

EXECUTIVE COMMITTEE MEETING  
*9:30 A.M., Thursday, December 18, 2025*

**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); Robert Scorrano (Town of Somers); Warren Lucas (Town of North Salem); Tony Goncalves (Town of Lewisboro)

Others in Attendance: Millie Magraw (Westchester County); Christine Chale (Corporate Counsel, via ZOOM); Cassondra Britton (Corporate Counsel); Vincent Giorgio (NYCDEP); Neal Tomann (Putnam County); Kevin Fitzpatrick (EOHWC); Keith Giguere (EOHWC); Linda Matera (EOHWC)

**2) Approve Meeting Minutes of October 23, 2025**

Motion by Director Lucas, second by Alternate Daley to approve the meeting minutes of October 23, 2025; all in favor.

**3) Financial Update**

Keith Giguere reported that as of November 30<sup>th</sup> there is \$12,304,000 in cash of which \$9,942,000 is FAD. The FAD number has gone down a little bit because we've been spending money in those basins on construction projects. We received the three-year renewal of the pollution policy. The premium is exactly the same as it was on the previous three-year policy. A copy of the new NYC DEP contract was provided to the insurance company to make certain that it complied with the new contract as well as with the current contract. He pointed out that when the change was made from the previous years, it lowered the retention that EOHWC assumes from \$25,000 to the minimum of \$10,000 as was requested by Director Lucas. Both Keith and Cassondra reviewed it, and a copy has been sent to the NYC DEP. Motion by Director Lucas, seconded by Director Goncalves to authorize Director Williams to sign the Pollution Insurance Policy Renewal for the period of December 31, 2025 – December 31, 2028; all in favor.

**4) Reporting and Compliance**

Linda Matera reported that since the update of the Reporting and Compliance Dates, the third quarter payroll has been filed with the Internal Revenue Service and New York State on October 20 and the 2026 Budget was filed with the Authorities Budget Office on October 29. The Year 13 Workplan will be sent to the NYS DEC by December 31.

## 5) Project Update

Kevin Fitzpatrick reported that the current phosphorus reduction kilogram total is 796.7, which includes the credit for Y-MU-40. The project at Longfellow Drive in the Town of Kent (Kent-MB-1000) accounts for 78 kilograms of the open and active project total of 121. Kevin has received a lot of community feedback due to the fact that work is being done in their backyards. The town and highway department have been very helpful in navigating the feedback we've been receiving. Kevin plans to go out with the town and highway department in March or April to evaluate the site and resolve any issues the community is having by possibly reestablishing the tree line that was there before work began on the project.

As part of the Reporting and Filing Dates, the Year 13 Workplan is due to NYS DEC at the end of this year. That includes any changes that would be made to the 5-year workplan as well. At this time, Kevin will not be making any changes to the 5-year workplan but may when funds are made available to the Corporation. It's too premature to make any changes before that. There are plenty of projects that have come in over the last calendar year that Kevin will end up adding when the time is right, but for now we are just going to concentrate on selecting projects from that 5-year plan for 2026 to make sure we hit the ground running. If they allow us, as they have done in the past, to add projects as we go along, then we will pick the more efficient ones as best we can as we move forward. There has never been an issue in the past, but it is a new permit and there are new folks reviewing it so there might be a different interpretation of how they want to see everything done. While we hoped to hit the ground running in January, it doesn't appear as though that will be the case. As we move forward, especially with the Board of Directors meeting in January, we are hoping to get a lot of feedback from everybody as to where all of these agreements stand so that we can plan appropriately.

Director Lucas asked about the notes about design pending from 2019 on the Tarry-a-bit Drive project (L-CR-804). Kevin said the delay is because of community pushback. Originally, it was a much larger project, but a lot of residents pushed back and made it a bit too difficult to advance it completely, so it's been trimmed down to work with the individuals that are willing to work with us. Kevin has been working with the town and the Three Lakes Council group to shape a project that we are all comfortable with going forward, so now we will just have to put the final touches on the design. We have a better direction now after a long pause. It will still go forward and get us 17 kilograms of phosphorus reduction.

Director Scorrano inquired about the project at Woodcrest Terrace (S-AM-1015) and asked if Kevin received the updated plans. Kevin said they are back to the engineer to reiterate where we are on it. Kevin said the actual construction should not take very long. The trouble is just getting into the location of the channel, which is on a steep slope, although they have secured a back entrance. Kevin is going to contact the resident who was kind enough to let us in to access the back channel and let them know we are still going forward. His hope is that we get a contractor that can get creative who might be able to come down from the road and cut that out entirely.

Director Lucas asked if the filter chambers at the Greenbriar Subdivision (S-CF-901) are catch basin inserts. Kevin explained that the project at Greenbriar is a very large subdivision at the bottom end of the Croton Falls Reservoir. As it was reviewed, more detail was found outside the Muscoot Reservoir. As part of the design process, we saw that it's hard to comingle all of this into one project so eventually we cut out the items for the Muscoot portion and concentrated only on Croton Falls. A

filter chamber is a broad term for a type of chamber that provides for influx. It could be a catch basin insert, a Contech unit, storm filter, or jellyfish, all of which net us 40-50 kilograms of reduction. It will be whichever one of those we can fit into the project. We were originally doing the catch basin inserts across the entire subdivision, but we cut out the inserts and are concentrating more on the localized treatment. We even received a call asking how it would affect a pipe that is draining into a catch basin in front of a resident's house. We cut that portion out and changed the retrofit entirely to something that avoids any issues. We are keeping the design where it cuts through a town road which helps us avoid an installation agreement with the homeowners' association on top of any future problems we may encounter.

Alternate Daley asked if Kevin was able to get hold of the County for the Lake Dutchess project (PW-MB-1000). Kevin said he was not able to speak with them yet, but he was able to get the engineer out there again to revisit the spot.

#### **6) Construction Change Order/L-MU-1017**

Kevin presented a change order from WD Excavation and Contracting for L-MU-1017, which is for the installation of a Focal Point unit on private property at Lake Katonah. This project was originally awarded in 2024. Delays occurred because the town needed to finalize all the permits needed. There were significant enough changes within the market that the contractor was justified sending in a change order request for the increased cost of any concrete structures that have to be installed and labor issues. It has been reviewed by Insite Engineering, who is our consultant, and they provided a letter of recommendation for an increase of 4% above the original bid amount. This effects the efficiency by increasing it by about \$1,000 per kilogram. Director Williams asked if the contractor provided a breakdown. Kevin said that he provided a letter but not a breakdown. Director Williams asked why we put it out to bid if we didn't have the permits in hand. Kevin said that we didn't believe we needed a stormwater permit from the town. We navigated the process after that determination was made. Director Lucas pointed out that if a 4% increase is reasonable, then \$102,000 per kilogram is high. Kevin said that as always, it is a balance across the whole program. Director Goncalves asked if this is something we should consider going out to bid on again. Kevin said that if we go out to bid again, it is going to be even higher, and that he agrees with Insite's recommendation of the 4% increase because it is still within a reasonable amount. If we were to go back out to bid, given today's conditions, it would not come in any lower. Director Williams agreed but was concerned that WD Excavation didn't provide any additional backup. Kevin said that the design, construction and in-house costs are all part of the efficiency value. Kevin said he can make an adjustment to the final efficiency to address Director Lucas's concern.

Motion by Director Lucas, seconded by Director Scorrano to approve the change order submitted by WD Excavation & Contracting in the amount of \$16,314, increasing the original contract amount from \$407,850 to \$424,164.

WHEREAS, WD Excavation & Contracting, Inc. has submitted a change order request for L-MU-1017 for an additional \$16,314 attached hereto; and

WHEREAS, the Project is a stormwater retrofit project involving the reestablishing of a new drainage pipe for large flows while directing smaller stormwater flows to a tiered biofiltration system (the "Project") in Lewisboro between properties at 66 and 78 Upper Lake Shore Drive, Katonah, NY 10536 (collectively, the "Property"); and

WHEREAS, this change order, if approved, would increase construction costs from \$407,850 to \$424,164 and would have an updated efficiency of approximately \$102,000/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 from WD Excavation & Contracting, Inc. dated December 2, 2025, for an increase of \$16,314 for L-MU-1017 is approved.

Motion passed; all in favor.

R-1218-01

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

Kevin explained that the O&M submissions for 2025 are beginning to trickle in. It is December 18<sup>th</sup>, if you have not sent yours in, please do so immediately because they are due by December 31<sup>st</sup>. A list of those not received will be presented at the Board of Directors' meeting in January. JoAnne Daley asked if the Town of Pawling's was received. Kevin said it has been received and it was determined that a few items will need to be addressed in the spring.

### **a) Resolution to Recommend Westchester O&M Agreement**

Kevin explained that a resolution is being presented today to recommend the Westchester O&M Agreement that should be moved on to the Board of Directors for approval. This agreement is an amendment to the existing county agreement. Initially, Westchester County provided \$750,000 to address the maintenance costs and monetary responsibility of Westchester municipalities. We have been working with the Board of Legislators and Millie Magraw to make an amendment to that document that expired so that it was extended to cover the costs for Westchester municipalities for 2023 and 2024. As of 2025 all municipalities will be standing on their own to pay their bills. Now that it has gone through Westchester County, we need to authorize it in-house.

Motion by Director Lucas, seconded by Director Goncalves to recommend the authorization of the amendment to the Westchester O&M Agreement to the Board of Directors.

WHEREAS, the County of Westchester (the "County"), acting by and through its Department of Planning, entered into an agreement (Agreement No. C-PL-18-460), dated August 13, 2019 (the "Agreement"), with East of Hudson Watershed Corporation (the "Corporation") for the purpose of providing East of Hudson Program Quality Investment Fund Program earnings for the eligible operation and maintenance costs and expenses for eligible stormwater retrofit projects approved by the New York State Department of Environmental Protection as detailed in the Agreement and in accordance with the Policy for the Operation and Maintenance of East of Hudson Watershed Corporation Stormwater Retrofits, as amended, commencing retroactively to include the operation and maintenance costs as described in the Agreement and terminating on December 31, 2022; and

WHEREAS, the County and the Corporation now desire to enter into an amendment to the Agreement (the "First Amendment") in order to retroactively extend the termination date from December 31, 2022 to December 31, 2027 copies of which are on file with the office of EOHWC.

WHEREAS, the EOHWC has considered the proposed First Amendment and all other relevant information and believes that entering into the First Amendment is in the best interest of the Corporation.

NOW, THEREFORE, BE IT RESOLVED that the Executive Committee of the East of Hudson Watershed Corporation hereby recommends approval of the First Amendment and

recommends the President or Vice President be authorized to execute the same and to take any and all further steps as necessary to implement said Agreement.

Motion passed; all in favor.

R-1218-02

### **8) Checks and vouchers**

Monthly vouchers were signed. No action was taken.

### **9) Other business**

Christine Chale reported that Neal Tomann contacted her yesterday to let her know that he was following up with the Putnam County Attorney's office again and that we are still waiting for them to progress the county agreement. Millie asked if we have an idea of how long it will take. Neal said there is no indication of how long it will take but he has a year-end meeting with the County Executive on December 30<sup>th</sup> and that will be part of the discussion.

**10)** Motion by Director Williams, seconded by Director Goncalves to enter into Executive Session to discuss the hiring, firing or promotion of a particular employee or employees; all in favor.

**11)** Motion to come out of Executive session by Director Williams, seconded by Director Goncalves; all in favor. No action taken.

**12)** Motion by Director Williams, seconded by Director Calves to make a positive recommendation to the Board of Directors to increase salaries for 2026 to 4%; all in favor.

**13)** Motion by Director Williams, seconded by Director Goncalves to recommend to the Board of Directors that Linda Matera receive a stipend in the amount of \$5,000 for additional IT work in 2026; all in favor.

### **14) January Quarterly BOD Agenda**

Director Williams presented the Quarterly Board of Directors Meeting agenda and asked if anyone had questions or additions. Christine said that there should be an annual review of insurance coverage so the Board of Directors is aware of what the coverage is and that it is current because Boards should always be advised of insurance coverage. It's a status review that Keith should do once a year. Kevin mentioned that under the funding agreement update item, there should be a breakdown of the individual agreements awaiting approval.

Motion by Director Lucas, seconded by Alternate Daley to approve the agenda as presented; all in favor.

**15) Adjournment** - Motion to adjourn by Director Scorrano, seconded by Director Goncalves; all in favor. Adjourned 11:53 AM.

**PRESIDENT'S CERTIFICATE**

I certify that the foregoing is a true and correct copy of the December 18, 2025 meeting minutes approved by the Executive Committee.



Richard Williams, Sr., President

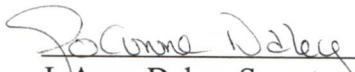


Date



**SECRETARY'S CERTIFICATE**

I certify that the foregoing is a true and correct copy of the December 18, 2025 meeting minutes approved by the Executive Committee.

  
\_\_\_\_\_  
JoAnne Daley, Secretary

1-27-2026  
Date