

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

September 3, 2013 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Richard Parete.

III. Roll Call of Directors

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

Members Excused: Innes Kasanof and Thomas Snow (*New York State DEC*).

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

Others Present: Don Bramley (*Margaretville Telephone Company*), Glenn Faulkner (*Margaretville Telephone Company*), Michael Meyer (*NYC DEP*), Thomas Stalter (*NYC DEP*)

IV. Review and Approval of August 6, 2013 Board Meeting Minutes

A motion to approve the minutes from the August 6, 2013 board meeting was made by Thomas Hynes 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 July 31, 2013 was made by James Eisel and seconded by Martin Donnelly.

**Voice Vote, carried unanimously**

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Executive Director's Report

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

Presentation of News Articles

Committee Schedule

Committee Meeting Minutes

VI. Public Discussion

Glen Faulkner (General Manager, Margaretville Telephone Company & MTC Cable) addressed the Board concerning their Broadband Wireless Project. Mr. Faulkner thanked the Board for their support in extending their broadband services under the project through a grant of \$250,000, which was implemented five years ago. This grant was specific to Schoharie County, and the first connection to this system was made to a home in Gilboa in August of this year.

He continued that there are significant areas in our community that do not have broadband access. That is an economic disadvantage to the community, as people are now required to file taxes electronically, and for business, residential, and educational purposes, tele-medicine and such. MTC's efforts are to extend broadband into those areas that are un-served. MTC partnered with the CWC, M-ARK Project, and Western Catskills Revitalization, to apply for a federal grant to expand into underserved areas. Although MTC was not successful in going it alone in Round 1, ION Network, which is a fiber network state-wide in New York and in which MTC has a stakeholder's interest, was successful. For Round 2, MTC partnered with ION Network, went through the required and requested steps. Unfortunately \$3 million was cut from the grant in the last month of the program. The Towns that MTC was looking to fund were Gilboa, Conesville, and Halcott, all primarily un-served, and the portions of Roxbury and Middletown where MTC presently does not provide service. All total the grant could have covered 2,600 households and businesses which do not have broadband access and 225 miles of facility. The project scope was approximately \$8 million. MTC was unsuccessful.

In 2011, MTC requested that CWC continue its matching funds to start the build-out to these municipalities where they could, trying to cover the municipal needs, doing some anchor institutions, and deal with the main arteries in town. Gilboa and Conesville were the areas targeted under the first grant of \$250,000 because they are in the 607 telephone exchange. The other municipalities within Schoharie County are in the Middleburgh and Verizon telephone exchange areas. As a service provider, that made a natural barrier for MTC to serve.

In 2013, Governor Cuomo announced \$25 million available to the state in grant funding specific to broadband within New York State. MTC didn't feel comfortable going with an \$8 million project to apply to a pool of only \$25 million, so the project was pared down. The concept was that for 50% of the cost they could serve 75% of the residents that wanted service, and a business model was developed. The budget was now \$4 million, looking to cover 1,900 homes and install 112 miles of facility. MTC was awarded on March 5, 2013 with 50-50 matching grant funding in the amount of \$1.8 million. MTC partnered with Western Catskills again to do a survey of residences and make sure that they were building out to people who really wanted service. About 3,000 surveys were mailed out to residents in Gilboa, Conesville, Halcott, Roxbury, and Middletown. Their focus is on businesses and anchor institutions within the municipalities and they need to cover the main arteries before covering the laterals. Sometimes the existing pole line will determine where service will be provided. Construction of the 112 miles of facility is under way. It will be a two year process. MTC has not received any funding yet, and probably won't receive any reimbursement until March 2014, but have begun work, moving along South Gilboa Road (Rte 30 and 990V corridor) currently. Next year they will begin the other areas on the map. MTC has followed up with a grant application through Consolidated Funding Round from NY State for a wireless component which would be transmitted from the old BOCES tower in Grand Gorge, working with Delaware County to replace that tower and to put a wireless broadband transmitter on that site with the hopes of getting service to the higher elevations of Roxbury, Gilboa and Conesville where it's not feasible to run fiber optic cable to. The fiber network will deliver a triple play of services to approximately 75% of the population, including cable phone, internet and television,

generally located along the main road systems. The wireless network is hoped to reach the 25% of the population located in the mountaintops.

Georgianna Lepke said that she is thrilled for the area that this is going to serve. It's very hard to bring businesses into an area where the facilities aren't there to communicate in today's world. It's wonderful that CWC can be a part of this.

Wayne Marshfield asked if when MTC builds out, do they lease pole attachments from other existing utilities, if it's fiber optic cabling, and if they had to get approval from each Town before installing the service. He also asked if any of the service is taxable.

Glen replied that they are running fiber optic to the home, not coaxial cable. It's all outside of the MTC service area they are connecting to existing utility poles. It's become more cost effective to run fiber optic to homes than copper, and as technology advances with cell towers, there will be facilities in place already to accommodate that. The Towns of Andes, Roxbury and Middletown have already approved of MTC installing services within their municipalities. The Towns of Gilboa, Conesville and Halcott were un-franchised municipalities, so the Public Services Commission had to grant approval of the franchise, which took about 16 months. This is a taxable service, but MTC has arranged for a waiver of the franchise fee, and the tax is for cable service, so it's outside of the broadband realm. MTC is community-minded and tries to provide services to as many municipal buildings as they can to create a community relationship.

Barbara Puglisi noted that the CWC did provide a letter of support for the second round of grant applications, and a resolution will be presented to the Board of Directors today, granting an additional \$10,000 to MTC, for the wireless portion of the project.

Glen Faulkner stated that the support of CWC is very influential and thanked the Board and staff for their continued support and commitment.

VII. Presentation of Resolutions

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### Septic Reimbursement Over \$20,000 – James Bruno - Tab 7

A motion to approve Resolution No. 2355 was made by Wayne Marshfield and seconded by Deborah DeWan.

September 3, 2013

### RESOLUTION NO. 2355

### BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000: JAMES BRUNO

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Three Thousand Four Hundred Twenty Dollars (\$23,420.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Three Thousand Four Hundred Twenty Dollars (\$23,420.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Three Thousand Four Hundred Twenty Dollars (\$23,420.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Three Thousand Four Hundred Twenty Dollars (\$23,420.00).

**James Bruno Backup**

Mr. Bruno's property is located in the Town of Colchester, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$23,420.00. This system is for a two bedroom house. The major components for this system include a 1,000 gallon septic tank, one dosing chamber, 220 lineal feet of 4" gravity piping, one distribution box, 305 cubic yards of absorption fill material, one effluent filter, 450 square feet of absorption bed, tree removal and clearing, and site restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$23,420.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – David Cheripka- Tab 8

A motion to approve Resolution No. 2356 was made by Wayne Marshfield and seconded by Deborah DeWan.

September 3, 2013

RESOLUTION NO. 2356

BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
DAVID CHERIPKA

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

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

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Three Thousand Four Hundred Twenty-Six Dollars (\$23,426.00); and

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

WHEREAS, the CWC staff have determined the contractor’s quote of Twenty-Three Thousand Four Hundred Twenty-Six Dollars (\$23,426.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Three Thousand Four Hundred Twenty-Six Dollars (\$23,426.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Three Thousand Four Hundred Twenty-Six Dollars (\$23,426.00).

David Cheripka Backup

Mr. Cheripka’s property is located in the Town of Shandaken, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$23,426.00. This system is for a one bedroom house. The major components for this system include a 1,000 gallon septic tank, one dosing tank, 105 lineal feet of 4” gravity piping, one distribution box, 260 cubic yards of absorption fill material, 400 square feet of absorption bed, temporary road access, and site restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$23,426.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Charles Davis - Tab 9**

A motion to approve Resolution No. 2357 was made by Wayne Marshfield and seconded by Deborah DeWan.

September 3, 2013

**RESOLUTION NO. 2357**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:**  
**CHARLES DAVIS**

**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-Six Thousand Eight Hundred Dollars (\$26,800.00); 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-Six Thousand Eight Hundred Dollars (\$26,800.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Six Thousand Eight Hundred Dollars (\$26,800.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Six Thousand Eight Hundred Dollars (\$26,800.00).

**Charles Davis Backup**

Mr. Davis’ property is located in the Town of Olive, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$26,800.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump chamber, one distribution box, 400 cubic yards of absorption fill material, one effluent filter, 250 lineal feet of absorption trench, and site restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$26,800.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Hazel Ford - Tab 10

A motion to approve Resolution No. 2358 was made by Wayne Marshfield and seconded by Deborah DeWan.

RESOLUTION NO. 2358

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
HAZEL FORD**

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 Nine Hundred Forty Dollars (\$28,940.00); 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 Nine Hundred Forty Dollars (\$28,940.00) 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 Nine Hundred Forty Dollars (\$28,940.00) 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 Nine Hundred Forty Dollars (\$28,940.00).

Hazel Ford Backup

Ms. Ford’s property is located in the Town of Roxbury, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$28,940.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one dosing chamber, 125 lineal feet of 4” gravity piping, one distribution box, 395 cubic yards of absorption fill material, 184 lineal feet of absorption trench, 110 lineal feet of curtain drain, temporary access road, and site restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$28,940.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Leonard Frasco - Tab 11**

A motion to approve Resolution No. 2359 was made by Wayne Marshfield and seconded by Deborah DeWan.

September 3, 2013

**RESOLUTION NO. 2359**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
LEONARD FRASCO**

**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).

**Leonard Frasco Backup**

Mr. Frasco’s property is located in the Town of Roxbury, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$24,000.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, a pump station, 25 lineal feet of 4” gravity piping, 140 lineal feet of 2” forcemain, four peat modules, 135 lineal of curtain drain, and site restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$24,000.00.

***Voice Vote, carried unanimously***



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Septic Reimbursement Over \$20,000 – Maureen Gucker - Tab 12

A motion to approve Resolution No. 2360 was made by Wayne Marshfield and seconded by Deborah DeWan.

September 3, 2013

RESOLUTION NO. 2360

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
MAUREEN GUCKER**

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 Two Hundred Sixty-Six Dollars (\$22,266.00); 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 Two Hundred Sixty-Six Dollars (\$22,266.00) 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 Two Hundred Sixty-Six Dollars (\$22,266.00) 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 Two Hundred Sixty-Six Dollars (\$22,266.00).

Maureen Gucker Backup

Ms. Gucker’s property is located in the Town of Bovina, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$22,266.00. This system is for a five bedroom house. The major components for this system include a 1,000 gallon septic tank (in addition to a pre-existing 1,000 gallon tank), one dosing chamber, one distribution box, 340 cubic yards of absorption fill material, 344 lineal feet of absorption trench, 75 lineal feet of swale, tree removal, and site 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 \$22,266.00.

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**Septic Reimbursement Over \$20,000 – Heather Rolland - Tab 13**

A motion to approve Resolution No. 2361 was made by Wayne Marshfield and seconded by Deborah DeWan.

September 3, 2013

**RESOLUTION NO. 2361**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
HEATHER ROLLAND**

**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-One Thousand Nine Hundred Fifty-Nine Dollars (\$21,959.00); 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-One Thousand Nine Hundred Fifty-Nine Dollars (\$21,959.00) 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-One Thousand Nine Hundred Fifty-Nine Dollars (\$21,959.00) 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 Nine Hundred Fifty-Nine Dollars (\$21,959.00).

**Heather Rolland Backup**

Ms. Rolland’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 \$21,959.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, a pump station, 20 lineal feet of 4” gravity piping, 80 lineal feet of forcemain, one distribution box,

155 cubic yards of absorption fill material, 15 cubic yards of DOT C-33 sand, 21 Eljen in-drain units, 35 lineal feet of curtain drain, tree removal, and site restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$21,959.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Elena Suditu - Tab 14

A motion to approve Resolution No. 2362 was made by Wayne Marshfield and seconded by Deborah DeWan.

September 3, 2013

RESOLUTION NO. 2362

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
ELENA SUDITU**

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-Two Thousand Dollars (\$32,000.00); and

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

WHEREAS, the CWC staff have determined the contractor’s quote of Thirty-Two Thousand Dollars (\$32,000.00) 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 Thirty-Two Thousand Dollars (\$32,000.00) 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 Thirty-Two Thousand Dollars (\$32,000.00).

Elena Suditu Backup

Ms. Suditu's property is located in the Town of Hunter, Greene County. Homeowner and CWC staff received three quotes from unrelated contractors for \$41,500.00, \$34,500.00, and \$32,000.00. This system is for a five bedroom house, plus a one bedroom cottage. The major components for this system include two 1,000 gallon septic tanks, 90 lineal feet of 4" gravity piping, 120 lineal feet of 2" forcemain, five peat modules, 85 lineal feet of curtain drain, and site restoration. The lowest 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 \$32,000.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Gerald Whitman - Tab 15**

A motion to approve Resolution No. 2363 was made by Wayne Marshfield and seconded by Deborah DeWan.

September 3, 2013

**RESOLUTION NO. 2363**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
GERALD WHITMAN**

**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-Nine Thousand Two Hundred Eighty-Seven Dollars (\$39,287.00); 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-Nine Thousand Two Hundred Eighty-Seven Dollars (\$39,287.00) 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-Nine Thousand Two Hundred Eighty-Seven Dollars (\$39,287.00) 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-Nine Thousand Two Hundred Eighty-Seven Dollars (\$39,287.00).

**Gerald Whitman Backup**

Mr. Whitman's property is located in the Town of Hurley, Ulster County. Homeowner and CWC staff received three quotes from unrelated contractors for \$43,000.00, \$40,600.00, and \$39,287.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one dosing chamber, 85 lineal feet of 4" gravity piping, 560 cubic yards of absorption fill material, 650 square feet of absorption bed, 100 lineal feet of curtain drain, tree removal, temporary access, and site restoration. The lowest 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 \$39,287.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – John Wilson - Tab 16

A motion to approve Resolution No. 2364 was made by Wayne Marshfield and seconded by Deborah DeWan.

September 3, 2013

RESOLUTION NO. 2364

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

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 Nine Hundred Ninety-Five Dollars (\$29,995.00); 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 Nine Hundred Ninety-Five Dollars (\$29,995.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00).

John Wilson Backup

Mr. Wilson's property is located in the Town of Roxbury, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,995.00. This system is for a five bedroom house. The major components for this system include two 1,000 gallon septic tanks, one dosing chamber, 260 lineal feet of 4" gravity piping, one distribution box, 330 cubic yards of absorption fill material, 1,050 square feet of absorption bed, 230 lineal feet of swale, three cleanouts, and site restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,995.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Additional Cost – Phillip DeVito - Tab 17**

A motion to approve Resolution No. 2365 was made by Richard Parete and seconded by Michael Triolo.

September 1, 2013

**RESOLUTION NO. 2365**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION  
OVER \$20,000:  
PHILLIP DEVITO**

**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**, by Resolution Numbers 1703 and 1933, the CWC Board approved reimbursement to Phillip DeVito in an amount not to exceed Thirty-Five Thousand Four Hundred Ninety-Six Dollars (\$35,496.00); and

**WHEREAS**, immediately after construction completion, the system failed to function correctly; and

**WHEREAS**, the design engineer proposed replacing certain portions of the septic system and adding a supplemental absorption field; and

**WHEREAS**, Section 2:01:05 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A prohibit paying more than once for rehabilitation or replacement of a component of an eligible septic system unless specifically approved by the Executive Director due to unique circumstances; and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for engineering and repairs in the amount of Seventeen Thousand Nine Hundred Twenty Dollars (\$17,920.00); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Seventeen Thousand Nine Hundred Twenty Dollars (\$17,920.00); and

**WHEREAS**, CWC staff have determined that Fifty-Three Thousand Four Hundred Sixteen Dollars (\$53,416.00) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and concur with the Executive Director that unique circumstances exist, meriting the reimbursement of a the rehabilitation or replacement of a component of an eligible septic system previously paid for by the Septic Program and recommend approving total reimbursement of Fifty-Three Thousand Four Hundred Sixteen Dollars (\$53,416.00) 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 Fifty-Three Thousand Four Hundred Sixteen Dollars (\$53,416.00).

**Phillip DeVito Backup**

Mr. DeVito's property is located in the Town of Neversink, Sullivan County. CWC Board of Directors previously approved reimbursement for this project at \$35,496.00. Following construction completion, the new absorption field did not function correctly and had a continuing surface failure.

The fix the engineer has proposed is extensive. As a supplement to the existing field he is proposing an additional 350 cubic yards of absorption fill material and 275 lineal feet of additional absorption trench. The existing distribution box will be replaced with a much larger one to accommodate both fields, at a much higher elevation. The supplemental field will also be set at a higher elevation to prevent groundwater inundation. Additional drainage work, including additional swales, will be completed to insure the site stays as dry as possible. Lastly, additional fill will be used to cover the existing laterals.

A reasonable and just cost for the additional work according to CWC Schedule of Values is \$17,920.00. CWC Septic Program Rules prohibit providing reimbursement more than one time for septic system components unless the Executive Director determines unique circumstances exist. The Septic Committee concurred with the Executive Director that unique circumstances exist, meriting a second reimbursement. The Septic Committee recommends that the Board approves an additional reimbursement of \$17,920.00, for total reimbursement not to exceed \$53,416.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Additional Cost – Jeffrey Norwick - Tab 18

A motion to approve Resolution No. 2366 was made by Richard Parete and seconded by Michael Triolo.

September 3, 2013

RESOLUTION NO. 2366

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

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 Jeffrey Norwick in the amount of Nineteen Thousand Seven Hundred Fifty-Eight Dollars and Eighty Cents (\$19,758.80); 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 Six Thousand Sixty-Eight Dollars (\$6,068.00); 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-Five Thousand Eight Hundred Twenty-Six Dollars and Eighty Cents (\$25,826.80) 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-Five Thousand Eight Hundred Twenty-Six Dollars and Eighty Cents (\$25,826.80) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Five Thousand Eight Hundred Twenty-Six Dollars and Eighty Cents (\$25,826.80).

Jeffrey Norwick Backup

Mr. Norwick's property is located in the Town of Middletown, Delaware County. CWC staff previously approved reimbursement in the amount of \$19,758.80. During construction the Project Engineer requested that the contractor replace the existing septic tank with a one piece tank due to an extreme amount of infiltration and extremely high ground water levels. In addition, rock was encountered and had to be hammered to install the septic tank. In order to drain the ground water and ensure proper drying of the area two drains (approximately 600 lineal feet) were installed. A fair and reasonable cost for the additional materials and labor according to CWC Schedule of Values is \$6,068.00, for total reimbursement not to exceed \$25,826.80. The Septic Committee recommends that the Board of Directors approve total reimbursement in an amount not to exceed \$25,826.80.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Additional Cost – Alexandra Sines - Tab 19**

A motion to approve Resolution No. 2367 was made by Richard Parete and seconded by Michael Triolo.

September 3, 2013

**RESOLUTION NO. 2367**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION  
OVER \$20,000:  
ALEXANDRA SINES**

**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**, by Resolution Number 2277, the CWC Board approved reimbursement to Alexandra Sines in an amount not to exceed Twenty-One Thousand Eight Hundred Twenty-Five Dollars (\$21,825.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for elevation of the septic tank and additional materials in the amount of One Thousand Seven Hundred Sixty-Eight Dollars (\$1,768.00); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be One Thousand Seven Hundred Sixty-Eight Dollars (\$1,768.00); and

**WHEREAS**, CWC staff have determined that Twenty-Three Thousand Five Hundred Ninety-Three Dollars (\$23,593.00) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Twenty-Three Thousand Five Hundred Ninety-Three Dollars (\$23,593.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Three Thousand Five Hundred Ninety-Three Dollars (\$23,593.00).

**Alexandra Sines Backup**

Ms. Sines' property is located in the Town of Middletown, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$21,825.00. During construction the temporary haul road became unstable and several loads of cobble were brought in to prevent the trucks from getting bogged down. In addition, due to the elevation of the house sewer the septic tank was raised. In order to ensure positive drainage and cover several loads of fill material were hauled in and graded. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$1,768.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,768.00, for total reimbursement not to exceed \$23,593.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Additional Cost – Alan Tiffany - Tab 20

A motion to approve Resolution No. 2368 was made by Richard Parete and seconded by Michael Triolo.

September 3, 2013

RESOLUTION NO. 2368

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION
OVER \$20,000:
ALAN TIFFANY**

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, by Resolution Number 2131, the CWC Board approved reimbursement to Alan Tiffany in an amount not to exceed Twenty-Eight Thousand Six Hundred Seven Dollars (\$28,607.00); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for an ADS drain system in the amount of One Thousand Dollars (\$1,000.00); and

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

WHEREAS, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be One Thousand Dollars (\$1,000.00); and

WHEREAS, CWC staff have determined that Twenty-Nine Thousand Six Hundred Seven Dollars (\$29,607.00) is a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Twenty-Nine Thousand Six Hundred Seven Dollars (\$29,607.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Six Hundred Seven Dollars (\$29,607.00).

Alan Tiffany Backup

Mr. Tiffany’s property is located in the Town of Walton, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$28,607.00. During construction the project engineer requested that an 18” ADS drain system be installed to alleviate a wet condition. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$1,000.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,000.00, for total reimbursement not to exceed \$29,607.00.

Voice Vote, *carried unanimously*

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A motion to approve Resolution No. 2369 was made by Wayne Marshfield and seconded by Deborah DeWan.

September 3, 2013

**RESOLUTION NO. 2369**  
**ESTABLISHMENT OF PRATTSVILLE WASHINGTON STREET SEPTIC PRIORITY**  
**AREA**  
**TO PROVIDE A SEWER CONNECTION TO THE PRATTSVILLE**  
**WASTEWATER TREATMENT PLANT**

**WHEREAS**, the 1997 New York City Watershed Memorandum of Agreement (MOA) directs the Catskill Watershed Corporation (CWC) to establish a Septic Rehabilitation and Replacement Program (the "Septic Program") to repair or replace certain failed or likely to fail septic systems in the West of Hudson Watershed; and

**WHEREAS**, pursuant to the New Sewage Treatment and Infrastructure Program (NIP) established by Paragraph 122 of the 1997 New York City Watershed Memorandum of Agreement the Town of Prattsville (Prattsville) entered into a contract with the New York State Environmental Facilities Corporation (NYSEFC) for a NIP Block Grant Amount determined by the New York City Department of Environmental Protection (DEP), which funded the NIP Program, to construct a wastewater treatment plant (the "Prattsville WWTP" or "WWTP") to serve a certain identified Sewer District in Prattsville; and

**WHEREAS**, Prattsville lacks NIP Block Grant funding to construct a sewer collection system to residences on Washington Street, which are within the Prattsville Sewer District; and

**WHEREAS**, a property owner on Washington Street, contacted CWC upon experiencing a septic failure; and

**WHEREAS**, the NIP Program as defined in paragraph 122 of the MOA allows the transfer of CWC Future Stormwater Funds provided in MOA paragraph 128 to the NIP, but only to create septic districts or community septic systems; and

**WHEREAS**, CWC Septic Program Rules Article 2A provide that septic systems within the NIP communities identified in MOA paragraph 122(b), which includes Prattsville, have a limited eligibility for reimbursement under the CWC Septic Program; and

**WHEREAS**, CWC staff identified three other residential properties in the immediate vicinity of the failed septic system property on Washington Street in the Prattsville Sewer District whose septic systems could be eligible for the CWC Septic Program except for their location within the Prattsville Sewer District; and

**WHEREAS**, Prattsville requested funding from CWC to connect the residences on Washington Street to the Prattsville WWTP; and

**WHEREAS**, replacement septic systems in the Prattsville Washington Street Area are reasonably likely to fail again in the future due to small lot size, terrain, unsuitable soils and short depth to ledgerrock, which contribute significantly to septic failures; and

**WHEREAS**, it is in the interest of Prattsville and DEP that the homes on the residential properties on Washington Street identified by CWC, all of which are listed by Section, Block and Lot in Attachment A and together comprise the “Prattsville Washington Street Priority Area,” are connected to the Prattsville WWTP; and

**WHEREAS**, CWC received an informal estimate of approximately Two Hundred Seventy-Eight Thousand Five Hundred Seventy-Five Dollars (\$278,575.00) for the design and construction of a sewer main pipe through the previously identified Prattsville Washington Street Priority Area to the Prattsville WWTP ; and

**WHEREAS**, by Resolution Number 1290, the CWC Board of Directors authorized the transfer of One Million Dollars (\$1,000,000.00) from the CWC Future Stormwater Program to the Community Wastewater Management Program, a continuation of the NIP, to provide for administrative costs of that program; and

**WHEREAS**, the CWC Septic Committee recommends that the CWC Board of Directors fund a sewer extension to provide service to the identified properties on Washington Street in the Hamlet of Prattsville due to the Town’s inability to provide such service because of insufficient funds in the NIP Block grant, the desire of the Washington Street property owners to have service, the severe limitations of constructing functioning onsite systems, and the benefits to water quality from replacing those systems; and

**WHEREAS**, MOA paragraph 128(e) provides for the transfer of CWC Future Stormwater Program funds to the CWC Septic Program; and

**WHEREAS**, the CWC Stormwater/Wastewater Committee recommends the CWC Board of Directors amend Resolution Number 1290 to provide up to Three Hundred Thousand Dollars (\$300,000.00) to the CWC Septic Program for funding of a sewer extension for the Prattsville Washington Street Priority Area; and

**WHEREAS**, the CWC Stormwater/Wastewater Committee recommends the CWC Board of Directors amend Septic Program Rules Article 2A as provided in Attachment A to create the Prattsville – Washington Street Priority Area; and

**WHEREAS**, the CWC Stormwater/Wastewater Committee recommends the CWC Board of Directors authorize a contract with the Town of Prattsville in an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) to design and construct a sewer main and laterals for properties in the Prattsville - Washington Street Priority Area.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors authorizes and approves the amendment to the Septic Program Rules, Article 2A, set out in Attachment A hereto entitled the “Prattsville - Washington Street Priority Area” that solely includes, and is limited to, the following four (4) individual residential properties identified by the currently effective Greene County Property Tax Map by Section, Block and Lot and listed herein: 74.14-3-27, 74.10-2-10, 74.10-2-11, and 74.10-2-12.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the CWC Board of Directors amends Resolution Number 1290 to provide that Seven Hundred Thousand Dollars (\$700,000.00) of the One Million Dollars (\$1,000,000) transferred from the Future Stormwater Program to Community Wastewater Management Program for administrative costs remain in the

Community Wastewater Management Program for such purpose and the remaining Three Hundred Thousand Dollars (\$300,000.00) of Future Stormwater Funds be transferred to the Septic Program for the purposes of funding a sewer extension in the Prattsville – Washington Street Priority Area.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the CWC Board of Directors authorizes the President and/or Executive Director to enter into an agreement with Prattsville, after it is reviewed and approved by NYCDEP, in an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) for the sole purpose of connecting the Prattsville Washington Street Priority Area, as defined above and in the Septic Program Rules to the Prattsville WWTP.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that approval of entering the aforementioned contract by the Board constitutes a preliminary decision under the MOA and 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.

UNDERLINE IS PROPOSED ADDITION  
STRIKETHROUGH IS PROPOSED DELETION

### **2:00:03 Prattsville -Washington Street Priority Area**

1. Overview: CWC may transfer funds from the Future Stormwater Program, to the Septic Program funds, to be allocated for the design, construction and implementation of the Prattsville – Washington Street Priority Area. These funds shall be used solely for a cost-effective sewer extension from the Prattsville Sewer Collection System to the residences located on the properties identified below, including service lines (laterals) from each individual property to the sewer extension system, and hook-up residences within the Priority Area to the Prattsville Wastewater Treatment Plant

2. The “Prattsville – Washington Street Priority Area” shall include, and is limited to, the following four residential properties as identified on the Greene County Property Tax maps as of the effective date of these Program Rules (September, 2013):

a. 74.14-3-27, 74.10-2-10, 74.10-2-11, and 74.10-2-12

3. CWC shall enter into a contract with the Town of Prattsville to implement the project in the Prattsville – Washington Street Priority Area for an amount not to exceed \$300,000 and such contract shall provide, but not be limited to, the following provisions: the design plans and specifications for the project shall be approved by NYCDEP before the commencement of construction; the sole and limited structures to be connected to the Prattsville WWTP as part of the Prattsville – Washington Street Priority Area are the existing residences located on the properties identified above.

### **2:00:034. Public Education and Outreach** *(RENUMBERED)*

### **2:01:06. Areas with Limited Eligibility**

1. Some residences within the Watershed have limited eligibility to be included in the Septic Program because another MOA program will potentially alleviate the need for a functioning septic system at that residence. All homeowners in receipt of an NOV/NOF should

contact CWC to confirm eligibility under the Septic Program before assuming full program eligibility.

2. Properties located in the following areas may have limited eligibility to be included in this program:

a. Residences scheduled to be included in the sewer extension programs in the vicinity of NYC owned wastewater treatment facilities:

1. Village of Tannersville/Town of Hunter
2. Hamlet of Grand Gorge
3. Village of Margaretville/Town of Middletown
4. Hamlet of Grahamsville
5. Hamlet of Pine Hill

b. The portions of the following 22 communities that are participating in the New Sewage Treatment Infrastructure Program: [Listed as Community, Town (County)]

1. Village of Hunter, Town of Hunter (Greene Co.)
2. Village of Fleischmanns, Town of Middletown (Delaware Co.)
3. Hamlet of Windham/Hensonville, Town of Windham (Greene Co.)
4. Village of Andes, Town of Andes (Delaware Co.)
5. Hamlet of Roxbury, Town of Roxbury (Delaware Co.)
6. Hamlet of Phoenicia, Town of Shandaken (Ulster Co.)
7. Hamlet of Prattsville, Town of Prattsville (Greene Co.)
8. Hamlet of Bloomville, Towns of Kortright/Stamford (Delaware Co.)
9. Hamlet of Boiceville, Town of Olive (Ulster Co.)
10. Hamlet of Hamden, Town of Hamden (Delaware Co.)
11. Hamlet of Delancey, Town of Hamden (Delaware Co.)
12. Hamlet of Bovina Center, Town of Bovina (Delaware Co.)
13. Hamlet of Ashland, Town of Ashland (Greene Co.)
14. Hamlet of Haines Falls, Town of Hunter (Greene Co.)
15. Hamlet of Trout Creek, Town of Tompkins (Delaware Co.)
16. Hamlet of Lexington, Town of Lexington (Greene Co.)
17. Hamlet of S. Kortright, Towns of Kortright/Stamford (Delaware Co.)
18. Hamlet of Shandaken, Town of Shandaken (Ulster Co.)
19. Hamlet of West Conesville, Town of Conesville (Schoharie Co.)
20. Hamlet of Claryville, Towns of Denning/Neversink (Ulster & Sullivan Co.)
21. Hamlet of Halcottsville, Town of Middletown (Delaware Co.)
22. Hamlet of New Kingston, Town of Middletown (Delaware Co.)

(c) Except as provided in paragraph(d) below, properties listed in 2 above will be excluded from participating in the Septic Program except where a failure confirmed by NYCDEP requires a temporary repair to manage a priority repair. The Executive Director of CWC must approve such managed repair, and shall base approval on the severity of the threat to water quality and the timing of the anticipated alternate program. This section does not apply to communities that do not participate in the alternate program.

(d) Properties in the Prattsville – Washington Street Priority Area as defined in Section 2:00:03(2): these Properties are eligible to participate in the Septic Program to the extent that: (i) the Septic Program Funds used shall connect these Properties via a sewer extension to the Prattsville WWTP collection system; (ii) are funds specifically transferred from the Future Stormwater Program to the Septic Program for such defined purpose; (iii) each Property has been determined to be unsuitable for an on-site SSTS repair due to each Property’s small lot size, terrain, unsuitable soils and short depth to ledgerrock; and (iv) each Property is included in the

Prattsville Sewer District and would have been connected to the Prattsville WWTP as part of the NIP program except that the Prattsville NIP Block Grant funding has been fully expended.

**Voice Vote, carried unanimously**

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Stormwater Retrofit – South Kortright Retrofit Project - Tab 22

A motion to approve Resolution No. 2370 was made by James Eisel and seconded by Jeffrey Graf.

September 3, 2013

RESOLUTION NO. 2370

**BOARD REVIEW OF STORMWATER RETROFIT PROGRAM APPLICATION
FOR TOWN OF STAMFORD HAMLET OF SOUTH KORTRIGHT STORMWATER
IMPROVEMENTS 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, by Resolution Number 265, the CWC Board of Directors established the Stormwater Retrofits Program Rules that provides for payment of eligible project costs; and

WHEREAS, by Resolution Number 862, the CWC Board of Directors revised the Program Rules to provide a waiver of the local match if the proposed project will occur in the proposed service area of a wastewater project in a community funded pursuant to Paragraph 122, including the Community Wastewater Management Program (CWMP), or Paragraph 123 of the Watershed MOA; and

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

WHEREAS, the Town of Stamford, with assistance from Lamont Engineers, has submitted a Stormwater Retrofit application for the South Kortright Stormwater Improvements Project; and

WHEREAS, CWC and NYCDEP staff have jointly reviewed and recommend the South Kortright Stormwater Improvements Project for funding as detailed in the application dated July 10, 2013, requesting Two Hundred Forty-Eight Thousand Dollars (\$248,000.00), and have presented their recommendations to the CWC Wastewater Committee; and

WHEREAS, the CWC Wastewater Committee has reviewed and recommended the proposal as detailed in the application dated July 10, 2013, and also that the match be waived because the project will occur in the service area contemporaneously with the South Kortright CWMP; and

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

NOW, THEREFORE, LET IT BE RESOLVED, the CWC Board of Directors approves funding as per the attached funding limits totaling Two Hundred Forty-Eight Thousand Dollars (\$248,000.00) and waives the requirement of a local match.

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

**CWC Stormwater Retrofit Program
Town of Stamford
Hamlet of South Kortright Stormwater System Improvements Project**

The Town of Stamford proposes to construct a stormwater system improvement project in the Hamlet of South Kortright in conjunction with the proposed community wastewater management project. The project is intended to address water quality issues and treat stormwater to the program goals of removing 50% of Total Suspended Solids (TSS) and 20% Total Phosphorus (TP). It is the intention of the project to mitigate existing drainage and water quality problems as well.

The Stormwater Retrofit Program Rules waive local match requirements if the project is constructed in conjunction with the Community Wastewater Management Program. The estimated project cost is \$248,000.00. The CWC Wastewater/Stormwater Committee recommends approving the application for funding.

Voice Vote, carried unanimously

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**CWC Personnel Policy Change – Health Insurance Over 65 - Tab 23**

A motion to approve Resolution No. 2371 was made by Berndt Leifeld and seconded by James Eisel.

September 3, 2013

**RESOLUTION NO. 2371**

**ADOPTION OF PERSONNEL POLICY AMENDMENT – HEALTH INSURANCE**

**WHEREAS**, Board, Personnel and Fiscal Policies and Procedures are necessary for the orderly conduct of the Catskill Watershed Corporation (CWC) and its business affairs; and

**WHEREAS**, under federal law, for corporations with under twenty employees, like CWC, Medicare is primary health insurer for employees and any other policy is secondary; and

**WHEREAS**, for employees sixty-five years of age or older, CWC's health insurance carrier requires such employees to enroll in the federal Medicare program at their own expense; and

**WHEREAS**, the Policy Committee has reviewed and recommends the attached Personnel Policy Amendment for adoption.

**NOW, THEREFORE BE IT RESOLVED**, that the Personnel Policy be amended pursuant to the attached recommendation and that such policies and procedures shall be further amended from time to time based upon experience and information and as the CWC deems necessary.

**1. Health Insurance/Flexible Spending Plan/Group Life Insurance**

CWC provides a health insurance policy covering individual employees as well as their families, with the CWC paying 90% of the cost and the employee paying the remaining 10% of the cost. **CWC provides 100% of the cost of a health insurance policy for employees 65 years of age or older.** Benefits and conditions of these policies are contained in descriptive booklets provided by the insurance carriers and available to the employee from the Executive Director or his/her designee. A flexible spending plan (section 125) and a group life insurance program are available for CWC employees. Employees shall request enrollment forms from the Executive Director or his/her designee.

If an employee exhausts all sick leave and/or annual time and works less than 40 hours in a workweek, the employee will be eligible for the weekly premium benefit on a pro rata basis (e.g. if an employee is absent for 8 hours in a 40 hour workweek and has no accrued sick leave or annual leave, such employee would receive 4/5s of the weekly premium payment made by CWC and the employee will be responsible for the remainder).

**Voice Vote, carried unanimously**

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CFE Support for MTC Broadband Wireless Project - Tab 24

A motion to approve Resolution No. 2372 was made by Michael Triolo and seconded by Thomas Hynes.

September 3, 2013

RESOLUTION NO. 2372

APPROVAL OF CFE MATCHING FUNDING TO MARGARETVILLE TELEPHONE COMPANY AS MATCHING FUNDS TO SERVE UN-SERVED AND UNDERSERVED AREAS OF SCHOHARIE 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, CFF Program Rules, Chapter 1:14 provides for the Catskills Studies Funding Program whereby a governmental entity or the CWC may apply for funding for feasibility studies, environmental studies, market development studies, industry development studies, or other studies that have a purpose of enhancing watershed protection and/or expanding, creating, or improving the prospects of environmentally sound economic development activities within the West of Hudson Watershed; and

WHEREAS, MTC submitted a "Priority Project Concept Paper" (Attached hereto as Attachment A) to the New York State Regional Economic Development Council of the Southern Tier as an interim step in applying for additional grant funding to continue the broadband expansion efforts in the Southern Schoharie and Northern Delaware County Region; and

WHEREAS, in the concept paper, MTC proposes to construct a wireless broadband network to extend broadband services into the extreme rural locations in the municipalities currently not included in the fiber-optic build areas under the "MTC Wireless Broadband Project"; and

WHEREAS, MTC requested funding from the New York State in the amount of Three Hundred Twenty Thousand Five Hundred Twenty Dollars (\$320,520) and also proposed that MTC would provide an additional Two Hundred Sixty-Eight Thousand Dollars (\$268,000) for the MTC Wireless Broadband Project; and

WHEREAS, MTC requested 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) for the project outlined in the Priority Project Concept Paper; and

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

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

NOW, THEREFORE BE IT RESOLVED, the CWC Board authorizes the President and/or the Executive Director to execute a contract in an amount up to Ten Thousand Dollars (\$10,000.00) with the Margaretville Telephone Company on the condition that MTC is awarded funds from a Connect NY Broadband Grant to serve un-served and underserved areas of Delaware and Schoharie Counties.

NOW, THEREFORE BE IT FURTHER RESOLVED, the CWC staff is authorized and directed to issue a letter informing the Margaretville Telephone Company of its intention to provide matching funds for the expansion of broadband service to un-served and underserved areas in the watershed towns via fiber optic cable and/or wireless transmission (Wi-Fi or Wi-Max) on the condition of the awarding of the aforementioned Connect NY Broadband Grant and 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 an agreement and other documentation necessary to effectuate this partnership.

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

NOW, THEREFORE BE IT FURTHER RESOLVED, pursuant to Resolution Number 349, the above monies will be accounted for out of the Schoharie County portion of the CFF.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of this partnership by the Board constitutes a preliminary decision under the 1997 Watershed Memorandum of Agreement and 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 Alliance with the Margaretville Telephone Company and M-ARK

The Executive Director of the CWC makes the following evaluation concerning an alliance with Margaretville Telephone Company and M-ARK, to be located in the Towns of Conesville, Gilboa, and Roxbury, NY. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved 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 properties and infrastructure owned by Margaretville Telephone Company in the NYC West of Hudson are 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 properties and infrastructure owned by Margaretville Telephone Company in the NYC West of Hudson Watershed is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
 - (i) The Margaretville Telephone Company is applying for a grant from the Rural Utilities Service to expand broadband internet to un-served and underserved portions of the towns of Conesville, Gilboa, and Roxbury, NY.
 - (ii) The project is located in the Towns of Conesville, Gilboa, and Roxbury, NY.
 - (iii) The project will not utilize any sewage system.
 - (iv) The project appears to present no threat to water quality.
 - (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
 - (vi) Based on NYCDEP the project is not in the 60 day travel time.
 - (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Towns of Conesville, Gilboa, and Roxbury.
 - (i) The project is consistent with current zoning.
 - (ii) The project is compatible with surrounding land uses.
 - (iii) The project will not generate excessive traffic.
 - (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires no additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

Voice Vote, carried unanimously

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A motion to enter into Executive Session with Alan L. Rosa, Timothy Cox, Barbara Puglisi, Jason Merwin, and Phil Sireci to discuss CFF delinquent loans and new loan applicant financials was made by Jeffrey Graf and seconded by Deborah DeWan.

**Voice Vote, carried unanimously**

A motion to resume the regular meeting was made by Robert Pelham and seconded by Richard Parete.

**Voice Vote, carried unanimously**

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CFF REDI Loan – JGJMS, LLC - Tab 25

A motion to approve Resolution No. 2373 was made by Martin Donnelly and seconded by Wayne Marshfield.

September 3, 2013

RESOLUTION NO. 2373
APPROVAL OF JGJMS, LLC BUSINESS LOAN

WHEREAS, the Catskill Watershed Corporation (CWC) established the REDI Fund Loan Program for the purpose of providing low interest loans to qualified economic development projects in the West of Hudson Watershed to be administered by the CWC in accordance with the Catskill Fund for the Future (CFF) Program Rules; and

WHEREAS, JGJMS, LLC has applied for a Two Hundred Twenty Thousand Six Hundred Seventy-Three Dollar and Fifty-Three Cent (\$220,673.53) loan for a term of two (2) years, at a rate of four percent (4.0%) with payments of interest only with a balloon payment of principal being due on the 24th payment, for the purpose of designing and constructing stormwater controls; and

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

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

WHEREAS, the CWC Loan Committee has recommended approval of the CWC Loan application from JGJMS, LLC; and

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

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

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

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

WHEREAS, CWC staff recommend waiving the equity requirement under Section 1:05:03 because the contribution is not necessary to secure the interests of CWC; and

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

NOW, THEREFORE BE IT RESOLVED, the CWC Board determines that the JGJMS, LLC application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Two Hundred Twenty Thousand Six Hundred Seventy-Three Dollars and Fifty-Three Cents (\$220,673.53) for a term of two (2) years, at a rate of four percent (4.0%) with payments of interest only with a balloon payment of principal being due on the 24th payment, such that the outstanding principal is fully paid on the last payment date and further waives the minimum equity contribution requirement.

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.

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

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

QEDPEvaluation and CWC Staff Recommendation

Purpose: To review the CWC Loan Application of JGJMS, LLC

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to JGJMS, LLC located at 14530 Main Street, Prattsville, 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 14530 Main Street, Prattsville, NY, owned by JGJMS, LLC, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 14530 Main Street, Prattsville, NY, owned by JGJMS, LLC, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
 - (i) JGJMS, LLC will utilize loan funds to design and construct new stormwater controls on the property located at 14530 Main Street, Prattsville.
 - (ii) The project is located in the Town of Prattsville.
 - (iii) The project will utilize the Prattsville WWTP.
 - (iv) The project appears to present no threat to water quality.

- (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
 - (vi) Based on NYCDEP the project is not in the 60 day travel time.
 - (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Town of Prattsville.
- (i) The project will comply with current land use planning in the Town of Prattsville and will have planning board approval.
 - (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.

James Eisel, Sr. abstained citing relation to applicant. Voice Vote, carried unanimously

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**VIII. Announcements from the Chair:**

*Timothy Cox reviewed draft changes in the NYCDEP Filtration Avoidance Determination upon its mid-term review. He provided a chart (attached) listing the notable differences between the 2007 FAD, the 2010 Water Supply Permit, and the August 2013 Draft FAD Modification. A copy of the chart is attached.*

*Mr. Cox reminded members about the origination of the Safe Drinking Water Act in 1986, the 1997 Watershed Memorandum of Agreement, the 1997 FAD, and the 1997 Water Supply Permit, and their purposes and relation to CWC programs. Tim noted that the draft FAD modification is not the only document that requires CWC programs be funded by the City. Tim reminded the Board that CWC worked hard to ensure that the 2010 Water Supply Permit also included requirements for funding of CWC Programs.*

*Wayne Marshfield asked if under the Land Acquisition Program the 250,000 acre purchasing requirement was for the next 10 years. Jeff Graf replied that the current requirement is for solicitation, not purchase, of 250,000 acres over the remaining 4 years of the contract. Tim explained that there could never be a specific purchase amount required, as that borders on eminent domain.*

*Wayne asked if, under 3.3 on the first page, the study required in the hamlet of Shokan would preempt any attempt to do a CWMP project in Claryville, Halcottsville and New Kingston. Jeff responded that this would be a feasibility study regarding the 100+ septic in the area that may need to be addressed and would not affect the other communities. Presumably, if there is a need for the Shokan area it would be included in the next FAD. Tim explained that the study would likely be done directly by the City of New York and not as part of the CWC Programs. CWC is continuing on with the last five communities listed in the current agreement under the CWMP. The City will need to tell the EPA by October what the scope will cover in the hamlet of Shokan.*

*Michael Triolo noted that while there are some enhancements to the agreement, there are no real surprises. Tim said that the City had stepped up to the table regarding the LFHM after Irene, and the*



*studies for the funding were already under way. Staff has talked long and hard about the scope of those studies and have not seen anything surprising.*

*Jeff added that the City has been opening land for leasing to local farms for crops and other uses. He asked that people be encouraged to contact NYCDEP regarding such ventures as sapping, crops, haying, and other similar activities. They are certainly willing to consider lease agreements for such uses.*

*Georgie requested that Tim prepare updates and comments on the FAD for the next Board meeting, in order to prepare comments for the October submission deadline. She noted that the West of Hudson communities, from the very beginning, all had fair representation. When the by-laws and papers were drawn up for the creation of the CWC, there were specific factors that determined the number of seats held by each County on the Board, and all of the Counties represented have an equal voice. All motions require a vote of 10 members, including the State and City votes, in order to become policy. All areas had very credible and capable people representing them at the table when this was all put together, and still do.*

*Georgianna Lepke presented her letter of resignation as President of the CWC Board of Directors to be effective at 1:00 pm on Tuesday, October 1, 2013, to CWC Board Secretary Donald "Mike" Brandow. Copy attached.*

***A motion to accept the letter of resignation was made by Jeffrey Graf and seconded by Mike Brandow. Voice vote, carried unanimously***

*Discussion regarding the process of election for an interim President followed. Georgianna noted that she was resigning as president, but not as a director. Two directors noted that they were in serving as President; Tina Molé, Supervisor for Town of Bovina, Delaware County and Michael Triolo, Supervisor for Town of Stamford, Delaware County.*

**IX. Board Member Discussion: None**

A motion to adjourn was made by Richard Parete and seconded by Martin Donnelly.

**Voice Vote, carried unanimously**

**X. Adjournment: @ 2:32 p.m.**