

## EXECUTIVE COMMITTEE MEETING

*9:30 A.M., Friday, April 25, 2025*

### **Meeting Minutes**

#### **1) Open**

Voting Members in Attendance: Richard Williams, Sr. (Town of Patterson); Ellen Calves (Town of Bedford); JoAnne Daley for James Schmitt (Town of Pawling); Steve Woelfle as alternate for Robert Scorrano (Town of Somers); Warren Lucas (Town of North Salem); Tony Goncalves (Town of Lewisboro)

Others in Attendance: Christine Chale (Corporate Counsel, via ZOOM); Cassandra Britton (Corporate Counsel); Steve Cutignola (NYCDEP); Kevin Fitzpatrick (EOHWC); Linda Matera (EOHWC)

#### **2) Approve Meeting Minutes of March 27, 2025**

Motion by Alternate Daley, second by Director Calves to approve the meeting minutes of March 27, 2025; all in favor.

#### **3) Financial Update**

Linda Matera presented the financial update on behalf of Keith Giguere. The total cash for the end of March was \$13,476,090 of which \$10,596,643 was FAD and \$2,879,747 was WQIP. Any questions were directed to Keith, who will return on Monday.

#### **4) List of Reporting and Filing Dates**

Linda Matera reported that all compliance items are up to date except for the 2024 Annual Project Accounting Report, which will go to NYC DEP and the Counties, as well as the 2024 Annual Report that includes the Project Accounting Report, which will go to the NYS ABO. Keith is currently in the process of working on both.

#### **5) Project Update**

Kevin Fitzpatrick reported that we will be going out to bid on construction administration services and an actual construction contract for Kent-MB-1000. He had a meeting with the Kent Town Board at the beginning of April and everything went well. We will be moving onto getting all of the agreements in place and moving forward with the project. Getting started in the summer would be ideal because there is a lot of work to do on a hillside, so it would be helpful to get it done in dry weather months because weather delays could seriously extend the contract longer than we would like.

The property owners at the Waccabuc Country Club (L-CR-1001) have confirmed that they are onboard and ready to move forward. Construction is expected to start shortly after Labor Day and we are hopeful that all plantings could be completed by the fall.

Kevin asked that supervisors contact their highway department or DPW to make sure they are cleaning up any damage from the winter. If there is an opportunity for us to get phosphorus reduction credit from stabilization projects that your highway departments are executing without us knowing about it, let's take advantage of that and make sure we are in the loop. Obviously, not everything is going to qualify but there is always something that needs to be cleaned up after the winter and it would be a shame to let it get passed us and not get some credit. Director Goncalves asked if there was an update on the Tarry-a-bit (L-CR-804) project. Kevin said he reached out to Chris and Cassondra, and they are getting in touch with Greg to go over what the next steps will be. It will be a great FAD project and has a large phosphorus reduction. Director Goncalves asked when they were planning on getting in touch with Greg. Chris said she had a conversation with Greg, and he indicated that the owner would not indemnify over whatever the conditions are and that is what created a problem in the first place. We are waiting for them to get back to us. That is where we are for the time being.

## **6) O&M Program Update**

Kevin reported that almost all the 2024 O&M payments from municipalities have been received with the exception of New Castle and Yorktown. Once those last two payments come in, we can send everything to Westchester County so they can begin the reimbursement process on their end, and we can begin paying everyone back for the services they performed. Following that, we will work with Westchester County to reimburse the Westchester municipalities. Kevin stressed that someone needs to sit down with the Town of Yorktown and have a conversation about the requirements of this program and their participation in O&M. Director Lucas asked if Kevin contacted them. Kevin said he has and just gets the runaround. They have not been doing the work for the last four years. Being that Director Lachterman was new, Kevin gave him a grace period to catch up over the past two years, but it doesn't appear that any progress is being made. He reminded members that our agreements with the municipalities are not for their highway departments to do anything. It is each town's responsibility to make sure the work gets done. It would be helpful if any members have a relationship with Yorktown and they can sit down with them to let them know they have fallen behind. Alternate Woelfle said that Somers may be able to have a conversation with them. Director Lucas suggested that we hire a contractor to do the work and send them the bill. Director Williams said that we would need to get something in writing from Yorktown and have them sign it before we do that. Director Calves said that when that conversation happens, we need to have a timeline of when they will have it completed. Kevin suggested holding the reimbursements from Westchester County because it is not their work that they are getting reimbursed for, but their financial responsibility to the program. Come the end of June, they are entitled to approximately \$30,000 from Westchester County for work that they never participated in doing. Director Williams pointed out that their financial obligation to do that work flows out of the MS4 Permit. Technically, they are in violation of the MS4 Permit. Kevin said that with bubble compliance all the municipalities are in a little bit of jeopardy if one of the municipalities is not participating. From that point of view, perhaps that is enough of a nudge to get this taken care of. Kevin feels that someone other than him will be more effective at relaying this message. Director Lucas asked exactly what we need them to do. Kevin said there must be a plan in place to execute the maintenance. We've been out doing inspections and the work has not been done. Director Lucas requested a list of projects in Yorktown that require maintenance, and he will reach out to Yorktown to have a discussion. Director Williams recommended putting together a letter specifying exactly what needs to be done. Director Calves said that it is not just the money, but compliance with the MS4 Permit for everyone and what comes next if they refuse to do it.

Kevin informed members that the 2023 O&M payments will likely be released within the next two

months. We must get through the Westchester Legislature approval of carrying over that existing reimbursement value towards 2023 and 2024, which has been completed. We've sent in the updated voucher to Westchester County, which is processing and normally takes about two months before we can send out the 2023 O&M checks to the municipalities. After we receive the last two checks from New Castle and Yorktown for 2024, we will start the process again and send all backup to Westchester County. Based on history, we would be able to release the 2024 O&M reimbursements closer to September depending on quickly Millie Magraw is able to get through the process.

## **7) Board of Directors Meeting Agenda**

Director Williams presented the draft agenda for the May 6 Board meeting and asked if anyone had any questions or changes. Kevin asked if there was anything we wanted to add for Putnam, Westchester or FAD funding, or if it would be discussed as a coalition matter. Director Calves asked about the memo for funding from the municipalities. Director Williams requested that it be added to the agenda. Director Calves asked what we are asking them to do once we give them the memo. Director Williams said the memo is intended to be a wake-up call. We are letting them know that if we don't get money from the other funding sources, this is where we are going to be. They should be making their Comptroller and Town Boards aware of that. Hopefully, what is going to happen is that all of sudden we are going to have more people beating the drum for moving this forward in a positive way. For example, as far as Putnam County is concerned, we've heard nothing from them. Alternate Daley said she doesn't think the Town of Pawling's supervisor and town board fully understand the costs. Director Lucas said when he explained it to Director Schmitt on a recent call, he seemed surprised. Director Goncalves said that he has not yet presented it to his town board. Director Williams said that it hasn't been technically released yet. Director Lucas said that the discussion at the next meeting should be about what we want to do. Do we want to continue with bubble compliance or do they want to go off on their own. Going off on their own poses a definite exposure. Alternate Daley said they would need a cost analysis of what it would cost per your phosphorus reduction if you went out on your own too. Kevin said that everyone would need to take a hard look at the Certificate of Incorporation. The Corporation owns the kilograms, not the towns. Anyone that withdraws has a whole other mountain to climb and a discussion to have with the other municipalities. Alternate Daley said if anyone pulled out now, they would already be a year behind. Director Calves asked if we should do an abbreviated presentation so the members coming to the Board meeting can go back to their towns and explain what the Corporation does and how it works. Kevin indicated that he has a Power Point presentation that was put together about two years ago which was intended to be used for onboarding. He will update it and present it at the upcoming meeting. Director Calves felt that would be very helpful for those who need to go back to their towns to explain it because they don't know what we are asking for and why. Then, the follow up conversation to the presentation should be how do we move forward.

## **8) Checks and vouchers**

Monthly vouchers were signed. No action was taken.

## **9) Other business**

No other business was brought forward.

**10) Adjournment - Motion to adjourn by Director Goncalves, seconded by Director Lucas; all in favor. Adjourned 9:50 AM.**

