

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

February 4, 2014 @ 1:00 p.m.

I. Call to Order

A moment of silence in memory of Aaron Thomas, a Department of Environmental Protection employee who lost his life in an unexpected tragedy, was held prior to beginning the meeting.

II. Pledge of Allegiance: Led by James Eisel.

III. Roll Call of Directors

Members Present: Donald Brandow, Martin Donnelly, James Eisel, Jeffrey Graf (*New York City DEP*), Thomas Hynes, Innes Kasanof, Berndt Leifeld, Georgianna Lepke, Wayne Marshfield, Tina Molé, Richard Parete, Robert Pelham, Thomas Snow (*New York State DEC*), and Michael Triolo.

Members Excused: Deborah Meyer DeWan

Staff Members Present: Timothy Cox, Diane Galusha, Nate Hendricks, Leo LaBuda, James Martin, Jason Merwin, Barbara Puglisi, Alan L. Rosa, Philip Sireci, and Frieda Suess.

Others Present:

IV. Review and Approval of January 7, 2014 Board Meeting Minutes

A motion to approve the minutes from the January 7, 2014 board meeting was made by James Eisel and seconded by Berndt Leifeld.

Voice Vote, *carried unanimously*

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of November 30, 2013 was made by James Eisel and seconded by Martin Donnelly.

**Voice Vote, *carried unanimously***

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Executive Director's Report

The Executive Director's Report was presented as outlined in the board packet.

Presentation of News Articles

Committee Schedule

Committee Meeting Minutes

VI. Public Discussion

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$20,000 – Ann Marie Cummings - Tab 7**

A motion to approve Resolution No. 2427 was made by Wayne Marshfield and seconded by Tina Molé.

February 4, 2014

**RESOLUTION NO. 2427**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
ANN MARIE CUMMINGS**

**WHEREAS**, pursuant to the Watershed Memorandum of Agreement and the Septic System Rehabilitation and Replacement Program Contracts with New York City Department of Environmental Protection, the Catskill Watershed Corporation (“CWC”) shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty Thousand Dollars (\$20,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-One Thousand Seven Hundred Seventy Dollars and Seventy-Four Cents (\$21,770.74); and

**WHEREAS**, the contractor’s quote for this system is more than Twenty Thousand Dollars (\$20,000); and

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-One Thousand Seven Hundred Seventy Dollars and Seventy-Four Cents (\$21,770.74) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-One Thousand Seven Hundred Seventy Dollars and Seventy-Four Cents (\$21,770.74) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-One Thousand Seven Hundred Seventy Dollars and Seventy-Four Cents (\$21,770.74).

**Ann Marie Cummings Backup**

Ms. Cumming's property is located in the Town of Conesville, Schoharie County. Homeowner and CWC staff received a quote from a contractor in the amount of \$21,770.74. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, one pump station, 42 lineal feet of 4" gravity piping, 57 lineal feet of forcemain, one distribution box, 150 cubic yards of absorption fill material, 11 cubic yards of NYSDOT C-33 sand, 312 square feet of Eljen in-drain units, and site restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$21,770.74.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Eric D'Entrone - Tab 8

A motion to approve Resolution No. 2428 was made by Wayne Marshfield and seconded by Tina Molé.

February 4, 2014

RESOLUTION NO. 2428

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
ERIC D'ENTRONE**

WHEREAS, pursuant to the Watershed Memorandum of Agreement and the Septic System Rehabilitation and Replacement Program Contracts with New York City Department of Environmental Protection, the Catskill Watershed Corporation ("CWC") shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

WHEREAS, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Thirty Thousand Dollars (\$30,000.00), the homeowner shall supply detailed quotes from three unrelated contractors, and CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, CWC staff has reviewed three construction quotes, including the lowest quote for the septic system repair in the amount of Thirty-Two Thousand Three Hundred Sixty Dollars (\$32,360.00); and

WHEREAS, the contractor's quote for this system is more than Thirty Thousand Dollars (\$30,000.00); and

WHEREAS, the CWC staff have determined the contractor's quote of Thirty-Two Thousand Three Hundred Sixty Dollars (\$32,360.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Thirty-Two Thousand Three Hundred Sixty Dollars (\$32,360.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-Two Thousand Three Hundred Sixty Dollars (\$32,360.00).

Eric D'Entrone Backup

Mr. D'Entrone's property is located in the Town of Hurley, Ulster County. Homeowner and CWC staff received three quotes from unrelated contractors for \$33,771.91, \$33,250.00, and \$32,360.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, one pump station, 35 lineal feet of 4" gravity piping, 25 lineal feet of forcemain, one distribution box, 180 cubic yards of absorption fill material, 750 square feet of absorption bed, 160 lineal feet of curtain drain, tree removal, temporary access, and site restoration. The lowest quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$32,360.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Michael Teitelbaum - Tab 9**

A motion to approve Resolution No. 2429 was made by Wayne Marshfield and seconded by Tina Molé.

February 4, 2014

**RESOLUTION NO. 2429**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
MICHAEL TEITELBAUM**

**WHEREAS**, pursuant to the Watershed Memorandum of Agreement and the Septic System Rehabilitation and Replacement Program Contracts with New York City Department of Environmental Protection, the Catskill Watershed Corporation ("CWC") shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty Thousand Dollars (\$20,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Three Thousand Four Hundred Dollars (\$23,400.00); and

**WHEREAS**, the contractor's quote for this system is more than Twenty Thousand Dollars (\$20,000); and

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Three Thousand Four Hundred Dollars (\$23,400.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Three Thousand Four Hundred Dollars (\$23,400.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Three Thousand Four Hundred Dollars (\$23,400.00).

**Michael Teitelbaum Backup**

Mr. Teitelbaum's property is located in the Town of Stamford, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$23,400.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump chamber, 45 lineal feet of 4" gravity piping, 80 lineal feet of forcemain, one distribution box, 345 cubic yards of absorption fill material, 8 cubic yards of NYSDOT C-33 sand, 216 square feet of Eljen in-drain units, 80 lineal feet of curtain drain, and site restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$23,400.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Additional Cost – John Downey - Tab 10

A motion to approve Resolution No. 2430 was made by Berndt Leifeld and seconded by Innes Kasanof.

February 4, 2014

RESOLUTION NO. 2430

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE
OVER \$20,000 – ADDITIONAL COSTS:
JOHN DOWNEY**

WHEREAS, pursuant to the Watershed Memorandum of Agreement and the Septic System Rehabilitation and Replacement Program Contracts with New York City Department of Environmental Protection, the Catskill Watershed Corporation ("CWC") shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

WHEREAS, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty Thousand Dollars (\$20,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, CWC Staff previously approved Septic Program reimbursement for John Downey in the amount of Nineteen Thousand Nine Hundred Dollars (\$19,900.00); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the contractor for the septic system repair in the amount of Two Thousand Fifty Dollars (\$2,050.00); and

WHEREAS, the total contractor's invoices for this system is more than Twenty Thousand Dollars (\$20,000); and

WHEREAS, the CWC staff have determined the contractor's total invoices of Twenty-One Thousand Nine Hundred Fifty Dollars (\$21,950.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor's total invoice of Twenty-One Thousand Nine Hundred Fifty Dollars (\$21,950.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-One Thousand Nine Hundred Fifty Dollars (\$21,950.00).

John Downey Backup

Mr. Downey's property is located in the Town of Middletown, Delaware County. CWC staff previously approved reimbursement in the amount of \$19,900.00. During construction rock was encountered. The need for additional equipment was corroborated by the design engineer. A fair and reasonable cost for the additional materials and labor according to CWC Schedule of Values is \$2,050.00, for total reimbursement not to exceed \$21,950.00. The Septic Committee recommends that the Board of Directors approve total reimbursement in an amount not to exceed \$21,950.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Additional Cost – Barbara Redfield - Tab 11**

A motion to approve Resolution No. 2431 was made by Berndt Leifeld and seconded by Innes Kasanof.

February 4, 2014

**RESOLUTION NO. 2431**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION  
OVER \$20,000:  
BARBARA REDFIELD**

**WHEREAS**, pursuant to the Watershed Memorandum of Agreement and the Septic System Rehabilitation and Replacement Program Contracts with New York City Department of Environmental Protection, the Catskill Watershed Corporation (“CWC”) shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty Thousand Dollars (\$20,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, by Resolution Number 2401, the CWC Board approved reimbursement to Heather Rolland in an amount not to exceed Twenty-Six Thousand Four Hundred Eighty Dollars (\$26,480.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner in the amount of Three Thousand Three Hundred Eighty-Five Dollars (\$3,385.00); and

**WHEREAS**, the total contractor’s invoices for this system is more than Twenty Thousand Dollars (\$20,000); and

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Three Thousand Three Hundred Eighty-Five Dollars (\$3,385.00); and

**WHEREAS**, CWC staff have determined that Twenty-Nine Thousand Eight Hundred Sixty-Five Dollars (\$29,865.00) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Twenty-Nine Thousand Eight Hundred Sixty-Five Dollars (\$29,865.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Eight Hundred Sixty-Five Dollars (\$29,865.00).

**Barbara Redfield Backup**

Ms. Redfield’s property is located in the Town of Shandaken, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$26,865.00. During construction rock and very large boulders were encountered. The design engineer requested that the rock be removed in order to facilitate the proper construction of the system. As a result of the removal of the large boulders, an additional 77 cubic yards of fill material was brought in and the area graded accordingly. This also resulted in the removal of eight additional trees and some additional clearing. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$3,385.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$3,385.00, for total reimbursement not to exceed \$29,865.00.

*Voice Vote, carried unanimously*

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Septic Reimbursement Over \$20,000 – Additional Cost – Heather Rolland - Tab 12

A motion to approve Resolution No. 2432 was made by Berndt Leifeld and seconded by Innes Kasanof.

February 4, 2014

RESOLUTION NO. 2432

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION
OVER \$20,000:
HEATHER ROLLAND**

WHEREAS, pursuant to the Watershed Memorandum of Agreement and the Septic System Rehabilitation and Replacement Program Contracts with New York City Department of Environmental Protection, the Catskill Watershed Corporation (“CWC”) shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

WHEREAS, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty Thousand Dollars (\$20,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, by Resolution Number 2361, the CWC Board approved reimbursement to Heather Rolland in an amount not to exceed Twenty-One Thousand Nine Hundred Fifty-Nine Dollars (\$21,959.00); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner in the amount of Two Thousand Two Hundred Ninety-Four Dollars (\$2,294.00); and

WHEREAS, the total contractor’s invoices for this system is more than Twenty Thousand Dollars (\$20,000); and

WHEREAS, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Two Thousand Two Hundred Ninety-Four Dollars (\$2,294.00); and

WHEREAS, CWC staff have determined that Twenty-Four Thousand Two Hundred Fifty-Three Dollars (\$24,253.00) is a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Twenty-Four Thousand Two Hundred Fifty-Three Dollars (\$24,253.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Four Thousand Two Hundred Fifty-Three Dollars (\$24,253.00).

Heather Rolland Backup

Ms. Rolland’s property is located in the Town of Delhi, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$21,959.00. During construction the septic tank and pump station were changed to a low profile design in order to avoid rock removal costs and drainage was added in this area to insure the tanks would not flood. Also, at the request of the design engineer, the leach field was slightly relocated. This resulted in the removal of eight additional trees and some additional clearing. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$2,294.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,294.00, for total reimbursement not to exceed \$24,253.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Additional Cost – Gerald Whitman - Tab 13**

A motion to approve Resolution No. 2433 was made by Berndt Leifeld and seconded by Innes Kasanof.

February 4, 2014

**RESOLUTION NO. 2433**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION  
OVER \$20,000:  
GERALD WHITMAN**

**WHEREAS**, pursuant to the Watershed Memorandum of Agreement and the Septic System Rehabilitation and Replacement Program Contracts with New York City Department of Environmental Protection, the Catskill Watershed Corporation (“CWC”) shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty Thousand Dollars (\$20,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, by Resolution Number 2363 the CWC Board approved reimbursement to Gerald Whitman in an amount not to exceed Thirty-Nine Thousand Two Hundred Eighty-Seven Dollars (\$39,287.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner in the amount of Two Thousand Five Hundred Dollars (\$2,500.00); and

**WHEREAS**, the total contractor's invoices for this system is more than Twenty Thousand Dollars (\$20,000); and

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Two Thousand Five Hundred Dollars (\$2,500.00); and

**WHEREAS**, CWC staff have determined that Forty-One Thousand Six Hundred Eighty-Seven Dollars (\$41,687.00) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Forty-One Thousand Six Hundred Eighty-Seven Dollars (\$41,687.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Forty-One Thousand Six Hundred Eighty-Seven Dollars (\$41,687.00).

**Gerald Whitman Backup**

Mr. Whitman's property is located in the Town of Hurley, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$39,287.00. During construction bedrock was encountered. The contractor utilized a rock hammer for 12 hours to remove the necessary rock to install the system. The design engineer has corroborated the need to remove the rock. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$2,400.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,400.00, for total reimbursement not to exceed \$41,687.00.

**Voice Vote, carried unanimously**

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Small Business Septic – Alpine Inn - Tab 14

A motion to approve Resolution No. 2434 was made by Thomas Snow and seconded by Richard Parete.

February 4, 2014

RESOLUTION NO. 2434

**BOARD APPROVAL OF SMALL BUSINESS SEPTIC PROGRAM APPLICATION –
ALPINE INN**

WHEREAS, pursuant to the 2007 Filtration Avoidance Determination issued by the United States Environmental Protection Agency (2007 FAD) and the Septic System Rehabilitation and Replacement III Program Contract with New York City Department of Environmental Protection, the Catskill Watershed Corporation ("CWC") shall act as program manager for the

Small Business Septic Program and implement the Small Business Septic Program consistent with the terms of said contract; and

WHEREAS, pursuant to section 13:01:09 of the CWC Small Business Septic Rehabilitation and Replacement Program Rules, if the total amount requested for reimbursement is more than Twenty Thousand Dollars (\$20,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, pursuant to the 2007 FAD and Section 13:01:02 of the CWC Small Business Septic Rehabilitation and Replacement Program Rules, CWC shall provide 75% reimbursement of eligible costs; and

WHEREAS, pursuant to Section 13:01:02 of the CWC Small Business Septic Rehabilitation and Replacement Program Rules, the maximum amount of CWC reimbursement shall not exceed Forty Thousand Dollars (\$40,000.00); and

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the small business septic system replacement in the amount of Forty Nine Thousand One Hundred Fifty Dollars (\$49,150.00); and

WHEREAS, CWC staff has reviewed and provided reimbursement of 75% of eligible design costs submitted by the engineer in the amount of Three Thousand Three Hundred Eighty-Five Dollars (\$3,385.00); and

WHEREAS, the CWC staff have determined the contractor's quote of Forty Nine Thousand One Hundred Fifty Dollars (\$49,150.00) to be a reasonable cost for this system in accordance with our schedule of values and 75% of the quote and engineer costs is greater than Forty Thousand Dollars (\$40,000.00); and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving reimbursement in an amount not to exceed Forty Thousand Dollars (\$40,000.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Forty Thousand Dollars (\$40,000.00).

Alpine Inn Backup

The Alpine Inn's property is located in the Town of Shandaken, Ulster County. Business-owner and CWC staff received a quote from a contractor in the amount of \$49,150.00. The quote is within 10% of CWC Schedule of Values. CWC staff previously provided reimbursement of 75% of design costs, with CWC share being \$3,375.00. CWC reimbursement is limited to 75% of eligible costs. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$40,000.00.

Voice Vote, carried unanimously

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A motion to approve Resolution No. 2435 was made by Tina Molé and seconded by Wayne Marshfield.

February 4, 2014

**RESOLUTION NO. 2435**

**BOARD REVIEW OF ADDITIONAL FUNDING FOR THE  
HAROLD & SHARON LINDA COLE FUTURE STORMWATER PROJECT**

**WHEREAS**, the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA) paragraph 128 directs the Catskill Watershed Corporation (CWC) to establish a program to pay for the reasonable and proper cost to design, implement, permit, construct and maintain new stormwater measures pursuant to stormwater pollution prevention plans solely required by the 18-39(b)(3) and 18-39(e) of the watershed regulations and not otherwise required by State or federal law; and

**WHEREAS**, by Resolution Number 2267, the CWC Board of Directors approved an application by Harold and Sharon Linda Cole for funding of eligible costs in the not-to-exceed amount of Eighteen Thousand Nine Hundred Ten Dollars (\$18,910.00) for design of new stormwater controls related to improvements made to an old road; and

**WHEREAS**, Harold and Sharon Linda Cole requested additional funding to pay for the additional work needed to complete the design in an amount not to exceed Seven Thousand Two Hundred Dollars (\$7,200.00); and

**WHEREAS**, the Program Rules require that the CWC Board shall review and approve each application, with attached documentation and staff recommendations; and

**WHEREAS**, upon review of the information and staff recommendation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve an amended not-to-exceed amount of Twenty-Six Thousand One Hundred Ten Dollars (\$26,110.00) for the Harold and Linda Cole Future Stormwater Project.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the attached application, staff recommendation and supporting documentation and approves additional funding in the amount of Seven Thousand Two Hundred Dollars (\$7,200.00) for a total not-to-exceed amount of Twenty-Six Thousand One Hundred Ten Dollars (\$26,110.00).

**Backup**

**Harold and Sharon Linda Cole Property**

**Harold and Sharon Linda Cole – Improved road, Town of Andes, Delaware County, New York:**

Harold and Sharon Linda Cole own an 83 acre lot in the Town of Andes, Delaware County. The Coles are required to design new stormwater control measures to control stormwater runoff for improved road.

In 2006 the Cole's applied to the Town of Andes Planning Board to create a subdivision. The Cole's built the road without an approved SWPPP. The Cole's hired an engineer to prepare a Stormwater Pollution Prevention Plan (SWPPP). A notice of complete application was given in 2008 and 2009. In 2011 the engineer retired before a design approval was issued. Mr. Cole had already begun improvements to the old road that disturbed a slope greater than 15%. DEP issued an NOV on January 25, 2011 requiring the Coles to comply with the Watershed Rules and Regulations enforced by the NYCDEP. The Coles have since withdrawn the subdivision application with the Town and plan no more improvements to the property. Originally the New York State DEC would have required a SWPPP for the subdivision because of the disturbance. Since the road is the only thing being disturbed the DEP is now the only regulatory agency requiring a SWPPP.

Harold and Sharon Linda Cole are eligible for 100% reimbursement of eligible costs through the CWC as they are an individual, not a small business.

After the Engineer completed an analysis for the Cole property and submitted it to DEP, the DEP advised the Engineer that they wanted a more thorough analysis of the soil conditions to support the assumption that the soils act as HSG "A".

CWC staff recommended reimbursement of additional eligible stormwater design costs to the CWC Wastewater/Stormwater Committee. The CWC Wastewater/Stormwater Committee recommends additional reimbursement of \$7,200.00 to Harold and Sharon Linda Cole for its SWPPP costs solely attributable to the Watershed Regulations and not otherwise required by State or federal law.

CWC Stormwater/Wastewater Committee recommends funding approval on the following costs:

| Funding                              | Requested   | Recommend   |
|--------------------------------------|-------------|-------------|
| Additional SWPPP Design funding      | \$ 7,200.00 | \$ 7,200.00 |
| <br>                                 |             |             |
| Total Recommended Additional Funding | \$7,200.00  |             |
| Previous Funding Approved            | \$18,910.00 |             |
| Total Funding                        | \$26,110.00 |             |

**Voice Vote, carried unanimously**

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Executive Director Salary 2014 - Tab 16

A motion to approve Resolution No. 2436 was made by Jeffrey Graf and seconded by James Eisel.

February 4, 2014

RESOLUTION NO. 2436

EXECUTIVE DIRECTOR COMPENSATION

WHEREAS, pursuant to the Catskill Watershed Corporation (CWC) Personnel Policies and Procedures, Article 3, the CWC Board of Directors is responsible for hiring the Executive Director; and

WHEREAS, the CWC Policy Committee recommends that the CWC Board of Directors approve an increase in salary of the current Executive Director by three percent (3%) to Ninety-Eight Thousand Three Hundred Forty-Five Dollars (\$98,345.00) annually and further recommends that said salary take effect beginning on January 1, 2014.

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors directs the CWC Executive Director and CWC Finance Director to set the salary of the current CWC Executive Director at Ninety-Eight Thousand Three Hundred Forty-Five Dollars (\$98,345.00) per annum to be paid in bi-weekly increments pursuant to CWC Personnel Policies and Procedures and that said salary is to take effect beginning on January 1, 2014.

Voice Vote, carried unanimously

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**2014 DEP Reservoir Boating Program Funding - Tab 17**

A motion to approve Resolution No. 2437 was made by Berndt Leifeld and seconded by Richard Parete.

February 4, 2014

**RESOLUTION NO. 2437**

**APPROVAL OF CATSKILL WATERSHED CORPORATION FUNDING FOR THE EXPANDED BOATING PROGRAM FOR THE PEPACTON, NEVERSINK, AND SCHOHARIE RESERVOIRS**

**WHEREAS**, the Catskill Watershed Corporation (“CWC”) is a not-for-profit local development corporation whose purpose is, in part, to act in the public interest by promoting increased employment and encouraging environmentally sound development within the West of Hudson Watershed; and

**WHEREAS**, the New York City Department of Environmental Protection (NYCDEP) has collaborated with local municipal governments, environmental organizations, Chambers of Commerce and others and developed an Expanded Boating Pilot Program for the Cannonsville Reservoir in order to improve regional recreational opportunities for watershed residents and visitors and promote environmentally sound economic development by allowing certain new types of reservoir recreational boating that is compatible with water quality protection; and

**WHEREAS**, by Resolution Number 1486, the CWC Board of Directors approved funding of up to One Hundred Fifty Thousand Dollars (\$150,000.00) over three (3) years to fund the Cannonsville Reservoir Expanded Boating Pilot Program in collaboration with NYCDEP, Delaware County Economic Development and the Delaware County Chamber of Commerce; and

**WHEREAS**, the three (3) year Cannonsville Reservoir Expanded Boating Pilot Program has been completed and NYCDEP desires to expand the Boating Program to non-terminal reservoirs in the West of Hudson Watershed, including the Pepacton, Neversink, and Schoharie Reservoirs; and

**WHEREAS**, by Resolution Number 2046, the CWC Board of Directors approved funding of up to Sixty-Five Thousand Dollars (\$65,000.00) for costs for the first year of the Boating Program at non-terminal reservoirs, including steam cleaning equipment, kiosk and flag pole materials, portable restrooms, program brochures, and road; and

**WHEREAS**, by Resolution Number 2271, the CWC Board of Directors approved funding of up to Sixty-Five Thousand Dollars (\$65,000.00) for costs for the second year of the Boating Program at non-terminal reservoirs, including steam cleaning equipment, kiosk and flag pole materials, portable restrooms, program brochures, boat racks and road signs; and

**WHEREAS**, the CWC Economic Development Committee recommends that CWC Board of Directors approve funding of up to Thirty Thousand Dollars (\$30,000.00) for costs for the third year of the Boating Program at non-terminal reservoirs, including kiosk and flag pole materials, portable restrooms, program brochures, boat racks and their distribution and road signs; and

**WHEREAS**, the Executive Director, pursuant to the CFF Program Contract and the CFF Program rules, has evaluated and determined that this project meets the criteria for a qualified economic development project, and said recommendation is attached hereto and made a part hereof; and

**WHEREAS**, pursuant to the CFF Program rules only the CWC Board of Directors may make an award from the CFF to an applicant.

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board authorizes the President and/or the Executive Director to execute contracts for up to Thirty Thousand Dollars (\$30,000.00) for the third year of the Expanded Boating Program.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, the CWC staff is authorized and directed to issue a letter informing the CWC of its intention to provide funds for the second year of the Expanded Boating Program, subject to compliance with all applicable provisions of the New York City Watershed regulations as well as other applicable laws, rules and regulations, completion of the necessary documents, and the right of objection, and staff is directed to develop an agreement and other documentation necessary to effectuate this funding.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that upon said approval of documentation CWC, is authorized to disburse proceeds thereof in accordance with the documents.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of an application by the Board constitutes a preliminary decision under the 1997 Watershed Memorandum of Agreement and the decision will become final without any further action by the Board unless an objection is timely filed with the Watershed Protection and Partnership Council.

## **QEDP Evaluation and CWC Staff Recommendation**

### **Purpose: to review the Funding for the Expanded Boating Pilot Program for the Cannonsville Reservoir**

The Executive Director of the CWC makes the following evaluation concerning a Catskills Studies Funding Program Grant to CWC located on the Cannonsville Reservoir in the Towns of Deposit, Tompkins and Walton, N.Y. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 and revised on May 24, 2005 by the CWC Board of Directors.

1. Based on due inquiry to the NYS DEC, the NYC DEP and to the best of CWC's knowledge, the proposed Expanded Boating Pilot Program for the Cannonsville, Neversink, Pepacton and Schoharie Reservoir is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYS DEC, the NYC DEP, and to the best of CWC's knowledge, the Expanded Boating Pilot Program for the Cannonsville, Neversink Pepacton, and Schoharie Reservoirs is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
  - (i) CWC will use the funds to pay for porta-johns at eight (8) launch sites, steam cleaning of boats at five (5) vendor locations and a consultant to determine the effect of the program on water quality and economic activity.
  - (ii) The project is located in the Towns of Andes, Colchester, Deposit, Gilboa, Middletown, Neversink, Prattsville, Tompkins and Walton.
  - (iii) The project will utilize portable toilets.
  - (iv) The project appears to present no threat to water quality.
  - (v) The project appears to generate no materials with the potential to degrade water quality that are not pre-treated prior to release.
  - (vi) Based upon NYC DEP, the project is in the 60-day travel time zone.
  - (vii) There is no impact on Federal or New York State Wetlands.
- (b) The project maintains the character of the Towns of Andes, Colchester, Deposit, Gilboa, Middletown, Neversink, Prattsville, Tompkins and Walton
  - (i) The project is consistent with current zoning in the Towns of Andes, Colchester, Deposit, Gilboa, Middletown, Neversink, Prattsville, Tompkins and Walton.
  - (ii) The project is compatible with surrounding land uses.
  - (iii) The project will not generate excessive traffic.
  - (iv) The project as described is of such magnitude, that it does not appear likely to promote secondary growth and therefore requires no additional review of land use plans or infrastructure.
4. The project is consistent with the West-of-Hudson Economic Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**

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A motion to enter into Executive Session with Alan L. Rosa, Timothy Cox, Barbara Puglisi, Jason Merwin, and Phil Sireci to discuss CFF delinquent loans and new loan applicant financials was made by Tina Molé and seconded by Robert Pelham.

Voice Vote, carried unanimously

A motion was made by Jeffrey Graf and seconded by James Eisel to declare Camp Move-It in default.

Voice Vote, carried unanimously

A motion to resume the regular meeting was made by Tina Molé and seconded by Martin Donnelly.

Voice Vote, carried unanimously

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**CFF REDI Fund Loan – RoseBerry’s Retreat – Tab 18**

A motion to approve Resolution No. 2438 was made by Innes Kasanof and seconded by Wayne Marshfield.

February 4, 2014

**RESOLUTION NO. 2438**

**APPROVAL OF ROSEBERRY’S RETREAT, LLC BUSINESS LOAN**

**WHEREAS**, the Catskill Watershed Corporation (CWC) established the REDI Fund Loan Program for the purpose of providing low interest loans to qualified economic development projects in the West of Hudson Watershed to be administered by the CWC in accordance with the Catskill Fund for the Future (CFF) Program Rules; and

**WHEREAS**, RoseBerry’s Retreat, LLC has applied for a Three Hundred Fifty-Eight Thousand Two Hundred Dollar (\$358,200.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date, for the purchase and renovation of 7786 Main Street, Hunter and for equipment and working capital; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for RoseBerry’s Retreat, LLC; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for RoseBerry’s Retreat, LLC; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from RoseBerry’s Retreat, LLC; and

**WHEREAS**, the CWC staff has reviewed and processed this application and submitted a loan application report to the CWC Board of Directors, attached hereto; and

**WHEREAS**, the Executive Director, pursuant to the CFF Program rules, has evaluated and determined that this loan meets the criteria for a qualified economic development project, said recommendation is attached hereto and made a part hereof; and

**WHEREAS**, pursuant to the CFF Program Contract a condition of CFF loans (and grants) is that the recipient shall comply with all applicable provisions of the New York City Watershed regulations, as well as other applicable laws, rules and regulations; and

**WHEREAS**, prior to closing on this loan, all applicable approvals will have been received by the applicant; and

**WHEREAS**, pursuant to the CFF Program rules only the CWC Board of Directors may make an award from the CFF to an applicant.

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines that the RoseBerry's Retreat, LLC application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Three Hundred Fifty-Eight Thousand Two Hundred Dollars (\$358,200.00) for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, the CWC staff is authorized and directed to issue a commitment letter informing the borrower of its intention to issue the loan subject to compliance with all applicable provisions of the New York City Watershed regulations as well as other applicable laws, rules and regulations, completion of the necessary documents, the right of objection and staff is directed to develop the loan agreement, promissory notes and other documentation necessary to effectuate this loan.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that upon said approval of loan documentation CWC is authorized to close on said loan and is authorized to disburse proceeds thereof in accordance with the loan documents.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of an application by the Board constitutes a preliminary decision under the MOA. The decision will become final without any further action by the Board unless an objection is timely filed with the Watershed Protection and Partnership Council.

#### **QEDPEvaluation and CWC Staff Recommendation**

#### **Purpose: To review the CWC Loan Application of RoseBerry's Retreat, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to RoseBerry's Retreat, LLC, located at 7886 Main Street, Hunter, NY. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 by the CWC Board of Directors.

4. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 7886 Main Street, Hunter, NY, to be purchased by RoseBerry's Retreat, LLC, is presently in compliance with all applicable environmental statutes and regulations.

5. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 7886 Main Street, Hunter, NY, to be purchased by RoseBerry's Retreat, LLC, is not subject to any enforcement actions by any regulatory agency.
6. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
  - (vii) RoseBerry's Retreat, LLC will utilize loan funds to purchase and renovate the property located at 7886 Main Street, Hunter.
  - (viii) The project is located in the Town of Hunter.
  - (ix) The project will utilize the Hunter WWTP.
  - (x) The project appears to present no threat to water quality.
  - (xi) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (xii) Based on NYCDEP the project is not in the 60 day travel time.
  - (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Town of Hunter.
  - (v) The project will comply with current land use planning in the Town of Hunter and will have planning board approval.
  - (vi) The project is compatible with surrounding land uses.
  - (vii) The project will not generate excessive traffic.
  - (viii) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**

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VIII. Announcements from the Chair: None

IX. Board Member Discussion: None

A motion to adjourn was made by Berndt Leifeld and seconded by Thomas Hynes.

Voice Vote, carried unanimously

X. Adjournment: @ 1:17 p.m.