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EXECUTIVE COMMITTEE MEETING
9:30 A.M., Thursday, September 26, 2024

Meeting Minutes

1) Open Meeting

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

Others in Attendance: Warren Lucas (Town of North Salem); Sabrina Charney-Hull (Town of New Castle) 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)

2) Approve Meeting Minutes of August 22, 2024

Motion by Director Williams, second by Director Calves to approve the meeting minutes of August 22, 2024; all in favor.

3) Financial Update

Keith Giguere reported that as of August 31, there is \$12.5 million in total cash of which \$2,281,701 is WQIP and \$10,341,243.25 is FAD. We will be pulling in the next maturity of the investment portfolio on October 3 in light of the recent expenditures on the Y-MU-40 project. Approximately \$400,000 is still owed on this project after this month. We are waiting for reimbursement from Army Corps. Kevin explained that although Y-MU-40 will continue into the spring of 2025, he has submitted to Army Corps for the last payment to Coyle in August, and this current billing cycle to get an advancement on the funding that's available.

4) Preliminary Budget

Keith informed members that he sent the preliminary budget to members of the Finance Committee a couple of weeks ago. There were some assumptions that were made on it. The potential additional \$2 million coming from Westchester was included. The investment income is going to be decreasing because we are using some of our investment money for operations, and the interest rates are starting to come down. The interest rates have come down a half percent already and are expected to come down another 2 basis points in the next several months. Most of the investment income is going to be in FAD funds, which means that we can only use it for FAD-related projects. Compensation is a little less because we are down 1 employee, and we are not anticipating replacing our watershed planner until September of next year. Director Lucas asked what the salary increase percentage is. Keith said that he built 4% cost of living in for salary increases, but it can be adjusted as you see fit. Kevin

provided a schedule of what is anticipated for construction projects for the rest of this year and going into next. This included only projects that are already in the pipeline.

Motion by Director Calves, seconded by Alternate Daley to recommend the 2025 Budget to the Board of Directors for approval at the October 8, 2024 meeting.

5) Project Update

Kevin Fitzpatrick reported that all engineering and design contracts through 2025 will be wrapping up soon. The construction on many of these projects will begin in the winter and be completed in the spring to get us to the 920 kilogram goal. We are close to about 60% completion on Y-MU-40 which is the large active project in Yorktown. We will be meeting with Army Corps of Engineers and possibly the NYSDEC down there to see where the project stands as a site visit. Since the project is at a busy intersection in the Town of Yorktown, there are a lot of eyes on it. There is always a challenge when navigating with property owners in the area, but they've been receptive and understanding. We will continue to press ahead. Ideally, we were hoping to get to the point of doing some plantings this fall but are approaching the cutoff quickly and are uncertain about what will happen with the weather. It will definitely be stabilized in 2024, and all the plantings will be added in 2025. Director Lucas asked how many projects are left in the FAD area. Kevin said that everything in bold on the spreadsheet is FAD. In the \$22 million that we were provided, some of that was reserved specifically for FAD and some of it can go anywhere within FAD or FAD-connected areas. Director Lucas mentioned that residents had inquired if anything would be done in the future on the Vails Golf Course. Kevin said that is something that would have to go into the next cycle. He reminded everyone that now is the time to start talking to your highway department and getting a list of other things he has not yet seen as we prepare for the next cycle. He is unable to sit down with individual towns until we have the funding, but that doesn't mean the towns can't. If there are projects or concerns that are out there that are starting to line up with your highway departments and engineers, you should be making that list and providing it to us so we can work it into the next cycle. Director Goncalves asked if there was anything Kevin needed from him on the Lewisboro projects. Kevin said that one item between the Town, Three Lakes Council and EOHWC is to navigate what we may or may not be able to do at Tarry-a-bit (L-CR-804). It's on the shelf right now because of the concern of whether the residents would pursue any legal action, even though there is no basis for it. If they do, we don't have the ability to represent ourselves. If it came to that, the town would have to represent the Corporation as well. He will check with Counsel to find out what needs to be done to accomplish the project. It certainly is a good project, particularly with the lakes and it being in the FAD.

6) Design Change Order/S-AM-1015

Director Williams presented the design change order from Pitingaro & Doetsch and asked if the efficiency at \$55,000 includes the capitol costs in the budget. Kevin said it does and that the amount of rip rap being brought into the site won't present a significant change in efficiency because the change in price is not that significant of a change in the price of the two items. Director Williams asked for further clarification. Kevin explained that while there are increases in some supplies, there's a significant decrease in the amount of rip rap that needs to be utilized and the truckloads that need to be brought in.

Motion by Director Scorrano, seconded by Director Cazzari to approve the change order for stormwater retrofit project S-AM-1015 in the amount of \$4,800, increasing the contract amount from \$29,000 to \$33,800.

WHEREAS, Pitingaro & Doetsch Consulting Engineers have submitted a change order request for S-AM-1015 for an additional \$4,800 attached hereto; and

WHEREAS, the Project proposes to replace the existing failing stormwater drainage pipe coming off Woodcrest Terrace and stabilizing the emerging channel to prevent further erosion. Catch basin filter units will be installed along Barlow Court and Woodcrest Terrace to provide water treatment (the “Project”) to 110 Woodcrest Terrace, 112 Woodcrest Terrace, and 10 Farese Way (the “Property”); and

WHEREAS, this change order, if approved, would increase engineering costs from \$29,000 to \$33,800 and would have an updated efficiency of approximately \$55,000/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 Pitingaro & Doetsch Consulting Engineers., dated September 18, 2024, for an increase of \$4,800 for S-AM-1015 is approved.

Motion passed; all in favor.

R-0926-02

7) O & M Program Update

Kevin informed members that he is still in the process of going around checking on projects based off of the notes from over the summer from Cory and Sofia. He encouraged supervisors to begin to wrap things up as the year comes to a close. He reminded members that O&M is being done a bit differently this year and asked that the system that was put in place at the May meeting is utilized and approved at the May meeting. It involves digital submissions rather than stacks of paper on December 31.

8) IT Data & Disaster Recovery Policy Approval

Keith informed members that at the last audit it was recommended by the audit team that the Corporation adopt and IT Data & Disaster Recovery Policy. Before Cory departed, Keith tasked him with putting something together. It was passed on to the auditor after some edits were made, and they were satisfied with it. Christine Chale reviewed it and recommended we add the memo at the end that assigns roles to individual employees. Previously, Cory had assumed most of the roles but now we’ve divided them up. That may or may not change once a new watershed planner is hired. The memo will be changed as the roles change.

Motion by Director Cazzari, seconded by Director Goncalves to recommend the IT Data & Disaster Recovery Policy to the Board of Directors for the October 8 meeting; all in favor.

9) Checks and vouchers

Monthly vouchers were signed. No action taken.

10) October Quarterly Board of Directors Meeting Draft Agenda

Director Williams presented the Board of Directors Draft Agenda and asked if anyone wished to

make changes. Kevin Fitzpatrick asked if a roll call can be done of those who are in favor of the 11-15 workplan, either during the meeting or afterwards because the workplan is due in 3 months. We received checks from some of the municipalities and others we have not received an acknowledgement.

11) Other business

Director Williams informed members that a letter went out to Putnam County requesting \$1.5 million to help fund the administrative end of the Corporation. Putnam County Executive, Kevin Byrne did acknowledge receiving it and said they were going to look at it. We haven't heard back yet. Director Williams asked Neal Tomann, who is the new representative from Putnam County, if he could find out the status. Alternate Tomann agreed to follow up. Director Williams said that without that funding, we are going to have a difficult time moving forward. The NYCDEP has made it clear that they are not going to be funding administrative costs this time with the funding that is available. Director Lucas said that the NWWC met with him, Millie Magraw and Mike Meyer and prepared the 5 different resolutions in total to request funding from Westchester County. Discussion ensued. Vincent Giorgio said that there was a letter of agreement that was signed in 2012 that transferred the reporting requirements from the Water Quality Funds to NYCDEP. At the time the counties did not want to be bothered with it and decided the NYCDEP would accept the accounting directly from you rather than have it go through the county. It also touched on some other items about acceptable uses of the money. Westchester County, Putnam County and the NYCDEP signed that agreement. That was for the first 5-year period. In 2016 that agreement was extended to allow for Years 6-10. It now needs to be extended to allow for Years 11-15. Christine drafted that document, and he is being told that they need to know that the counties have looked at that document and agree with the contents of it before it's circulated widely within NYCDEP for review and approval. Ideally, if the counties would sign on to it and send it to the NYCDEP signed, then we can do it that way and would probably need less revisions from NYCDEP. If you don't want to do it that way, they would just like some indication that the counties have seen that letter and are ok with the language before they send it to their lawyers. Millie said that Westchester County is ok with the letter agreement. Millie said Westchester County sent the NYCDEP the Corporation Agreement about a month ago where we had a couple of changes made but haven't heard back. She will resend it to Vinny.

11) Adjournment - Motion to adjourn by Director Cazzari, seconded by Director Scorrano; all in favor. Adjourned 10:00 AM.