

EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, August 22, 2024

Meeting Minutes

1) Open Meeting

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

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

2) Approve Meeting Minutes of July 25, 2024

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

3) Financial Update

Keith Giguere reported that as of July 31, 2024, there is a total of \$15 million in cash. \$10,299,000 of that is FAD and \$2,800,000 is WQIP funds of which \$1.2 million will be left after the August check run, which over \$500,000 in checks have been cut today to pay down some projects. Kevin will be submitting for Army Corps reimbursements so we can stay afloat. On August 29th we will be pulling an investment of \$790,000 that is maturing to be put into the operating account. Kevin added that the Army Corps reimbursement for New Castle (NewC-NCR-801) should be in the amount of \$600,000 and Yorktown (Y-MU-40) should be in the amount of \$200,000. As the contractor for Yorktown submits for payment from us, we will again submit to Army Corps for reimbursement. Director Calves asked why we are eligible for reimbursement. Kevin said that they have a supply of funds specifically for water quality improvement projects within the watershed. We've set up a relationship with the Army Corps so that when they have funds available, they would reach out to us and say that one of our projects are eligible. Two projects they chose were outside of the FAD areas where we lacked funding. These were two projects that matched how much funding they had available. We have to spend it first and then they will do a 75% match. Director Scorrano asked how quickly they turn it around. Kevin said that previously we were a little uncomfortable with the amount of time it was taking so we had to nudge them along, but we do expect to get reimbursed by the end of the calendar year.

4) Project Update

Kevin Fitzpatrick reported that we remain at 755 kilograms with open construction. Y-MU-40 is the

project we were just discussing that is being funded in part by the Army Corps. He expects to have the 30 kilograms completed by the end of 2024, although some plantings will need to take place in the spring of 2025. The piece of bioinfiltration on that project that we can get credit for will be completed this calendar year, which will bring our total to approximately 780 kilograms. We will continue moving forward with installation agreements, which are the biggest hang-ups shown on the project status table highlighted in yellow. We are inching closer to getting them into the ground. All except 1 or 2 are expected to be late winter/early spring construction. Most of our attention right now is going towards Kent-MB-1000, which is worth 75 kilograms. We are trying to make sure that stays on track.

5) O & M Program Update

Kevin reported that he is reviewing all of Cory and Sofia's notes from spring and summer. He is planning to release a packet of information to each town to help keep them on track with maintaining their projects. Kevin will be visiting any projects that Cory and Sofia were unable to visit. He encouraged everyone to submit any bills before the end of the year. At the October Board meeting, everyone will be reminded that we've shifted the timelines for O&M submissions so that we are not overwhelmed with submissions on January 10th.

7) Checks and vouchers

Monthly vouchers were signed. No action taken.

8) Other business

Director Williams pointed out that the 2024 Meeting Dates list included in today's packet contains updated dates. If anyone has questions, please contact Linda Matera.

Director Williams explained that there was an MS4 Work Group that Sabrina Charney-Hull was part of as well as Tom Snow (NYSDEC). It was focused on the stormwater retrofit program. One of the issues that came up was that the NYSDEC and NYCDEP are currently in negotiations on the water withdrawal permit, formerly known as the water supply permit. We were able to talk to Tom a little bit about the funding for the East of Hudson Watershed Corporation. He said that nobody had requested anything, so a request was submitted to Tom. We have not heard back yet. Director Williams sent Tom an email this morning asking for a video conference between himself, Director Williams and Christine Chale. Hopefully, he is going to get back to us on a couple of issues we wanted to discuss with him. At this point, we've sent letters so far to Putnam County Executive requesting \$1.5 million and to Westchester County Executive for \$2 million to continue the operation of the organization. He heard briefly from Putnam County that they are reviewing the request. He hasn't heard anything from Westchester to date. Millie Magraw said that Director Lucas forwarded the letter to the deputy, and he did respond. Kevin asked if it would be worth reaching out to Dutchess County because we do have a big chunk of Pawling. Vincent Giorgio's understanding was that they weren't interested in being involved. Sabrina said that the New Castle Town Supervisor, Victoria Tipp, would very much like to have a legislative meeting with all of our representatives and talk about this issue. *Sabrina lost connection during remote attendance.* Director Williams said he was on a conference call with the representatives and Mike Lawler's office, and they had a good conversation with Mike. I don't know if the federal government can do anything for us but in light of the supreme court decision where it was found that some of the agencies are overreaching, they might look into it. Director Williams sent a letter down to Mike Lawler's office in detail describing some of

the issues we're having in the MS4 program. He also had conversations with Matt Slater and Pete Harckham's office, and they are all aware that we are having difficulties.

Director Williams discussed the notice sent to municipalities about the 11-15 workplan. To date he has received 6 responses out of 19 and is hopeful that the majority of towns will participate. We are planning to send out invoices from EOHWC. Keith questioned if we could do that since it's a coalition matter. Director Williams asked Vincent Giorgio if the Corporation could send out invoices if we are planning on the municipalities funding the Corporation for the workplan for the MS4 permit retrofit requirement for years 11-15. Vincent said his understanding is that the Corporation should not be doing anything for the years 11-15 workplan unless the municipalities are paying for it. Vincent asked if they are paying for the study or sending out the invoices. Director Williams said the municipalities would be funding both. Director Calves said that there will be enough money to cover staff time and send out invoices. Director Williams said that is assuming everybody participates. Vincent reminded everyone that the NYCDEP is supposed to get an annual accounting of the corporation funds, water quality funds and the DEP contract that was due on March 31, 2024. They still have not received it. Director Williams said there were discussions about moving that forward this morning with Keith. Vincent said the NYCDEP is supposed to sign letter agreements with the counties that touch on reporting with the water quality funds. It's difficult to sign those agreements when we don't have the accounting for the water quality funds for 2023. It's also difficult to enter into a new contract when you're not in compliance with the current contract. He is concerned about blending and about who is sending out invoices and how that's accounted for. He expressed concern about not being sure if they have the visibility to know whether these expenses are being charged to the towns or not. Director Williams said he will make sure the visibility is there. He assured Vincent that the allocation had already been made. Keith asked Linda Matera to ensure that the time spent on generating invoices is kept separately. *Sabrina rejoined the meeting after losing connection.* Director Williams repeated that he met with Mike Lawler's office and the representatives that she referred to earlier. He copied her on the letter sent to Mike's office about some of the issues. Sabrina said she saw a copy of the letter but hasn't had the chance to speak with Director Tipp yet. She mentioned that Director Tipp was very upset when she learned from Sabrina about the funding issues and the need to obtain additional funding.

9) Motion by Director Williams, seconded by Director Goncalves to enter into attorney/client session; all in favor.

10) Motion to come out of attorney/client session by Director Williams, seconded by Director Goncalves; all in favor. No action taken.

11) Adjournment - Motion to adjourn by Director Williams, seconded by Director Scorrano; all in favor. Adjourned 9:53 AM.

PRESIDENT'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the August 22, 2024 meeting minutes approved by the Executive Committee.



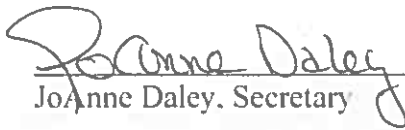
Richard Williams, Sr., President

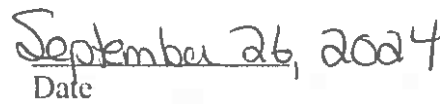


Date

SECRETARY'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the August 22, 2024 meeting minutes approved by the Executive Committee.


JoAnne Daley, Secretary


Date