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EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, May 22, 2025

Meeting Minutes

1) Open Meeting

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

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

2) Approve Meeting Minutes of April 24, 2025

Motion by Director Scorrano, second by Director Goncalves to approve the meeting minutes of April 24, 2025; all in favor.

3) Financial Update

Keith Giguere reported cash on hand in the amount of \$13,460,000, of which \$10,634,000 is FAD-related. The Form 990 and CHAR500 have been filed.

4) List of Reporting and Filing Dates

Linda Matera reported that most filings are up to date. Keith is continuing to work on the Project Accounting Report. All of the 2024 O&M checks have been received, which means the first round of reimbursement checks can be sent to the municipalities that performed operations and maintenance. Once the money for the 2024 O&M is received from Westchester, the Westchester municipalities will be reimbursed. Kevin will gather the documentation for Millie and send it to Westchester County to review for reimbursement.

5) Project Update

Kevin Fitzpatrick reported that Kent-MB-1000 is currently out to bid for construction administration and expects it to be awarded in June, followed by construction contracts in July. It is expected to take the remainder of this year and be completed sometime in 2026. A purchase order will be presented today for Fabco for catch basin inserts in Carmel at Marina Drive (Carmel-AM-1000). Additionally, a change order for tree plantings at Hallocks Mill in Yorktown (Y-MU-40) will also be presented. No updates have been received from the New York State Department of Environmental Conservation regarding Years 11-15 project. New projects are continuously being added to the list as towns are kindly offering up some options. Kevin looked at a few potential projects in Somers and Lewisboro

yesterday. He requested that any potential ideas that pop up are brought to our attention as funding is still available to adjust the current workplan as needed and to get the best projects possible. Director Scorrano inquired about the redesign of the project at Woodcrest Terrace (S-AM-1015). Kevin said that the engineer did not give us the changes that were requested so they had to go back and do it again and they are moving at a very slow pace.

6) Change Order/Y-MU-40

Kevin presented the change order from Coyle Industries for tree plantings at Hallocks Mill (Y-MU-40) in Yorktown. As part of the project, a substantial part of the forested area had to be cleared out at the site location. As a result, it opened up a very widely spread area. The town reached out and asked us to replace the tree cover. It is a worthwhile change order and good project for EOHWC. We do not have a price for the cedars currently, but we do have a layout that we can utilize. Supervisor Williams believes that red cedars would be a better choice on the site. While that is being worked out, we are asking for approval on a not-to-exceed amount that we can move forward with. Director Williams said the type of tree is critical because they are going to get inundated with salt on Route 202. Kevin said that remains a concern even though it was pulled back 25 feet out of the splash zone. Alternatively, white cedar is not deer proof. Kevin expressed that he is fine not going forward with white pines. If we address it as a budget line item, then he will work with the contractor to make sure we are getting something that is salt tolerant and that we are comfortable with. Approximately 18 white pine trees will be needed. However, if we switch over to the red cedars we will need more because they can and should be planted tighter. In either case, the dollar value is not expected to change. The property owners surrounding that location have been very patient and good to work with, but they are very vocal and are asking for us to resolve this matter. Kevin will move forward with the assumption that red cedars will be used. He will get an updated cost and share it with Supervisor Williams and will stick to the budget. It was agreed that the language in the circulated change order resolution should be revised to reflect the use of salt tolerant trees, preferably red cedar.

Motion by Director Lucas, seconded by Director Goncalves to approve change order number 1 submitted by Coyle for an additional cost not to exceed \$36,000 for stormwater retrofit project Y-MU-40 for screening and landscaping.

WHEREAS, Coyle Industries, Inc., has submitted a change order request for Y-MU-40 for an additional cost not to exceed \$36,000 on file with the secretary; and

WHEREAS, the Project consists of the installation of bio-infiltration system (the "Project") at the Intersection of Rt 202 and Hallocks Mill Rd, Yorktown NY, 10598 on certain property identified as tax map number 37.10-2-68 (the "Property"), all in accordance with plans prepared by HVEA Engineers ("HVEA"); and

WHEREAS, the change order addresses the replacement of screening and groundcover along the roadway on behalf of the Town of Yorktown and residents which have voiced concerns; and

WHEREAS, this change order, if approved, would increase construction costs from \$1,400,00 to \$1,436,000 and would have an updated efficiency of approximately \$46,000/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 an additional cost not to exceed \$36,000 for screening and landscaping, with the use of salt tolerant trees preferably red cedar, for Y-MU-40 is approved.

Motion passed; all in favor.

R-0522-01

7) Fabo/Carmel-AM-1000

Kevin explained that Carmel-AM-1000 is located along Marina Drive in the Town of Carmel with the project to be installed at the Mahopac Library. An installation agreement is already on file with them because the project has been around a while. There were many pieces that he had hoped would all come together so we could do multiple installations over a few properties. Unfortunately, the other properties will not be able to move forward. At this point we would like to get the project as presented today wrapped up and take the phosphorus credit. The basins already exist so the cost is only for the purchase and installation four inserts. Originally, the total phosphorus reduction would have been 4.7 but being that we will only be doing a small piece of the original project, the updated phosphorus reduction will be somewhere between 1.5-2 kilograms.

Motion by Director Lucas, seconded by Director Williams to approve the expenditure of \$5,247 for Fabco for the purchase and installation of four catch basin inserts for Carmel-AM-1000; all in favor.

8) O & M Program Update

Kevin informed members that the O&M reimbursements will be processed as quickly as possible. The 2024 O&M documents will be shared with Westchester County, and barring any hiccups, we should be on track to reimburse Westchester towns over the summer or early fall. This will mark the end of the Westchester County reimbursement funds. He asked all Westchester municipalities keep that in mind as they are planning their budgets for next year. A note will be sent out with the 2024 reimbursement checks as a reminder.

9) Checks and vouchers

Checks and vouchers were signed.

10) Other business

Director Lucas inquired if the NYSDOT has any requirements for phosphorus mitigation. He explained that the water overflowed again at Vails Grove and wiped out some houses again. The entire area there needs some work. It is in the attached FAD. Kevin said for their MS4 requirements the NYSDOT has to stay within their boundaries. He believes that is why the NYSEC issued a special SPDES Permit to the NYSDOT a few months ago. Instead of the usual catalogue of phosphorus reduction options, they changed it a bit so that they can do more inline items within their boundaries. He doesn't think that the NYSDOT is going to look at it as a way to get phosphorus credit on Vails Grove. In addition, Vails Grove needs to review their own drainage studies because he remembers very clearly that they installed a brick wall in front of the pipe that the NYSDOT has coming down to that property. Kevin added that as part of the project that North Salem ran within and around Peach Lake for installation and storm filters, phosphorus reduction credit has already been taken for what is coming through there. Even if credit was already taken there and it's still 60% of

the phosphorus reduction that's available, it could be possible for a project to be done there. Kevin concluded by saying that he is not interested in guiding EOHWC towards Vails Grove again until they fix their own drainage. There is a brick wall in front of the pipe causing the flooding. The person at Vails Grove Golf Club did say they would allow us to do some work on their property. Kevin said we can look into working with the Golf Club but he isn't sure about going back to Vails Grove. We can review all of the circumstances surrounding it though.

11) Adjournment - Motion to adjourn by Director Scorrano, seconded by Director Goncalves; all in favor. Adjourned 10:02 AM.