favor. Adjourned 10:30 AM.