

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

November 3, 2015 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Innes Kasanof.

III. Roll Call of Directors

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

Members Excused: Mark McCarthy and Thomas Snow (*New York State DEC*).

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

Others Present:

IV. Review and Approval of October 6, 2015 Board Meeting Minutes

A motion to approve the minutes from the October 6, 2015 board meeting was made by Berndt Leifeld and seconded by Wayne Marshfield.

Voice Vote, carried unanimously

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of August 31, 2015 was made by James Eisel and seconded by Thomas Hynes.

**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 there would most likely be Authorities Budget Office training scheduled for December 1 at noon.

Committee Meeting Minutes

VI. Public Discussion

Diane Galusha noted that CWC has sponsored a Cornell Cooperative Extension workshop titled “Challenges to the Catskill Forests: Understanding Issues, Moving Towards Solutions”, to be held November 13 at Windham Mountain Resort.

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$25,000 – Jerome Ayalon – Tab 7**

A motion to approve Resolution No. 2757 was made by Wayne Marshfield and seconded by Innes Kasanof.

November 3, 2015

**RESOLUTION NO. 2757**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
JEROME AYALON**

**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-Four Thousand Eight Hundred Twenty-Five Dollars (\$34,825.00); 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-Four Thousand Eight Hundred Twenty-Five Dollars (\$34,825.00) 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-Four Thousand Eight Hundred Twenty-Five Dollars (\$34,825.00) 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-Four Thousand Eight Hundred Twenty-Five Dollars (\$34,825.00).

**Jerome Ayalon Backup**

Mr. Ayalon’s property is located in the Town of Andes, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$37,500.00, \$36,972.55, and \$34,825.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon H2O septic tank, one syphon chamber, 433 lineal feet of 4” gravity piping, one distribution box, 400 cubic yards of absorption fill material, one effluent filter, 350 lineal feet of absorption trench, 110 lineal feet of curtain drain, one cleanout, and extensive site restoration. The lowest 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 \$34,825.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Teri Martin – Tab 8

A motion to approve Resolution No. 2758 was made by Wayne Marshfield and seconded by Innes Kasanof.

November 3, 2015

RESOLUTION NO. 2758

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

TERI MARTIN

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-Seven Thousand Five Hundred Seventy-Four Dollars (\$27,574.00); 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-Seven Thousand Five Hundred Seventy-Four Dollars (\$27,574.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Seven Thousand Five Hundred Seventy-Four Dollars (\$27,574.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Seven Thousand Five Hundred Seventy-Four Dollars (\$27,574.00).

Teri Martin Backup

Ms. Martin’s property is located in the Town of Windham, Greene County. Homeowner and CWC staff received a quote from a contractor in the amount of \$27,574.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, 20 lineal feet of 4” gravity piping, 32 lineal feet of forcemain, 14 cubic yards of absorption fill material, 105 cubic yards of random fill material, three peat modules, 42 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 \$27,574.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Catarina Astrom – Tab 9**

A motion to approve Resolution No. 2759 was made by Wayne Marshfield and seconded by Tina Molé.

November 3, 2015

**RESOLUTION NO. 2759**

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

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

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

**WHEREAS**, by Resolution Number 2648, the CWC Board approved reimbursement to Catarina Astrom in an amount not to exceed Thirty-Two Thousand Fifty-Four Dollars (\$32,054.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner in the amount of Five Thousand Five Hundred Dollars (\$5,500.00); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Five Thousand Five Hundred Dollars (\$5,500.00); and

**WHEREAS**, CWC staff have determined that Thirty-Seven Thousand Five Hundred Fifty-Four Dollars (\$37,554.00) 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-Seven Thousand Five Hundred Fifty-Four Dollars (\$37,554.00) 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-Seven Thousand Five Hundred Fifty-Four Dollars (\$37,554.00).

**Catarina Astrom Backup**

Ms. Astrom's property is located in the Town of Stamford, Delaware County. On May 15, 2015, the CWC Board of Directors approved reimbursement in the amount of \$32,054.00. Shortly after construction was completed, it was discovered that a portion of the new absorption field was located on adjoining property not owned by Ms. Astrom. This adjoining property was restricted by a Watershed Agricultural Council easement. As a result, the absorption field had to be removed and a revised design was completed and approved by NYCDEP. The new design includes 32 Eljen in-drains that were not in the first design as well as a higher quantity of fill than called for in the first design. The contractor submitted to CWC and the homeowner a quote based upon the revised design that was in accordance with CWC Schedule of Values, resulting in an additional \$5,500.00. The quote does not include the cost of construction or removal of the incorrectly sited absorption field. The CWC Septic Committee recommends the CWC Board of Directors approve the additional reimbursement of \$5,500.00 for total reimbursement of \$37,554.00.

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

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Septic Reimbursement Over \$25,000 – Additional Cost – Eileen Blossom – Tab 10

A motion to approve Resolution No. 2760 was made by Wayne Marshfield and seconded by Tina Molé.

November 3, 2015

RESOLUTION NO. 2760

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

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 Eileen Blossom in the amount of Twenty-Four Thousand Seven Hundred Fifty-Nine Dollars (\$24,759.00); 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 Eight Thousand Five Hundred Forty-Five Dollars (\$8,545.00); 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 Thirty-Three Thousand Three Hundred Four Dollars (\$33,304.00) 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 total reimbursement of Thirty-Three Thousand Three Hundred Four Dollars (\$33,304.00) 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-Three Thousand Three Hundred Four Dollars (\$33,304.00).

Eileen Blossom Backup

Ms. Blossom’s property is located in the Town of Hurley, Ulster County. CWC staff previously provided reimbursement in the amount of \$24,759.00. During construction several conditions developed. An additional septic line exiting the house was discovered. The line was in poor condition and was replaced with Schedule 40 PVC pipe. An additional 32 cubic yards of fill was required. The existing septic tank was to be reused, but upon further inspection the engineer deemed it necessary to be replaced. Bedrock was encountered and required use of a hammer to obtain the necessary depth for the tank installation. A drain pipe in the absorption field area was discovered and extended away from the field. CWC staff received a quote from the contractor for the additional work in the amount of \$8,545.00. This quote does not exceed CWC Schedule

of Values. The Septic Committee recommends that the Board approves an additional reimbursement of \$8,545.00, for total reimbursement not to exceed \$33,304.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Michael Carroll – Tab 11**

A motion to approve Resolution No. 2761 was made by Wayne Marshfield and seconded by Tina Molé.

November 3, 2015

**RESOLUTION NO. 2761**

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

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

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

**WHEREAS**, by Resolution Number 2698, the CWC Board approved reimbursement to Michael Carroll in an amount not to exceed Twenty-Five Thousand Nine Hundred Fifty Dollars (\$25,950.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for unforeseen conditions and a repositioned site in the amount of Three Thousand Five Hundred Dollars (\$3,500.00); 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 Three Thousand Five Hundred Dollars (\$3,500.00); and

**WHEREAS**, CWC staff have determined that Twenty-Nine Thousand Four Hundred Fifty Dollars (\$29,450.00) 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 Four Hundred Fifty Dollars (\$29,450.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Four Hundred Fifty Dollars (\$29,450.00).

**Michael Carroll Backup**

Mr. Carroll's property is located in the Town of Kortright, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$25,950.00. During construction several unforeseen conditions developed. At the direction of the engineer, the peat modules were repositioned to better accommodate the site. Several trees were removed from the repositioned site. A gas line, telephone line, and the stone dispersal pad were relocated. All changes were corroborated by the Design Engineer. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$3,500.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$3,500.00, for total reimbursement not to exceed \$29,450.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Additional Cost – Betty Lohman – Tab 12

A motion to approve Resolution No. 2762 was made by Wayne Marshfield and seconded by Tina Molé.

November 3, 2015

RESOLUTION NO. 2762

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

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, by Resolutions Number 2580 and Number 2629, the CWC Board of Directors approved Septic Program reimbursement for Betty Lohman in the total amount of Thirty-One Thousand Four Hundred Forty Dollars (\$31,440.00); 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 Five Thousand Four Hundred Ninety-Four Dollars (\$5,494.00); 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 total contractor's total invoices of Thirty-Six Thousand Nine Hundred Thirty-Four Dollars (\$36,934.00) 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 total reimbursement of Thirty-Six Thousand Nine Hundred Thirty-Four Dollars (\$36,934.00) 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 Thirty-Four Dollars (\$36,934.00).

Betty Lohman Backup

Ms. Lohman's property is located in the Town of Windham, Greene County. CWC Board of Directors previously approved reimbursement for this project at \$29,990.00. Additional reimbursement was later approved of \$1,450.00 for restoration of an additional spoil area. Following construction, a wet condition developed at the toe of the septic system. DEP and the design engineer collaborated to develop a solution of a new 120 linear feet curtain drain uphill of the septic system. The curtain drain would be dug to the depth of the seepage and diverted around the septic system. CWC and homeowner received a quote from the contractor in the amount of \$5,949.00 which is reasonable and just. The CWC Septic Committee recommends the CWC Board of Directors approve additional reimbursement of \$5,949.00 for total reimbursement of not to exceed \$36,934.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Dawn Payne – Tab 13**

A motion to approve Resolution No. 2763 was made by Wayne Marshfield and seconded by Tina Molé.

November 3, 2015

**RESOLUTION NO. 2763**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE**  
**OVER \$25,000 – ADDITIONAL COSTS:**  
**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 Twenty-Five Thousand Dollars (\$25,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, by Resolution Number 2727, the CWC Board of Directors approved Septic Program reimbursement for Dawn Payne in the amount of Thirty-Six Thousand Nine Hundred Dollars (\$36,900.00); 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 Five Hundred Dollars (\$500.00); 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 total contractor’s total invoices of Thirty-Seven Thousand Four Hundred Dollars (\$37,400.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the total reimbursement of Thirty-Seven Thousand Four Hundred Dollars (\$37,400.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-Seven Thousand Four Hundred Dollars (\$37,400.00).

**Dawn Payne Backup**

Ms. Payne’s property is located in the Town of Delhi, Delaware County. CWC Board on September 1, 2015 approved reimbursement of \$36,900.00. This system is for a four bedroom house. During construction, it became apparent that electric service for the new septic system pump station would require a subpanel. The property owner elected to install a new 200 amp electrical service. CWC staff prorated the costs of a subpanel at \$500.00. The CWC Septic Committee recommends the CWC Board of Directors approve additional reimbursement of \$500.00 for total reimbursement of \$37,400.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Additional Cost – Bruce Rasmussen – Tab 14

A motion to approve Resolution No. 2764 was made by Wayne Marshfield and seconded by Tina Molé.

RESOLUTION NO. 2764

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

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

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

WHEREAS, by Resolution Number 2718, the CWC Board of Directors approved Septic Program reimbursement for Bruce Rasmussen in the amount of Twenty-Nine Thousand Five Hundred Twenty-Two Dollars and Ninety Cents (\$29,522.90); 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 Seven Hundred Twenty-Nine Dollars and Sixty Cents (\$729.60); 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 total contractor’s total invoices of Thirty Thousand Two Hundred Fifty-Two Dollars and Fifty Cents (\$30,252.50) 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 Thirty Thousand Two Hundred Fifty-Two Dollars and Fifty Cents (\$30,252.50) 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 Two Hundred Fifty-Two Dollars and Fifty Cents (\$30,252.50).

Bruce Rasmussen Backup

Mr. Rasmussen’s property is located in the Town of Delhi, Delaware County. This system is for a four bedroom house. CWC Board on August 4, 2015 approved reimbursement in the amount not to exceed \$29,522.90. During construction, numerous large rocks were encountered and random fill was utilized to fill in a hole left by the large boulders. The project engineer corroborated the need for this random fill. In addition, the project engineer required the contractor to also install a cleanout. Total cost for the additional work is \$729.60 and is within

the CWC schedule of values. The CWC Septic Committee recommends the CWC Board of Directors approve additional reimbursement of \$729.60 for total reimbursement of \$30,252.50.

Voice Vote, carried unanimously

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**Future Stormwater – The Roxbury Barn, LLC – Tab 15**

A motion to approve Resolution No. 2765 was made by Thomas Hynes and seconded by Tina Molé.

November 3, 2015

**RESOLUTION NO. 2765**

**BOARD REVIEW OF FUTURE STORMWATER PROGRAM APPLICATION FOR  
THE ROXBURY BARN, LLC 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 Roxbury Barn, LLC has applied for reimbursement of eligible design costs in the amount of Six Thousand Dollars (\$6,000.00) for design of new stormwater controls related to the addition put on a barn within 100 feet of a watercourse; and

**WHEREAS**, the CWC share of stormwater funding is 50% of the eligible costs for this project because The Roxbury Barn, LLC is a small business under Watershed MOA Paragraph 145; 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 design costs for a total not-to-exceed amount of Six Thousand Dollars (\$6,000.00); 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 payment of Six Thousand Dollars (\$6,000.00).

**CWC Future Stormwater Controls Program  
The Roxbury Barn, LLC – Town of Roxbury, Delaware County**

The Roxbury Barn, LLC is a wedding venue in the Town of Roxbury, Delaware County. They did an addition on the barn that is located within 100 feet of a watercourse. NYC DEP issued a NOV on May 28, 2014. The total disturbance is under an acre and only requires and NYC DEP SWPPP. The Roxbury Barn, LLC is a small business therefore they are eligible for 50% reimbursement of eligible costs from the CWC and are eligible to apply to the NYC DEP for the remaining 50%.

|                             |             |
|-----------------------------|-------------|
| Total Eligible Design Costs | \$12,000.00 |
| NYCDEP 50% Share            | \$6,000.00  |

Recommended CWC funding 50% of eligible SWPPP design costs **\$6,000.00**

**Voice Vote, carried unanimously**

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2015 CWC External Audit Firm – Tab 17

A motion to approve Resolution No. 2766 was made by James Eisel and seconded by Martin Donnelly.

November 3, 2015

RESOLUTION NO. 2766

CATSKILL WATERSHED CORPORATION EXTERNAL AUDIT FIRM

WHEREAS, the Catskill Watershed Corporation (CWC) is required by contracts to submit financial statements audited by an independent certified public accountant for the preceding fiscal year to the New York City Department of Environmental Protection within ninety (90) days of the end of the CWC fiscal year; and

WHEREAS, the CWC Policies and Procedures requires that the CWC Board of Directors must approve an expense greater than Ten Thousand Dollars (\$10,000.00); and

WHEREAS, the Finance Department has received an engagement letter from Sickler, Torchia, Allen & Churchill, CPAs, P.C. for [external & investment] audit & tax services for the year ending December 31, 2015 totaling Eighteen Thousand Seven Hundred Forty-Seven Dollars (\$18,747.00); and

WHEREAS, the Finance Committee recommends the CWC Board to approve a contract not to exceed Eighteen Thousand Seven Hundred Forty-Seven Dollars (\$18,747.00), for external/investment audit & tax services for the year ending December 31, 2015.

NOW, THEREFORE BE IT RESOLVED, the CWC Board of Directors approves the Executive Director to contract with Sickler, Torchia, Allen & Churchill, CPAs, P.C. for

external/investment audit & tax services not to exceed Eighteen Thousand Seven Hundred Forty-Seven Dollars (\$18,747.00).

Voice Vote, carried unanimously

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**2016 Executive Director Compensation - Tab 18**

A motion to approve Resolution No. 2767 was made by James Eisel and seconded by Tina Molé.

November 3, 2015

**RESOLUTION NO. 2767**

**EXECUTIVE DIRECTOR COMPENSATION**

**WHEREAS**, pursuant to the Catskill Watershed Corporation (CWC) Personnel Policies and Procedures, Article 3, the CWC Board of Directors is responsible for hiring the Executive Director; and

**WHEREAS**, the CWC Policy Committee recommends that the CWC Board of Directors be the salary of the current Executive Director be increased by Three Percent (3%) to One Hundred Four Thousand Three Hundred Thirty Five Dollars (\$104,335.00) annually and further recommends that said salary take effect beginning on January 1, 2016.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors directs the CWC Executive Director and CWC Finance Director to set the salary of the current CWC Executive Director at One Hundred Four Thousand Three Hundred Thirty Five Dollars (\$104,335.00) per annum to be paid in bi-weekly increments pursuant to CWC Personnel Policies and Procedures and that said salary is to take effect beginning on January 1, 2016.

**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 CFJ delinquent loans and new loan applicant financials was made by James Eisel and seconded by Thomas Hynes.

Voice Vote, carried unanimously

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

Voice Vote, carried unanimously

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**CFJ REDI Loan – 213 Apples, LLC – Tab 19**

A motion to approve Resolution No. 2768 was made by Berndt Leifeld and seconded by Jeffrey Graf.

**RESOLUTION NO. 2768**  
**APPROVAL OF 213 APPLES, 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**, 213 Apples, LLC has applied for a One Million Three Hundred Thousand Dollar (\$1,300,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, such that the outstanding principal is fully paid on the one hundred and eightieth (180<sup>th</sup>) payment date, for the construction of an event venue as well as the furniture, fixtures and equipment, working capital, and soft costs associated with the property at 3012 NYS 213, Stone Ridge, NY; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for 213 Apples, LLC; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for 213 Apples, LLC; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from 213 Apples, LLC, contingent on the property being subdivided, CWC receiving first position on property to be developed, getting all local and environmental approvals, getting an architects construction schedule, and having the applicants deposit Five Hundred Thousand Dollars (\$500,000.00) into an account at Rondout Savings Bank prior to closing; and

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines 213 Apples, LLC's application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of One Million Three Hundred Thousand Dollars (\$1,300,000.00)

for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, such that the outstanding principal is fully paid on the one hundred and eightieth (180<sup>th</sup>) payment date.

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

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that upon said approval of loan documentation CWC, is authorized to close on said loan and CWC 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.

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

##### **Purpose: To review the CWC Loan Application of 213 Apples, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to 213 Apples, LLC, located in the Town of Marbletown, 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 3012 NYS Route 213, Stone Ridge, NY, owned by 213 Apples, 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 3012 NYS Route 213, Stone Ridge, NY, owned by 213 Apples, 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) 213 Apples, LLC, located 3012 NYS Route 213, Stone Ridge, NY, will be an event venue.
  - (ii) The project is located in the Town of Marbletown.
  - (iii) The project will utilize a septic system.
  - (iv) The project appears to present no threat to water quality.
  - (v) The project appears to generate no materials with the potential to degrade water quality that are not 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 Marbletown.
  - (i) The project is consistent with current zoning.
  - (ii) The project is compatible with surrounding land uses.
  - (iii) The project will not generate excessive traffic.



- (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
- 4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
- 5. Not applicable.

**Voice Vote, carried unanimously**

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VIII. Announcements from the Chair: None

IX. Board Member Discussion:

Michael Triolo wished everyone luck who was involved in local elections this year, and reminded everyone to get out and vote.

Alan Rosa wished everyone a Happy Thanksgiving.

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

Voice Vote, carried unanimously

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