

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

August 6, 2013 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Jeff Graf.

III. Roll Call of Directors

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

Members Excused: None

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

Others Present: James Bogner (*NYC DEP*), Graydon Dutcher (*Delaware County Soil & Water Conservation District*), Phil Eskeli (*NYC DEP*), Beth Reichheld (*NYC DEP*), and Thomas Stalter (*NYC DEP*).

IV. Review and Approval of July 2, 2013 Board Meeting Minutes

A motion to approve the minutes from the July 2, 2013 board meeting was made by Michael Triolo and seconded by Deborah DeWan.

Voice Vote, carried unanimously

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of June 30, 2013 was made by James Eisel and seconded by Richard Parete.

**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. Alan Rosa noted that this year marks the 15th anniversary of the signing of the MOA. An audio-documentary was developed by Nancy Burnett, who interviewed 12 people involved in the negotiations,

and has been made available for educational outreach. A cd copy, including an insert created in collaboration with Diane Galusha and Frieda Suess, has been distributed to each Board member and will be hand-delivered by Alan to each Supervisor and Mayor within the watershed in the near future. Jeff Graf announced that Jeff Hanlon was in attendance. Mr. Hanlon is pursuing his PhD in Political Science at the University of Arizona. Mr. Hanlon is preparing his dissertation on the NYC Watershed. A copy of the cd was given to him.

Diane Galusha noted that the transcripts of the interviews have been available on CWC's website for many years and the audio-documentary has now been uploaded to the website as well. The interviews were funded in the early 2000's with an education grant from CWC.

Presentation of News Articles

Committee Schedule

Committee Meeting Minutes

VI. Public Discussion

Diane Galusha noted that the artwork displayed features entries into the annual NYCDEP art and poetry contest. NYCDEP provided scans of the works to CWC.

Jeff Graf announced that, due to the CWC's desire to collaborate on a Flood Hazard Mitigation Program and Alan's suggestion that the Board receive updates on the Stream Management Program, the City agreed that a quarterly report, highlighting a different watershed basin each time, should be presented and projects within that basin should be presented to the CWC Board of Directors. The first basins to be reported on are the Cannonsville and Pepacton Reservoirs.

Beth Reichheld (NYC DEP) gave an introduction, stating that since 2002 the Stream Management Program has been funded through the FAD with a total of \$55 million. She noted that DEP is in the process of renewing their partner contracts right now in an amount of approximately an additional \$50 million for total program funding of about \$100 million by 2017. Beth continued that the Stream Management Program fund a number of different categories of projects They, including stream restoration, hydraulic that exacerbates flooding and erosion, riparian buffer projects, and they'll be doing many more flood hazard mitigation projects. She noted that since 2002 they have done about 60 stream restoration projects which address many water quality and erosion objectives and over 13 miles of Catskills streams per bank, so 26 miles altogether. Under the federal Emergency Watershed Protection grants approved in Delaware County following Hurricane Irene, there are 37 total projects that have been completed, and there are 30 that must be completed by the end of this field season. She explained that they are narrowing in on bids, and the total cost (including federal funds) is approximately \$10 million.

Phil Eskeli (NYC DEP) provided a power point presentation highlighting the Stream Management Program and its accomplishments within the Cannonsville and Pepacton Reservoir Basins. Presentation and handouts are attached.

Tom Snow (NYS DEC) noted that the Delaware County Soil and Water Conservation District stream flood mitigation training provided to contractors and code enforcement officials is being replicated state-wide.

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$20,000 – Anthony Adamo - Tab 7**

A motion to approve Resolution No. 2339 was made by Wayne Marshfield and seconded by Tina Molé.

August 6, 2013

**RESOLUTION NO. 2339**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
ANTHONY ADAMO**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Two Thousand Four Hundred Dollars (\$22,400.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Two Thousand Four Hundred Dollars (\$22,400.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Two Thousand Four Hundred Dollars (\$22,400.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Two Thousand Four Hundred Dollars (\$22,400.00).

**Anthony Adamo Backup**

Mr. Adamo’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 \$22,400.00. This system is for a two bedroom house. The major components for this system include a 1,000 gallon septic tank, a siphon chamber, 158 lineal feet of 4” gravity piping, one distribution box, 225 cubic yards of absorption fill material, one effluent filter, 180 lineal feet of absorption trench, 135 lineal feet of

swale, one cleanout, 60 lineal feet of 6” sleeve, and restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$22,400.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Peter Bosch - Tab 8

A motion to approve Resolution No. 2340 was made by Wayne Marshfield and seconded by Tina Molé.

August 6, 2013

RESOLUTION NO. 2340

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
PETER BOSCH**

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

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

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Four Thousand One Hundred Dollars (\$24,100.00); and

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

WHEREAS, the CWC staff have determined the contractor’s quote of Twenty-Four Thousand One Hundred Dollars (\$24,100.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Four Thousand One Hundred Dollars (\$24,100.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Four Thousand One Hundred Dollars (\$24,100.00).

Peter Bosch Backup

Mr. Bosch'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 \$24,100.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one siphon chamber, 160 lineal feet of 4" gravity piping, one distribution box, 430 cubic yards of absorption fill material, one effluent filter, 600 square feet of absorption bed, 145 lineal feet of curtain drain, and restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$24,100.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – John Chevalier - Tab 9**

A motion to approve Resolution No. 2341 was made by Wayne Marshfield and seconded by Tina Molé.

August 6, 2013

**RESOLUTION NO. 2341**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
JOHN CHEVALIER**

**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-Five Thousand Eight Hundred Forty-One Dollars (\$25,841.00); 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-Five Thousand Eight Hundred Forty-One Dollars (\$25,841.00) 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-Five Thousand Eight Hundred Forty-One Dollars (\$25,841.00) 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-Five Thousand Eight Hundred Forty-One Dollars (\$25,841.00).

**John Chevalier Backup**

Mr. Chevalier's property is located in the Town of Neversink, Sullivan County. Homeowner and CWC staff received a quote from a contractor in the amount of \$25,841.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, one pump station, 15 lineal feet of 4" gravity piping, 40 lineal feet of 2" forcemain, one distribution box, 350 cubic yards of absorption fill material, one effluent filter, 320 lineal feet of absorption trench, 105 lineal feet of curtain drain, and restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$25,841.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Daniel Condon - Tab 10

A motion to approve Resolution No. 2342 was made by Wayne Marshfield and seconded by Tina Molé.

August 6, 2013

RESOLUTION NO. 2342

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
DANIEL CONDON**

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

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

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Four Thousand Dollars (\$24,000.00); and

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

WHEREAS, the CWC staff have determined the contractor's quote of Twenty-Four Thousand Dollars (\$24,000.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Four Thousand Dollars (\$24,000.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Four Thousand Dollars (\$24,000.00).

Daniel Condon Backup

Mr. Condon's property is located in the Town of Middletown, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$24,000.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, a siphon chamber, 155 lineal feet of 4" gravity piping, one distribution box, 275 cubic yards of absorption fill material, one effluent filter, 225 lineal feet of absorption trench, 95 lineal feet of curtain drain, tree removal, one cleanout, and restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$24,000.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Leslie Derkash - Tab 11**

A motion to approve Resolution No. 2343 was made by Wayne Marshfield and seconded by Tina Molé.

August 6, 2013

**RESOLUTION NO. 2343**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
LESLIE DERKASH**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Four Hundred Dollars (\$29,400.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Four Hundred Dollars (\$29,400.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Nine Thousand Four Hundred Dollars (\$29,400.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Four Hundred Dollars (\$29,400.00).

**Leslie Derkash Backup**

Ms. Derkash's property is located in the Town of Middletown, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,400.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, a pump chamber, 75 lineal feet of 4" gravity piping, 165 lineal feet of 2" forcemain, one distribution box, 395 cubic yards of absorption fill material, one effluent filter, 250 lineal feet of absorption trench, one cleanout, and restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,400.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$2,000 – John Hubbell - Tab 12

A motion to approve Resolution No. 2344 was made by Wayne Marshfield and seconded by Tina Molé.

August 6, 2013

RESOLUTION NO. 2344

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
JOHN HUBBELL**

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 Sixty-Five Dollars (\$28,565.00); 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 Sixty-Five Dollars (\$28,565.00) 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 Sixty-Five Dollars (\$28,565.00) 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 Sixty-Five Dollars (\$28,565.00).

John Hubbell Backup

Mr. Hubbell's property is located in the Town of Andes, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$28,565.00. This system is for a one bedroom house. The major components for this system include a 1,000 gallon septic tank, a pump station, 15 lineal feet of 4" gravity piping, 170 lineal feet of 2" forcemain, one distribution box, 130 cubic yards of absorption fill material, 62 cubic yards of random fill material, 70 lineal feet of absorption trench, 80 lineal feet of swale, road crossing, one cleanout, deck removal, 40 lineal feet of Schedule 80 sleeve, and restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$28,565.00.

Voice Vote, carried unanimously

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

A motion to approve Resolution No. 2345 was made by Wayne Marshfield and seconded by Tina Molé.

August 6, 2013

**RESOLUTION NO. 2345**

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

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Two Thousand Nine Hundred Twenty-Five Dollars (\$22,925.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Two Thousand Nine Hundred Twenty-Five Dollars (\$22,925.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Two Thousand Nine Hundred Twenty-Five Dollars (\$22,925.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Two Thousand Nine Hundred Twenty-Five Dollars (\$22,925.00).

**Robert Robertson Backup**

Mr. Robertson's property is located in the Town of Conesville, Schoharie County. Homeowner and CWC staff received a quote from a contractor in the amount of \$22,925.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one siphon chamber, one distribution box, 275 cubic yards of absorption fill material, 80 cubic yards of random fill material, one effluent filter, 240 lineal feet of absorption trench, 225 lineal feet of swale, and restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$22,925.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Samuel Truitt - Tab 14

A motion to approve Resolution No. 2346 was made by Wayne Marshfield and seconded by Tina Molé.

August 6, 2013

RESOLUTION NO. 2346

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
SAMUEL TRUITT**

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-Seven Thousand Four Hundred Twenty-Five Dollars (\$27,425.00); 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-Seven Thousand Four Hundred Twenty-Five Dollars (\$27,425.00) 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-Seven Thousand Four Hundred Twenty-Five Dollars (\$27,425.00) 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-Seven Thousand Four Hundred Twenty-Five Dollars (\$27,425.00).

Samuel Truitt Backup

Mr. Truitt’s property is located in the Town of Woodstock, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$27,425.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, a pump chamber, 15 lineal feet of 4” gravity piping, 70 lineal feet of 2” forcemain, one distribution box, 390 cubic yards of absorption fill material, 275 lineal feet of absorption trench, tree removal, temporary access road, and extensive restoration. The quote also includes the cost of a septic tank, 10 lineal feet of piping and an effluent filter previously installed and paid for. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$27,425.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Additional Cost – Marc Czermerys – Tab 15**

A motion to approve Resolution No. 2347 was made by Tina Molé and seconded by Michael Triolo.

August 6, 2013

**RESOLUTION NO. 2347**

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

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

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

**WHEREAS**, CWC Staff previously approved Septic Program reimbursement for Marc Czermerys in the amount of Nineteen Thousand Seven Hundred Dollars (\$19,700.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the contractor for the septic system repair in the amount of Two Thousand Dollars (\$2,000.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s total invoices of Twenty-One Thousand Seven Hundred Dollars (\$21,700.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s total invoice of Twenty-One Thousand Seven Hundred Dollars (\$21,700.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-One Thousand Seven Hundred Dollars (\$21,700.00).

**Marc Czermerys Backup**

Mr. Czermerys’ property is located in the Town of Hunter, Greene County. CWC staff previously approved reimbursement in the amount of \$19,700.00. During construction a gray water drywell was uncovered. The drywell was pumped, decommissioned and filled in to prevent a collapse. This also required construction of a second sewer line from the house to the septic tank. A fair and reasonable cost for the additional materials and labor according to CWC Schedule of Values is \$2,000.00, for total reimbursement not to exceed \$21,700.00. The Septic Committee recommends that the Board of Directors approve total reimbursement in an amount not to exceed \$21,700.00.

**Voice Vote, carried unanimously**

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Future Stormwater – Additional Cost – O’Connor Hospital - Tab 16

A motion to approve Resolution No. 2348 was made by Martin Donnelly and seconded by James Eisel.

August 6, 2013

RESOLUTION NO. 2348

**BOARD REVIEW OF ADDITIONAL FUNDING FOR THE O’CONNOR HOSPITAL
FUTURE STORMWATER PROJECT**

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

WHEREAS, by Resolution Number 2247, the CWC Board of Directors approved an application by O’Connor Hospital for funding of eligible design and construction costs in the not-to-exceed amount of Eighty-Three Thousand Six Hundred Eighteen Dollars and Two Cents (\$83,618.02); and

WHEREAS, O’Connor Hospital has requested additional funding to pay for the additional costs incurred to complete the project in an amount not to exceed Nine Thousand Six Hundred Fifty-Eight Dollars (\$9,658.00); and

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

WHEREAS, upon review of the information and staff recommendation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve an amended not-to-exceed amount of Ninety-Three Thousand Two Hundred Seventy-Six Dollars and Two Cents (\$93,276.02) for the O’Connor Hospital Andes Clinic 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 Nine Thousand Six Hundred Fifty-Eight Dollars (\$9,658.00) for a total not-to-exceed amount of Ninety-Three Thousand Two Hundred Seventy-Six Dollars and Two Cents (\$93,276.02).

Backup
O’Connor Hospital Andes Clinic

O’ Connor Hospital built a clinic in the Hamlet of Andes, Delaware County. O’Connor Hospital was required to design and construct new stormwater control measures to control stormwater runoff for the new clinic.

O'Connor Hospital was required to comply with the Watershed Rules and Regulations enforced by the NYCDEP. The NYCDEP Stormwater Pollution Prevention Plan (SWPPP) approval was issued on July 9, 2012.

CWC staff recommended additional reimbursement of eligible stormwater costs to the CWC Wastewater/Stormwater Committee. The CWC Wastewater/Stormwater Committee recommends additional reimbursement of Nine Thousand Six Hundred Fifty-Eight Dollars (\$9,658.00) for a total not-to-exceed amount of Ninety-Three Thousand Two Hundred Seventy-Six Dollars and Two Cents (\$93,276.02) to O'Connor Hospital for its SWPPP costs solely attributable to the Watershed Regulations and not otherwise required by State or federal law.

Voice Vote, carried unanimously

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**Future Stormwater – Windham Carwash - Tab 17**

A motion to approve Resolution No. 2349 was made by Michael Triolo and seconded by Thomas Hynes.

August 6, 2013

**RESOLUTION NO. 2349**

**BOARD REVIEW OF WINDHAM CARWASH, 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**, Windham Carwash, LLC has requested funding in the amount of One Hundred Twelve Thousand Five Hundred Dollars (\$112,500.00) for design and construction of new stormwater controls related to the building of the carwash and storage building; and

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

**WHEREAS**, CWC staff has reviewed the application of Windham Carwash, LLC and recommend funding of eligible costs in an amount not-to-exceed One Hundred Twelve Thousand Five Hundred Dollars (\$112,500.00), 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 funding in a total not-to-exceed amount of One Hundred Twelve Thousand Five Hundred Dollars (\$112,500.00).

**Future Stormwater Program Application**  
**Windham Carwash, LLC**

Dave Schlowsky is constructing a carwash and storage building in Windham, Greene County. The disturbance is less than 1 acre and within 100 feet of a watercourse. Only NYCDEP stormwater requirements come into play. The voucher method has been requested because the cost of the stormwater controls would create a financial hardship if he had to wait until completion of the project to get reimbursed. Per the CWC Future Stormwater Program Rules a retainage will be held until Construction Acceptance is received from NYCDEP.

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

|                      |              |
|----------------------|--------------|
| Total Eligible Costs | \$225,000.00 |
| NYCDEP 50% Share     | \$112,500.00 |

Recommended CWC funding 50% of eligible SWPPP costs \$112,500.00

Windham Carwash, 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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Stormwater Retrofit – Ulster County – Glenford/Wittenberg Road Match Waiver - Tab 18

A motion to approve Resolution No. 2350 was made by Richard Parete and seconded by Berndt Leifeld.

August 6, 2013

RESOLUTION NO. 2350
WAIVER OF STORMWATER RETROFIT PROGRAM LOCAL MATCH
REQUIREMENT FOR ULSTER COUNTY GLENFORD-WITTENBERG ROAD
PROJECT

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 Watershed to the extent such BMP's are necessary to correct or reduce existing erosion and/or pollutant loading; and

WHEREAS, CWC Stormwater Retrofit Program Rules Section 7:00:04 (3) provide that an Applicant is required to show contribution of at least 15% of the project capital costs (not including operation and maintenance costs) unless the CWC Board waives the match requirement due to economic hardship or use of highly beneficial or innovative technology; and

WHEREAS, by Resolution Number 1301, the CWC Board of Directors approved funding to Ulster County in the not to exceed amount of Two Hundred Twenty Thousand Seven Hundred Forty-Three Dollars and Thirty Cents (\$220,743.30) with a local match of Thirty Eight Thousand Nine Hundred Fifty-Four Dollars and Seventy Cents (\$38,954.70) for a total project cost of Two Hundred Fifty-Nine Thousand Six Hundred Ninety-Eight Dollars (\$259,698.00); and

WHEREAS, by Resolution Number 2169, the CWC Board of Directors additional funding for a full time inspector to be onsite due to the damages from Tropical Storms Irene and Lee and to handle the changes that were being made by NYCDEP for an amount not to exceed Four Thousand Eight Hundred Sixty-Nine Dollars and Fifty-Seven Cents (\$4,869.57); and

WHEREAS, Ulster County requested a waiver of the 15% match requirement for the additional funds based upon the damage to the project that required the full-time inspector to be onsite; and

WHEREAS, the CWC Stormwater/Wastewater Committee recommends that the CWC Board of Directors waive the requirement of a local match for Ulster County Glenford-Wittenberg Stormwater Retrofit Project additional funds.

NOW THEREFORE, BE IT RESOLVED, that the CWC Board of Directors approves waiving the match on the Ulster County Glenford-Wittenberg Road Stormwater Retrofit additional funds.

NOW THEREFORE BE IT FURTHER RESOLVED, that the CWC Board of Directors approves the additional funding to Ulster County Glenford-Wittenberg Road Project in an amount not to exceed Four Thousand Eight Hundred Sixty-Nine Dollars and Fifty-Seven Cents (\$4,869.57), and waives the required local match as provided above.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Stormwater Retrofit 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.

Voice Vote, carried unanimously

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**CWC Insurance Premium – Directors and Officers - Tab 19**

A motion to approve Resolution No. 2351 was made by James Eisel and seconded by Jeffrey Graff.

August 6, 2013

**RESOLUTION NO. 2351**



**CWC INSURANCE PREMIUM – DIRECTORS AND OFFICERS**

**WHEREAS**, the Board of Directors must approve an expense greater than Ten Thousand Dollars (\$10,000.00); and

**WHEREAS**, the Finance Department has received an Eleven Thousand Dollars (\$11,000.00) invoice for the Directors and Officers insurance.

**NOW, THEREFORE BE IT RESOLVED**, the Board of Director’s approves the Executive Director to pay the insurance premium not to exceed Eleven Thousand Dollars (\$11,000.00).

*Voice Vote, carried unanimously*

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Support & Funding of Central Catskills Chamber of Commerce Tourism Marketing Strategy for Route 28 Scenic By-Way - Tab 20

A motion to approve Resolution No. 2352 was made by Martin Donnelly and seconded by Berndt Leifeld.

August 6, 2013

RESOLUTION NO. 2352
APPROVAL OF CFF LOAN TO CENTRAL CATSKILLS CHAMBER OF COMMERCE
IN SUPPORT OF STATE GRANT FOR TOURISM MARKETING STRATEGY FOR
ROUTE 28 SCENIC BY-WAY

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 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, in 2003, the City agreed to fund a 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 NYS Route 28 Corridor which now includes the Watershed municipalities of the Town of Shandaken, Town of Middletown, Town of Andes, Village of Fleischmanns, and the Village of 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 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, the Central Catskills Chamber of Commerce is submitting a grant application to New York Consolidated Funding to implement a Tourism Market Strategy to further the Route 28 Scenic By-Way; and

WHEREAS, if awarded, the New York Consolidated Funding grant would be a reimbursement grant and the Central Catskills Chamber of Commerce does not have sufficient resources to outlay funds that would be later reimbursed under the grant; and

WHEREAS, the Central Catskills Chamber of Commerce requests that if the grant is awarded, that CWC Board consider providing funds for projects within the scope of the grant in an amount not to exceed Fifty Five Thousand Dollars (\$55,000.00) that would be later reimbursed by the Chamber once grant funds are received; and

WHEREAS, the CWC Economic Development Committee recommends that the CWC Board of Directors approve a loan to Central Catskills Chamber of Commerce at a rate of zero percent (0.0%), to be paid upon receipt of reimbursement from the State of New York and that the outstanding principal is fully paid on the fifth (5th) anniversary date of the closing, for costs eligible for reimbursement under a grant with New York State for support of the Route 28 Scenic By-Way, contingent upon the Central Catskill Chamber of Commerce being approved by and executing a contract with the State of New York for such grant.

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve a loan to Central Catskills Chamber of Commerce at a rate of zero percent (0.0%), to be paid upon receipt of reimbursement from the State of New York and that the outstanding principal is fully paid on the fifth (5th) anniversary date of the closing, for costs eligible for reimbursement under a grant with New York State for support of the Route 28 Scenic By-Way for costs eligible for reimbursement under a grant with New York State for support of the Route 28 Scenic By-Way, contingent upon the Central Catskill Chamber of Commerce being approved by and executing a contract with the State of New York for such grant

NOW THEREFORE BE IT FURTHER RESOLVED, that the CWC Board of Directors consents to being listed as a potential funder in the application of Central Catskills Chamber of Commerce in a grant application for projects related to the Route 28 Scenic By-Way.

NOW, THEREFORE BE IT FURTHER RESOLVED, that 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,

and the right of objection and staff is directed to develop the loan agreement, promissory notes and other documentation necessary to effectuate this loan in a form agreed upon.

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

NOW, THEREFORE BE IT FURTHER RESOLVED, that 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.

Voice Vote, carried unanimously

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**141 Delaware Street, Walton – Abatement and Demolition - Tab 21**

A motion to approve Resolution No. 2353 was made by Wayne Marshfield and seconded by Tina Molé.

August 6, 2013

**RESOLUTION NO. 2353**

**CATSKILL FUND FOR THE FUTURE –DEMOLITION – 141 DELAWARE STREET,  
WALTON**

**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**, CWC foreclosed on property in the Village of Walton located at 141 Delaware Street that contains a structure that has been condemned by Village Code Enforcement and necessitates the structures removal; and

**WHEREAS**, a report by Atlantic Testing disclosed several areas containing asbestos and several other areas were not reachable for testing; and

**WHEREAS**, New York State law requires that either the asbestos be remediated or demolition be conducted by a contractor with asbestos certification and license; and

**WHEREAS**, by Resolution Numbers 2304 and 2317, CWC Board approved contracts for asbestos remediation and demolition of 141 Delaware Street; and

**WHEREAS**, remediation of asbestos at 141 Delaware Street is not feasible due to areas of the building not reachable for testing, no funds were spent for remediation or demolition, and CWC issued a request for proposal for the demolition of the structure located at 141 Delaware Street by a contractor with appropriate licenses and certifications; and

**WHEREAS**, no bids were received by the time specified in the Request for Proposals and a firm, Jupiter Environmental contacted CWC one week later requesting to submit a proposal, and submitted a proposal on Thursday, July 29, 2013; and

**WHEREAS**, CWC staff recommend that CWC retain Jupiter Environmental, for an amount not to exceed Forty-Nine Thousand Five Hundred Dollars (\$49,500.00), for demolition of the structure at 141 Delaware Street in the Village of Walton; and

**WHEREAS**, Atlantic Testing submitted a proposal for project monitoring of the demolition as required by New York State Law for an amount not to exceed Three Thousand One Hundred Twelve Dollars (\$3,112.00); and

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board approves the expenditure of up to Fifty-Three Thousand Dollars (\$53,000.00), for demolition of the structure located at 141 Delaware Street in the Village of Walton and authorizes the President and/or Executive Director to execute contracts for same.

**Voice Vote, carried unanimously**

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Handout Resolution – Northeast Fabricators – Release of Guarantor

A motion to waive Rule 14 was made by Jeffrey Graff and seconded by Donald Brandow.

Voice Vote, carried unanimously

A motion to approve Resolution No. 2354 was made by James Eisel and seconded by Michael Triolo.

August 6, 2013

RESOLUTION NO. 2354

APPROVAL OF NORTHEAST FABRICATORS, LLC- RELEASE OF GUARANTOR

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 (“CFE”) Program Rules; and

WHEREAS, on November 24, 1998, by Resolution Number 210, the CWC Board of Directors approved a loan to Northeast Fabricators Holding Company, Inc. in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00), guaranteed by William Brodeur and John Phraner, for the purchase of two metal fabricating machines from leasing companies; and

WHEREAS, on November 28, 2000, by Resolution Number 402, the CWC Board of Directors approved a loan to Northeast Fabricators Holding Company, Inc. in the amount of Fifty-Nine Thousand Three Hundred Dollars (\$59,300.00), guaranteed by William Brodeur and John Phraner, to be consolidated with an outstanding REDI Loan Fund loan; and

WHEREAS, on January 25, 2005, by Resolution Number 802, the CWC Board approved a Three Hundred Thirty-Eight Thousand Dollar (\$338,000.00) loan to Northeast Fabricators

Holding Company, Inc. guaranteed by William Brodeur and John Phraner, for the purpose of purchasing a new Platino Laser Cutting System; and

WHEREAS, on October 26, 2004, by Resolution Number 771, the CWC Board of Directors approved a loan in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) to 30-35 Williams St., LLC, guaranteed by William Brodeur and John Phraner,; and

WHEREAS, on January 24, 2006, by Resolution Number 959, the CWC Board of Directors approved a mortgage modification and extension to 30-35 Williams Street, LLC to bring the existing mortgage to a new balance of Four Hundred Twenty-Six Thousand Seventy-Seven Dollars and Ninety-Seven Cents (\$426,077.97), guaranteed by William Brodeur and John Phraner, with the new mortgage proceeds to be used for the construction of new office space and a new entrance way; and

WHEREAS, on May 4, 2010, by Resolution Number 1738, the CWC Board approved a loan request to Northeast Fabricators Holding Company, Inc. for the remaining balance of their loan to be modified and extended by increasing the loan up to Two Hundred Ninety-Four Thousand Three Hundred Thirty-Five Dollars (\$294,335.00), for a total loan not to exceed Five Hundred Thousand Dollars (\$500,000.00), guaranteed by William Brodeur and John Phraner, and increasing the amortization of the remaining balance to 120 months, with the proceeds to be used to refinance other working capital and term debt; and

WHEREAS, on May 4, 2010, by Resolution Number 1738, the CWC Board approved a loan to 30-35 Williams St., LLC for the remaining balance of their loan to be modified and extended by increasing the loan up to Six Hundred Fifty Thousand Three Hundred Seventy Dollars (\$650,370.00), guaranteed by William Brodeur and John Phraner, for a total loan not to exceed One Million Dollars (\$1,000,000.00), to be used to refinance other working capital and term debt; and

WHEREAS, Northeast Fabricators Holding Company, Inc. and 30-35 Williams St., LLC are “related parties” under the CFF Program Rules § 1:00 due to a commonality of ownership; and

WHEREAS, on April 30, 2013, a Purchase and Sale Agreement was executed between John Phraner and William Brodeur for the transfer of John Phraner’s stock in Northeast Fabricators Holding Company, Inc., representing fifteen percent ownership in the company, to be sold to William Brodeur and held in escrow by Hinman, Howard & Kattell LLP, until such time as the indebtedness to the CWC is satisfied or John Phraner is released from all liability on such indebtedness to CWC; and

WHEREAS, on May 29, 2013, John Phraner sold his membership interest in 30-35 William Street, LLC to William Brodeur; and

WHEREAS, an unrelated third party has offered to purchase all shares of Northeast Fabricators Holding Company, Inc.; and

WHEREAS, such sale would provide for payoff of CWC loans to Northeast Fabricators Holding Company, Inc.; and

WHEREAS, William Brodeur, now the sole shareholder of Northeast Fabricators Holding Company Inc. and sole member of 30-35 William Street, LLC has requested that CWC release

John Phraner as Guarantor with regard to its loan with 30-35 Williams Street, LLC to allow the sale of all shares of Northeast Fabricators Holding Company, Inc., including those held in escrow, to an unrelated third party; and

WHEREAS, pursuant to the CFF Program rules the CWC Staff has reviewed said request to release John Phraner as Guarantor with regard to its loan with 30-35 Williams Street, LLC to allow for the sale of Northeast Fabricators Holding Company, Inc. to an unrelated third party.

NOW, THEREFORE BE IT RESOLVED, the CWC Board determines that John Phraner be released as Guarantor with regard to the CWC loan with 30-35 Williams Street, LLC on the condition that all shares in Northeast Fabricators Holding Company, Inc. are sold to an unrelated third party.

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

Voice Vote, carried unanimously

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**VIII. Announcements from the Chair:**

*Georgianna Lepke announced that she would be leaving CWC and moving south with her husband in the beginning of 2014. She will continue to perform her duties as Board President until the end of the year.*

**IX. Board Member Discussion: None**

A motion to adjourn was made by Innes Kasanof and seconded by Robert Pelham.

*Voice Vote, carried unanimously*

**X. Adjournment: @ 1:53 p.m.**