

EXECUTIVE COMMITTEE MEETING

9:30 A.M., Thursday, April 23, 2026

Meeting Minutes

1) Open Meeting

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

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

2) Approve Meeting Minutes of March 26, 2026

Motion by Director Lucas, second by Director Goncalves to approve the meeting minutes of March 26, 2026; all in favor.

3) Financial Update

Keith Giguere reported that as of March 31, the financial statements reflect all audit adjustments proposed by the auditors, and all requested entries have been recorded. Total cash stands at \$11,232,000, including \$9,090,000 in FAD and \$861,000 committed to outstanding contracts. He also noted that a few additional commitments are expected to be recorded in the FAD over the next month or so.

4) List of Reporting and Filing Dates

Linda Matera reported that most required filings have been completed to date. Keith is currently working on the Annual Project Accounting Report and the Annual Report for the ABO. The Annual Report has already been submitted to the NYCDEP. Overall, progress is being made toward ensuring all Board members are up to date on annual compliance requirements.

5) Project Update

Kevin Fitzpatrick reported that final design changes are underway, along with preparations for several projects scheduled to move into active construction after Labor Day. Because these projects involve plantings, the goal is to complete them in the fall season. The total active phosphorus reduction is approximately 804 kilograms.

Discussions will be held with the NYCDEP regarding the next cycle of projects for Years 11–15. As planning progresses, a set of projects will be ready to be rolled out immediately, with design work to begin and advance accordingly. He noted that there is a current Years 11–15 Workplan in place. Director Scorrano asked Kevin if there is a list of potential projects for Years 11–15. Kevin explained

that once funding from Westchester and Putnam Counties is finalized—which is currently in process—he will be able to develop a detailed workplan budget for that period. At present, there is no funding in place to support a year-specific workplan; however, based on the existing plan, he has identified which projects are likely to move forward first and understands the anticipated sequencing. He also noted that several municipalities have recently proposed new projects of interest, and efforts will be made to incorporate those into the plan as funding becomes available.

Director Lucas asked Kevin to revisit the golf course located in Southeast. Kevin agreed to re-evaluate the area, noting that a portion of the runoff from the site flows into one of the program’s active retrofit projects. He confirmed that the golf course will be reassessed and added to the list of potential projects for Years 11–15.

6) Insite Change Order/Kent-MB-1000

Kevin Fitzpatrick presented a change order request from Insite Engineering for project Kent-MB-1000. Insite is serving as the on-site representative for construction administration and is responsible for conducting weekly inspections. Although the project site was largely shut down during the winter, limiting construction progress, Insite was still required to continue inspections in accordance with DEP requirements.

The project was originally expected to be completed within a six-month timeframe by March; however, due to winter conditions, the schedule was extended. Based on their established rates for senior and junior inspectors, Insite submitted a change order to cover additional inspection services required through June 1, 2026, which serves as the cutoff date. This change order applies solely to the additional inspections. All closeout records and documentation remain covered under the existing contract.

Motion by Director Lucas, seconded by Director Goncalves to approve the change order submitted by Insite Engineering in the amount of \$12,000 for additional inspections to be done up until June 1, 2026.

WHEREAS, Insite Engineering, Surveying, and Landscape Architecture, P.C. has submitted change order request #1 for Kent-MB-1000 for an additional \$12,000 attached hereto; and

WHEREAS, this project will treat multiple municipal outfalls, which direct stormwater on to the vacant lot prior to discharge into the Middle Branch River, Stump Brook Creek and Lake Carmel (the “Project”). Located on private property along Longfellow Road and a vacant lot owned by E.B.S.E LLC, located off of Ludington Court in Kent (the “Property”), all in accordance with plans prepared by Insite Engineering, Surveying & Landscape Architecture, P.C. (“Insite Engineering”); and

WHEREAS, this change order, if approved, would increase construction costs from \$28,700 to \$40,700 and this would have no significant impact on the efficiency which will remain at \$21,000/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 Insite Engineering, Surveying, and Landscape Architecture, P.C. dated March 16, 2026 for an increase of \$12,000 for Kent-MB-1000 is approved.

Yay: 5 Nay: 0 Recuse: 1

R-0423-01

7) Proposed O&M RFP

Kevin presented a proposed approach for a 2026 Operations & Maintenance (O&M) Request for Proposals (RFP) covering projects funded through the NYCDEP FAD agreement within FAD and FAD-connected basins. He explained that earnings (not capital funds) could be used to support maintenance of eligible retrofit projects included in the RFP.

This initiative would be a one-year effort, after which O&M responsibility would return to the municipalities. Based on his review of recently completed projects, Kevin anticipates upcoming maintenance needs and views this as a timely opportunity to address them efficiently. The program would allocate approximately \$73,000 in shared maintenance costs, relieving municipalities of that burden. He characterized the proposal as a “win-win,” particularly because it leverages available earnings while ensuring compliance with NYCDEP funding requirements.

Kevin emphasized that only projects originally funded through NYCDEP qualify for inclusion. For example, jellyfish filters are excluded because they were not installed using NYCDEP funding. He also clarified that the listed projects are generally being maintained, but certain elements could be improved. For instance, SE-POT-02 requires cartridge replacement, and Kent-MB-601 would benefit from a proper vacuum truck cleaning. Issuing a centralized RFP would help ensure that appropriate services are procured and performed correctly. Additionally, bundling smaller items—such as fence repairs—would be more efficient than municipalities contracting individually.

Board members expressed general support for the approach. Director Lucas noted the value of ensuring work is completed properly, while Director Calves suggested there may be additional funding opportunities through Westchester County and emphasized the importance of advocating for funding in connection with long-term phosphorus reduction goals. Vincent Giorgio pointed out funding disparities between Westchester and Putnam Counties, noting that most projects are located in Putnam, where funds are more limited. Director Scorrano suggested increasing project activity in Westchester, while Director Calves and Director Lucas discussed pursuing external funding sources, including NYSDEC and WQIP grants. The idea of jointly hiring a grant writer was also raised. Kevin noted that he actively monitors NYSDEC funding opportunities and emphasized the need for ongoing dialogue with regulators, particularly in light of the new TMDL and potential 20-year targets.

During the meeting, Director Williams departed at 10:02 a.m. and assigned his proxy to Director Lucas.

Next steps include Kevin preparing a draft RFP for review by the Technical Committee. Cassandra Britton recommended adding the O&M RFP to the May Board of Directors agenda. Christine suggested including an update in the project report to clearly communicate the purpose, selection criteria, and expected impact of the RFP. Director Calves concluded that the proposal represents a responsible and efficient use of funds and could strengthen future funding requests if implemented successfully.

8) O & M Program Update

At the May Board meeting, Kevin will provide each municipality with an updated list of projects within their respective towns. He will highlight any projects that may require additional attention and encourage municipalities to review and address those needs for the current calendar year. Municipalities are encouraged to submit quarterly O&M updates where feasible, though it is understood that this may not always be possible. Kevin will also work to compile a comprehensive O&M status update.

9) May 5th Board of Directors Meeting Agenda

No edits or additions were made to the May Board of Directors' agenda

10) Checks and vouchers

Monthly vouchers were signed. No action was taken.

11) Other business

Christine reported that a call was held with NYCDEP to review the proposed contract for the rollover of FAD funding. The discussion focused on the terms and conditions of the new agreement. She explained that while the new FAD funding contract is currently being developed, it cannot be submitted for registration until the existing FAD contract is fully completed, closed out, and any unused funds are returned to NYCDEP.

NYCDEP is aiming to have a separate \$10 million contract (SWP-113) registered within the next few months, which would make funds available as early as this summer for new project work. However, rollover FAD funds will not be available in the near term. Since current FAD projects are expected to be completed by the end of this year, potentially extending slightly into next year, a full accounting and closeout process will be required before any remaining funds can be reissued. Based on recent experience, this process could take a year or longer, resulting in a significant delay in access to those funds. Christine also noted that NYCDEP will not provide funding in a lump sum. Instead, disbursements will be made on a quarterly or semi-annual basis, similar to the structure of the SWP-113 contract. The primary distinction is that the rollover funds will be restricted to FAD and FAD-connected basins. NYCDEP will refine the contract terms and return with a draft for review. Vincent Giorgio added that the current contract (CRO-574), negotiated in 2017, reflects an older funding model that NYCDEP has since moved away from. The agency now prefers a reimbursement-based structure to address accounting concerns associated with large upfront payments. While this may introduce some initial challenges—particularly related to cash flow—he believes the process will be manageable with careful oversight.

Under the new model, funding will be tied to an annual budget submitted for NYCDEP's fiscal year. This budget should be developed conservatively to reflect anticipated needs. Based on the approved budget, funds will be encumbered, and every six months there will be an opportunity to request additional disbursements or adjust funding needs based on actual expenditures and projections. Kevin confirmed that the process will likely begin with an initial disbursement (estimated at approximately \$1.5 million), followed by subsequent payments aligned with the approved budget and demonstrated need. If, for example, the annual budget is \$3 million, NYCDEP could release additional funds accordingly, provided the request is reasonable and well-supported. Vincent emphasized that submitted budgets must be accurate, as unrealistic projections could create encumbrance issues. Director Scorrano asked about payment timing, and Vincent noted that while disbursements may initially be slower than what the organization is accustomed to, the process should become more efficient over time. Christine highlighted that the organization does not have alternative funding sources to draw from, underscoring the importance of managing cash flow carefully. Director Scorrano observed that the structure mirrors the model used by West of Hudson and suggested consulting with counterparts there. Director Lucas noted that project implementation may start slowly until the process is better understood. Kevin added that one shovel-ready project will move forward immediately, while other projects will require design before implementation. He noted that the process can be refined over time. Christine also emphasized that, in the search for a new finance staff member, experience with federal fund management would be highly beneficial given the complexity of the funding structure.

Separately, Director Calves inquired about the public comment period for the newly released TMDL. Kevin indicated that the comment period is expected to be approximately one month and began yesterday. He encouraged all members to review the document and suggested including it as a discussion item at the May Board meeting. He also recommended that municipalities ensure their MS4 coordinators and engineers understand the potential impacts on their communities.

12) Adjournment - Motion to adjourn by Director Scorrano, seconded by Director Lucas; all in favor. Adjourned 10:30 AM.

DRAFT