
EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, July 25, 2024

Meeting Minutes

1) Open Meeting

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

Others in Attendance: Warren Lucas (Town of North Salem); Janet Anderson (Town of Lewisboro) via Zoom; Millie Magraw (Westchester County); Christine Chale (Corporate Counsel) via Zoom; Cassandra Britton (Corporate Counsel); Vincent Giorgio (NYCDEP); Kevin Fitzpatrick (EOHWC); Keith Giguere (EOHWC); Linda Matera (EOHWC); Cory Lapidus (EOHWC); Sofia Harrison (EOHWC)

2) Approve Meeting Minutes of June 20, 2024

Motion by Alternate Tamagna, second by Director Scorrano to approve the meeting minutes of July 25, 2024; all in favor.

3) Financial Update

Keith Giguere reported that as of June 30th there was \$13,198,598 in cash of which \$10,262,000 is FAD funds, and less than \$3 million is WQIP funds. \$1.6 million of that is committed.

4) Reporting and Filing Dates

Linda Matera reported that the O&M reimbursement payments to the Westchester municipalities will be delayed because the agreement will have to be renewed before funds can be disbursed. Millie Magraw said that she needs something in writing as to what the parameters are of what we are requesting. She noted that there is currently a balance of approximately \$221,000 and asked if we wanted to put in for that amount for another 5-year period. If not, then we would need to specify exactly what we are requesting. Once the letter is submitted, it should not be a heavy lift from that point because it does not need to go to the legal department, however, it will need to go to the Board in September at the earliest. Director Williams asked if that letter should come from the EOHWC or Westchester municipalities. Millie said that the letter should come from EOHWC.

5) Project Update

Kevin Fitzpatrick reported that the current phosphorus reduction total is 755 kilograms. We are in active construction on two projects (NewC-NCR-801 and L-MU-1017). We are still optimistic about starting the other construction projects before the end of this year. Some may get started next spring,

which is expected for Kent-MB-1000 at Longfellow Drive because of the size of the project, permitting, and negotiations with the property owner. The few projects highlighted in pink at the bottom of the spreadsheet continue to remain as postponed. If we can pull them back into the program in the future, we certainly will. We will continue to work with Lewisboro on the Tarry-a-bit Drive project (L-CR-804) to see what else can possibly be done there. We do still feel there's a good project to be executed, but there are still a few property owner issues that we need to work through. Director Goncalves suggested they regroup and figure out the next step.

6) O & M Program Update

Kevin reported that Cory and Sofia are continuing to visit project sites and do inspections. Sofia will be with us until August 15 and then will return to school. Any leftover projects that have not been inspected at that point will be visited in the fall. Although Millie addressed the O&M reimbursement to Westchester municipalities earlier, there is some left over conversations to be had about the funding that is available for the Westchester municipalities covering their share of the O&M program. We can rediscuss how that will work, and if that new agreement will only cover O&M, or perhaps the Corporation needs additional funding for operations going forward and whether it makes sense to expand any new IMAs that get written for Westchester. For the time being, we encourage everybody to move forward with their operations and maintenance. Cory Lapidus reminded members that we will be using new O&M forms this year. There is information about how to use them on the EOHWC website. He asked that towns reach out to him with any questions.

7) August Board of Directors Draft Agenda

Christine Chale recommended that an item be added to the Board of Directors agenda for the amendment to the Corporation agreement regarding WQIP. This relates to rolling the WQIP funds forward again from years 6-10 to years 11-15. We would need to formally submit that agreement for the use of those funds that were approved in 2016. Millie confirmed that we would follow the same process and that the agreement was amended in 2019. She offered to share the most recent IMA with Christine via email. Christine clarified that she was talking about the Corporation Agreement. Millie said that would also have to be amended. Christine said she thinks we would have to have the board approve the amendment and draft. She asked what is needed to start the process on Millie's end. Millie said if the board approves the amendment, she will just need a copy of that approval as was required in the past. Christine said she would provide Millie with the draft amendment and draft resolution so that Westchester County can begin the review process. Kevin asked if there is anything that needs to be done on the certificate of incorporation to update it for the new permit. Christine said it never referenced a specific permit so it wouldn't require updating. Vincent Giorgio indicated that a separate letter would be needed to amend the agreement between counties and NYCDEP. Christine asked if that was something Vincent would process internally, or if something different is needed from EOHWC to begin the review. Vincent said because it is between the counties and NYCDEP, he is not sure but recommended that the counties submit the request. Director Williams specified that the new MS4 permit requires specific language in any new agreements between municipalities

8) Checks and vouchers

Monthly vouchers were signed. No action taken.

9) Other business

Director Williams discussed the year 11-15 workplan with committee members. Director Lucas said that there isn't enough money to execute the next workplan. Director Williams suggested we either request the money from the counties or we can tell the EOHWC towns that we need to come up with the money needed. He suggested using the old schedule, and everyone can contribute based upon their obligation. Director Lucas expressed concern that we could just very rapidly run out of cash and dissolve and that it is likely that we will not see any of the money from the next \$10 million to do work for a while. Vincent confirmed that it would be a while before any of the next round of funding is received by the Corporation. Director Lucas asked if we could request a small amount so that we could do project-related work. Vincent said that in terms of that contract, once all terms have been agreed upon, then we are most likely looking at 12 months from that point.

Christine asked for an update of the status of the latest draft that the NYCDEP was working on. Vincent said he thought it would have been sent by today, so more than likely it will be sent next week. Director Lucas asked what some of the changes are that we are going to want in it, and do we have a lot of time. Christine said there were some issues that had to be worked through and we are awaiting their review. Discussion ensued. Director Lucas said he's concerned that we are waiting and doing nothing, and sooner or later we are going to run out of cash and not be able to pay salaries or move forward. We need to accelerate the process so we get the funding and can start projects. Christine asked Director Lucas if he was suggesting a coalition letter to obtain funds for an internal plan recommendation. Director Lucas said doing that would get everyone's attention and they are going to be curious as to why we want money from them.

Director Williams recognized Vincent Tamagna of Putnam County who has been with EOHWC since the inception of the Corporation. He indicated that Vincent has been a tremendous asset to us and will be missed as he moves on to a new venture. Attendees wished Vincent the best of luck.

Kevin informed members that Cory will be leaving EOHWC as of August 15. He thanked him for his service to the Corporation and wished him well on his next venture. Cory has been a vital piece in setting up the operations and maintenance. The position will not be filled immediately because we do not have projects to work on due to the workplan delay. Once the funding agreement is resolved, we will advertise for a replacement. Alternate Tamagna said from the inception of the Corporation we saw the benefit of the intermunicipal agreements. The NYCDEP should recognize that this is something that benefits NYC and always has been. Somehow, we need to bring this to the highest level if this great Board is going to continue to exist because we run the risk of losing other employees and then the whole corporation falls apart because of the bureaucracy. Cory added that part of the reason he is leaving is because of concern with the future of the Corporation.

10) Motion by Director Williams, seconded by Director Cazzari to enter into Executive Session to discuss a particular easement; all in favor.

11) Motion to come out of Executive Session by Director Williams, seconded by Director Cazzari; all in favor. No action taken.

12) Adjournment - Motion to adjourn by Alternate Tamagna, seconded by Director Goncalves; all in favor. Adjourned 10:42 AM.

PRESIDENT'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the July 25, 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 July 25, 2024 meeting minutes approved by the Executive Committee.

JoAnne Daley
JoAnne Daley, Secretary

8-23-2024
Date