

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

July 5, 2016 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Michael Triolo.

III. Roll Call of Directors

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

Members Excused:

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

Others Present: Bruce E. Dolph, Chairman (*Coalition of Watershed Towns*), Erik Johanson (*Catskill Center for Conservation and Development*), Michael Meyer (*New York City DEP*), and Thomas Stalter (*New York City DEP*).

IV. Review and Approval of June 7, 2016 Board Meeting Minutes

A motion to approve the minutes from the June 7, 2016 board meeting was made by James Eisel and seconded by Martin Donnelly.

Voice Vote, carried unanimously

V. Presentation of Communication

Finance Report

A motion to approve the financial reports as of April 30, 2016 was made by James Eisel and seconded by Thomas Hynes.

Voice Vote, carried unanimously

Executive Director's Report

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

Committee Schedule

Committee Meeting Minutes

VI. Public Discussion

Peter Manning presented a power point and discussed progress on the Catskill Park Wayfinding Sign Project, for which CWC has allocated funds. Slides are attached.

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$25,000 – Allan Brundege – Tab 6**

A motion to approve Resolution No. 2901 was made by Wayne Marshfield and seconded by Tina Molé.

July 5, 2016

**RESOLUTION NO. 2901**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
ALLAN BRUNDEGE**

**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-Three Thousand Five Hundred Fourteen Dollars and Fifteen Cents (\$33,514.15); 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-Three Thousand Five Hundred Fourteen Dollars and Fifteen Cents (\$33,514.15) 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-Three Thousand Five Hundred Fourteen Dollars and Fifteen Cents (\$33,514.15) 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-Three Thousand Five Hundred Fourteen Dollars and Fifteen Cents (\$33,514.15).

**Allan Brundege Backup**

Mr. Brundege's property is located in the Town of Walton, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$36,200.00, \$35,700.00, and \$33,514.15. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump station, 140 lineal feet of 4" gravity piping, one distribution box, 370 cubic yards of absorption fill material, 225 lineal feet of absorption trench, 330 lineal feet of curtain drain, 2 cleanouts, temporary bridge, access road, and site restoration. The lowest quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$33,514.15.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Joseph Faro – Tab 7

A motion to approve Resolution No. 2902 was made by Wayne Marshfield and seconded by Tina Molé.

July 5, 2016

RESOLUTION NO. 2902

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:
JOSEPH FARO**

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-Five Thousand Dollars (\$25,000) 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 Ninety-Nine Dollars (\$29,999.00); and

WHEREAS, the contractor's quote for this system is more than Twenty-Five Thousand Dollars (\$25,000); and

WHEREAS, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Nine Hundred Ninety-Nine Dollars (\$29,999.00) 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 Ninety-Nine Dollars (\$29,999.00) 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 Ninety-Nine Dollars (\$29,999.00).

Joseph Faro Backup

Mr. Faro's property is located in the Town of Bovina, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,999.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, a 700 gallon siphon chamber, 250 lineal feet of 4" gravity piping, one distribution box, 550 cubic yards of absorption fill material, one effluent filter, 350 lineal feet of absorption trench, 195 lineal feet of curtain drain, 3 cleanouts, and site restoration. The quote does not exceed the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,999.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – George Hewitt – Tab 8**

A motion to approve Resolution No. 2903 was made by Wayne Marshfield and seconded by Tina Molé.

July 5, 2016

**RESOLUTION NO. 2903**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
GEORGE HEWITT**

**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-Five Thousand Dollars (\$25,000) 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 Ninety-Five Dollars (\$29,995.00); and

**WHEREAS**, the contractor's quote for this system is more than Twenty-Five Thousand Dollars (\$25,000); and

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00) 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 Ninety-Five Dollars (\$29,995.00) 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 Ninety-Five Dollars (\$29,995.00).

**George Hewitt Backup**

Mr. Hewitt's property is located in the Town of Jewett, Greene County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,995.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, 180 lineal feet of 4" gravity piping, 20 lineal feet of forcemain, one distribution box, 70 cubic yards of absorption fill material, one effluent filter, 3 peat modules, 2 cleanouts, 125 lineal feet of curtain drain, 65 lineal feet of outlet piping, tree removal, 200 lineal feet of temporary access road, and complete site restoration. The quote does not exceed the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,995.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Additional Cost – Robert Exum – Tab 9

A motion to approve Resolution No. 2904 was made by Thomas Hynes and seconded by Robert Pelham.

July 5, 2016

RESOLUTION NO. 2904

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION
OVER \$25,000:
ROBERT EXUM**

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-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, by Resolution Number 2821, the CWC Board approved reimbursement to Robert Exum in an amount not to exceed Twenty-Nine Thousand Nine Hundred Sixty-Five Dollars (\$29,965.00); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of Two Thousand Ninety-One Dollars and Sixty Cents (\$2,091.60); and

WHEREAS, the total contractor's invoices for this system is more than Twenty-Five Thousand Dollars (\$25,000.00); and

WHEREAS, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Two Thousand Ninety-One Dollars and Sixty Cents (\$2,091.60); and

WHEREAS, CWC staff have determined that Thirty-Two Thousand Fifty-Six Dollars and Sixty Cents (\$32,056.60) 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-Two Thousand Fifty-Six Dollars and Sixty Cents (\$32,056.60) 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 Fifty-Six Dollars and Sixty Cents (\$32,056.60).

Robert Exum Backup

Mr. Exum's property is located in the Town of Windham, Greene County. CWC Board of Directors previously approved reimbursement for this project at \$29,965.00. During construction the project engineer requested that the contractor relocate the footing drain of the house to the new footing drain to ensure drainage of the septic field. He also requested additional fill be brought in to lessen the severity of the lower taper. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$2,091.60. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,091.60, for total reimbursement not to exceed \$32,056.60.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Steven Lombardozzi – Tab 10**

A motion to approve Resolution No. 2905 was made by Thomas Hynes and seconded by Robert Pelham.

July 5, 2016

**RESOLUTION NO. 2905**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION  
OVER \$25,000:  
STEVEN LOMBARDOZZI**

**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-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, by Resolution Number 2842, the CWC Board approved reimbursement to Steven Lombardozzi in an amount not to exceed Twenty-Nine Thousand Three Hundred Sixty Dollars (\$29,360.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of Three Hundred Twenty-Five Dollars (\$325.00); and

**WHEREAS**, the total contractor’s invoices for this system is more than Twenty-Five Thousand Dollars (\$25,000.00); and

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Three Hundred Twenty-Five Dollars (\$325.00); and

**WHEREAS**, CWC staff have determined that Twenty-Nine Thousand Six Hundred Eighty-Five Dollars (\$29,685.00) 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 Six Hundred Eighty-Five Dollars (\$29,685.00) 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 Six Hundred Eighty-Five Dollars (\$29,685.00).

**Steven Lombardozzi Backup**

Mr. Lombardozi's property is located in the Town of Prattsville, Greene County. CWC Board of Directors previously approved reimbursement for this project at \$29,360.00. During construction the project engineer requested installation of approximately 20 lineal feet of Schedule 40 piping and a cleanout. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$325.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$325.00, for total reimbursement not to exceed \$29,685.00.

*Voice Vote, carried unanimously*

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Septic Reimbursement Over \$25,000 – Additional Cost – Clifford Rikard – Tab 11

A motion to approve Resolution No. 2906 was made by Thomas Hynes and seconded by Robert Pelham.

July 5, 2016

RESOLUTION NO. 2906

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE
OVER \$25,000 – ADDITIONAL COSTS:
CLIFFORD RIKARD**

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-Five Thousand Dollars (\$25,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, CWC staff previously approved Septic Program reimbursement for Clifford Rikard in the amount of Twenty-Four Thousand Nine Hundred Dollars (\$24,900.00); 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 One Thousand Two Hundred Eighteen Dollars and Seventy-Five Cents (\$1,218.75); and

WHEREAS, the total contractor's invoices for this system is more than Twenty-Five Thousand Dollars (\$25,000.00); and

WHEREAS, the CWC staff have determined the contractor's total invoices of Twenty-Six Thousand One Hundred Eighteen Dollars and Seventy-Five Cents (\$26,118.75) 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 total reimbursement of Twenty-Six Thousand One Hundred Eighteen Dollars and Seventy-Five Cents (\$26,118.75) 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 Eighteen Dollars and Seventy-Five Cents (\$26,118.75).

Clifford Rikard Backup

Mr. Rikard's property is located in the Town of Roxbury, Delaware County. CWC staff previously approved reimbursement for replacement of the septic system at \$24,900.00. Shortly after construction started it became evident that additional fill would be necessary to ensure he proper cover of the system's components. The contractor supplied an additional 75 cubic yards of material to complete the job. The project engineer corroborated the need in writing. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$1,218.75. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,218.75, for total reimbursement not to exceed \$26,118.75.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Joaquin Solis – Tab 12**

A motion to approve Resolution No. 2907 was made by Thomas Hynes and seconded by Robert Pelham.

April 7, 2015

**RESOLUTION NO. 2907**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
JOAQUIN SOLIS**

**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**, CWC staff previously approved Septic Program reimbursement for Joaquin Solis for an emergency tank replacement for the amount of Three Thousand Four Hundred Eighty-One Dollars (\$3,481.00); 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 Forty-Nine Dollars (\$32,349.00); 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 Forty-Nine Dollars (\$32,349.00) 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 Forty-Nine Dollars (\$32,349.00) 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-Five Thousand Eight Hundred Thirty Dollars (\$35,830.00).

**Joaquin Solis Backup**

Mr. Solis's property is located in the Town of Middletown, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$34,100.00, \$32,700.00, and \$32,349.00. This system is for a four bedroom house. A 1,250 gallon septic tank was previously installed on an emergency basis at a cost of \$3,481.00. This cost was not included in the quotes received from the contractors. The major components for this system include a siphon chamber, 160 lineal feet of 4" gravity piping, one distribution box, 390 cubic yards of absorption fill material, one effluent filter, 330 lineal feet of absorption trench, 165 lineal feet of curtain drain, temporary access road, and complete site restoration. The lowest quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve additional reimbursement for construction in an amount of \$32,349.00, with total reimbursement not to exceed \$35,830.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Additional Cost – Erika Wei – Tab 13

A motion to approve Resolution No. 2908 was made by Thomas Hynes and seconded by Robert Pelham.

July 5, 2016

RESOLUTION NO. 2908

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION
OVER \$25,000:
ERIKA WEI**

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-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, by Resolution Number 2778, the CWC Board approved reimbursement to Erika Wei in an amount not to exceed Twenty-Six Thousand Sixty-Four Dollars and Ninety-Four Cents (\$26,064.94); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of One Thousand Ninety-Two Dollars and Sixty-Five Cents (\$1,092.65); and

WHEREAS, the total contractor’s invoices for this system is more than Twenty-Five Thousand Dollars (\$25,000.00); and

WHEREAS, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be One Thousand Ninety-Two Dollars and Sixty-Five Cents (\$1,092.65); and

WHEREAS, CWC staff have determined that Twenty-Seven Thousand One Hundred Fifty-Seven Dollars and Fifty-Nine Cents (\$27,157.59) 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-Seven Thousand One Hundred Fifty-Seven Dollars and Fifty-Nine Cents (\$27,157.59) 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-Seven Thousand One Hundred Fifty-Seven Dollars and Fifty-Nine Cents (\$27,157.59).

Erika Wei Backup

Ms. Wei’s property is located in the Town of Hurley, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$26,064.94. Upon completion of the system the project engineer requested additional fill and a swale to redirect the natural flow of runoff to prevent erosion from compromising the new system. Rip-rap was also requested to further stabilize the bank from erosion, and additional site restoration was necessary. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$1,092.65. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,092.65, for total reimbursement not to exceed \$27,157.59.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – William Wolfinger – Tab 14**

*Tab pulled by CWC staff – no vote*

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Future Stormwater – Michael Lasofsky – Tab 15

A motion to approve Resolution No. 2909 was made by Thomas Hynes and seconded by Richard Parete.

July 5, 2016

RESOLUTION NO. 2909

BOARD REVIEW OF FUTURE STORMWATER PROGRAM
APPLICATION FOR MICHAEL LASOFSKY
STORMWATER CONTROLS

WHEREAS, the 1997 New York City Watershed Memorandum of Agreement (“Watershed MOA”) paragraph 128 (“Future Stormwater Program”) 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 required by the 18-39(b)(3) and 18-39(e) of the watershed regulations; and

WHEREAS, Section 145(ii) of the Watershed MOA and the West of Hudson Future Stormwater Program Rules provides for payment of eligible project costs required solely by the New York City Department of Environmental Protection (“NYCDEP”) and not otherwise required by State or federal law; and

WHEREAS, Michael Lasofsky was requested by NYCDEP to undertake a survey of disturbed area at his property in the Town of Colchester to prove the area of disturbance was less than two acres and thereby would not require him to complete a Stormwater Pollution Protection Plan pursuant to Section 18-39 of the New York City Watershed Regulations; and

WHEREAS, Michael Lasofsky incurred costs of Three Thousand Four Hundred Seventy-Six Dollars and Thirty Cents (\$3,476.30) for a survey to prove the area of disturbance was less than two acres; and

WHEREAS, NYCDEP declined to reimburse Michael Lasofsky for the costs of the survey; and

WHEREAS, Michael Lasofsky has requested funding in the amount of Three Thousand Four Hundred Seventy-Six Dollars and Thirty Cents (\$3,476.30) for the cost of survey requested by NYCDEP staff; and

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

WHEREAS, CWC staff recommended reimbursement of eligible stormwater costs for a total not-to-exceed amount of Three Thousand Four Hundred Seventy-Six Dollars and Thirty Cents (\$3,476.30); and

WHEREAS, the CWC Wastewater/Stormwater Committee recommended that the application be approved by the CWC Board of Directors.

NOW, THEREFORE, LET IT BE RESOLVED, that the CWC Board of Directors has reviewed the attached application, staff recommendation and supporting documentation and approves the survey funding request of Three Thousand Four Hundred Seventy-Six Dollars and Thirty Cents (\$3,476.30).

CWC Future Stormwater Controls Program – Michael Lasofsky

Mr. Lasofsky owns property within the West of Hudson Watershed in the Town of Colchester, Delaware County. During property development, Mr. Lasofsky was requested by NYCDEP staff to obtain a survey to prove the area of disturbance was less than two acres. An area of disturbance of two or more acres requires the property owner to prepare and submit to NYCDEP a stormwater pollution prevention plan. Mr. Lasofsky hired a surveyor and the completed survey showed the area of disturbance was less than two acres. NYCDEP staff did believe he should be reimbursed. However, the application to NYCDEP for reimbursement was denied.

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

Total Eligible Design Costs	\$3,476.30
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Voice Vote, carried – 13 aye, NYCDEP abstained, 1 vacant

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**Purchase of Vehicle – Jeep Grand Cherokee Laredo E – Tab 16**

A motion to approve Resolution No. 2910 was made by James Eisel and seconded by Martin Donnelly.

July 5, 2016

**RESOLUTION NO. 2910**

**CAPITAL EXPENDITURE – NEW VEHICLE PURCHASE**

**WHEREAS**, pursuant to Resolution Number 2754, the CWC Board of Directors adopted the 2016 budget for the Capital Expenses; and

**WHEREAS**, the Finance Committee would like to purchase a new 4 door Jeep Grand Cherokee Laredo E; and

**WHEREAS**, the vehicle will be purchased under the State Contract Procurement and a 2009 Jeep Grand Cherokee now owned by CWC will be traded in to reduce the purchase price; and

**WHEREAS**, the total cost of the 2016 four door Jeep Grand Cherokee Laredo E is Twenty-One Thousand Three Hundred Forty-One Dollars and Fifty Cents (\$21,341.50) which includes delivery charges and credit for the trade-in.

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board approves the cost of the Jeep Grand Cherokee Laredo in an amount not to exceed Twenty-One Thousand Three Hundred Forty-One Dollars and Fifty Cents (\$21,341.50).

**NOW, THEREFORE BE IT FURTHER RESOLVED**, the CWC Board authorizes the Executive Director and President to purchase the Jeep Grand Cherokee Laredo E and sell the 2009 Jeep Grand Cherokee as a trade-in.

*Voice Vote, carried unanimously*

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CFF Contract Amendment – Catskill Center for Conservation and Development with Regard to the Maurice D. Hinchey Catskill Interpretive Center – Tab 17

A motion to approve Resolution No. 2911 was made by Berndt Leifeld and seconded by Wayne Marshfield.

July 5, 2016

RESOLUTION NO. 2911

APPROVAL TO AMEND THE CONTRACT WITH THE CATSKILL CENTER FOR CONSERVATION AND DEVELOPMENT WITH REGARD TO THE MAURICE D. HINCHEY CATSKILL INTERPRETIVE CENTER

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 (WOH); and

WHEREAS, on April 24, 2007, by Resolution Number 1150, the CWC Board of Directors allocated One Million Dollars (\$1,000,000.00) to the Water Discovery Center, to provide funds for the hiring of an executive director and support staff to provide management, strategic direction, fund raising, facilities construction, exhibits, and develop programming for the Center, allocated from the Delaware County portion of CFF; and

WHEREAS, no facility was constructed and the Water Discovery Center continues to face challenges in raising the approximately Twenty Million Dollars (\$20,000,000.00) that would be required to construct and operate their planned facility, leaving approximately Two Hundred Forty Thousand Dollars (\$240,000.00) of CFF funds remaining; and

WHEREAS, by Resolution Numbers 2170 and 2316, the CWC Board of Directors approved the reallocation of a total of Sixty Thousand Dollars (\$60,000.00) to the Time & the Valleys

Museum for creation of exhibits regarding the history of the New York City Watershed Agreement from funds originally allocated by Resolution Number 1150; and

WHEREAS, by Resolution Number 2594, the CWC Board of Directors approved the reallocation of a total of One Hundred Twenty-Three Thousand Dollars (\$123,000.00) to the Catskill Center for Conservation and Development for the Maurice D. Hinchey Catskill Interpretive Center (the CIC) for costs of construction of a replica of a Ranger Station/Observer's Cabin Museum, installation of an interactive digital display, and Ten Thousand Dollars (\$10,000.00) per year for five years for maintenance and operation costs of the Interpretive Center; and

WHEREAS, the New York State Department of Environmental Conservation has dedicated approximately One Million Dollars (\$1,000,000.00) to capital improvements to the Catskill Interpretive Center for the Observer's Cabin Museum, a Fire Tower, a Pavilion, an Amphitheater, a Shed with a bathroom, a dog park, a charging station and other items; and

WHEREAS, the Catskill Center for Conservation and Development has requested that the funds originally allocated to build the Observer's Cabin Museum be reallocated to hire a trained interpretative center designer to create a plan for the CIC; and

WHEREAS, the Executive Director, pursuant to the CFF Program Contract and the CFF Program rules, has evaluated and determined that this partnership 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 rules only the CWC Board of Directors may make an award from the CFF.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board authorizes the President and/or the Executive Director to execute amend the contract with the Catskill Center for Conservation and Development, for the Maurice D. Hinchey Catskill Interpretive Center to hire a trained interpretative center designer to create a plan for the CIC.

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

QEDP Evaluation and CWC Staff Recommendation

Purpose: To review the CWC assistance to The Maurice D. Hinchey Catskill Interpretive Center

The Executive Director of the CWC makes the following evaluation concerning an alliance with The Maurice D. Hinchey Catskill Interpretive Center, Mt. Tremper, 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 5096 State Route 28, Mt. Tremper, NY, 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 5096 State Route 28, Mt. Tremper, NY, 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) The Maurice D. Hinchey Catskill Interpretive Center, Mt. Tremper, NY will create and construct exhibits featuring the history of the Catskill Park.
 - (ii) The project is located on 5096 State Route 28, Mt. Tremper, NY.
 - (iii) The project will utilize a septic 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 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 Shandaken.
 - (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 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.

Alan noted that the Economic Development Committee has requested a letter be sent describing CWC's thoughts and concerns regarding the Interpretative Center and use of the funds.

Voice Vote, carried – 13 aye, James Eisel nay, 1 vacant

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*A motion to waive Rule 14 was made by Thomas Hynes and seconded by Tina Molé.*

**Voice Vote, carried unanimously**

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Handout Resolution – Stormwater – The Roxbury Barn – Additional Funds

A motion to approve Resolution No. 2912 was made by James Eisel and seconded by Robert Pelham.

July 5, 2016

RESOLUTION NO. 2912

**BOARD REVIEW OF ADDITIONAL FUNDS FOR
THE ROXBURY BARN, LLC**

FUTURE STORMWATER PROGRAM APPLICATION FOR REIMBURSEMENT

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 required by the 18-39(b)(3) and 18-39(e) of the watershed regulations; and

WHEREAS, Section 145 (ii) of the Watershed MOA and the West of Hudson Future Stormwater Program Rules provides for payment of eligible project cost for small business, (50% by NYC and 50% by CWC); and

WHEREAS, by Resolution Number 2765, the CWC Board of Directors approved an application by The Roxbury Barn, LLC in the amount of Six Thousand Dollars (\$6,000.00) for design of stormwater controls required solely by NYCDEP Watershed Regulations at property located in the Town of Roxbury; and

WHEREAS, The Roxbury Barn, LLC has requested implementation funding in the amount of Fifteen Thousand Nine Hundred Nine Dollars (\$15,909.00), representing 50% of the total cost of New York City Department of Environmental Protection’s requirements for implementation of new stormwater controls; and

WHEREAS, the CWC share of stormwater funding is 50% of the eligible costs for this project because The Roxbury Barn, LLC is a small business under Watershed MOA Paragraph 145; and

WHEREAS, CWC staff has reviewed the application of The Roxbury Barn, LLC and recommend the additional funding of eligible costs in an amount not to exceed Fifteen Thousand Nine Hundred Nine Dollars (\$15,909.00), representing 50% of the total eligible cost; and

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

WHEREAS, the CWC Wastewater Committee recommended that the application be approved by the CWC Board.

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 for implementation costs in the amount of Fifteen Thousand Nine Hundred Nine Dollars (\$15,909.00), for total reimbursement in the not-to-exceed amount of Twenty-One Thousand Nine Hundred Nine Dollars (\$21,909.00).

Future Stormwater Program Application – The Roxbury Barn, LLC

The Roxbury Barn, LLC is a wedding venue in the Town of Roxbury, Delaware County. They did an addition on the barn that is located within 100 feet of a watercourse. NYC DEP issued a NOV on May 28, 2014. The total disturbance is under an acre and only requires and NYC DEP SWPPP. The Roxbury Barn, LLC is a small business therefore they are eligible for 50% reimbursement of eligible costs from the CWC and are eligible to apply to the NYC DEP for the remaining 50%.

Total Additional Eligible Costs	\$31,818.00
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NYCDEP 50% Share

\$15,909.00

Recommended CWC funding 50% of additional eligible SWPPP costs **\$15,909.00**

The Roxbury Barn, LLC is also eligible to apply to NYCDEP to seek reimbursement for up to 50% of these costs.

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 Mark McCarthy and seconded by Tina Molé.

**Voice Vote, carried unanimously**

A motion to resume the regular meeting was made by Mark McCarthy and seconded by Thomas Hynes.

**Voice Vote, carried unanimously**

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CFR REDI Loan – Art on Site Residency and Retreat, LLC – Tab 18

A motion to approve Resolution No. 2913 was made by Richard Parete and seconded by Robert Pelham.

July 5, 2016

RESOLUTION NO. 2913

APPROVAL OF

ART ON SITE RESIDENCY AND 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, Art on Site Residency and Retreat, LLC has applied for a Two Hundred Fifty Thousand Dollar (\$250,000.00) 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 94 Decker Lane, Kerhonkson, NY; and

WHEREAS, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Art on Site Residency and Retreat, LLC; and

WHEREAS, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Art on Site Residency and Retreat, LLC.; and

WHEREAS, the CWC Loan Committee has recommended approval of the CWC Loan application from Art on Site Residency and Retreat, LLC; and

WHEREAS, the CWC Loan Committee further recommends waiving the requirement of a participating lender pursuant to CFF Program Rules section 1:05:02 because in the opinion of CWC staff only a 1st lien position adequately protects the interests of CWC; 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 Art on Site Residency and Retreat, LLC application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) 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 and waives the requirement of a participating lender pursuant to CFF Program Rules section 1:05:02..

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 by CWC.

NOW, THEREFORE BE IT FURTHER RESOLVED, that upon said approval of loan documentation CWC is authorized to close on said loan and CWC 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.

QEDP Evaluation and CWC Staff Recommendation

Purpose: To review the CWC Loan Application of Art on Site Residency and Retreat, LLC

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Art on Site Residency and Retreat, LLC, located in the Town of Wawarsing, 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 94 Decker Lane, Kerhonkson, NY, to be purchased by Art on Site Residency and Retreat, 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 94 Decker Lane, Kerhonkson, NY, to be purchased by Art on Site Residency and Retreat, 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) Art on Site Residency and Retreat, LLC will purchase and renovate the building at 94 Decker Lane, Kerhonkson, NY.
 - (ii) The project is located in the Town of Wawarsing.
 - (iii) The project will utilize a septic 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 Town of Wawarsing.
 - (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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**CFR REDI Loan – Faiga A. Brussel – Tab 19**

A motion to approve Resolution No. 2914 was made by Tina Molé and seconded by Martin Donnelly.

**RESOLUTION NO. 2914**  
**APPROVAL OF FAIGA A. BRUSSEL**  
**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 24, 2005, by Resolution Number 850, the CWC Board of Directors approved a loan to Faiga A. Brussel in the amount of One Hundred Ten Thousand Dollars (\$110,000.00); and

**WHEREAS**, Faiga A. Brussel, has applied for a One Hundred Thousand Dollar (\$100,000.00) 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 renovation of 53 Main Street, Delhi, NY; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Faiga A. Brussel; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Faiga A. Brussel; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Faiga A. Brussel; and

**WHEREAS**, the CWC Loan Committee further recommends waiving the requirement of a participating lender pursuant to CFF Program Rules section 1:05:02 because in the opinion of CWC staff only a 1<sup>st</sup> lien position adequately protects the interests of CWC; 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, and 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 Faiga A. Brussel loan application meets the CWC CFF qualified economic development criteria and approves of the application in the amount of One Hundred Thousand Dollars (\$100,000.00), 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 and waives the requirement of a participating lender pursuant to CFF Program Rules section 1:05:02.

**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 by CWC.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that upon said approval of loan documentation CWC is authorized to close on said loan and CWC 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.

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

**Purpose: To review the CWC Loan Application of Faiga A. Brussel**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Faiga A. Brussel located in the Town 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 53 Main Street, Delhi, NY, owned by Faiga A. Brussel, 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 53 Main Street, Delhi, NY, owned by Faiga A. Brussel, 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) Faiga A. Brussel will renovate the building at 53 Main Street, Delhi, NY.
  - (ii) The project is located in the Town of Delhi.
  - (iii) The project will utilize a municipal sewage 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 Town 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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CFF REDI Loan – Roxbury General, LLC (or Entity to be Formed) – Tab 20

A motion to approve Resolution No. 2915 was made by Innes Kasanof and seconded by Wayne Marshfield.

Voice Vote, carried unanimously

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**CFF REDI Loan Amendment - Hasenflue Subordination & Transfer of Ownership – Tab 21**

A motion to approve Resolution No. 2916 was made by James Eisel and seconded by Robert Pelham.

July 5, 2016

**RESOLUTION NO. 2916**

**APPROVAL OF HASENFLUE PROPERTY MANAGEMENT LLC  
LOAN SUBORDINATION AND TRANSFER OF OWNERSHIP**

**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 June 24, 2008, by Resolution Number 1358, the CWC Board of Directors approved a CFF REDI-Loan to Hasenflue Property Management LLC in the amount of One Hundred Fifty-Five Thousand Dollars (\$155,000.00) for a term of fifteen (15) years, at a rate of four percent (4.00%), 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, to help cover the costs for the purchase of real property located at 4162 Route 209, Stone Ridge, N.Y., and to rename the current business as Cherries on Top Luncheonette and Ice Cream Bar; and

**WHEREAS**, Hasenflue Property Management LLC is current in its CFF REDI-Loan obligation; and

**WHEREAS**, Hasenflue Property Management LLC requested a subordination from CWC in an amount not to exceed Fourteen Thousand Dollars (\$14,000.00) to Ulster Savings Bank for defraying closing costs, fees and establishing escrow accounts for property and school taxes relating to Ulster Savings Bank's refinance of its current loan with Hasenflue Property Management LLC; and

**WHEREAS**, Hasenflue Property Management LLC requested CWC to agree to a transfer of its ownership from Donald and Marcelle Hasenflue to Alyson Dugan Reidy; and

**WHEREAS**, pursuant to the CFF Program Rules, the CWC Staff has reviewed a completed subordination and transfer of ownership request from Hasenflue Property Management LLC; and

**WHEREAS**, pursuant to the CFF Program Rules, the CWC Loan Committee has reviewed an underwriting report for Hasenflue Property Management LLC; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the subordination and transfer of ownership request from Hasenflue Property Management LLC; and

**WHEREAS**, the CWC Staff has reviewed and processed this request and submitted a report to the CWC Board of Directors, attached hereto; 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 granting this subordination and transfer of ownership request, 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 approve a subordination or transfer of ownership request.

**NOW, THEREFORE, BE IT RESOLVED**, the CWC Board of Directors hereby approve the Hasenflue Property Management LLC subordination and transfer of ownership request and approve an additional lien not to exceed Fourteen Thousand Dollars (\$14,000.00), superior to CWC's property, equipment, accounts receivable and inventory lien positions, to be used to defray closing costs, fees and establishing escrow accounts for property and school taxes relating to Ulster Savings Bank's refinance of its current loan with Hasenflue Property Management LLC.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, the CWC Staff is authorized and directed to inform the borrower, in writing, of the CWC Board's intention to grant the subordination and transfer of ownership, 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 Subordination Agreement and other documentation necessary to effectuate this subordination.

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** that upon said approval of loan documentation, CWC is authorized to issue said subordination.

**Voice Vote, carried unanimously**

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VIII. Announcements from the Chair:

IX. Board Member Discussion:

Berndt Leifeld expressed gratitude to the Board and CWC staff for their condolences and support throughout the loss of his wife, Ann.

Diane Galusha announced the newest art exhibit by Ann Higgins, of Grahamsville. The exhibit will be featured until September.

She also noted that NYC DEP has published an interactive recreational use map on their website and will be demonstrating how to utilize the maps at CWC offices on Thursday, July 7 at 6:00 pm.

Diane stated that the Scenic Byway website is now active, and a link will be forwarded along with a press release to all Board members.

A motion to adjourn was made by Donald 'Mike' Brandow and seconded by Berndt Leifeld.

Voice Vote, carried unanimously

X. Adjournment: @ 2:23 p.m.