

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

August 4, 2015 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by James Eisel.

III. Roll Call of Directors

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

Members Excused: Deborah Meyer DeWan, Martin Donnelly, and Mark McCarthy.

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:

IV. Review and Approval of June 2, 2015 Board Meeting Minutes

A motion to approve the minutes from the July 7, 2015 board meeting was made by Berndt Leifeld and seconded by James Eisel.

Voice Vote, *carried unanimously*

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of May 31, 2015 was made by James Eisel and seconded by Tina Molé.

**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

The Budget Authorities Office mandatory training will be rescheduled for the October 6 Board meeting.

Committee Meeting Minutes

VI. Public Discussion

Diane Galusha noted the newest exhibit, comprised of posters showing the progression of naming Route 28, getting it evaluated, reviewed and appreciated as a scenic byway, which was approved by the State legislature and is now to be signed as a bill in the near future by the Governor. The exhibit will be updated and available for viewing for two months.

Also noted by Diane is a CWC-sponsored Stormwater Workshop, to be held September 11th at the Legion Hall in Margaretville. State DOH will present in the morning, and NYS DEP and CWC staff will be presenting in the afternoon. The workshop is free, credits will be provided to planning and zoning board members and CEOs. Lunch will be served. Registration is available via the CWC website.

VII. Presentation of Resolutions

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*A motion to waive Rule 14 was made by Richard Parete and seconded by Innes Kasanof.*

**Voice Vote, carried unanimously**

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Handout Resolution – Future Stormwater – Additional Costs – Darlene Colandrea– Tab 15

A motion to approve Resolution No. 2714 was made by James Eisel and seconded by Thomas Hynes.

August 4, 2015

RESOLUTION NO. 2714

BOARD REVIEW OF FUTURE STORMWATER PROGRAM APPLICATION FOR DARLENE COLANDREA STORMWATER CONTROLS ADDITIONAL FUNDING

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, by Resolution Number 2573, the CWC Board of Directors approved an application by Darlene Colandrea for funding of eligible costs in the not-to-exceed amount of Five Thousand Nine Hundred Seventy-Five Dollars (\$5,975.00) for the design of an eligible project; and

WHEREAS, Darlene Colandrea has applied for additional funding of eligible construction costs in the amount of Twenty-Two Thousand Three Hundred Nineteen Dollars and Forty-Two Cents (\$22,319.42) for the implementation of an approved SWPPP related to the installation of additional storage units at an existing storage unit business; and

WHEREAS, the CWC share of stormwater funding is 50% of the eligible costs for this project because Darlene Colandrea is operating under a DBA and is considered a small business under Watershed MOA Paragraph 145; and

WHEREAS, upon review of the information and staff recommendation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve an amended not-to-exceed amount of Twenty-Eight Thousand Two Hundred Ninety-Four Dollars and Forty-Two Cents (\$28,294.42) for the Darlene Colandrea Future Stormwater Project.

NOW, THEREFORE, LET IT BE RESOLVED, that the CWC Board of Directors has reviewed the attached application, staff recommendation and supporting documentation and approves additional funding in the amount of Twenty-Two Thousand Three Hundred Nineteen Dollars and Forty-Two Cents (\$22,319.42) for a total not-to-exceed amount of Twenty-Eight Thousand Two Hundred Ninety-Four Dollars and Forty-Two Cents (\$28,294.42).

**CWC Future Stormwater Controls Program
Darlene Colandrea – Additional Storage Units, Village of Tannersville, Greene County**

Darlene Colandrea owns a Storage Unit business in the Village of Tannersville, Greene County. Ms. Colandrea is required to design new stormwater control measures to control stormwater runoff for additional storage units she is installing on the property within 100 feet of a watercourse.

Ms. Colandrea is eligible for 50% reimbursement of eligible costs through the CWC as she is operating under a DBA and is considered a small business.

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

Total Eligible Costs	\$44,638.85
NYCDEP 50% Share	\$22,319.43

Recommended CWC funding 50% of eligible SWPPP costs \$22,319.42

Ms. Colandrea 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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**Septic Reimbursement Over \$25,000 – William Cottiers – Tab 7**

A motion to approve Resolution No. 2715 was made by Berndt Leifeld and seconded by Wayne Marshfield.

**RESOLUTION NO. 2715**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
WILLIAM COTTIERS**

**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-Six Thousand Eight Hundred Dollars (\$26,800.00); 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-Six Thousand Eight Hundred Dollars (\$26,800.00) 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 Eight Hundred Dollars (\$26,800.00) 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 Eight Hundred Dollars (\$26,800.00).

**William Cottiers Backup**

Mr. Cottier’s property is located in the Town of Hamden, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$26,800.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, 60 lineal feet of 4” gravity piping, 200 lineal feet of forcemain, one effluent filter, four peat modules, 100 lineal feet of swale, temporary access road, and 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 \$26,800.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Daniel Coyle – Tab 8

A motion to approve Resolution No. 2716 was made by Berndt Leifeld and seconded by Wayne Marshfield.

August 4, 2015

RESOLUTION NO. 2716

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:
DANIEL COYLE**

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 Two Hundred Twenty-Three Dollars (\$29,223.00); 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 Two Hundred Twenty-Three Dollars (\$29,223.00) 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 Two Hundred Twenty-Three Dollars (\$29,223.00) 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 Two Hundred Twenty-Three Dollars (\$29,223.00).

Daniel Coyle Backup

Mr. Coyle’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 \$29,223.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, 244 lineal feet of 4” gravity piping, 93 cubic yards of absorption fill material, 160 cubic yards of random fill material, 20 cubic yards of stone, four peat modules, 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 \$29,223.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Shannon Pelham – Tab 9**

A motion to approve Resolution No. 2717 was made by Thomas Hynes and seconded by Jeffrey Graf.

August 4, 2015

**RESOLUTION NO. 2717**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
SHANNON PELHAM**

**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 Dollars (\$29,900.00); 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 Dollars (\$29,900.00) 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 Dollars (\$29,900.00) 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 Dollars (\$29,900.00).

**Shannon Pelham Backup**

Ms. Pelham’s property is located in the Town of Ashland, Greene County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,900.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, 15 lineal feet of 4” gravity piping, 215 lineal feet of forcemain, one effluent filter, 30 cubic yards of absorption fill material, four peat modules, 105 lineal feet of curtain drain, temporary access road, and 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 \$29,900.00.

**Voice Vote, carried - 11 aye, 1 abstained**

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Septic Reimbursement Over \$25,000 – Bruce Rasmussen – Tab 10

A motion to approve Resolution No. 2718 was made by Tina Molé and seconded by Wayne Marshfield.

August 4, 2015

RESOLUTION NO. 2718

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:
BRUCE RASMUSSEN**

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 Five Hundred Twenty-Two Dollars and Ninety Cents (\$29,522.90); 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 Five Hundred Twenty-Two Dollars and Ninety Cents (\$29,522.90) 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 Five Hundred Twenty-Two Dollars and Ninety Cents (\$29,522.90) 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 Five Hundred Twenty-Two Dollars and Ninety Cents (\$29,522.90).

Bruce Rasmussen Backup

Mr. Rasmussen’s property is located in the Town of Delhi, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,522.90. This system is for a

four bedroom house. The major components for this system include a 1,250 gallon septic tank, 65 lineal feet of 4” gravity piping, 30 lineal feet of forcemain, 60 cubic yards of absorption fill material, one effluent filter, four peat modules, 200 lineal feet of absorption trench, temporary access, and site restoration. The 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 \$29,522.90.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Fernando Santana – Tab 11**

A motion to approve Resolution No. 2719 was made by Tina Molé and seconded by Wayne Marshfield.

August 4, 2015

**RESOLUTION NO. 2719**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
FERNANDO SANTANA**

**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 Sixty-Seven Dollars (\$29,967.00); 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 Sixty-Seven Dollars (\$29,967.00) 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 Sixty-Seven Dollars (\$29,967.00) 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 Sixty-Seven Dollars (\$29,967.00).



**Fernando Santana Backup**

Mr. Santana’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 \$29,967.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, one pump chamber, 220 lineal feet of 4” gravity piping, 125 lineal feet of forcemain, one distribution box, 520 cubic yards of absorption fill material, one effluent filter, 330 lineal feet of absorption trench, two cleanouts, access road, 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 \$29,967.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Additional Cost – John Cianci – Tab 12

A motion to approve Resolution No. 2720 was made by Wayne Marshfield and seconded by Tina Molé.

August 4, 2015

RESOLUTION NO. 2720

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

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 2597, the CWC Board approved reimbursement to John Cianci in an amount not to exceed Twenty-Six Thousand Two Hundred Seventeen Dollars and Eighty Cents (\$26,217.80); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for additional absorption trench in the amount of Five Hundred Thirty-Seven Dollars (\$537.00); 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 Five Hundred Thirty-Seven Dollars (\$537.00); and

WHEREAS, CWC staff have determined that Twenty-Six Thousand Two Hundred Seventeen Dollars and Eighty Cents (\$26,217.80) 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-Six Thousand Two Hundred Seventeen Dollars and Eighty Cents (\$26,217.80) 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 Seventeen Dollars and Eighty Cents (\$26,217.80).

John Cianci Backup

Mr. Cianci's property is located in the Town of Bovina, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$25,680.80. During construction it was discovered that the plans for the absorption lines required 55 lineal feet more of absorption trench than what was quoted by the contractor. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$537.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$537.00, for total reimbursement not to exceed \$26,217.80.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Ann Marie Ennis – Tab 13**

A motion to approve Resolution No. 2721 was made by Wayne Marshfield and seconded by Tina Molé.

August 4, 2015

**RESOLUTION NO. 2721**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION  
OVER \$25,000:  
ANN MARIE ENNIS**

**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**, CWC staff previously approved reimbursement to Ann Marie Ennis for tank replacement in an amount not to exceed Three Thousand Seventy Dollars (\$3,070.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for repair of the septic system in the amount of Twenty-Six Thousand Nine Hundred Twenty-Nine Dollars (\$26,929.00); 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 Twenty-Six Thousand Nine Hundred Twenty-Nine Dollars (\$26,929.00); and

**WHEREAS**, CWC staff have determined that Twenty-Nine Thousand Nine Hundred Ninety-Nine Dollars (\$29,999.00) 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 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).

**Ann Marie Ennis Backup**

Ms. Ennis' property is located in the Town of Roxbury, Delaware County. CWC staff previously approved tank replacement in the amount of \$3,070.00. Homeowner and CWC staff received a quote from a contractor in the amount of \$26,929.00. This system is for a three bedroom house. The major components for this system include one pump chamber, 15 lineal feet of 4" gravity piping, 175 lineal feet of forcemain, 80 cubic yards of absorption fill material, three peat modules, and site restoration. The quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board approves an additional reimbursement of \$26,929.00, for total reimbursement not to exceed \$29,999.00.

***Voice Vote, carried unanimously***

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August 4, 2015

RESOLUTION NO. 2722

**ADMINISTRATION OF THE CATSKILL MASTER PLAN
STEWARDSHIP AND PLANNING FUNDS**

WHEREAS, the Catskill Watershed Corporation (CWC) is a not for profit local development corporation whose purpose is, in part, “aiding that part of the Watershed of the City of New York located West of the Hudson River (the ‘West of Hudson Watershed’) by attracting new commerce and industry to such area and by encouraging the development of, or retention of, commerce and industry in such area, and lessening the burdens of government and acting in the public interest and all other lawful functions all in a manner which seeks to protect water quality in the West of Hudson Watershed”; and

WHEREAS, CWC administers the Catskill Fund for the Future (CFF) Grant Program for the purpose of providing financial assistance to qualified economic development projects in the portion of the New York City Watershed West of the Hudson River (WOH Watershed) in accordance with the CFF Program rules; and

WHEREAS, a large portion of the WOH Watershed, including numerous CWC member towns, are located within the Catskill State Park; and

WHEREAS, the enacted 2015-2016 New York State Budget includes Five Hundred Thousand Dollars (\$500,000) to New York State Department of Environmental Conservation under Aid to Localities for the Catskill Master Plan Stewardship and Planning; and

WHEREAS, by Resolution 3048, the New York State Senate resolved that the Catskill Master Plan Stewardship and Planning funds be apportioned to the Catskill Watershed Corporation for their administration; and

WHEREAS, the CWC Economic Development Committee recommends that the CWC Board of Directors authorize the President and/or Executive Director to execute an agreement with the New York State Department of Environmental Conservation for CWC to administer the Catskill Master Plan Stewardship and Planning funds provided for in the 2015-2016 New York State Budget.

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes the Executive Director to enter into an agreement with the New York State Department of Environmental Conservation in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) for the administration of the Catskill Master Plan Stewardship and Planning funds provided for in the 2015-2016 New York State Budget.

Voice Vote, carried unanimously

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August 4, 2015

**RESOLUTION NO. 2723**

**APPROVAL OF CONSULTANT FOR IMPLEMENTATION OF THE CATSKILL  
PARK WAYFINDING SIGN PROGRAM**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a not for profit local development corporation whose purpose is, in part, “aiding that part of the Watershed of the City of New York located West of the Hudson River (the ‘West of Hudson Watershed’) by attracting new commerce and industry to such area and by encouraging the development of, or retention of, commerce and industry in such area, and lessening the burdens of government and acting in the public interest and all other lawful functions all in a manner which seeks to protect water quality in the West of Hudson Watershed”; and

**WHEREAS**, CWC administers the Catskill Fund for the Future (CFF) Grant Program for the purpose of providing financial assistance to qualified economic development projects in the portion of the New York City Watershed West of the Hudson River (WOH Watershed) in accordance with the CFF Program rules; and

**WHEREAS**, in 2003, the City agreed to administer the Local Technical Assistance Program (LTAP) to provide support for community planning efforts designed to improve water-quality and enhance the quality of life in the West of Hudson Watershed; and

**WHEREAS**, CWC agreed to serve as program manager of the LTAP and to identify projects and allocate and disburse program funds to each project in accordance with this Agreement and agreements with each identified recipient of the funds; and

**WHEREAS**, by Resolution Number 1493, on April 7, 2009 the CWC Board of Directors approved an LTAP Grant to the Town of Olive for completion of a management plan along the New York State Route 28 Corridor through the Watershed municipalities of the Towns of Olive, Shandaken, Middletown, and Andes, and Villages of Fleischmanns and Margaretville, including proposing measures to protect natural and scenic resources along Route 28 and the Upper Esopus Creek, the Bush Kill, and the East Branch of the Delaware River; and

**WHEREAS**, the management plan was completed and the Towns of Olive, Shandaken, Middletown, and Andes and Villages of Fleischmanns and Margaretville applied for a Scenic By-Way designation for the portion of State Route 28 that runs through each of the named municipalities; and

**WHEREAS**, by Resolution Number 2352, on August 6, 2013 the CWC Board of Directors approved a loan to the Central Catskills Chamber of Commerce for projects within the scope of the New York Consolidated Funding grant in an amount not to exceed Fifty-Five Thousand Dollars (\$55,000.00) to implement a Tourism Market Strategy to further the Route 28 Scenic By-Way, with such loan to be paid back by the Chamber once grant funds are received; and

**WHEREAS**, the New York State Department of Environmental Conservation (DEC), in partnership with the Department of State, is soliciting Catskill Park Smart Growth

Implementation Grant applications from municipalities and not-for-profit corporations to support key projects that build on comprehensive planning and economic development activities by implementing a specific strategy or objective and seeks capital projects and community development initiatives that link environmental protection, economic development and community livability within the Catskill Park; and

**WHEREAS**, by Resolution Number 2626, the CWC Board of Directors approved CWC applying for a Catskill Park Smart Growth Implementation Grant in the amount of Fifty-Thousand Dollars (\$50,000.00) and matching said funds, if awarded, to implement a recommendation in the Scenic Byway plans to provide Way-finding Signage in the Catskill Park; and

**WHEREAS**, DEC awarded a Catskill Park Smart Growth Implementation Grant to CWC in the amount of Fifty Thousand Dollars (\$50,000.00) for the Catskill Park Wayfinding Sign Project; and

**WHEREAS**, CWC issued a request for proposal for a consultant to assist in the implementation of the Catskill Park Wayfinding Sign Project; and

**WHEREAS**, CWC Economic Development Committee reviewed bids received on August 3, 2015 and recommends that CWC Board of Directors approve the retention of Peter Manning d/b/a Genius Loci Planning in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) from Catskill Fund for the Future.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors authorizes the Executive Director to enter into an agreement with Peter Manning d/b/a Genius Loci Planning in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) from Catskill Fund for the Future to serve as CWC's consultant for the Catskill Park Wayfinding Sign Project.

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

**Purpose: to review the CWC Loan Application of CFF Grant Application to the Catskill Park Smart Growth Implementation Grant**

The Executive Director of the CWC makes the following evaluation concerning a Application to the Catskill Park Smart Growth Implementation Grant, whose offices are located in the Town of Middletown, NY. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, adopted on August 22, 2001 by the CWC Board of Directors.

1. Based on due inquiry to the NYS DEC, the NYC DEP and to the best of CWC's knowledge, the business located at 905 Main Street, Margaretville, NY, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYS DEC, the NYC DEP and to the best of CWC's knowledge, CWC is located 905 Main Street, Margaretville, NY, and known as the Catskill Watershed Corporation, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the proposed project of signage in and near the Catskill State Park through towns located in the West of Hudson Watershed is consistent with historic land-use patterns, available infrastructure and sensitivity to the need for water-quality protection.

- (i) Catskill Watershed Corporation received a Catskill Park Smart Growth Implementation Grant for the purpose of supplying way-finding signage to the Catskill Park.
  - (ii) The project will be located in or near the Catskill State Park within multiple West of Hudson towns.
  - (iii) The project does not require 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 pre-treated prior to release.
  - (vi) Based on NYC DEP, a portion of the Towns Denning, Hurley, Neversink, Olive, and Wawarsing within the Catskill State Park are within in the sixty (60)-day travel time.
  - (vii) There is no impact on Federal or State Wetlands.
- (b) The project maintains the character of the portion of the Catskill State Park within the New York City West of Hudson Watershed.
- (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.

**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 Donald ‘Mike’ Brandow and seconded by Berndt Leifeld.

Voice Vote, carried unanimously

A motion to resume the regular meeting was made by Thomas Hynes and seconded by Berndt Leifeld.

Voice Vote, carried unanimously

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**CFF REDI Loan – Wellness Rx, LLC – Tab 16**

A motion to approve Resolution No. 2724 was made by Berndt Leifeld and seconded by Robert Pelham.

August 4, 2015

**RESOLUTION NO. 2724**  
**APPROVAL OF WELLNESS RX, 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**, Wellness Rx, LLC has applied for a Thirty-Five Thousand Dollar (\$35,000.00) loan for a term of four (4) years, with an amortization of seven (7) years, at a rate of five percent (5.0%), such that the outstanding principal is fully paid on the forty-eighth (48<sup>th</sup>) payment date, for the purchase of inventory and for working capital; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Wellness Rx, LLC; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Wellness Rx, LLC; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Wellness Rx, LLC; 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 Wellness Rx, LLC's application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Thirty-Five Thousand Dollars (\$35,000.00) for a term of four (4) years, with an amortization of seven (7) years, at a rate of five percent (5.0%), such that the outstanding principal is fully paid on the forty-eighth (48<sup>th</sup>) 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 by CWC.



**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 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 Wellness Rx, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Wellness Rx, LLC, located in the Town of Hunter, NY. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 by the CWC Board of Directors.

1. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 5980 Main Street, Tannersville, NY, to be leased by Wellness Rx, 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 5980 Main Street, Tannersville, NY, to be leased by Wellness Rx, 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) Wellness Rx, LLC, located 5980 Main Street Tannersville, NY, will lease the property in order to operate a pharmacy.
  - (ii) The project is located in the Town of Hunter.
  - (iii) The project will utilize a WWTP.
  - (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 Hunter.
  - (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:

Berndt Leifeld inquired if the Ashokan Turf and Timber loan closing has happened yet. Barbara Puglisi stated that they are continuing to work with all attorneys involved and have not received any monies yet.

Tom Snow inquired about the progress at the distillery in Arkville. Barb noted that they are continuing with improvements to the building and preparing for production, but are still waiting on the liquor license.

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

Voice Vote, carried unanimously

X. Adjournment: @ 1:30 p.m.