

EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, October 24, 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); 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); Janet Anderson (Town of Lewisboro) via Zoom; Millie Magraw (Westchester County) via Zoom; Christine Chale (Corporate Counsel); Cassandra Britton (Corporate Counsel); Vincent Giorgio (NYCDEP); Kevin Fitzpatrick (EOHWC); Keith Giguere (EOHWC); Linda Matera (EOHWC)

2) Approve Meeting Minutes of September 26, 2024

Motion by Director Williams, seconded by Director Goncalves to approve the meeting minutes of September 26, 2024; all in favor.

3) Financial Update

Keith Giguere reported that as of September 30 there is \$10,381,000 remaining in FAD, \$1,874,000 in WQIP. Total outstanding commitments total \$1,144,000 of which \$190,000 is FAD and \$963,000 is WQIP for projects that are in the works.

4) Project Update

Kevin Fitzpatrick reported that Y-MU-40 at Hallocks Mill in Yorktown will be wrapping up construction and we will submit for 30 kilograms to the NYSDEC by the end of the year. The next project for construction is L-MU-1001 at the Waccabuc Country Club in Lewisboro. The contact at the country club has been responsive about the installation and we will soon begin the permitting process with the town. We will continue to wrap up projects over the winter as we prepare for spring construction.

5) Approval of Private Installation and Easement Agreements/Kent-MB-1000, Longfellow Road

Kevin explained that the resolution presented today is for approval of the installation agreement, purchase agreement and drainage easement for Kent-MB-1000 in the Town of Kent. The project addresses large channels on private property that total about 78 kilograms of phosphorus credit. The Corporation has been working with the owner to address the property and the municipal drainage

channels that have formed on the hillside over the last decades. The agreements represent a payment for the easement, authorization for us to install and maintain the project, and layout for the final easement cost for the parcel. We should be ready to put the final stamp on them and move forward to the next phases, which we already have NYCDEP and NYSDEC permits and will look to wrap up everything with the Town of Kent next. The hope is to start construction in the spring. Christine Chale said that the payment at this time is \$165,000 based on the negotiations. This will be a purchase contract and then once we are ready to move to the final drainage easement, we will sign it and the payment will be made. It's a multi-step process which hopefully won't take very long.

Motion by Director Goncalves, seconded by Director Cazzari to approve the execution of the installation agreement, purchase agreement and the drainage easement.

WHEREAS, EOHWC is proposing to undertake the installation of a stormwater retrofit project in the Town of Kent involving the stabilization and rerouting of multiple municipal outfalls which have created heavily eroded channels; and

WHEREAS, the project will be located on both private and municipal property at multiple locations along Longfellow Drive and a vacant lot located between Ludington Court and Longfellow Drive; and

WHEREAS, to facilitate the installation of said stormwater retrofit project, the EOHWC is also considering the acquisition of a permanent drainage easement over of the said vacant lot located between Ludington Court and Longfellow Drive, which is privately owned; and

WHEREAS, E.B.S.E. LLC is the owner of certain parcels of real property in the Town of Kent (the "Town") known as Tax Grid Nos. 22-2-16, 22.42-1-20, and 22.58-2-58 and more particularly described in a Deed from Lou Pozza and Anthony Perna dated October 17, 2022 and recorded in the Putnam County Clerk's office on October 27, 2022 in Liber 2295 of Deeds at Page 206, Instrument No. 9452-2022 ("Property"); and

WHEREAS, the EOHWC, Municipality, and the Owner of the Property wish to enter into an agreement regarding the installation of the Project at the Property (the "Installation Agreement") and EOHWC has received drafts of said Installation Agreement, copies of which are on file with the office of EOHWC; and

WHEREAS, EOHWC and the Owner of the Property wish to enter into a Permanent Drainage Easement Agreement (the "Easement Agreement") and Purchase Agreement (the "Purchase Agreement") regarding drainage on the Property for which EOHWC has received drafts of said Easement Agreement and Purchase Agreement, copies of which are on file with the office of EOHWC; and

WHEREAS, the EOHWC has considered the proposed Installation Agreement, Purchase Agreement, Permanent Drainage Agreement and all other relevant information and believes that entering into the Installation Agreement is in the best interest of the Corporation; and

WHEREAS, the phosphorus removal of 78.5 kilograms for this Project has an efficiency of approximately \$22,000 Kg P-removed; and

WHEREAS, on January 25, 2024, by Resolution No. R-0125-02, 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 Agreement, Purchase Agreement and Easement Agreement are hereby approved. The President of the EOHWC is hereby authorized to execute and deliver the Installation Agreement, Purchase Agreement and Easement Agreement 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-1024-01)

6) O&M Program Update

Kevin asked that towns continue to address their O&M. He has been requesting any new projects from the highway departments and has been asking them to get their submissions in before January. Director Goncalves mentioned that he sent Kevin an email recently about a potential project. Kevin said he received it and will look at it.

7) Checks and vouchers

Monthly vouchers were signed. No action taken.

8) Other business

Christine Chale provided an update of the towns that have contributed financially to the 11-15 Workplan to date. Director Lucas asked for a list of the towns remaining to submit payments and how much we've received to date. Christine said we received \$72,289.03 and the remaining towns are Cortlandt, Putnam County, Carmel and Somers.

Motion by Director Williams, seconded by Director Cazzari to authorize Kevin Fitzpatrick to proceed with development of a retrofit plan for years 11-15 through those municipalities that have financially contributed to the development of the plan. Motion passed; all in favor.

9) Adjournment - Motion to adjourn by Director Cazzari, seconded by Director Goncalves; all in favor. Adjourned 9:40 AM.