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EXECUTIVE COMMITTEE MEETING
9:30 A.M., Thursday, February 20, 2025

Meeting Minutes

1) Open Meeting

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

Others in Attendance: Sabrina Hull (Town of New Castle) via Zoom; Millie Magraw (Westchester County); Christine Chale (Corporate Counsel) via ZOOM; Cassandra Britton (Corporate Counsel); Kevin Fitzpatrick (EOHWC); Keith Giguere (EOHWC); Linda Matera (EOHWC)

2) Approve Meeting Minutes of January 23, 2025

Motion by Director Williams, second by Director Cazzari to approve the meeting minutes of January 23, 2025; all in favor.

3) Financial Update

Keith Giguere reported that as of January 31st the financials show there is \$11,873,000 in total cash, of which \$1,343,000 is WQIP. We recently received \$1,587,000 in reimbursements from the Army Corps of Engineers for NewC-NCR-801 and a partial on Y-MU-40. Millie Magraw asked if the reimbursement is already committed. Keith said it is being reallocated towards Westchester projects.

4) Updated List of Meeting Dates

Director Williams presented the Updated List of Meeting Dates. Linda Matera said that the date of the March meeting had to be changed from the 20 to the 27 because of the audit. Further discussion ensued and it was decided that the date of the April Executive Committee meeting should be changed from the 24 to the 25 to accommodate Westchester Board members who have a Sustainable Westchester meeting on the April 24.

5) List of Reporting and Filing Dates

Linda Matera reported that the Annual Retrofit Plan was submitted to NYSDEC and will be sent to both the NYCDEP, Westchester and Putnam Counties within thirty days. A few members remain to complete their annual compliance requirements. Sabrina Hull offered to follow up with Victoria Tipp and asked Linda to send her the links to the items needed for compliance.

6) Approve Years 11-15 NYSDEC Workplan

Director Williams explained that even though we've submitted the Years 11-15 Workplan to NYSDEC, the NYCDEP has requested that we pass a resolution to do so.

Motion by Director Lucas, seconded by Director Calves to authorize the Years 11-15 regional retrofit plan update.

WHEREAS, pursuant the provisions of the NYS DEC SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MS4s (Permit No. GP-0-24-001), effective January 2, 2024 (the “MS4 Permit”), the municipal members of EOHWC are required to submit a retrofit plan in accordance with Part IX of the MS4 Permit; and

WHEREAS, pursuant to a letter from NYS DEC dated September 14, 2011, NYS DEC confirmed the East of Hudson municipalities may achieve “bubble compliance” by collectively meeting stormwater retrofit and phosphorous reduction requirements identified in the approved regional retrofit plan; and

WHEREAS, prior to the end of 2024 and pursuant to authorization by the EOHWC municipalities, there was prepared and submitted to NYS DEC a Years 11–15 Work Plan which is the Regional Stormwater Retrofit Plan for Years 11 through 15, in the form on file with the Secretary (the “Retrofit Plan”);

NOW THEREFORE IT IS HEREBY RESOLVED, by the Executive Committee of the Board of Directors of the East of Hudson Watershed Corporation that the submission of the Retrofit Plan on behalf of its constituent municipalities in satisfaction of the MS4 Permit requirements is hereby ratified and confirmed.

Motion passed; all in favor.

R-0220-01

7) Project Update

Kevin reported that construction at Hallocks Mill in Yorktown (Y-MU-40) should be wrapped up in the next month. The final piece will then be submitted to the Army Corps for reimbursement and will be in the ballpark of \$200,000 after we release retainage to the contractor. The Army Corps turnaround with reimbursements is usually around three months or so. With any luck we will receive that by mid-summer. We are still on schedule to present Kent-MB-1000 to the Kent Town Board at the end of March. That will be a very big construction project with a cost of approximately \$1.5 million and is an extremely efficient project. A few of the other construction projects had to be slipped out late summer for construction just because they are on private property and don't want to be disturbed during the summer months on existing camp sites. We are still pushing ahead to get them done this year. Once we get to our final kilogram number, we'll start looking at rolling out the Years 11-15 Workplan. Keith said that projects in Years 6-10 will be accounted for separately from Years 11-15. Kevin said the idea is to take everything for Years 1-10 and close that book and then we will just start fresh and clean with Years 11-15. The NYCDEP has asked us to do this so that we are not tracking projects from 15 years ago. Kevin said that the project at Waccabuc Country Club will not be able to be completed over the summer because they are working on another project before ours and need to be ready to open by Memorial Day. We will begin construction there once their camp programs are done in the fall. Director Lucas mentioned that they just dredged the lower pond on Keeler Lane in North Salem and asked if there were any kilograms in there. Kevin said that even though it is very clear that you are physically removing phosphorus, unfortunately the NYSDEC doesn't recognize dredging as an acceptable retrofit. Director Goncalves inquired about the Tarry-a-bit project. Kevin said that he and Christine are going to talk to Sandra about whatever he can provide for them and then they will figure out the next steps. Director Lucas said he saw what was

submitted on the \$2 million request to Westchester County and some of them are schools and was wondering if Kevin had spoken with the schools. Kevin said the basis of that workplan was simply projects that we have available to us, pulling from the Years 6-10 Workplan as well as anything that he has come across for the last 15 years or so. The conversations with the school districts have not advanced beyond that. Director Lucas said he would be happy to help move them along if Kevin needs help. Kevin said there are a lot of schools on the Workplan, and they are tough for multiple reasons, but he believes that they can get a lot of those projects done at the school districts if he doesn't get too much pushback. Kevin reminded members that the Workplan is a very dynamic document. Projects can be added or subtracted. It's just a matter of updates to the counties, NYSDEC and NYCDEP, to inform them of the changes.

7) O & M Program Update

Kevin explained that the O&M amounts for 2024 are just about finalized and total about \$185,000. Those numbers will be provided to the auditors when they are on site in the beginning of March. Invoices will then be sent to the municipalities. Last year the total was a bit higher at approximately \$190,000. Kevin and Keith looked back at the last two years' worth of administration costs that the staff has had to spend to run the O&M program on behalf of the municipalities. For 2023 and 2024 those admin costs totaled \$58,000 and were taken out of WQIP funds. Those admin costs involved visiting sites and checking on each individual project. For the Board's consideration, Kevin proposed that this cost be included in the analysis of O&M and shared in bubble compliance for the municipalities to pay in addition to the \$185,000. Director Williams clarified that Kevin would like it to be included in the overall admin costs for O&M. Keith said it should be reflected in the \$660,000 average cost on the Funding Allocation Table provided by Director Williams. Director Calves asked what makes up the \$660,000. Kevin explained that it is made up of the time he, Cory, and Sofia spent on O&M. It is already included in the allocation table because it is part of how the WQIP funds were spent. He proposed that the administration of the O&M program should be included within the bubble compliance. There are line items of what each town did for O&M, along with EOH staff. Those numbers would be pulled into bubble compliance and become part of what everybody pays into for O&M. Further discussion ensued. Director Cazzari asked if there is another chart showing what is owed by the municipalities for 2024. Kevin indicated that it is currently being finalized, but the chart presented today is the draft. The chart shows what each town did physically for maintenance, what the bubble compliance number would be and the difference. This will dictate whether you will receive a check or must pay. Kevin said if an O&M policy edit was going to be made, we would have to wait until we have Board approval, and the O&M Policy updated because this committee does not have the authority to change the O&M Policy without input from the full Board. Christine said that if an allocation is going to be changed, it must be brought to the Board for approval. She asked if the Committee wanted to recommend it to the Board for the next Board meeting. Director Williams said he's ok with either allocation method. Christine suggested it may be helpful if Kevin developed an O&M amendment proposal as an example for members with shows costs as though it had been done in 2024. A resolution can be prepared to have the Executive Committee recommend it to the Board based on that amendment, and then it can be taken up at the next meeting.

8) Checks and vouchers

Monthly vouchers were signed. No action was taken.

9) Other business

Director Williams discussed the possibility of future funding of the Corporation by the municipalities,

if funding is not provided by the counties. Discussion ensued. It was determined that a budget with projections should be put together, along with a letter to send to the NYSDEC explaining the situation.

10) Adjournment - Motion to adjourn by Director Cazzari, seconded by Director Goncalves; all in favor. Adjourned 11:06 AM.

DRAFT