

**CATSKILL WATERSHED CORPORATION**

**Board of Directors Meeting**

**MINUTES**

**August 5, 2014 @ 1:00 p.m.**

*Prior to beginning the meeting, Diane Galusha introduced Jessica Vecchione, who was present to take library shots of the meeting to include periodically throughout a video series entitled "Entrepreneur Zone", in collaboration with Glenn Nealis (Delaware County Economic Development). 23 short profiles of entrepreneurs in Delaware County are being filmed, and one of the most common denominators is funding assistance from the CWC. The library shots will be included periodically in each of the shorts where CWC was a funding agency.*

**I. Call to Order**

**II. Pledge of Allegiance:** Led by Thomas Snow.

**III. Roll Call of Directors**

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

**Members Excused:** None

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

**Others Present:** Cathy Armstrong (*First Baptist Church of Walton*), Valerie Meyser (*First Baptist Church of Walton*), Gary Winghart (*First Baptist Church of Walton*), and Jody Zakrevsky (*First Baptist Church of Walton*).

**IV. Review and Approval of July 1, 2014 Board Meeting Minutes**

A motion to approve the minutes from the July 1, 2014 board meeting was made by Berndt Leifeld and seconded by Wayne Marshfield.

**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, 2014 was made by Martin Donnelly and seconded by James Eisel.

**Voice Vote, carried unanimously**

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**Executive Director’s Report**

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

**Presentation of News Articles**

**Committee Schedule**

**Committee Meeting Minutes**

**VI. Public Discussion**

*Jody Zakrevsky presented a power point regarding the social and economic needs of the Walton Church & Community Center as they rebuild from a fire that destroyed their facility last year. Presentation is attached. The Walton Church is asking for assistance with funding and was referred by the Board to Barbara Puglisi, Economic Development Director at CWC. Michael Triolo was clear in stating that there are no grants available at this time, but CWC would assist in looking at other financing options.*

*Cathy Armstrong, member of the Walton Church, shared a personal story of the importance to the community of the church and its programs geared toward the youth.*

*Mr. Zakrevsky closed by reiterating the importance of the federal government passing a law to specifically aid churches victimized by arsonists, classifying it as a hate crime, and that victims of this type of crime do not fall under the ‘separation of church and state’ category.*

**VII. Presentation of Resolutions**

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**Septic Reimbursement Over \$20,000 – Eugene Knoth - Tab 7**

A motion to approve Resolution No. 2521 was made by Wayne Marshfield and seconded by Tina Molé.

August 5, 2014

**RESOLUTION NO. 2521**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
EUGENE KNOTH**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Three Thousand Eight Hundred Sixty Dollars (\$23,860.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Three Thousand Eight Hundred Sixty Dollars (\$23,860.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Three Thousand Eight Hundred Sixty Dollars (\$23,860.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Three Thousand Eight Hundred Sixty Dollars (\$23,860.00).

**Eugene Knoth Backup**

Mr. Knoth's property is located in the Town of Shandaken, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$23,860.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, one pump station, 25 lineal feet of schedule 40 4" PVC piping, 20 lineal feet of schedule 80 4" PVC piping, 150 lineal feet of 2" forcemain, 50 lineal feet of schedule 80 forcemain, 160 cubic yards of absorption fill material, 280 lineal feet of absorption trench, 140 lineal feet of curtain drain, swale improvement, 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 \$23,860.00.

**Voice Vote, carried unanimously**

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

A motion to approve Resolution No. 2522 was made by Wayne Marshfield and seconded by Tina Molé.

August 5, 2014

**RESOLUTION NO. 2522**

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

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Eight Thousand Five Hundred Dollars (\$28,500.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Eight Thousand Five Hundred Dollars (\$28,500.00) 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-Eight Thousand Five Hundred Dollars (\$28,500.00) 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-Eight Thousand Five Hundred Dollars (\$28,500.00).

**Carol Spinelli Backup**

Ms. Spinelli'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 \$28,500.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, one siphon chamber, 285 lineal feet of 4" gravity piping, one distribution box, 279 cubic yards of absorption fill material, one effluent filter, 325 lineal feet of absorption trench, 235 lineal feet of swale, one clean out, temporary access, 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 \$28,500.00.

***Voice Vote, carried unanimously***

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**Stormwater Retrofit – Greene County Street Sweeper Accessories - Tab 9**

A motion to approve Resolution No. 2523 was made by Mark McCarthy and seconded by Thomas Hynes.

August 5, 2014

**RESOLUTION NO. 2523**

**BOARD REVIEW OF STORMWATER RETROFIT PROGRAM APPLICATION  
FOR GREENE COUNTY HIGHWAY STREET SWEEPER VACUUM ACCESSORIES**

**WHEREAS**, Paragraph 125 of the 1997 New York City Watershed Memorandum of Agreement (“MOA”) directs the Catskill Watershed Corporation (“CWC”) to establish a program to pay the costs to design, permit, maintain, implement and construct Stormwater Best Management Practices (BMP’s) to address existing stormwater runoff in concentrated areas of impervious surface in West of Hudson (WOH) Watershed to the extent such BMP’s are necessary to correct or reduce existing erosion and/or pollutant loading; and

**WHEREAS**, by Resolution Number 265, the CWC Board of Directors established the Stormwater Retrofit Program “Program” Rules that provides for payment of eligible project costs; and

**WHEREAS**, pursuant to the CWC Program Rules as adopted by the CWC Board of Directors, the CWC staff and NYCDEP staff must evaluate grant requests and issue funding recommendations to the CWC Wastewater/Stormwater Committee, which shall issue recommendations to the CWC Board of Directors; and

**WHEREAS**, by Resolution Number 655, the CWC Board of Directors approved One Hundred Eighty Thousand Dollars (\$180,000.00) for the purchase of a Street Sweeper for use in the Greene County WOH Watershed to maintain stormwater infrastructure; and

**WHEREAS**, the Greene County Highway Department contacted the CWC to request additional funding to purchase some accessories for the Street Sweeper to properly maintain some of the stormwater structures that they currently do not have the proper equipment to maintain; and

**WHEREAS**, upon review of information and staff recommendation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve an additional funding amount not to exceed One Thousand Two Hundred Seventy-Five Dollars and Forty Three Cents (\$1,275.43) for a total not to exceed amount of One Hundred Eighty-One Thousand Two Hundred Seventy-Five Dollars and Forty-Three Cents (\$181,275.43) to Greene County for Street Sweeper accessories; and

**WHEREAS**, pursuant to the CWC Program Rules, the CWC Board of Directors has reviewed the attached recommendation and supporting documentation.

**NOW, THEREFORE, LET IT BE RESOLVED**, the CWC Board of Directors approves additional funding limits not to exceed One Thousand Two Hundred Seventy-Five Dollars and Forty Three Cents (\$1,275.43).

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

**Stormwater Retrofit Program  
Greene County Highway Department  
Street Sweeper Vacuum Accessories**

In 2004 the Greene County Highway Department submitted an application for funding to purchase a Street Sweeper and the CWC Board of Directors approved funding in the amount of \$180,000.

Recently it was discovered that the Greene County Highway Department does not have the accessories to properly maintain some of the stormwater structures recently installed through our Stormwater Retrofit Program in Greene County. Greene County Highway has requested additional funding to purchase accessories to do proper maintenance on these structures. The costs of the accessories are \$1,275.43.

The CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve additional Stormwater Retrofit funding for the Street Sweeper Accessories in an amount not to exceed \$1,275.43.

**Voice Vote, carried unanimously**

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**Flood Hazard Mitigation Program Rules Amendments - Tab 10**

A motion to approve Resolution No. 2524 was made by Tom Snow and seconded by James Eisel.

August 5, 2014

**RESOLUTION NO. 2524**

**BOARD APPROVAL OF FLOOD HAZARD MITIGATION PROGRAM RULES  
AMENDMENTS**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a not-for-profit corporation established to administer Watershed Protection and Partnership Programs as more fully described herein; and

**WHEREAS**, ninety percent of New York City's water supply originates in the Catskill Mountain region from an area commonly referred to as the West of Hudson portion of the watershed of the New York City water supply (the "West of Hudson Watershed" or "Watershed"), which spans over 1,600 square miles and portions of five counties, forty-one towns, and eight villages; and

**WHEREAS**, the CWC, City of New York (City), all municipalities in the West of Hudson Watershed, New York State, the federal Environmental Protection Agency, and several environmental organizations recognized that the goals of drinking water protection and economic vitality within the West of Hudson Watershed communities are not inconsistent and under the 1997 New York City Watershed Memorandum of Agreement ("Watershed MOA") agreed to cooperate in the development and implementation of watershed protection programs that maintain and enhance the quality of the City's drinking water supply system and the economic and social character of the West of Hudson Watershed communities; and

**WHEREAS**, extensive flooding resulting from tropical storms Irene and Lee in, August and September 2011, respectively, caused catastrophic losses in certain towns and villages within the

West of Hudson Watershed which affected the economic and social character of certain West of Hudson watershed communities and adversely impacted water quality in the West of Hudson Watershed; and

**WHEREAS**, as a condition of the draft 2013 Mid-Term Filtration Avoidance Determination Review, New York City Department of Environmental Protection (NYCDEP) has agreed to fund a Flood Hazard Mitigation Implementation Program to reduce repetitive flood losses that also pose a threat to water quality during storm events; and

**WHEREAS**, by Resolution Number 2439, on March 4, 2014, the CWC Board of Directors agreed to serve as program manager of such a program to be referred to as the CWC Flood Hazard Mitigation Implementation Program (the “Program”) and approved a Program Agreement with the City; and

**WHEREAS**, by Resolution Number 2460, on May 6, 2014, the CWC Board of Directors approved program rules for the CWC Flood Hazard Mitigation Program; and

**WHEREAS**, the CWC Wastewater/Stormwater Committee reviewed and recommends adoption of amendments to the Flood Hazard Mitigation Program Rules, (a copy of which is attached hereto as Attachment A).

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors adopts the attached Flood Hazard Mitigation Program Rules as amended (Attachment A), as per the Committee’s recommendation.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that the Flood Hazard Mitigation Program Rules may be amended from time to time by the CWC Board of Directors, in consultation with NYCDEP.

### **Flood Hazard Mitigation Program Background**

You may recall that following Hurricane Irene, Delaware County Board of Supervisors in October, 2011 passed a resolution requesting NYCDEP to move land acquisition funds to flood mitigation. Numerous other municipalities followed suit with identical resolutions. Monthly stakeholder meetings followed and in September, 2012 NYCDEP offered and agreed to fund a new Flood Hazard Mitigation program, but not with land acquisition funds.

The September, 2012 Stakeholder’s Agreement that was developed from those numerous meetings outlines the entire program. The first step in the program is a Local Flood Analysis (LFA) to be completed under the direction of a watershed town with funding from the Stream Management Program (Soil and Water Conservation Districts or Ulster County Cornell Cooperative Extension).

The LFA itself is a two step process and per the Stakeholder’s Agreement is centered on MOA hamlets and villages. The first phase is an engineering study and analysis to identify the causes of flooding in the hamlet or village and propose projects to alleviate the flooding or get people and structures out of harm’s way. The second phase of the LFA is drafting a Flood Hazard Mitigation Plan. This plan could supplement an existing All Hazard Mitigation Plan and contain various recommendations. Towns would have been able to hire a planner, including County

Planning, with City funds from Soil and Water Conservation District or Ulster County Cornell Cooperative Extension to complete a Flood Hazard Mitigation Plan.

Following completion of an LFA, a town could then seek funding for the recommendations in an LFA. CWC was asked if we would agree to administering an implementation funding program and also if CWC would consider providing gap funding to the Stream Management Program. In August, 2012, the CWC Policy responded that CWC would not object to administering the implementation program with three conditions:

1. That towns have the option to hire their own consultant for completion of an LFA, and not be forced into a multi-town LFA,
2. That the town board, not the City or SWCD, have the final say in what recommendations of an LFA have priority; and
3. That for the implementation program, the CWC Board have *sole* decision on projects that get selected for funding.

In addition, and after legal review, CWC notified the City that under the Watershed MOA it could not provide administrative funding for the Stream Management Program partners, that CFF funds could not be transferred to the Stream Management Program, and that CWC could only provide funding for Stream Management Program projects that involve in-stream construction and only on a project-by-project basis. At the time, SWCD were focused on EWP Projects and ultimately, additional funding was not needed.

In the September, 2012 Stakeholder's Agreement, NYCDEP agreed to fund an implementation program at CWC for certain categories of projects, such as relocations, property protection measures, etc. In September 2012, DEP, SWCDs, and Counties were tasked with coming up with guidelines and requirements for an LFA. At the same time, the Coalition of Watershed Towns and the City were tasked with determining the amount of funding for the CWC implementation program. Finally, CWC and DEP were tasked with drafting program rules for the implementation program.

In February, 2013, the SWCDs and City completed a draft Scope of Services with guidelines for an LFA. CWC was listed on the first page as supporting the process. CWC Board then reviewed the document and provided comments to DEP. CWC noted that the Scope of Services combined the two step process of the LFA (Analysis then Planning), under one consultant. CWC Board held special meetings in March and April, 2013 to review the Scope of Services. Following the lead of the CWC Policy Committee comments in August, 2012, the CWC Board asked that the Scope of Services be revised to ensure that a town board, and not a flood commission, have the final word on seeking funding for LFA recommendations, including setting a priority on the projects. NYCDEP accepted CWC comments and revised the scope of services to note that the town board was the final decisionmaker on every step in the LFA process.

Although focused on the Scope of Services for the first half of 2013, CWC and DEP exchanged several redlines of program rules in 2013, and sought input from the Coalition of Watershed Towns in July, 2013. CWC did not receive any update from the City or CWT on discussions of funding level for the implementation program.

In August, 2013, the New York State Department of Health issued a draft FAD modification. This modification was expected to be released in 2012. The 2013 draft FAD modification was conditioned on the City providing \$17 million to CWC for the Flood Hazard Mitigation Implementation Program. The City would also be funding a new \$15 million Flood Buyout



Program. Although noted that a portion of the funds could be used in concert with CWC for relocations, the Flood Buyout Program would also be open to buyouts outside of hamlets for property owners who either did not participate in, or were not eligible for the FEMA flood buyout program.

Following issuance of the draft FAD, CWC and DEP staff worked on the program rules for two more months until CWC suggested, and DEP agreed to concentrate work on the program agreement. I believed that our priority has also been to get funding in place as quickly as possible. As you know, after the CWC Board approved the most recent FAD Program agreements (Septic IV and CWMP III), the City took an additional 14 months to approve those programs and then provide funding.

In March, 2014, the CWC Board approved the Flood Hazard Mitigation Implementation Program agreement with DEP. CWC and DEP then resumed work on the program rules for this new program. We built on the work we did in 2013 and provided a draft for CWC SW/WW Committee review at a special meeting in April.

**Voice Vote, *carried unanimously***

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**Local Flood Analysis Scope of Services Amendments - Tab 11**

A motion to approve Resolution No. 2525 was made by Martin Donnelly and seconded by Robert Pelham.

August 5, 2015

**RESOLUTION NO. 2525**  
**LOCAL FLOOD HAZARD MITIGATION ANALYSIS AND PLANNING PROGRAM**  
**SCOPE OF SERVICES AMENDMENT**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a not for profit local development corporation whose members include all forty-one towns wholly or partially in the West of Hudson Watershed; and

**WHEREAS**, in October 2011, as a result of the devastation caused by Hurricanes Irene and Lee, the Delaware County Board of Supervisors requested New York City Department of Environmental Protection (NYCDEP) allocate additional funding from the Land Acquisition Program to support flood mitigation that will reduce the long-term risk from pollutant loading caused by major flood events; and

**WHEREAS**, numerous other municipalities subsequently passed similar resolutions requesting NYCDEP to allocate additional funding to support flood mitigation; and

**WHEREAS**, the Regional Director of Environmental Protection Agency Region 2, Judith Enck, convened a meeting in December 2011 of stakeholders, including representatives from State, City, environmental organizations and watershed municipalities, Soil and Water Districts, and Cornell Cooperative Extension of Ulster County, to discuss flood mitigation; and

**WHEREAS**, discussions among stakeholders resulted in a September 2012 document entitled “Flood Hazard Mitigation Program,” wherein NYCDEP committed to fund a new Flood Hazard Mitigation Program with monies separate and apart from the Land Acquisition Program; and

**WHEREAS**, as described in the September 2012 Flood Hazard Mitigation Program report, communities will be offered funding to complete studies (“Flood Hazard Mitigation Analysis”) to identify projects that could alleviate flood hazards and complete a flood hazard mitigation plan; and

**WHEREAS**, as described in the September 2012 Flood Hazard Mitigation Program report, for projects identified by the Flood Hazard Mitigation Analysis, local communities would be eligible to apply to various funding sources to implement certain projects; and

**WHEREAS**, as described in the September 2012 Flood Hazard Mitigation Program report, NYCDEP has committed to establish a new fund, to be known as the “Flood Hazard Mitigation Implementation Fund,” that would provide local communities with funds to implement certain types of projects identified by the Flood Hazard Mitigation Analysis; and

**WHEREAS**, NYCDEP’s Stream Management Program contracting agencies and NYCDEP drafted a Scope of Services to define the Flood Hazard Mitigation Analysis and Planning effort that will identify projects that may be eligible for funding; and

**WHEREAS**, NYCDEP requested CWC’s review and comment on the Scope of Services; and

**WHEREAS**, in a Committee of the Whole held on March 15, 2013, the CWC Board identified certain concerns with the Scope of Services, primarily related to home rule and the authority of a town/village board (rather than an advisory committee), to identify certain areas and issues for study as well as to identify and prioritize projects that could be funded by various programs including, but not limited to, the proposed Flood Hazard Mitigation Implementation Fund; and

**WHEREAS**, in response to concerns identified by the CWC Board, NYCDEP proposed numerous revisions to the Scope of Services; and

**WHEREAS**, by Resolution Number 2320, the CWC Board of Directors expressed its support for the Flood Hazard Mitigation Analysis Scope of Services as amended; and

**WHEREAS**, on March 4, 2014, by Resolution Number 2439, the CWC Board of Directors approved a program agreement with NYCDEP to establish the Flood Hazard Mitigation Implementation Program to generally fund town or village recommendations of a local flood hazard mitigation analysis; and

**WHEREAS**, NYCDEP and Stream Program partners, including Soil and Water Districts from Delaware, Greene, and Sullivan Counties, and the Cornell Cooperative Extension of Ulster County, are drafting program rules for the Local Flood Analysis process; and

**WHEREAS**, certain provisions of those proposed program rules, including a requirement that a town/village form a flood advisory committee, are inconsistent with the Flood Hazard Mitigation analysis Scope of Services approved by the CWC Board on June 13, 2013; and

**WHEREAS**, NYCDEP has suggested certain changes to the Flood Hazard Mitigation analysis Scope of Services to provide consistency between that document and the proposed rules being developed by NYCDEP and Stream Program partners, including Soil and Water Districts from Delaware, Greene, and Sullivan Counties, and the Cornell Cooperative Extension of Ulster County, for the Flood Hazard Mitigation Analysis; and

**WHEREAS**, the changes proposed by NYCDEP are a material change to the Flood Hazard Mitigation Analysis Scope of Work previously reviewed and supported by the CWC Board; and

**WHEREAS**, CWC is not directly involved in the administration or funding of flood hazard mitigation analysis and such work will be funded entirely through the NYCDEP Stream Management Program; and

**WHEREAS**, to be eligible for funding, a recommendation of an LFA must be supported by the town board and/or village council; and

**WHEREAS**, the CWC Stormwater/Wastewater Committee has reviewed the changes to the Flood Hazard Mitigation Analysis as proposed by NYCDEP; and

**WHEREAS**, the CWC Stormwater/Wastewater Committee recommends that the CWC Board acknowledge its support for the attached amended Scope of Services for Local Flood Hazard Mitigation Analysis (LFHMA) and Inundation-Related Flood Hazard Mitigation Planning.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors expresses its support for the attached amended Template Scope of Services for Local Flood Hazard Mitigation Analysis (LFHMA) and Inundation-Related Flood Hazard Mitigation Planning (Attached Hereto).

**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 Mike Brandow.

**Voice Vote, carried unanimously**

A motion to resume the regular meeting was made by Richard Parete and seconded by Mike Brandow.

**Voice Vote, carried unanimously**

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**CFF REDI Fund Loan – Fur, Feathers & Steel, LLC – Tab 12**

A motion to approve Resolution No. 2526 was made by Richard Parete and seconded by Innes Kasanof.

**RESOLUTION NO. 2526**

**APPROVAL OF FUR, FEATHERS & STEEL, 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**, Fur, Feathers & Steel, LLC has applied for a Sixty-One Thousand Seven Hundred Fifty-One Dollars (\$61,751.00) loan 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 be used for the first-floor (street level) renovation, as well as purchase of inventory, furniture and fixtures, for the business to be located at 1121 Main Street, in the Village of Fleischmanns; and

**WHEREAS**, pursuant to the CFF Program Rules, the CWC Staff has reviewed a completed CWC Loan Application for Fur, Feathers & Steel, LLC; and

**WHEREAS**, pursuant to the CFF Program Rules, the CWC Loan Committee has reviewed an underwriting report for Fur, Feathers & Steel, LLC; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan Application from Fur, Feathers & Steel, LLC; and

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

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, the CWC Board of Directors determines that the Fur, Feathers & Steel, LLC application meets the CWC CFF qualified economic-development criteria and approves of the Loan Application, in the amount of Sixty-One Thousand Seven

Hundred Fifty-One Dollars (\$61,751.00) 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; and

**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 CWC staff is directed to develop the Loan Agreement, Promissory Notes and other documentation necessary to effectuate this loan.

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

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

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

**Purpose: to review the CWC Loan Application of FUR, FEATHERS & STEEL LLC.**

The Executive Director of the CWC makes the following evaluation concerning a REDI- Fund Loan to Fur, Feathers & Steel LLC, whose offices are to be located in the Village of Fleischmanns, N.Y. 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 to be located at 1121 Main Street, Fleischmanns N.Y. and known as Fur, Feathers & Steel LLC and currently owned by John Hoeko and Rita Adami, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYS DEC, the NYC DEP and to the best of CWC's knowledge, the business to be located at 1121 Main Street, Fleischmanns N.Y. and known as Fur, Feathers & Steel LLC and currently owned by John Hoeko and Rita Adami, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the business to be located at 1121 Main Street, Fleischmanns, N.Y., is consistent with historic land-use patterns, available infrastructure and sensitivity to the need for water-quality protection.
  - (i) Fur, Feathers & Steel LLC will renovate the first floor (street level) and purchase inventory, furniture & fixtures, for the business to be located at 1121 Main Street, Fleischmanns, N.Y.
  - (ii) The project is located in the Village of Fleischmanns.
  - (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 pre-treated prior to release.
  - (vi) Based on NYC DEP, the project is not 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 Village of Fleischmanns.
- (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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**VIII. Announcements from the Chair: None**

**IX. Board Member Discussion:**

*Diane Galusha announced the newest art exhibit of oil paintings by Olive Farrell. She also announced that CWC will not be hosting Local Government Day this year, but will provide two or three workshops. The first, "Complete Streets", will be held at the Margaretville Legion Hall on September 19<sup>th</sup> from 1-4 p.m. and will address increasing foot traffic and pedestrian safety within our towns and villages. The second is a DOS training, with credits for municipal employees, to be held at the Margaretville Legion Hall on October 3<sup>rd</sup> from 10 – 2:30. Also, CWC will be sharing a booth with WAC and DEP at the Walton Fair on Wednesday, August 13<sup>th</sup>.*

*Mike Triolo announced several other activities occurring throughout the watershed counties over the next weekend and encouraged everyone to get out and support their local communities.*

A motion to adjourn was made by Mike Brandow and seconded by Robert Pelham.

**Voice Vote, carried unanimously**

**X. Adjournment: @ 1:57 p.m.**