
EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, June 20, 2024

Meeting Minutes

1) Open Meeting

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

Others in Attendance: Warren Lucas (Town of North Salem); Neal Tomann (Putnam County Soil & Water Conservation District); Janet Anderson (Town of Lewisboro); Millie Magraw (Westchester County); Christine Chale (Corporate Counsel via Zoom); Cassandra Britton (Corporate Counsel); Kevin Fitzpatrick (EOHWC); Keith Giguere (EOHWC); Linda Matera (EOHWC); Cory Lapidus (EOHWC via Zoom); Sofia Harrison (EOHWC); Shawn Farrell (Town of Carmel)

2) Approve Meeting Minutes of May 23, 2024

Motion by Director Scorrano, second by Alternate Daley to approve the meeting minutes of May 23, 2024; all in favor.

3) Financial Update

Keith Giguere reported that as of May 31, there is \$13,205,000 in total cash of which \$10,227,000 is FAD funds and \$2,978,000 is WQIP funds. A total of \$1,736,000 is committed for signed contracts of which only \$208,000 is FAD-related. Of the WQIP funds of \$2,978,000, \$1,500,000 is already committed. We are expecting to get reimbursed roughly \$800,000 from the Army Corps of Engineers. Kevin said the number will be a bit higher than that because of the additional reimbursement for the New Castle project (NewC-NCR-801). Keith emphasized that there is no definite date of when that money will be received. Director Williams said that the \$10,000,000 coming from NYCDEP is somewhat restricted. Keith said that there isn't a definite date of when that money will be received either. Christine Chale explained that we learned this week that the NYCDEP expects that from the time we reach a final agreement about the document, they will take about 1 year to get it registered and for the funds to be available. Kevin said that the funding we will receive is dependent upon a NYSDEC approved workplan. Even if the NYCDEP was ready today, Even if the NYCDEP was ready to go today, we have to see whether or not it would get held up because we don't have a workplan or whether registering the contract and working on the work plan can occur at the same time. Director Williams said that he can't imagine that it would be a problem if they both occurred at the same time because they are working with us to get the agreement done. It's just a question of getting through the process.

4) List of Reporting and Filing Dates

Linda Matera reported that most compliance items are up to date with the exception of the submission of the 2023 O&M backup to Westchester County for reimbursement, which will likely be sent tomorrow or Monday, at the latest.

5) Project Update

Kevin Fitzpatrick reported that the total phosphorus reduction is 755 kilograms. The open construction projects will bring us to approximately 800. Additionally, there is a large project in Kent (Kent-MB-1000) on the horizon that will increase the total by roughly 78 kilograms. We will continue to focus on FAD projects that are open and currently in design. Several of them can't begin until the fall because they interfere with long-eared bats. There is a tree cutting ordinance that we must go by with the NYSDEC. The total at the bottom of the spreadsheet listed at approximately 930 kilograms is now closer to 920 as we whittle down the project list of what is going to be completed immediately and which projects might get shifted towards Years 11-15. As everyone may recall, we are running a little bit over with the goal being that if any projects fall out, we have the flexibility to slide things. Other than that, we are still on target with the open project list, and we will continue pushing forward.

Director Lucas inquired about the status of the Keeler Lane project (NS-MU-601). Kevin said it is complete and has been submitted to the state. At this point we are just making sure the grass grows and the project functions correctly. We will be out there with the next big rainstorm to make sure its working properly.

6) Installation Agreement/PW-MB-1000

Kevin informed members that the Lake Dutchess project (PW-MB-1000) is for bioinfiltration on private property. It involves some conveyance to be installed in a private roadway in the vicinity of Lake Dutchess. It is a FAD-connected project that will net us approximately 1.4 kilograms. We've been working on this one for a while. It's a bit tricky because it's a private road. We met with the town to review it and they are onboard and excited to get it done. Director Williams asked who the design engineer is. Kevin said HVEA. Director Williams said that the plans with the installation agreement do not have the design engineer listed on them. Kevin said that he will replace the plans to include the design engineer and stamp. Director Williams said that the plans provided with the installation agreement didn't show where everything is located. Additionally, it wasn't clear as to whether there were any structures downstream from the practice. Kevin said there is nothing downstream from the practice. If it overflows it will just go down a sloped lawn into the lake. Director Williams asked if the Town of Pawling is willing to go onto a private road to clean out the catch basin. Alternate Daley said the highway superintendent agreed to it.

Motion by Alternate Tamagna, seconded by Alternate Franzetti to approve the installation agreement for stormwater retrofit project PW-MB-1000 with the updated plan as part of the approval.

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, Warner Pinchback III And Rebecca Pinchback are the owners of certain property known 19 Dutchess Drive, Pawling, NY 12564 Tax Lot numbers 162470, 157465, and 153460; and

WHEREAS, the Lake Dutchess Association, Inc. is the owner of certain property known as Dutchess Drive pursuant to the Bargain and Sale deed dated August 19, 2005 document number 02-2005-8091, also depicted as Dutchess Drive, on the map entitled “Final Subdivision Plat of the Lands of Lake Dutchess, Erwin & Brian Pendley, Town of Pawling, County of Dutchess, New York” prepared by Rayong J Kihlmire L.L.S., P.C. ad filed in the Dutchess County Clerk Office on June 17, 2002 as filed map No. 11407 (the “Road”); and

WHEREAS, the EOHWC, Municipality, the Owner of the Road and the Owners of the Property wish to enter into enter into two separate agreements regarding the installation of the Project, one agreement for 19 Dutchess Drive and one agreement for Dutchess Drive, (the "Installation Agreements") and EOHWC has received drafts of said Installation Agreements, copies of which are on file with the office of EOHWC; and

WHEREAS, the EOHWC has considered the Installation Agreements, and all other relevant information and believes that entering into the Installation Agreements is in the best interest of the Corporation; and

WHEREAS, on March 28, 2024, by Resolution No. R-0328-0, 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 as follows:

1. The execution and delivery of the Installation Agreements are hereby approved. The President of the EOHWC is hereby authorized to execute and deliver the Installation Agreements on behalf of the EOHWC, in substantially the form on file in the offices of the EOHWC, with such changes as may be approved by the party executing the same on behalf of the EOHWC.
2. The officers, employees and agents of the EOHWC are hereby authorized and directed for and in the name and on behalf of the EOHWC to do all acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Motion passed; all in favor.

R-0620-01

7) SEQRA/Carmel-CF-703

Kevin explained that this is a negative declaration to complete the SEQRA for Carmel-CF-703. It's a short segment of stream bank stabilization within Michael's Brook on private property in the Town of Carmel at the Woodland Trail development. It involves the installation of rip rap; some stabilization using vegetation within the streambank and will net us about 11 kilograms. We will get started on it in late fall due to a the long-eared bat which is a species of concern.

Motion by Alternate Franzetti, seconded by Director Scorrano to approve the SEQRA Negative Declaration for stormwater retrofit project Carmel-CF-703.

WHEREAS, EOHWC is considering undertaking a stormwater retrofit project involving the installation of streambank stabilization along Michael's Brook on private property in the Town of Carmel, NY (the "Project") located at 44.14-1-49, commonly known as Woodland Trail Condominium (the "Property"); and

WHEREAS, EOHWC as project sponsor has prepared and reviewed a Short Environmental Assessment Form dated May 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. Woodland Trail Stormwater Retrofit known as Carmel-CF-703 is classified as an unlisted action under the State Environmental Quality Review Act (SEQRA) and hereby declares itself lead agency in a coordinated review; 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-0620-02

8) O & M Program Update

Kevin explained that the summer intern, Sofia Harrison, has been helping with O&M inspections and site reviews. Municipalities were encouraged to continue with their O&M efforts. EOHWC will be following up to check they are being maintained accordingly.

9) Checks and vouchers

Monthly vouchers were signed. No action taken.

10) Other business

Director Williams introduced Neal Tomann of the Putnam County Soil and Water Conservation District. Neal informed members that he came to get the word out that some Part C money, which is one of the more flexible accounts that the Soil and Water Conservation District has for different projects, is available. There weren't any opportunities to spend the money between Covid and staff changes. To keep their performance measures up, they are looking to form new relationships and get into public, private and municipal projects. One of the first things they are trying to do is fill a gap for projects where people don't even have the money to get the engineering or planning drawings so that they can apply for grants. Alternate Tamagna explained that there is a district board in Westchester that votes on projects. With all that is going on, he thought an ideal project would be helping all of our towns in Putnam and Westchester Counties to use some of the money to provide a maintenance resource. Director Williams asked if the money could only be used for design purposes. Neal said the money is very flexible and that it could be spent on any number of projects. Alternate Tamagna said it could be a substantial partnership project with our towns if we could wrap our heads around putting something together for it. He recommended staying away from just cherry picking a

project and coming up with something needed across all of the EOHWC towns that would be a good idea for a conservation project that would also provide an education component for the MS4 requirements. Discussion ensued. Alternate Tamagna said that Cory was talking about the MS4 requirements at the last meeting that he could only go so far and do so much. Soil and Water can come in and do the part that we can't do. We can possibly develop some kind of a program through the Soil and Water Conservation District that Neal can then bring to the board. We even have the ability to hire a resource to do the work. He reminded members that every year we can apply for more Part C money. He reiterated that the best use of this money would be something that could be used collectively for all the EOHWC municipalities. Alternate Franzetti said that if you look at any of the other Soil and Water Conservation Districts that are very active with MS4, they are doing a lot of work that is for bigger regional entities and not just for a specific town. Director Williams asked if they are talking about using this money for an educational component rather than a particular project. Alternate Tamagna said that would be ideal. Kevin suggested using it for mapping. Alternate Tamagna agreed that would be a great use of the money. Further discussion ensued. Director Lucas said he was on a call with the NYSDEC last week and asked what the data model is for the GIS systems that they are considering. He mentioned that the data model they use in North Salem doesn't allow historical data. The NYSDEC said they think that is something that they want to do in the future. He agreed that using the money for something that helps everyone would be the best use for it. Director Williams concluded by saying that the permit will be looked at internally to see which elements we have in common.

Christine Chale informed members that the meeting with the NYCDEP regarding the new contract went well. They discussed a lot of the sticky drafting issues, and they are supposed to be coming back to us with a revised draft addressing some comments. She doesn't think that we are all the way there yet, but it was a useful discussion. Director Williams agreed and said that it clarified some of the issues that we need to speak with Tom Snow/NYSDEC about. He said it wasn't clear as to whether NYCDEP is going to speak with Tom, or if we are. Christine said it couldn't hurt if we did. They appear to be hung up on some deadlines and reporting issues. It's to a point where they want us to provide a financial report two weeks after the close of the month for a prior year, which is off of our fiscal year. We need to get some clarification from Tom as to what they are really looking for and what the cutoffs need to be. We did clarify that they all know that we need to have cash money in hand when we sign a contract. Director Williams said one of the things that he thinks we need to push back on is the \$1,000,000 because they seem to open the door that it was just a placeholder. We need to prove to them that because we're going to have that one-year lapse, we are probably going to need more than \$1,000,000 based on our rate of burn. In Christine's estimation, it could be more than a year, even possibly closer to 18 months. We are going to have to approximate what those needs would be. Director Williams said that they are focusing on the \$1,000,000 to get us going on the design, not into construction. Kevin agreed. Christine recommended putting concrete schedules together.

Director Goncalves informed the committee that he had a conversation with Tom Snow regarding WRRDA funding for sewer projects and whether EOHWC wanted to take that on. Kevin said he spoke with him as well and that he mentioned there was additional funding for Lewisboro, specifically that there may be availability to funnel some of the Army Corps funding down to existing things that Lewisboro has. Director Goncalves said that Tom thought that EOHWC could get involved in these types of projects. Director Lucas asked if the Corporation's charter changed and if we could get involved in these projects. Discussion ensued. Director Williams said our charter allows us to, but the question is do we want to, especially in light of the issue we've been having with

the sewer report that we can't seem to get done. Kevin said that when the contract within the state system flipped over, the contract with Woodard and Curran had to be renewed in order for them to get back on. Aside from that, there are obviously a lot of problems. We should meet with them and go through what they're proposing, versus what it appears we need, which is just an aerial photo of every problem so that we could document it to generate more funding for that rather than specific individual projects. Director Williams will reach out to Tom Snow regarding today's discussion, as well as for the request from Mike Meyer to find out where the implementation plan for the watershed is.

11) Adjournment - Motion to adjourn by Alternate Franzetti, seconded by Alternate Tamagna; all in favor. Adjourned 10:19 AM.

PRESIDENT'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the June 20, 2024 meeting minutes approved by the Executive Committee.



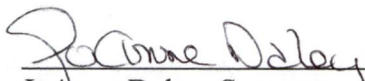
Richard Williams, Sr., President



Date

SECRETARY'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the June 20, 2024 meeting minutes approved by the Executive Committee.



JoAnne Daley, Secretary

7-25-2024
Date