

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

June 3, 2014 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Martin Donnelly.

III. Roll Call of Directors

Members Present: Donald Brandow, Deborah Meyer DeWan, Martin Donnelly, James Eisel, Jeffrey Graf (*New York City DEP*), Thomas Hynes, Innes Kasanof, Berndt Leifeld, Wayne Marshfield, Mark McCarthy, Tina Molé, Richard Parete, Robert Pelham, and Michael Triolo.

Members Excused: Thomas Snow (*New York State DEC*).

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: Gary Capella (*Ulster County Soil & Water Conservation District*), Danyelle Davis (*New York City DEP Stream Management Program*), Matt Malina (*NYCH20*), Mary Marsters (*Cornell Cooperative Extension of Ulster County*), and Lydia Reidy (*Cornell Cooperative Extension of Ulster County*).

IV. Review and Approval of April 1, 2014 Board Meeting and Annual Meeting of Member Towns Minutes

A motion to approve the minutes from the May 6, 2014 annual meeting of member towns and the board meeting was made by James Eisel and seconded by Martin Donnelly.

Voice Vote, carried unanimously

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of March 31, 2014 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

Jeff Graf introduced Danyelle Davis (New York City DEP Stream Management Program), who reviewed the Ashokan Stream Management Program (SMP) website and provided a handout, with the following documents included: About the Ashokan Watershed SMP, Ashokan Watershed SMP Annual Report 2013, Ashokan Watershed SMP 2014-2016 Action Plan, Cornell Cooperative Extension Appendix to the SMP Scope of Work, Ulster County Soil and Water Conservation District Appendix to the SMP Scope of Work, Esopus Creek News Winter 2014, and Ashokan Watershed SMP Guide to Large Woody Debris Management.

Mary Marsters (Cornell Cooperative Extension of Ulster County) and Gary Capella (Ulster County Soil and Water Conservation District) were introduced by Danyelle and spoke of their roles with the Ashokan Watershed SMP.

Matt Malena of NYCH2O addressed the Board regarding the denial and appeal of the 2014 application to the Public Education Grant program. He cited several positives of the program offered, and requested that the Board reconsider the application. Tina Mole’ asked where the information for the tours offered through this program was attained. Mr. Malena replied that the information comes from Research Historians who are involved with each of the reservoirs/aqueducts originally built within the five boroughs of New York City. Mike Triolo asked if the grant funding is for training only or also for tours, to which Mr. Malena responded it would potentially be used for both. Tina Mole’ suggested that the resolution (Tab 20) be tabled and the appeal be presented to the Public Education Advisory Group for further review. The Board agreed unanimously.

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$20,000 – Cory Ackerly - Tab 7**

A motion to approve Resolution No. 2493 was made by Berndt Leifeld and seconded by Robert Pelham.

June 3, 2014

**RESOLUTION NO. 2493**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
CORY ACKERLY**

**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-Four Thousand Eight Hundred Fifty Dollars (\$24,850.00); 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-Four Thousand Eight Hundred Fifty Dollars (\$24,850.00) 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-Four Thousand Eight Hundred Fifty Dollars (\$24,850.00) 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 Eight Hundred Fifty Dollars (\$24,850.00).

**Cory Ackerly Backup**

Mr. Ackerly's property is located in the Town of Andes, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$24,850.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, 80 lineal feet of 4" gravity piping, 100 lineal feet of forcemain, one effluent filter, five peat modules, and 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 \$24,850.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Carol Adams - Tab 8

A motion to approve Resolution No. 2494 was made by Berndt Leifeld and seconded by Robert Pelham.

June 3, 2014

RESOLUTION NO. 2494

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
CAROL ADAMS**

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 Nine Hundred Seventy-Four Dollars (\$32,974.00); 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 Nine Hundred Seventy-Four Dollars (\$32,974.00) 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 Nine Hundred Seventy-Four Dollars (\$32,974.00) 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 Nine Hundred Seventy-Four Dollars (\$32,974.00).

Carol Adams Backup

Ms. Adams' property is located in the Town of Roxbury, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$34,535.00, \$33,860.00, and \$32,974.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump station, 15 lineal feet of 4" gravity piping, 235 lineal feet of forcemain, one distribution box, 296 cubic yards of absorption fill material, 240 lineal feet of absorption trench, 115 lineal feet of curtain drain, tree removal, additional handling of materials, and 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 \$32,477.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Roberta Banks - Tab 9**

A motion to approve Resolution No. 2495 was made by Berndt Leifeld and seconded by Robert Pelham.

June 3, 2014

**RESOLUTION NO. 2495**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:**  
**ROBERTA BANKS**

**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-Six Thousand One Hundred Thirty-Three Dollars (\$26,133.00); 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-Six Thousand One Hundred Thirty-Three Dollars (\$26,133.00) 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-Six Thousand One Hundred Thirty-Three Dollars (\$26,133.00) 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-Six Thousand One Hundred Thirty-Three Dollars (\$26,133.00).

**Roberta Banks Backup**

Ms. Banks’ property is located in the Town of Roxbury, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$26,133.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one siphon chamber, 60 lineal feet of 4” gravity piping, one distribution box, 410 cubic yards of absorption fill material, one effluent filter, 275 lineal feet of absorption trench, and complete site restoration. The 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 \$26,133.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Kolman Brown - Tab 10

A motion to approve Resolution No. 2496 was made by Berndt Leifeld and seconded by Robert Pelham.

RESOLUTION NO. 2496

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
KOLMAN BROWN**

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-Six Thousand Two Hundred Seventy-Eight Dollars (\$26,278.00); 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-Six Thousand Two Hundred Seventy-Eight Dollars (\$26,278.00) 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-Six Thousand Two Hundred Seventy-Eight Dollars (\$26,278.00) 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-Six Thousand Two Hundred Seventy-Eight Dollars (\$26,278.00).

Kolman Brown Backup

Mr. Brown’s property is located in the Town of Roxbury, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$26,278.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, one pump station, four peat modules, 105 lineal feet of curtain drain, and complete site restoration. The 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 \$26,278.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Silvano Panozzo - Tab 11**

A motion to approve Resolution No. 2497 was made by Berndt Leifeld and seconded by Robert Pelham.

June 3, 2014

**RESOLUTION NO. 2497**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
SILVANO PANOZZO**

**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-Two Thousand Eight Hundred Sixty-Eight Dollars (\$22,868.00); 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-Two Thousand Eight Hundred Sixty-Eight Dollars (\$22,868.00) 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-Two Thousand Eight Hundred Sixty-Eight Dollars (\$22,868.00) 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-Two Thousand Eight Hundred Sixty-Eight Dollars (\$22,868.00).

**Silvano Panozzo Backup**

Mr. Panozzo’s property is located in the Town of Hardenburgh, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$22,868.00. This system is for a two bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump station, 30 lineal feet of 4” gravity piping, 240 lineal feet of 2” force main, 200 cubic yards of fill material, effluent filter, 225 lineal feet of absorption trench, 120 lineal feet of curtain drain, and a sub-panel to the electrical service. The 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 \$22,868.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Freida Parrillo - Tab 12

A motion to approve Resolution No. 2498 was made by Berndt Leifeld and seconded by Robert Pelham.

June 3, 2014

RESOLUTION NO. 2498

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
FREIDA PARRILLO**

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-Nine Thousand Nine Hundred Ten Dollars (\$29,910.00); 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-Nine Thousand Nine Hundred Ten Dollars (\$29,910.00) 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-Nine Thousand Nine Hundred Ten Dollars (\$29,910.00) 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 Nine Hundred Ten Dollars (\$29,910.00).

Freida Parrillo Backup

Ms. Parrillo’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 \$29,910.00. This system is for a two bedroom house. The major components for this system include one pump station, 75 lineal feet of 4” gravity piping, 170 lineal feet of 2” force main, 2 distribution boxes, 400 cubic yards of absorption fill material, 180 lineal feet of absorption trench, 200 lineal feet of curtain drain,

135 lineal feet of swale, 120 lineal feet of tank perimeter drains in the area of the septic tank and pump station, and extensive 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 \$29,910.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Robert Warfield - Tab 13**

A motion to approve Resolution No. 2499 was made by Berndt Leifeld and seconded by Robert Pelham.

June 3, 2014

**RESOLUTION NO. 2499**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
ROBERT WARFIELD**

**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-Nine Thousand One Hundred Thirty Dollars (\$29,130.00); 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-Nine Thousand One Hundred Thirty Dollars (\$29,130.00) 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-Nine Thousand One Hundred Thirty Dollars (\$29,130.00) 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 One Hundred Thirty Dollars (\$29,130.00).

**Robert Warfield Backup**

Mr. Warfield's property is located in the Town of Halcott, Greene County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,130.00. This system is for a two bedroom house. The major components for this system include a siphon chamber, 85 lineal feet of 4" gravity piping, one distribution box, 550 cubic yards of absorption fill material, one effluent filter, 250 lineal feet of absorption trench, 140 lineal feet of curtain drain, and restoration. The 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 \$29,130.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Additional Costs – Charles Senterman - Tab 14

A motion to approve Resolution No. 2500 was made by Wayne Marshfield and seconded by Tina Mole'.

June 3, 2014

RESOLUTION NO. 2500

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

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 2028, the CWC Board approved reimbursement to Charles Senterman in an amount not to exceed Twenty-Six Thousand Eight Hundred Seventy-Five Dollars (\$26,875.00); and

WHEREAS, CWC staff has reviewed an additional construction estimate submitted by the homeowner for ground water mitigation in the amount of Three Thousand One Hundred Forty-Three Dollars (\$3,143.00); 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 One Hundred Forty-Three Dollars (\$3,143.00); and

WHEREAS, CWC staff have determined that Thirty Thousand Eighteen Dollars (\$30,018.00) 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 Thirty Thousand Eighteen Dollars (\$30,018.00) 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 Thousand Eighteen Dollars (\$30,018.00).

Charles Senterman Backup

Mr. Senterman's property is located in the Town of Hunter, Greene County. CWC Board of Directors previously approved reimbursement for this project at \$26,875.00. Since completion in 2012, the system has been consistently inundated with ground water. Mr. Senterman's engineer recommends installation of 180 lineal feet of curtain drain, installed 6 feet deep, to control the water problem. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$3,143.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$3,143.00, for total reimbursement not to exceed \$30,018.00.

Voice Vote, carried unanimously

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**Program Fund Transfer – Stream Corridor to FHMP - Tab 15**

A motion to approve Resolution No. 2501 was made by Tina Mole' and seconded by Jeff Graf.

June 3, 2014

**RESOLUTION NO. 2501**

**APPROVAL OF FUND TRANSFER**  
**FLOOD HAZARD MITIGATION IMPLEMENTATION PROGRAM**

**WHEREAS**, the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA) paragraph 127(d) provides that the Catskill Watershed Corporation (CWC) shall administer and disburse funds transferred to the Stream Corridor Protection Program and that CWC shall select and design the projects and allocate amounts of Stream Corridor Funds to each selected project jointly with the City and in consultation with the municipalities; and

**WHEREAS**, by Resolution Number 831, the CWC Board of Directors transferred One Million One Hundred Twenty Thousand Dollars (\$1,120,000.00) from the Future Stormwater Program to provide for a CWC Stream Corridor Protection Program pursuant to Watershed MOA paragraph 127(d); and

**WHEREAS**, by Resolution Number 1330, CWC Board of Directors approved the CWC Stream Corridor Protection Program Rules; and

**WHEREAS**, by Resolution Numbers 1331, 1332, 1353, 1354, 1373, 1389, 1390, 1407, 1408, 1409, 1450, 1548, 1592, 1625, 1714, 1814, and 2010 the CWC Board of Directors approved funding for thirteen (13) projects; and

**WHEREAS**, by Resolution Number 2012, the CWC Board of Directors established the Stream Debris Removal Program under the CWC Stream Corridor Protection Program pursuant to Watershed MOA Paragraph 127(d) and authorized the transfer of up to Two Million Five Hundred Dollars (\$2,500,000.00) from the Future Stormwater Program for such purpose; and

**WHEREAS**, by Resolution Number 2439, the CWC Board of Directors approved the Flood Hazard Mitigation Program Agreement with New York City Department of Environmental Protection; and

**WHEREAS**, paragraph 128 of the Watershed MOA provides that CWC may transfer a portion of Future Stormwater Funds and earnings thereon to Stream Corridor Funds, as specified in paragraph 127, for the purpose of funding such stream corridor protection projects, including flood hazard mitigation projects to be implemented pursuant to the CWC Flood Hazard Mitigation Implementation Program; and

**WHEREAS**, the CWC Finance Committee recommends the transfer of Two Hundred Fifty Thousand Dollars (\$250,000.00) from funds previously transferred to the CWC Stream Corridor Protection Program as described above to the CWC Flood Hazard Mitigation Implementation Program for the purpose of program administration and expenses.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approves the transfer of up to Two Hundred Fifty Thousand Dollars (\$250,000.00) from the CWC Stream Corridor Protection Program to the CWC Flood Hazard Mitigation Implementation Program for the purpose of program administration and expenses.

**Voice Vote, carried unanimously**

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Tax Consulting – Town of Hurley - Tab 16

A motion to approve Resolution No. 2502 was made by Berndt Leifeld and seconded by Richard Parete.

June 6, 2013

RESOLUTION NO. 2502

**APPROVAL OF TOWN OF HURLEY REIMBURSEMENT
TAX CONSULTING FUNDING**

WHEREAS, pursuant to the 1997 Watershed Memorandum of Agreement, the Tax Consulting Fund Contract with the City of New York (City) and the Catskill Watershed Corporation (CWC) Tax Consulting Program Rules, CWC established the Tax Consulting Program to pay the fees and expenses of professional consultants and/or attorneys retained by counties, towns, villages or inter-municipal corporations in the West of Hudson watershed to review, analyze and/or assist in the administration of real property taxes paid by the City on City-owned lands; and

WHEREAS, following exhaustion of previous Tax Consulting Program Agreement between CWC and the Town, the Town of Hurley expended additional funds for professional consultants and attorneys in regard to the administration and resolution of real property taxes paid by the City on City-owned lands; and

WHEREAS, the Land Committee (West of Hudson Members Only) recommends that the CWC Board of Directors reimburse the fees and expenses of professional consultants and/or attorneys paid by the Town of Hurley to review, analyze and/or assist in the administration and resolution of real property taxes paid by the City of New York on City-owned lands for up to Four Hundred Eleven Thousand Five Hundred Dollars (\$411,500.00).

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors fund the reimbursement fees and expenses of professional consultants and/or attorneys paid by the Town of Hurley to review, analyze and/or assist in the administration and resolution of real property taxes paid by the City on City-owned lands up to Four Hundred Eleven Thousand Five Hundred Dollars (\$411,500.00) and authorizes the President and/or the Executive Director to execute a contract to effectuate the purposes of this resolution and pursuant to the Tax Consulting Program Rules.

Voice Vote, carried unanimously, West of Hudson Members Only

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**Tax Consulting – Town of Neversink - Tab 17**

A motion to approve Resolution No. 2503 was made by Wayne Marshfield and seconded by Berndt Leifeld.

June 6, 2013

**RESOLUTION NO. 2503**

**APPROVAL OF TOWN OF NEVERSINK REIMBURSEMENT  
TAX CONSULTING FUNDING**

**WHEREAS**, pursuant to the 1997 Watershed Memorandum of Agreement, the Tax Consulting Fund Contract with the City of New York (City) and the Catskill Watershed Corporation (CWC) Tax Consulting Program Rules, CWC established the Tax Consulting Program to pay the fees and expenses of professional consultants and/or attorneys retained by counties, towns, villages or inter-municipal corporations in the West of Hudson watershed to review, analyze and/or assist in the administration of real property taxes paid by the City on City-owned lands; and

**WHEREAS**, by Resolution Numbers 957 and 2426, the CWC Board of Directors (West of Hudson Members only) approved a Tax Consulting Program Agreement with the Town of Neversink to pay the fees and expenses of professional consultants and/or attorneys retained by counties, towns, villages or inter-municipal corporations in the West of Hudson watershed to review, analyze and/or assist in the administration of real property taxes paid by the City on City-owned lands; and

**WHEREAS**, the Town of Neversink expended additional funds for consultants in regard to the administration and resolution of real property taxes paid by the City on City-owned lands in the amount of up to Ten Thousand Four Hundred Dollars (\$10,400.00) to review, analyze and/or

assist in the administration of real property taxes paid by the City on City-owned lands and requested reimbursement from CWC.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors fund the reimbursement fees and expenses of consultants paid by the Town of Neversink to review, analyze and/or assist in the administration and resolution of real property taxes paid by the City on City-owned lands up to an additional Ten Thousand Four Hundred Dollars (\$10,400.00) and authorizes the President and/or the Executive Director to execute a contract to effectuate the purposes of this resolution and pursuant to the Tax Consulting Program Rules.

***Voice Vote, carried unanimously, West of Hudson Members Only***

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Tax Consulting – Town of Roxbury - Tab 18

A motion to approve Resolution No. 2504 was made by Wayne Marshfield and seconded by James Eisel.

June 6, 2013

RESOLUTION NO. 2504

**APPROVAL OF TOWN OF ROXBURY REIMBURSEMENT
TAX CONSULTING FUNDING**

WHEREAS, pursuant to the 1997 Watershed Memorandum of Agreement, the Tax Consulting Fund Contract with the City of New York (City) and the Catskill Watershed Corporation (CWC) Tax Consulting Program Rules, CWC established the Tax Consulting Program to pay the fees and expenses of professional consultants and/or attorneys retained by counties, towns, villages or inter-municipal corporations in the West of Hudson watershed to review, analyze and/or assist in the administration of real property taxes paid by the City on City-owned lands; and

WHEREAS, following exhaustion of previous Tax Consulting Program Agreement between CWC and the Town, the Town of Roxbury expended additional funds for attorneys in regard to the administration and resolution of real property taxes paid by the City on City-owned lands; and

WHEREAS, the Land Committee (West of Hudson Members Only) recommends that the CWC Board of Directors reimburse the fees and expenses of attorneys paid by the Town of Roxbury to review, analyze and/or assist in the administration and resolution of real property taxes paid by the City of New York on City-owned lands for up to Four Thousand Nine Hundred Dollars (\$4,900.00).

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors fund the reimbursement fees and expenses of attorneys paid by the Town of Roxbury to review, analyze and/or assist in the administration and resolution of real property taxes paid by the City on City-owned lands up to Four Thousand Nine Hundred Dollars (\$4,900.00) and authorizes the President and/or the Executive Director to execute a contract to effectuate the purposes of this resolution and pursuant to the Tax Consulting Program Rules.

Voice Vote, carried unanimously, West of Hudson Members Only

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**Tax Consulting – Town of Tompkins - Tab 19**

A motion to approve Resolution No. 2505 as made by Wayne Marshfield and seconded by Thomas Hynes.

June 6, 2013

**RESOLUTION NO. 2505**

**APPROVAL OF TOWN OF TOMPKINS REIMBURSEMENT  
TAX CONSULTING FUNDING**

**WHEREAS**, pursuant to the 1997 Watershed Memorandum of Agreement, the Tax Consulting Fund Contract with the City of New York (City) and the Catskill Watershed Corporation (CWC) Tax Consulting Program Rules, CWC established the Tax Consulting Program to pay the fees and expenses of professional consultants and/or attorneys retained by counties, towns, villages or inter-municipal corporations in the West of Hudson watershed to review, analyze and/or assist in the administration of real property taxes paid by the City on City-owned lands; and

**WHEREAS**, following exhaustion of previous Tax Consulting Program Agreement between CWC and the Town, the Town of Tompkins expended additional funds for professional consultants and attorneys in regard to the administration and resolution of real property taxes paid by the City on City-owned lands; and

**WHEREAS**, the Land Committee (West of Hudson Members Only) recommends that the CWC Board of Directors reimburse the fees and expenses of professional consultants and/or attorneys paid by the Town of Tompkins to review, analyze and/or assist in the administration and resolution of real property taxes paid by the City of New York on City-owned lands for up to Four Thousand Four Hundred Dollars (\$4,400.00).

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors fund the reimbursement fees and expenses of professional consultants and/or attorneys paid by the Town of Hurley to review, analyze and/or assist in the administration and resolution of real property taxes paid by the City on City-owned lands up to Four Thousand Four Hundred Dollars (\$4,400.00) and authorizes the President and/or the Executive Director to execute a contract to effectuate the purposes of this resolution and pursuant to the Tax Consulting Program Rules.

***Voice Vote, carried unanimously, West of Hudson Members Only***

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Public Education Grant Appeal – NYCH2O - Tab 20

Resolution was tabled and referred back to the PEAG.

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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 James Eisel and seconded by Michael Brandow.

**Voice Vote, carried unanimously**

A motion to resume the regular meeting was made by Tina Mole' and seconded by Berndt Leifeld.

**Voice Vote, carried unanimously**

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CFF REDI Fund Loan Modification – Bearsville Associates, LLC – Tab 21

A motion to approve Resolution No. 2506 was made by Wayne Marshfield and seconded by Mark McCarthy.

June 3, 2014

RESOLUTION NO. 2506

**APPROVAL OF BEARSVILLE ASSOCIATES, LLC
RELEASE AND SUBSTITUTION OF GUARANTORS**

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, on July 7, 2009, pursuant to Resolution Number 1553, the Board of Directors approved a loan to Bearsville Associates, LLC for One Million Three Hundred Thousand Dollars (\$1,300,000.00), of which CWC retained Six Hundred Fifty Thousand Dollars (\$650,000.00) and entered into a pari-passu participation with Rondout Savings Bank (Bank) in which Bank holds the remaining Six Hundred Fifty Thousand Dollars (\$650,000.00), with a CWC rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in two hundred forty (240) equal monthly payments, with the one hundred and eightieth (180th) payment being a balloon payment such that the outstanding principal is fully paid on the one hundred and eightieth (180th) payment date, to refinance an existing mortgage, consolidate debt, expand an affiliates catering business, and pay soft costs for a proposed project; and

WHEREAS, Michael Kevin Roark, John Evron Kirkpatrick, and South Florida Children’s Charity, Inc propose to purchase 33.333% of the businesses (Bearsville Associates, LLC, PAH-HAH, Inc. and Koala Bear, Ltd) from Eric Mann in the amount of Six Hundred Thousand Dollars (\$600,000.00), 13.333% of the businesses from Peter Cantine in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) and 13.333% of the businesses from Andy Cooper in the amount of Six Hundred Thousand Dollars (\$600,000.00); and

WHEREAS, Bearsville Associates, LLC requested that CWC release the personal guarantee of Eric Mann and accept the personal guarantees of Michael Kevin Roark, John Evron Kirkpatrick, and a cross guarantee by South Florida Children’s Charity, Inc.; and

WHEREAS, such purchase would also provide for the Bearsville Associates, LLC REDI Loan with CWC to be made current; and

WHEREAS, the purchasers also plan to pay down other debt and make renovations to the property; and

WHEREAS, pursuant to the CFF Program rules the CWC Staff has reviewed said request to release Eric Mann as Guarantor with regard to its loan with Bearsville Associates, LLC to allow for the purchase of a portion of the membership interests by unrelated third parties; and

WHEREAS, pursuant to CFF Program Rules, release of a guarantor is a material change that must be approved by the CWC Board of Directors.

NOW, THEREFORE BE IT RESOLVED, the CWC Board determines that Eric Mann be released as Guarantor with regard to the CWC loan with Bearsville Associates, LLC on the condition that Michael Kevin Roark and John Evron Kirkpatrick execute personal guarantees and South Florida Children’s Charity, Inc. execute a cross guarantee for said loan and that payments on such loan be made current.

NOW, THEREFORE BE IT FURTHER RESOLVED, the CWC staff is authorized and directed to issue a letter informing Bearsville Associates, LLC of the approved request, and complete the necessary documents, and other documentation necessary to effectuate this release and guarantor substitution.

NOW, THEREFORE BE IT FURTHER RESOLVED, the CWC staff is authorized and directed to process a release of guarantor and execution of guarantees as provided herein.

Voice Vote, carried unanimously

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**CFF REDI Fund Loan Modification – Reed & Stewart Properties, LLC – Tab 22**

A motion to approve Resolution No. 2507 was made by James Eisel and seconded by Tina Mole’.

June 6, 2014

**RESOLUTION NO. 2507**

**APPROVAL OF REED & STEWART PROPERTIES, 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**, On May 1, 2012, by Resolution No. 2107, Reed & Stewart Properties, LLC, was approved for a One Hundred Eight Thousand Seven Hundred Dollar (\$108,700.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years, after the six month construction period of interest only, 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 of 17 Elm Street, Delhi, NY add a second floor and relocate her Cardio Club business to the new expanded location; and

**WHEREAS**, On February 5, 2013, by Resolution No. 2251, Reed & Stewart Properties, LLC, was approved for a loan modification of an additional Forty Thousand Dollars (\$40,000.00), bringing the total loan to One Hundred Forty-Eight Thousand Seven Hundred Dollars (\$148,700.00), for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years, after the six month construction period of interest only, 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 cost overruns to complete this project; and

**WHEREAS**, Reed & Stewart Properties, LLC has applied for an additional Fifteen Thousand Dollars (\$15,000.00), to follow the terms and conditions of their existing loan, at an interest rate of four percent (4.0%), and a term consistent with term of the current loan; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Reed & Stewart Properties, LLC; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Reed & Stewart Properties, LLC; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Reed & Stewart Properties, LLC for an additional Fifteen Thousand Dollars (\$15,000.00); and

**WHEREAS**, the CWC staff has reviewed and processed this application, and submitted a loan application report to the 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 Reed & Stewart Properties, LLC loan application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of an additional Fifteen Thousand

Dollars (\$15,000.00) for a term consistent with the current loan, at a rate of four percent (4.0%), adjustable every five years, after the six month construction period of interest only, 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 in a form agreed upon.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that upon said approval of loan documentation CWC, in conjunction with NYSEFC, 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 Reed & Stewart Properties, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Reed & Stewart Properties, LLC, located in the Village of Delhi, 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.

1. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 17 Elm Street, Delhi, NY, to be purchased by Reed & Stewart Properties, LLC, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 17 Elm Street, Delhi, NY, to be purchased by Reed & Stewart Properties, LLC 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) Reed & Stewart Properties, LLC will purchase 17 Elm Street, Delhi, NY, and add a second floor to relocate the Cardio Club to an expanded location.
  - (ii) The project is located in the Village of Delhi.
  - (iii) The project will utilize a municipal sewer system.
  - (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 pretreated prior to release.
  - (vi) 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 Village of Delhi.
  - (i) The project is consistent with current zoning.

- (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 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:

Alan Rosa addressed the Board regarding the new iPads which were purchased for use at the Committee and Board meetings. He noted that they were to be kept at the office and would be collected by Frieda Suess (Secretary). The issue of the layout of financial charts within the Board Book would be corrected for the next meeting. Frieda will be putting together a step-by-step presentation on how to utilize advanced features that will allow members to make notes and send any revised documents to individual e-mails, which will be presented on the projector at the July 1 meeting.

Alan also addressed the changes in Committee meeting scheduling, reminding all members that they should arrive at the office no later than 9:30 a.m., as there will be no wait time between meetings any longer. The only meetings with hard start times are Wastewater (9:00) and the Board meeting (1:00). All others will proceed consecutively until the final committee has met. He offered that if a member is only on 'afternoon' committees they should be at the office no later than 11:00. If there is need of any member to have space available to work while waiting for their next committee meeting, we could provide that. He also noted that committee members are credited as attending if done via phone, with exception of the Board meeting, which requires attendance in person.

A motion to adjourn was made by Innes Kasanof and seconded by Thomas Hynes.

Voice Vote, carried unanimously

X. Adjournment: @ 2:25 p.m.