

EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, May 23, 2024

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); Ellen Calves (Town of Bedford); JoAnne Daley for James Schmitt (Town of Pawling); Robert Scorrano (Town of Somers); Michael Cazzari (Town of Carmel); Vincent Tamagna (Putnam County)

Others in Attendance: Warren Lucas (Town of North Salem); Janet Anderson (Town of Lewisboro via Zoom); Millie Magraw (Westchester County via Zoom); 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 April 25, 2024

Motion by Director Cazzari, second by Director Scorrano to approve the meeting minutes of April 25, 2024; all in favor.

3) Financial Update

Keith Giguere reported that as of April 30th there was \$10,192,000 in FAD funds. Of the \$3,110,000 remaining in WQIP funds, \$1,795,000 is committed. Approximately \$800,000 will be coming from the Army Corps of Engineers, however, there is no way of knowing when it will be received. In the past month, \$350,000 has been taken out of investments and put into liquidity for operations.

4) List of Reporting and Filing Dates

Linda Matera reported that all of the O&M payments from the municipalities have been received by EOHWC. Today the first round of checks will be issued to the municipalities. In the next week or two we will be submitting all of the 2023 backup to Westchester County. Westchester municipalities will be made whole for their O&M once EOHWC is reimbursed by Westchester County.

5) Project Update

Kevin Fitzpatrick reported that stormwater projects NS-MU-601 and PC-MB-1000 recently closed out. Presently, the kilogram total on the spreadsheet reads 755 kilograms, but should be 764. There was an additional piece to NS-MU-601 in which there was an additional channel discovered during construction and has been added to the final certification letter. We will be awarding construction today for L-MU-1017 at Lake Katonah and plan to begin construction over the summer. We will continue to push ahead with all other open projects that are located within the FAD area. Director

Scorrano asked about the status of Woodcrest Terrace (S-AM-1015) and if Director Lucas has reached out to the owner. Kevin explained that we've been waiting for the property owner, who has the documents for review. We are waiting for him to return from out of state. Kevin will reach out to remind him.

6) Award Construction/L-MU-1017

Kevin explained that the resolution presented today is for the award of construction for stormwater retrofit project L-MU-1017. It will treat municipal runoff that is leading down into Lake Katonah between two private residences. There is an existing easement in place owned by the Town of Lewisboro. The installation agreement has been signed by all parties. The project will remove 4.5 kilograms of phosphorus using bioinfiltration down the hillside. It has a proposed efficiency of \$90,000 per kilogram. The pipe was originally running down the slope of the residences and broke in a few different spots, so there has been considerable washout into the lake. Director Lucas asked if the pipe was owned by the town at one point in time. Kevin said it was, but we are not replacing the pipe. We're removing that piece of it and replacing where the pipe was going to go with infiltration units and treatment practices. In order to route the quantity storms, we have to run a parallel pipe. For the success of this project, we can't have heavy storm flows go through our system. It has to be offline where we can run an additional pipe next to it. Janet Anderson asked if the resolution should reference the current permit. Director Williams said it should not because we are still working under the Years 6-10 permit. Alternate Daley asked if the contractors have to submit their 4-hour training course certificates. Kevin said that is not something we require of our contractors.

Motion by Director Scorrano, seconded by Alternate Daley to award the construction contract for stormwater retrofit project L-MU-1017 to WD Excavation and Contracting, Inc. in the amount of \$407,850.

WHEREAS, EOHWC is assisting its member municipalities, of which County of Putnam (the "Municipality") is one, in complying with the New York State Department of Environmental Conservation ("NYSDEC") Municipal Separate Storm Sewer Systems General Permit No. GP-0-15-003 ("MS4 Permit") by the design and installation of stormwater retrofit projects approved by NYSDEC; and

WHEREAS, EOHWC is undertaking a stormwater retrofit project involving the reestablishing of a new drainage pipe for large flows while directing smaller stormwater flows to a tiered biofiltration system (the "Project") in Lewisboro between properties at 66 and 78 Upper Lake Shore Drive, Katonah, NY 10536 (collectively, the "Property"), all in accordance with plans prepared by Insite Engineering, Surveying & Landscape Architecture, P.C. ("Insite Engineering"); and

WHEREAS, the Project was publicly advertised on the website as well as in the standard local print publication and 4 bids were received and publicly read aloud at the East of Hudson Watershed Corporation ("EOHWC") offices at 2 Route 164, Suite 2, Patterson, NY 12563 on April 18, 2024; and

WHEREAS, the phosphorus removal of 4.5 kilograms for this Project has an efficiency of approximately \$98,000 Kg P-removed; and

WHEREAS, Insite Engineering has reviewed all bids and found the lowest responsible bid to be WD Excavation & Contracting, Inc. with a bid in the amount of \$407,850; and

WHEREAS, Insite Engineering contacted the references for WD Excavation & Contracting, Inc. and contacted WD Excavation & Contracting, Inc. directly and was assured that they can complete the Project for the amount bid; and

WHEREAS, Insite Engineering has recommended that EOHWC accept WD Excavation & Contracting, Inc as lowest responsible bidder for the Project and proceed with contracts pending the submission of bonds and insurance by the contractor; and

WHEREAS, the EOHWC Executive Committee reviewed all available evidence and resolved that the Project would not have an adverse impact on the environment and that a draft environmental impact statement would not be prepared.

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of EOHWC's Board of Directors that it accepts WD Excavation & Contracting, Inc as lowest responsible bidder in the amount of \$407,850 for the Project and authorizes the President or Vice President of EOHWC to execute the construction contract with WD Excavation & Contracting, Inc. subject to the following conditions:

1. Submission of bonds and insurance by the contractor as required by the construction contract for the Project.
2. Review of the construction contract by EOHWC's Counsel.

Motion passed; all in favor.

R-0523-01

7) Construction Change Order/PC-MB-1000

Kevin explained that the change order presented today for PC-MB-1000 is for a decrease in the contract value in the amount of \$24,500 for unused items. Those items included the extension of fencing, rock excavation, and additional riprap. The project went very smoothly, and we didn't encounter any issues, therefore, we are able to deduct those items from the original contract value of \$245,721.

Motion by Director Scorrano, seconded by Alternate Tamagna to approve change order number 1 submitted by WD Excavation for a reduction of \$24,500 from the original contract amount of \$245,721.

WHEREAS, WD Excavation & Contracting Inc., submitted a change order request entitled Change order 1 dated March 8, 2024 for a decrease of \$24,500 for PC-MB-1000 attached hereto; and

WHEREAS, the Project consists of the stabilization of two drainage channels and installation of an infiltration basin to provide treatment and pollutant removal prior to discharge into the Middle Branch Reservoir (the "Project") near the intersection of John Simpson Road and Route 6 on certain property identified as tax map number SBL 45.107.2 (the "Property"); and

WHEREAS, this change order, if approved, would decrease the construction cost from \$245,721 to \$221,221 and would have an updated efficiency of approximately \$30,000/kg.

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors of the East of Hudson Watershed Corporation that the change order request for WD Excavation & Contracting Inc., entitled Change Order 1 dated March 8, 2024 for a decrease of \$24,500 for PC-MB-1000 is approved.

Motion passed; all in favor.

R-0523-02

8) O & M Program Update

The O&M Program update was provided previously during the reporting and filing report.

7) Checks and vouchers

Monthly vouchers were signed. No action taken.

8) Other business

Christine Chale acknowledged receipt of the funding agreement comments from NYCDEP. A meeting will be scheduled between her, Director Williams, Kevin Fitzpatrick and Keith Giguere to discuss those comments. She will contact the NYCDEP to schedule a meeting shortly after.

Cory informed members that the Corporation may be considering hiring more staff in our office to assist with the GIS mapping process. He asked that before towns consider hiring watershed planners and GIS mappers, that they let EOHWC know so we can possibly work together. Director Lucas asked why a GIS planner would be needed. Director Williams said the reason is that you have to have a GIS system that is tracking all your inspections, aiding your highway departments in making sure you are staying compliant and a lot of that comes through GIS. Additionally, the MS4 Permit requires us to have all sorts of data from land use to sewer shed, which are not watersheds, in a GIS format that is individualized for each individual municipality. Discussion ensued. Director Lucas said that Westchester County has a large GIS system in place and that there should be consistency across the board, so we are all doing the same things. Millie Magraw stated that the Westchester GIS is quite robust. It is considered to be one of the best in the nation and their department is already working on developing the layers for the MS4 permitting. It is being done so that it is consistent for all the communities. Alternate Tamagna pointed out that East of Hudson is still one watershed so Westchester and Putnam should be coordinating with each other. Millie said that the Putnam County and Westchester County GIS departments should have a conversation and figure out the best way to make that work. Alternate Tamagna said Putnam and Westchester should be using the same tool for GIS mapping. Millie said that Anna in Westchester would more than likely be open to having a conversation with the Putnam County contact. Millie asked that Alternate Tamagna email her so she can arrange an introduction.

9) Adjournment - Motion to adjourn by Alternate Tamagna, seconded by Director Cazzari; all in favor. Adjourned 10:04 AM.

PRESIDENT'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the May 23, 2024 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 May 23, 2024 meeting minutes approved by the Executive Committee.


JoAnne Daley, Secretary

June 20, 2024
Date