

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

September 1, 2015 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Michael Triolo.

III. Roll Call of Directors

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

Members Excused: Deborah Meyer DeWan, Innes Kasanof, Tina Molé, and Thomas Snow (*New York State DEC*).

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

Others Present: Bruce Dolph, Chairman (*Coalition of Watershed Towns*) and Alicia Terry (*Schoharie County*)

IV. Review and Approval of August 4, 2015 Board Meeting Minutes

A motion to approve the minutes from the August 4, 2015 board meeting was made by James Eisel and seconded by Richard Parete.

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, 2015 was made by James Eisel and seconded by Tina Molé.

**Voice Vote, carried unanimously**

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Executive Director's Report

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

Presentation of News Articles

Committee Schedule

Timothy Cox noted that a mandatory one hour Authorities Budget Office training is scheduled for October 6th at 12:00.

Committee Meeting Minutes

VI. Public Discussion

Diane Galusha noted several events in the upcoming month. September 9 is the Watershed Science and Technical Training Conference in West Point. September 11, CWC will host a Stormwater Training at the Legion Hall, providing credits to local CEOs, as well as Planning and Zoning Board members. Arm of the Sea, a recipient of a CWC Public Education Grant, will be performing their production of “Rejuvenary River Circus” at the West Shokan Park as part of Olive Day on September 12, and again on October 11 at the Taste of the Catskills Festival in Delhi.

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$25,000 – Nancy LeMon – Tab 7**

A motion to approve Resolution No. 2725 was made by Martin Donnelly and seconded by Robert Pelham.

September 1, 2015

**RESOLUTION NO. 2725**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
NANCY LEMON**

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

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Nine Hundred Seventy-Five Dollars (\$29,975.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Nine Hundred Seventy-Five Dollars (\$29,975.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Nine Thousand Nine Hundred Seventy-Five Dollars (\$29,975.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Nine Hundred Seventy-Five Dollars (\$29,975.00).

**Nancy LeMon Backup**

Ms. LeMon's property is located in the Town of Olive, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,975.00. This system is for a six bedroom house. The major components for this system include a 1,000 gallon septic tank (one existing 1,000 gallon septic tank is also being utilized), 90 lineal feet of 4" gravity piping, one pump chamber, 160 lineal feet of forcemain, one distribution box, 176 cubic yards of absorption fill material, 400 lineal feet of absorption trench, 130 lineal feet of curtain drain, 170 lineal feet of swale, and extensive site restoration. The quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,975.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Andrew Mattice – Tab 8

A motion to approve Resolution No. 2726 was made by Martin Donnelly and seconded by Robert Pelham.

September 1, 2015

RESOLUTION NO. 2726

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:
ANDREW MATTICE**

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

WHEREAS, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Six Hundred Twenty-Seven Dollars and Sixty Cents (\$29,627.60); and

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

WHEREAS, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Six Hundred Twenty-Seven Dollars and Sixty Cents (\$29,627.60) 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 Six Hundred Twenty-Seven Dollars and Sixty Cents (\$29,627.60) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Six Hundred Twenty-Seven Dollars and Sixty Cents (\$29,627.60).

Andrew Mattice Backup

Mr. Mattice's property is located in the Town of Kortright, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,627.60. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one syphon chamber, 277 lineal feet of 4" gravity piping, one distribution box, 360 cubic yards of absorption fill material, one effluent filter, 225 lineal feet of absorption trench, 115 lineal feet of curtain drain, two cleanouts, and extensive site restoration. The quote does not exceed the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,627.60.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Dawn Payne – Tab 9**

A motion to approve Resolution No. 2727 was made by Martin Donnelly and seconded by Robert Pelham.

September 1, 2015

**RESOLUTION NO. 2727**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
DAWN PAYNE**

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

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Thirty Thousand Dollars (\$30,000.00), the homeowner shall supply detailed quotes from three unrelated contractors, and CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed three construction quotes, including the lowest quote for the septic system repair in the amount of Thirty-Six Thousand Nine Hundred Dollars (\$36,900.00); and

**WHEREAS**, the contractor's quote for this system is more than Thirty Thousand Dollars (\$30,000.00); and

**WHEREAS**, the CWC staff have determined the contractor's quote of Thirty-Six Thousand Nine Hundred Dollars (\$36,900.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Thirty-Six Thousand Nine Hundred Dollars (\$36,900.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-Six Thousand Nine Hundred Dollars (\$36,900.00).

**Dawn Payne Backup**

Ms. Payne's property is located in the Town of Delhi, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$37,999.00, \$37,800.00, and \$36,900.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, one pump station, 40 lineal feet of 4" gravity piping, 235 lineal feet of forcemain, one distribution box, 165 cubic yards of absorption fill material, 175 cubic yards of random fill material, 12 cubic yards of NYSDOT C-33 sand, one effluent filter, 360 square feet of Eljen In-drain, 145 lineal feet of curtain drain, sleeve under the swale, and extensive site restoration. The lowest quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$36,900.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Additional Cost – Carli Gazorian – Tab 10

A motion to approve Resolution No. 2728 was made by Robert Pelham and seconded by Wayne Marshfield.

September 1, 2015

RESOLUTION NO. 2728

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

CARLI GAZOORIAN

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

WHEREAS, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, on May 15, 2015, by Resolution Number 2649, the CWC Board approved reimbursement to Carli Gazoorian in an amount not to exceed Thirty-Three Thousand Six Hundred Thirteen Dollars and Eighty-Nine Cents (\$33,613.89); and

WHEREAS, on July 7, 2015, by Resolution Number 2707, the CWC Board approved additional reimbursement to Carli Gazoorian in an amount of Five Thousand Five Hundred Fourteen Dollars and Sixty-Six Cents (\$5,514.66), for a total not-to-exceed amount of Thirty-Nine Thousand One Hundred Twenty-Eight Dollars and Fifty-Five Cents (\$39,128.55); and

WHEREAS, CWC staff ascertained a clerical error in the homeowner’s favor in the amount of Two Thousand Three Hundred Nineteen Dollars (\$2,319.00); and

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

WHEREAS, CWC staff have determined an additional Two Thousand Three Hundred Nineteen Dollars (\$2,319.00) as eligible for reimbursement; and

WHEREAS, CWC staff have determined that Forty-One Thousand Four Hundred Forty-Seven Dollars and Fifty-Five Cents (\$41,447.55) is a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Forty-One Thousand Four Hundred Forty-Seven Dollars and Fifty-Five Cents (\$41,447.55) 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 Forty-One Thousand Four Hundred Forty-Seven Dollars and Fifty-Five Cents (\$41,447.55).

Carli Gazoorian Backup

Ms. Gazoorian’s property is located in the Town of Hunter, Greene County. CWC Board of Directors previously approved reimbursement for this project at \$39,128.55. The project includes two dwellings. During the process the prorated portion (60% - 40%) split of the second dwelling was incorrectly calculated. The difference in reimbursement in the homeowner’s favor is \$2,319.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,319.00, for total reimbursement not to exceed \$41,447.55.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – George McCann – Tab 11**

A motion to approve Resolution No. 2729 was made by Robert Pelham and seconded by Wayne Marshfield.

September 1, 2015

**RESOLUTION NO. 2729**

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

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

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC Staff previously approved Septic Program reimbursement for George McCann in the amount of Twenty-Four Thousand Fifty Dollars (\$24,050.00); 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 Four Hundred Ninety-Four Dollars and Fifty-Six Cents (\$2,494.56); and

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

**WHEREAS**, the CWC staff have determined the contractor’s total invoices of Twenty-Six Thousand Five Hundred Forty-Four Dollars and Fifty-Six Cents (\$26,544.56) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the total reimbursement of Twenty-Six Thousand Five Hundred Forty-Four Dollars and Fifty-Six Cents (\$26,544.56) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Six Thousand Five Hundred Forty-Four Dollars and Fifty-Six Cents (\$26,544.56).

**George McCann Backup**

Mr. McCann's property is located in the Town of Middletown, Delaware County. CWC staff previously provided reimbursement at \$24,050.00. During construction bedrock was encountered in the area of the dosing chamber and septic tank. The most cost effective method is to set the tanks above the rock elevation and fill around the tanks with random fill. Large rocks were set on the downhill side to retain the fill system. In addition, some large rocks were utilized in the swale to reduce the concerns of erosion. CWC staff received a quote from the contractor for the additional work in the amount of \$2,494.56. This quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,494.56, for total reimbursement not to exceed \$26,544.56.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Additional Cost – Andris Neimanis – Tab 12

A motion to approve Resolution No. 2730 was made by Robert Pelham and seconded by Wayne Marshfield.

September 1, 2015

RESOLUTION NO. 2730

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

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

WHEREAS, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, on March 3, 2015, by Resolution Number 2628, the CWC Board approved reimbursement to Andris Neimanis in an amount not to exceed Thirty-Three Thousand Nine Hundred Fifty Dollars (\$33,950.00); and

WHEREAS, total contractor invoices were paid in the amount of Thirty-Three Thousand Nine Hundred Dollars (\$33,900.00); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for additional rock removal in the amount of Two Thousand Six Hundred Seventy-Five Dollars (\$2,675.00); and

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

WHEREAS, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Two Thousand Six Hundred Seventy-Five Dollars (\$2,675.00); and

WHEREAS, CWC staff have determined that Thirty-Six Thousand Five Hundred Seventy-Five Dollars (\$36,575.00) is a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Thirty-Six Thousand Five Hundred Seventy-Five Dollars (\$36,575.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-Six Thousand Five Hundred Seventy-Five Dollars (\$36,575.00).

Andris Neimanis Backup

Mr. Neimanis’ property is located in the Town of Windham, Greene County. CWC Board of Directors previously approved reimbursement for this project at \$33,950.00. Payouts have been made to the project contractors to date in the amount of \$33,900.00. During construction rock was encountered in the area of the septic tank and the pump station. The project engineer has corroborated the need for a rock hammer. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$2,675.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,675.00, for total reimbursement not to exceed \$36,575.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Jennifer Vallance – Tab 13**

A motion to approve Resolution No. 2731 was made by Robert Pelham and seconded by Wayne Marshfield.

September 1, 2015

**RESOLUTION NO. 2731**

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

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

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff approved reimbursement to Jennifer Vallance in an amount not to exceed Twenty-Two Thousand Two Hundred Thirty-Three Dollars and Sixty Cents (\$22,223.60); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for tank replacement, removal of an old tank, additional swale, and additional fill in the amount of Five Thousand Five Hundred Ninety-Five Dollars and Sixteen Cents (\$5,595.16); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Five Thousand Five Hundred Ninety-Five Dollars and Sixteen Cents (\$5,595.16); and

**WHEREAS**, CWC staff have determined that Twenty-Seven Thousand Eight Hundred Eighteen Dollars and Seventy-Six Cents (\$27,818.76) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Twenty-Seven Thousand Eight Hundred Eighteen Dollars and Seventy-Six Cents (\$27,818.76) 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 Eight Hundred Eighteen Dollars and Seventy-Six Cents (\$27,818.76).

**Jennifer Vallance Backup**

Ms. Vallance's property is located in the Town of Olive, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$22,223.60. CWC staff previously approved septic tank replacement in the amount of \$3,032.91. During construction, the project engineer required and additional 13 lineal feet of swale, and that additional fill material be used to fill a 'wet spot' below the absorption field. A third old septic tank was discovered and removed. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$5,595.16. The Septic Committee recommends that the Board approves an additional reimbursement of \$5,595.16, for total reimbursement not to exceed \$27,818.76.

***Voice Vote, carried unanimously***

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A motion to approve Resolution No. 2732 was made by Robert Pelham and seconded by Wayne Marshfield.

September 1, 2015

RESOLUTION NO. 2732

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

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

WHEREAS, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, on June 3, 2015, by Resolution Number 2499, the CWC Board approved reimbursement to Robert Warfield in an amount not to exceed Twenty-Nine Thousand One Hundred Thirty Dollars (\$29,130.00); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for additional curtain drain in the amount of One Thousand Forty-Three Dollars (\$1,043.00) and

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

WHEREAS, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be One Thousand Forty-Three Dollars (\$1,043.00); and

WHEREAS, CWC staff have determined that Thirty Thousand One Hundred Seventy-Three Dollars (\$30,173.00) is a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Thirty Thousand One Hundred Seventy-Three Dollars (\$30,173.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty Thousand One Hundred Seventy-Three Dollars (\$30,173.00).

Robert Warfield Backup

Mr. Warfield's property is located in the Town of Halcott, Greene County. CWC Board of Directors previously approved reimbursement for this project at \$29,130.00. During construction the project engineer required the contractor to add an additional 70 lineal feet of curtain drain. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$1,043.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,043.00, for total reimbursement not to exceed \$30,173.00.

Voice Vote, carried unanimously

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**Funds Transfer from Future Stormwater to CWMP for Study Phase and Administration – Tab 15**

A motion to approve Resolution No. 2733 was made by James Eisel and seconded by Thomas Hynes.

September 1, 2015

**RESOLUTION NO. 2733**

**AUTHORIZATION OF FUTURE STORMWATER FUND TRANSFER TO CWMP –  
STUDY PHASE/ADMINISTRATION**

**WHEREAS**, the Catskill Watershed Corporation (CWC) Board of Directors by Resolution Number 617 authorized the execution of the Community Wastewater Management Program (CWMP) contract with New York City Department of Environmental Protection (NYCDEP); and

**WHEREAS**, the CWC Board of Directors have transferred money to offset CWC administration and study phase costs; and

**WHEREAS**, the Finance Committee has recommended transferring an additional Three Hundred Fifty Thousand Dollars (\$350,000.00) from the Future Stormwater Program to the Community Waste Water Program to offset study phase and CWC administration costs for the CWMP II and CWMP III contracts.

**NOW THEREFORE BE IT RESOLVED** that the CWC Board of Directors authorizes the transfer of Three Hundred Fifty Thousand Dollars (\$350,000.00) from the Future Stormwater Program to the Community Waste Water Program.

**Voice Vote, carried unanimously**

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Future Stormwater Application Approval – Lisa Zocchia Waage – Tab 16

A motion to approve Resolution No. 2734 was made by James Eisel and seconded by Robert Pelham.

September 1, 2015

RESOLUTION NO. 2734

**BOARD REVIEW OF LISA ZOCCHIA WAAGE 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, Lisa Zocchia Waage has applied for reimbursement of eligible design costs in the amount of Thirteen Thousand Four Hundred Sixty-Seven Dollars and Forty-Four Cents (\$13,467.44) for the design of an eligible project; and

WHEREAS, the CWC share of stormwater funding for design is 50% of the eligible costs for this project; and

WHEREAS, eligible costs equal a not-to-exceed amount of Six Thousand Seven Hundred Thirty-Three Dollars and Seventy-Two Cents (\$6,733.72), 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 applications 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 for design in a total not-to-exceed amount of Six Thousand Seven Hundred Thirty-Three Dollars and Seventy-Two Cents (\$6,733.72).

Backup

Lisa Zocchia Waage Property

Lisa Zocchia Waage was required to comply with the Watershed Rules and Regulations enforced by the NYCDEP. NYCDEP solely required a Stormwater Pollution Prevention Plan (SWPPP) as the project is part of development that qualifies as a common plan of sale, requiring a SWPPP under the Watershed Rules and Regulations, but NYSDEC did not require an SWPPP in this case.

Lisa Zocchia Waage was required to comply with the Watershed Rules and Regulations enforced by the NYCDEP. NYCDEP solely required a Stormwater Pollution Prevention Plan (SWPPP) as the project disturbed under an acre. The NYCDEP SWPPP approval was issued on April 9, 2015. The property is located in the Town of Kortright, Delaware County.

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

	Requested	Recommend Funding
Keystone Associates	\$13,467.44	\$6,733.72

Total Recommended CWC Design Funding \$6,733.72

Lisa Zocchia Waage is eligible to apply to NYCDEP to seek reimbursement for up to 50% of the design costs, and will seek reimbursement from NYCDEP.

Voice Vote, carried unanimously

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**Future Stormwater Application Approval – Village of Delhi – River Walk – Tab 17**

A motion to approve Resolution No. 2735 was made by Jeffrey Graf and seconded by Berndt Leifeld.

September 1, 2015

**RESOLUTION NO. 2735**

**BOARD REVIEW OF FUTURE STORMWATER PROGRAM APPLICATION FOR CONSTRUCTION COSTS FOR THE VILLAGE OF DELHI RIVER WALK STORMWATER CONTROLS**

**WHEREAS**, the 1997 New York City Watershed Memorandum of Agreement (“Watershed MOA”) paragraph 128 (“Future Stormwater Program”) directs the Catskill Watershed Corporation (“CWC”) to establish a program to pay for the reasonable and proper cost to design, implement, permit, construct and maintain new stormwater measures pursuant to stormwater pollution prevention plans required by the 18-39(b)(3) and 18-39(e) of the watershed regulations; and

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

**WHEREAS**, the Village of Delhi has requested funding in the amount of Two Hundred Fifteen Thousand Two Hundred Fifty Dollars (\$215,250.00) for construction of new stormwater controls related to the construction of Phase 1 related to the river walk; and

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

**WHEREAS**, CWC staff recommended reimbursement of eligible stormwater construction costs for a total not-to-exceed amount of Two Hundred Fifteen Thousand Two Hundred Fifty Dollars (\$215,250.00); and

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

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the attached application, staff recommendation and supporting documentation and approves the construction funding request of not to exceed Two Hundred Fifteen Thousand Two Hundred Fifty Dollars (\$215,250.00).

**CWC Future Stormwater Controls Program - Village of Delhi – Phase 1 River Walk**

The Village of Delhi is constructing a river walk in Delhi, Delaware 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. 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 Construction Costs (Not to Exceed) | \$215,250 |
|---------------------------------------------------|-----------|

**Voice Vote, carried unanimously**

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A motion to enter into Executive Session with Alan L. Rosa, Timothy Cox, Barbara Puglisi, Jason Merwin, and Phil Sireci to discuss CFF delinquent loans and new loan applicant financials was made by Donald ‘Mike’ Brandow and seconded by Berndt Leifeld.

Voice Vote, carried unanimously

During Executive Session, Wayne Marshfield took no part in and was not present for discussions regarding Heart of the Catskills Communications, Inc. loan application.

A motion to resume the regular meeting was made by James Eisel and seconded by Robert Pelham.

Voice Vote, carried unanimously

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**Acceptance of Canal Street Cutlery, Co. LLC Payoff – Tab 18**

A motion to approve Resolution No. 2736 was made by Richard Parete and seconded by Thomas Hynes.

September 1, 2015

**RESOLUTION NO. 2736**

**ACCEPTANCE OF CANAL STREET CUTLERY, CO LLC PAYOFF**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a not-for-profit local development corporation whose purpose is, in part, to act in the public interest by promoting increased employment and encouraging environmentally sound development within the West of Hudson Watershed (WOH); and

**WHEREAS**, on June 1, 2010, by Resolution Number 1748, the CWC Board of Directors approved a REDI loan application Walter Gardiner/Canal Street Cutlery in the amount Two Hundred Sixty-Five Thousand Two Hundred Dollars (\$265,200.00) for a term of ten (10) years, at a rate of four percent (4.00%), fixed for the life of the loan, to be amortized in equal monthly payments such that the outstanding principal is fully paid on the last payment date; and

**WHEREAS**, following closing, Walter Gardiner and Canal Street Cutlery, Co LLC have made payments on the CWC REDI Loan in the total amount of One Hundred Twenty Thousand Eight Hundred Forty-Seven Dollars and Twenty Eight Cents (\$120,847.28), representing Eighty Thousand Five Hundred Dollars and Seventeen Cents (\$80,500.17) in principal and Forty Thousand Three Hundred Forty-Seven Dollars and Eleven Cents (\$40,347.11) in interest; and

**WHEREAS**, Walter Gardiner and Canal Street Cutlery, Co LLC requested CWC accept a payoff of One Hundred Twenty-Five Thousand (\$125,000.00) to fully satisfy the remaining principal outstanding of One Hundred Eighty-Seven Thousand One Hundred Seventy-Four Dollars and Eighty-Four Cents (\$187,174.84); and

**WHEREAS**, pursuant to CFF Program Rules where a loan is not otherwise in default, only the CWC Board of Directors may agree to accept a payoff of a loan less than the full amount owed; and

**WHEREAS**, CWC staff have examined the financial records of Walter Gardiner and Canal Street Cutlery, Co LLC and recommend that CWC Board of Directors agree to the proposal and payoff amount.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors accepts the amount of One Hundred Twenty-Five Thousand Dollars (\$125,000.00) to satisfy the Walter Gardiner/Canal Street Cutlery Co, LLC REDI Loan and directs the President and/or Executive Director to execute appropriate releases upon receipt of the funds.

*Voice Vote, carried unanimously*

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CFF REDI Loan – Heart of the Catskills Communications, Inc. d/b/a MTC Cable – Tab 19

A motion to approve Resolution No. 2737 was made by Martin Donnelly and seconded by Jeffrey Graf.

September 1, 2015

RESOLUTION NO. 2737

APPROVAL OF DELAWARE COUNTY BROADBAND INITIATIVE
CATSKILLS STUDY GRANT
BROADBAND EXTENTION TO UNSERVED AND UNDER SERVED
IN DELAWARE COUNTY

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, to foster the goals of environmentally sound development and increased employment the CWC will from time to time enter into demonstration projects and alliances with other organizations with similar goals that can be replicated throughout the WOH with funding from the Catskill Fund for the Future (CFF); and

WHEREAS, the CWC Economic Development Committee has recognized the need to extend broadband internet service to as much of the watershed area as practical to foster economic development, improve educational opportunities and improve the quality of life; and

WHEREAS, the Margaretville Telephone Company (MTC) has successfully implemented and maintained Direct Subscriber Lines (DSL) and Cable broadband service in over 90% of its service area; and

WHEREAS, the deployment of broadband service in un-served and underserved areas has the potential to increase adult employment, improve educational opportunities and improve the quality of life in the watershed community; and

WHEREAS, on August 4, 2009, by Resolution Number 1575, the CWC Board of Directors approved an alliance with MTC and M-ARK Project in an amount up to Two Hundred Fifty Thousand Dollars (\$250,000.00) for expansion of broadband internet service to un-served and underserved areas of Schoharie and Delaware Counties; and

WHEREAS, on April 6, 2010, by Resolution Number 1721, the CWC Board of Directors under the Catskills Studies Funding Program approved Twenty-Four Thousand Seven Hundred Fifty Dollars (\$24,750.00) to fund environmental, market development feasibility and engineering studies by MTC Cable for the extension of broadband services to the un-served Schoharie County Towns of Gilboa and Conesville, the purpose of which is to improve job opportunities and local employment while protecting the environment; and

WHEREAS, on September 3, 2013, by Resolution Number 2372, the CWC Board of Directors, under the Catskills Studies Funding Program, approved MTC's request for a letter of support from the CWC for the MTC Wireless Broadband Project and matching funds from CWC to strengthen their application in the amount of Ten Thousand Dollars (\$10,000.00); and

WHEREAS, on July 1, 2014, by Resolution Number 2516, the CWC Board of Directors, under the Catskills Studies Funding Program, approved Delaware County Broadband Initiative (DCBI) request for a letter of support from the CWC for the MTC Wireless Broadband Project and matching funds from CWC to provide broadband to un-served and underserved residences and businesses in Delaware County and strengthen their application in the amount of Twenty-Five Thousand Dollars (\$25,000.00); and

WHEREAS, the Heart of the Catskills Communications, Inc. d/b/a MTC Cable has applied for a One Million One Hundred Thousand Dollar (\$1,100,000.00) loan for a term of five (5) years, interest only for the first twenty-four months, at a rate of two percent (2.0%), such that the outstanding principal is fully paid on the sixtieth (60th) payment date, for the purpose of fulfilling their grant obligations; and

WHEREAS, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Heart of the Catskills Communications, Inc. d/b/a MTC Cable; and

WHEREAS, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Heart of the Catskills Communications, Inc. d/b/a MTC Cable; and

WHEREAS, the CWC Loan Committee has recommended approval of the CWC Loan application from Heart of the Catskills Communications, Inc. d/b/a MTC Cable, including waiver of participating lender pursuant to CFF Program Rules section 1:05:02, and that the CWC Board set the interest rate at 2% based upon special financial circumstances of this proposed loan; and

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

WHEREAS, CWC staff further suggest that the Loan Closing Fee of One Percent per CFF Program Rules § 1:05:07 be waived and that CWC charge actual closing costs as a loan closing fee; and

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

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

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

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

NOW, THEREFORE BE IT RESOLVED, the CWC Board determines Heart of the Catskills Communications, Inc. d/b/a MTC Cable's application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount One Million One Hundred Thousand Dollars (\$1,100,000.00) for a term of five (5) years, interest only for the first twenty-four months, at a rate of two percent (2.0%), such that the outstanding principal is fully paid on the sixtieth (60th) payment date and waives the requirement for a participating lender pursuant to CFF Program Rules section 1:05:02 based upon special financial conditions of the applicant and that the Loan Closing Fee payable at closing shall be actual CWC closing costs.

NOW, THEREFORE BE IT FURTHER RESOLVED, the CWC staff is authorized and directed to issue a commitment letter informing the borrower of its intention to issue the loan subject to compliance with all applicable provisions of the New York City Watershed regulations as well as other applicable laws, rules and regulations, completion of the necessary documents, the right of objection and staff is directed to develop the loan agreement, promissory notes and other documentation necessary to effectuate this loan in a form agreed upon by CWC.

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

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of an application by the Board constitutes a preliminary decision under the MOA. The decision will become final without any further action by the Board unless an objection is timely filed with the Watershed Protection and Partnership Council.

QEDP Evaluation and CWC Staff Recommendation

Purpose: To review the CWC Loan Application of Heart of the Catskills Communications, Inc. d/b/a MTC Cable

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Heart of the Catskills Communications, Inc. d/b/a MTC Cable located in the Village of Margaretville, NY. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 by the CWC Board of Directors.

1. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 579 Main Street, Margaretville, NY, owned by Heart of the Catskills Communications, Inc. d/b/a MTC Cable, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 579 Main Street, Margaretville, NY, owned by Heart of the Catskills Communications, Inc. d/b/a MTC Cable, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
 - (i) Heart of the Catskills Communications, Inc. d/b/a MTC Cable will fulfill its grant obligations and provide broadband service to un-served and underserved residents and businesses.
 - (ii) The project is located in the Village of Margaretville.
 - (iii) The project will utilize a municipal waste water treatment system.
 - (iv) The project appears to present no threat to water quality.
 - (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
 - (vi) Based on NYCDEP the project is in the 60 day travel time.
 - (vii) There is no impact on Federal or State wetlands.(b) The project maintains the character of the Village of Margaretville.
 - (i) The project is consistent with current zoning.
 - (ii) The project is compatible with surrounding land uses.
 - (iii) The project will not generate excessive traffic.
 - (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

Alan Rosa disclosed to the Board that he provides rental space to the loan applicant.

Voice Vote, carried – 10 aye, 1 abstain (Wayne Marshfield due to potential involvement of his employer in the project)

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**VIII. Announcements from the Chair: None**

**IX. Board Member Discussion:**

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

***Voice Vote, carried unanimously***

**X. Adjournment: @ 1:27 p.m.**