

QUARTERLY MEETING OF DIRECTORS AND MEMBERS

TIME and DATE: 10:00 a.m., Tuesday, May 6, 2025

Meeting Minutes

1) Opening of Meeting at 10:00 AM

Voting Members in Attendance: Richard Williams, Sr. (Town of Patterson) for himself and as alternate for Jacqueline Annabi (Town of Putnam Valley), Richard Becker (Town of Cortlandt), and Michael Cindrich (Town of Mount Kisco); Robert Scorrano (Town of Somers); Ellen Calves (Town of Beford); Warren Lucas (Town of North Salem) for himself and Kevin Hansan (Town of Pound Ridge); Joseph Rende (Town of North Castle) via Zoom; JoAnne Daley as alternate for James Schmitt (Town of Pawling); Tony Goncalves (Town of Lewisboro); Lauri Taylor (Village of Pawling); Sabrina Charney-Hull as alternate for Victoria Tipp (Town of New Castle) via Zoom; Dan Ciarcia as alternate for Ed Lachterman (Town of Yorktown); Neal Tomann as alternate for Kevin Byrne (Putnam County); Michael Cazzari (Town of Carmel); Jaime McGlasson (Town of Kent)

Others in Attendance: Christine Chale (Corporate Counsel) via Zoom; Cassandra Britton (Corporate Counsel); Vincent Giorgio (NYCDEP); Millie Magraw (Westchester County Planning); Kevin Fitzpatrick (EOHWC); Keith Giguere (EOHWC); Linda Matera (EOHWC)

2) Pledge of Allegiance

3) Approve Meeting Minutes:

- a. **January 7, 2025 Annual Meeting Minutes**
- b. **January 7, 2025 Quarterly Meeting Minutes**

Motion by Director Scorrano, seconded by Alternate Calves to approve the Annual and Quarterly Board of Directors Meeting Minutes of January 7, 2025; all in favor.

4) Financial Update

Keith Giguere reported that as of March 31, total cash was \$13,476,000 of which \$10,597 is FAD-related and \$2,880,000 is WQIP. There is \$727,728 in outstanding in commitments.

a) Draft Form 990

Keith presented the draft Federal Income Tax filing/Form for authorization from the Board to submit to the Internal Revenue Service. Motion by Director Lucas, seconded by Director Scorrano to authorize the submission of the Form 990 to the U.S. Internal Revenue Service; all in favor.

5) List of Reporting and Filing Due Dates

Linda Matera reported that all compliance items are up to date with the exception of the Project Accounting Report due to the Counties/NYCDEP and ABO, which is currently being worked on by Keith.

6) Project Update

Kevin Fitzpatrick reported that the current total phosphorus reduction kilogram total is 755. The active project total is 180 kilograms. A large part of the active total is planned to be executed this summer, particularly with Kent-MB-1000, which is approximately 78 kilograms of that total. It is estimated that it will take a little over a year to complete. We will keep chipping away at the original 10-year program total that we hope to complete by the end of this calendar year, or at least be in contract to complete by the end of this calendar year. No feedback or approval has been received from NYSDEC about the Years 11-15 Workplan submitted at the end of 2024. Once that is approved and funding is available, we will start roll out any new projects that can be executed to count towards Years 11-15 goal.

a) Program Summary

Kevin presented a brief PowerPoint presentation to remind members what the East of Hudson Watershed Corporation does and why it is important to keep the municipalities engaged. The point of the presentation is to also transition into where this program needs to go in the next five years, what the Board of Directors needs to execute, funding the Corporation, and finding new projects for the program. To conclude the presentation, Kevin reminded members that more money is needed for administration and capital projects. If we are unable to come up with more funding, we will have to bill the individual municipalities to move the program forward and continue the phosphorus reduction program.

7) FAD and WQIP Funding

Director Williams informed the Board that the Corporation is currently finalizing the contract with NYCDEP for \$10 million to get us started on Years 11-15. Is limited to capital improvements in the FAD areas only so we will burn through that quickly. This does not cover administrative costs, and it means that if we start a project and it doesn't go to completion, we must come up with the money out of our own pocket. Requests have been made to Westchester and Putnam Counties for funding as well and we haven't heard anything more than them saying they need to find us some money. When we went through this process for Years 1-5, we received \$10 million from Westchester and \$8.2 million from Putnam. Presently, those funds are being depleted and we are looking at getting a much smaller contribution from each of the counties. This leaves us in somewhat of a bind as we move forward so we will need to find alternate funding sources. We are going to try to tackle some of this at the federal level, however, it should come from a dedicated funding source coming out of the state. That means lobbying our local representatives. We also need to be focused on grants to offset this program. Overall, we received a little over \$60 million in funding for Years 1-10, and we picked up approximately another \$4 million in Army Corps of Engineers funding. We must be more aggressive on grants and get focused on finding better projects than the ones just submitted to NYSDEC, because they are going to be costly, may involve private property, and may not end up not being completed. The Executive Committee did put a letter together that we encourage you to share with your comptrollers and town boards so that everybody is aware of exactly where we stand and what this means going forward. Regardless of how we come up with the funding, he envisions the Corporation moving forward. The cost is going to be the same whether you do it as part of bubble compliance through the Corporation, or it's done individually. This goes back to the overall problem we had with the program, which is incredibly expensive for the municipalities. Discussion ensued. Director Lucas said that in the emails we received from NYSDEC, it alluded to the fact that we got a lot more than \$10 million. He and Director Williams went up to meet with Tom Snow and he said he was going to speak with NYCDEP. Much of the work is being done on New York City property for New

York City and lower Westchester. None of those folks are in the watershed. It's the watershed towns that are doing most of the work. \$50 million is closer to what he had calculated, but had we known that it was only going to be \$10 million, we may have looked into the option of going to court. That may still be something we seriously want to consider because all of this is being dumped on the towns. The benefit of being in bubble compliance is that you can find a project that is efficient that costs \$55,000 per kilogram and not \$70,000. When the Corporation started the cost was about \$200,000 per kilogram. The other funding suggestion was to look into NYSDEC WQIP drainage grants. He encouraged members to reach out to Kevin if there is a possibility that they have a project in their town which they think they want EOHWC to get involved with. The money that is left over from Years 6-10 will have to go back to NYCDEP. Vincent Giorgio reiterated what he mentioned in past months which is that the NYCDEP has been authorized to offer funds that are left over that are currently in-house now which can be rolled over with a newly negotiated contract. It would come after the \$10 million is his understanding and there would have to be some kind of final accounting for Year 10. At the same time, the \$10 million contract is going to register, so work could begin with the \$10 million. You would then negotiate a new contract while working with the \$10 million. He noted that the money would also be restricted to the FAD basins. He asked that an email be sent so that he can start discussions. Director Taylor asked if Kevin's PowerPoint presentation could be shared so that each supervisor can bring it back to their town boards. Director Calves added that it would be helpful to have the meeting video with Kevin narrating to explain it in detail. Director Goncalves asked at what point would the municipalities have to contribute. Director Williams said that we are not at that point, and he would inform everyone at that time. Director Lucas said that we are not getting all of the \$10 million at one time. We will get it as we spend it and have to provide an accounting of the expenditure. Alternate Hull joined the meeting. Director Williams reminded everyone that we are now in second year of Years 11-15. This means we are already two years into the five-year program and have a lot of catching up to do as well. Director Calves asked if we presented Tom Snow with a formal request that can be shared with the Board. Director Williams said that he provided him with documentation so that he knows exactly what we are looking for and what it is going to cost us. Director Calves asked if there are numbers behind the request for the new contract and rolling over the funds from Years 1-10 or are we just starting to talk about it. Alternate Daley said that towns will soon be in budget season and asked if money should be put aside. Director Williams said that everyone should be looking at their overall MS4 Program. Director Taylor said that the Village of Pawling's budget is already done, and it starts June 1. Director Lucas said that the real goal today is to speak with elected officials. It's likely that they have no idea what is going on. Director Williams said if we were all united and moving in the same direction, we could let our federal elected officials know the cost of this program on the individual municipalities and if they want to keep it intact the way it is moving forward, then they need to fund it or dial it back somehow. Alternate Daley said that it is not only the retrofit part of the program but there's a huge administrative cost to every town just to make sure it is getting done. Director Taylor said they never showed us science as to why now they are looking at other things. Director Williams said we need to talk to our elected representatives and see if New York City doesn't have any other option. Discussion ensued. Much of the MS4 program is not driven by NYC per se. It's driven by environmental organizations who want clean water everywhere and not just NYC reservoirs. The environmental organizations are pushing this for the streams and lakes in our communities because we all want clean water and lakes, but we need to have the flexibility to do what we need to do for the individual lakes. Not some boiler plate template because one size doesn't fit all. Alternate Hull said if the intention is to bring this letter to our town board and comptroller, what is the process right now and do we currently have a shortfall. Director Williams defined it as a shortfall and said that we've already asked for money but have not heard back whether the other additional funding will be forthcoming. Essentially, when we are going to get the \$10 million in restricted funds for FAD only, hopefully we will get the money from Westchester as well. We don't know where Putnam County stands at this point, but hopefully we will have money to go for another year or two, but after that the money is gone. Alternate Hull said that there is history here that not everyone is aware of when the MOA was being negotiated many, many years ago. It wasn't until the governor's office got

involved that an agreement was actually reached. She suggested that we reach out to someone in the governor's office to help us get action on it. Director Williams said that he had conversations with representatives from the governor's office who came down to his office and they talked about issues affecting the local municipalities. He hasn't heard anything back. Alternate Hull said she is just looking for different ways to garner everyone together and approach these entities. The administrative cost is hugely expensive, and every town is dealing with this, but the retrofit program is a different type of beast in that you have to find projects that have phosphorus removal potential and be able to afford to implement them. The umbrella compliance was key for everyone to equally share in projects to meet that phosphorus reduction obligation. There is a lot here that is keeping us compliant and we just want to make sure that we are doing everything we can to try and get the money. Director Williams said that this is the reason the Executive Committee decided to put this memo together so that everybody knew exactly how it was going to affect them if we didn't get the funding. Director Calves said she asked for the documentation to share that we submitted to Tom Snow to show the projections and the cost of the program and to show other people the numbers and the rationale. If it going to be shared with people who have not been deeply involved in this, we have to have it in a succinct projection. Kevin will supplement the presentation so that it is a more easily understood document without having to hear someone talk about it. He will work with Director Calves to get it to the point where it is presentable to the Board of Legislators, who does not know who we are. Alternate Hull said that type of document will also help with the municipalities for a new town board member to understand what we've been working on. We've all been living and breathing it and some of us for decades longer than others, but we understand. Tom Snow understands but how well does he talk about it to other people. Director Williams informed members that Tom Snow has everything that is in the memo and that we are just waiting to hear back from him.

8) O & M discussion

9) Other business

No other business was brought forward.

10) Adjournment – Motion to adjourn by Director Scorrano, seconded by Director Cazzari; all in favor. Adjourned: 11:08 AM.