

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

November 4, 2014 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Wayne Marshfield.

III. Roll Call of Directors

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

Members Excused: Robert Pelham 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: Glenn Gilday (*Barton & Loguidice*)

IV. Review and Approval of October 7, 2014 Board Meeting Minutes

A motion to approve the minutes from the October 7, 2014 board meeting was made by Berndt Leifeld and seconded by Innes Kasanof.

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, 2014 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

Wayne Marshfield asked that there be due consideration given to reverting to the set schedule for committee meetings instead of continuing with the consecutive meetings schedule, as wait time between the last committee meeting and lunch is similar to the sum of time spent waiting between committee meetings.

James Eisel noted that if there had been an economic development committee meeting scheduled there would have been ample time to hold that meeting before lunch, and the only members affected by the scheduling of the 'afternoon' committee meetings are those who would have to wait until after the Board meeting. Jim noted that as the schedule is set up now, those afternoon meetings can be held in the morning if time allows, as occurred with the Land and Public Education Committees this month. It was agreed that this would be discussed at the Policy Committee meeting next month.

Committee Meeting Minutes

VI. Public Discussion

Diane Galusha announced the newest exhibit of aviary photography by Stephen Davis, from Eldred, NY, Sullivan County. The exhibit will be at CWC until the end of December.

VII. Presentation of Resolutions

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*A motion to waive Rule 14 was made by Wayne Marshfield and seconded by Deborah DeWan. **Voice Vote, carried unanimously***

**Handout Resolution – Lamont Engineers – Additional Funds – T. of Lexington**

A motion to approve Resolution No. 2577 was made by James Eisel and seconded by Wayne Marshfield.

November 4, 2014

**RESOLUTION NO. 2577**

**COMMUNITY WASTEWATER MANAGEMENT PROGRAM**  
**AMENDMENT TO AGREEMENT WITH LAMONT ENGINEERS FOR ADDITIONAL**  
**LEXINGTON PRECONSTRUCTION PHASE ENGINEERING SERVICES AND**  
**CONSTRUCTION PHASE SERVICES**

**WHEREAS**, by Resolution Number 617, on August 26, 2003 the Catskill Watershed Corporation (CWC) Board of Directors authorized the President to execute the Community Wastewater Management Program (CWMP) Contract with New York City Department of Environmental Protection (NYCDEP); and

**WHEREAS**, by Resolution Number 969, on February 28, 2006, the CWC Board of Directors approved a Change Order with NYCDEP to the CWMP (CWMP Change Order) to provide, in part, an additional Two Million Dollars (\$2,000,000.00) for inclusion of a sixth community in the Program pursuant to the order provided in the Watershed MOA Paragraph 122 (c); and

**WHEREAS**, by Resolution Number 1249, on November 27, 2007, the CWC Board of Directors approved the CWMP II Contract to provide an additional Thirty-Seven Million Two Hundred

Thousand Dollars (\$37,200,000.00) to provide for full funding for a project in three additional communities; and

**WHEREAS**, the Town of Lexington agreed to participate in the Study Phase of the CWMP for the Hamlet of Lexington as the sixteenth community; and

**WHEREAS**, Lamont Engineers completed the Study Phase as outlined in their Contract with CWC and recommend a total block grant for the Hamlet of Lexington of Nine Million One Hundred Thousand Dollars (\$9,100,000.00) to provide for the design and construction of a small diameter gravity sewer and community septic system; and

**WHEREAS**, pursuant to both the CWMP I and CWMP II Contracts, CWC and NYCDEP must agree upon the project and block grant amount for each participating community; and

**WHEREAS**, the Town of Lexington by Resolution has agreed to the proposed small diameter gravity sewer and community septic system project for the Hamlet of Lexington and to continue in the CWMP Preconstruction Phase; and

**WHEREAS**, by Resolution Number 1952, on July 5, 2011, the CWC Board of Directors approved an amendment with Lamont Engineers for Preconstruction Phase Engineering Services for the Lexington CWMP Project for a not-to-exceed amount of One Million Forty-Seven Thousand One Hundred Eighty-Two Dollars (\$1,047,182.00); and

**WHEREAS**, by Resolution Number 2459, on May 6, 2014, the CWC Board of Directors approved an amendment with Lamont Engineers for additional Preconstruction Phase Engineering Services for the Lexington CWMP Project for a not-to-exceed amount of Fifty Thousand Dollars (\$50,000.00) for redesign due to land acquisition; and

**WHEREAS**, by a letter dated October 22, 2014, Lamont Engineers submitted a proposal for additional Preconstruction Phase Engineering Services in the amount of One Hundred Thirty-Six Thousand Forty Dollars and Three Cents (\$136,040.03) for additional and out of scope services and a proposal for Construction Phase Engineering Services in the amount of Five Hundred Eighty Thousand Nine Hundred Seventy-Five Dollars (\$580,975.00); and

**WHEREAS**, CWC staff has reviewed the proposal from Lamont Engineers for additional Preconstruction Phase Engineering Services and Construction Phase Engineering Services for the Lexington CWMP; and

**WHEREAS**, the CWC Wastewater Committee has reviewed the documentation and recommend approving an amendment with Lamont Engineers to include the additional Preconstruction Phase Engineering Services for the Hamlet of Lexington for One Hundred Thirty-Six Thousand Forty Dollars and Three Cents (\$136,040.03) and Construction Phase Engineering Services for Five Hundred Eighty Thousand Nine Hundred Seventy-Five Dollars (\$580,975.00) for a total not-to-exceed amount of One Million Eight Hundred Fourteen Thousand One Hundred Ninety-Seven Dollars and Three Cents (\$1,814,197.03).

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves amendment with Lamont Engineers, PC to include additional Preconstruction Phase Engineering Services for the Hamlet of Lexington to their existing CWMP contract in an amount not to

exceed One Million Eight Hundred Fourteen Thousand One Hundred Ninety-Seven Dollars and Three Cents (\$1,814,197.03).

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

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Joyce DeVivo - Tab 7

A motion to approve Resolution No. 2579 was made by Wayne Marshfield and seconded by Jeff Graf.

November 4, 2014

RESOLUTION NO. 2579

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

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

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

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Nine Hundred Four Dollars (\$29,904.00); and

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

WHEREAS, the CWC staff have determined the contractor’s quote of Twenty-Nine Thousand Nine Hundred Four Dollars (\$29,904.00) 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 Four Dollars (\$29,904.00) 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 Four Dollars (\$29,904.00).

Joyce DeVivo Backup

Ms. DeVivo'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 \$29,904.00. This system is for a six bedroom house. The major components for this system include two 1,000 gallon septic tanks in series, 110 lineal feet of 4" gravity piping, 10 lineal feet of 2" forcemain, 15 cubic yards of absorption fill material, 5 peat modules, and site restoration. The quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,904.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Betty Lohman - Tab 8**

A motion to approve Resolution No. 2580 was made by Wayne Marshfield and seconded by Jeff Graf.

November 4, 2014

**RESOLUTION NO. 2580**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
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 (\$25,000.00) 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 Dollars (\$29,990.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Nine Hundred Ninety Dollars (\$29,990.00) 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 Dollars (\$29,990.00) 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 Dollars (\$29,990.00).

**Betty Lohman Backup**

Ms. Lohman’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 \$29,990.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, one siphon chamber, 355 lineal feet of 4” gravity piping, one distribution box, 290 cubic yards of absorption fill material, one effluent filter, 675 square feet of absorption bed, 115 lineal feet of curtain drain, four cleanouts, and site restoration. The quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,990.00.

**Voice Vote, *carried unanimously***

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Septic Reimbursement Over \$25,000 – Joseph Mascioli - Tab 9

A motion to approve Resolution No. 2581 was made by Wayne Marshfield and seconded by Jeff Graf.

November 4, 2014

RESOLUTION NO. 2581

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

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

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

WHEREAS, CWC staff 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-Five Thousand Dollars (\$25,000.00); 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).

Joseph Mascioli Backup

Mr. Mascioli's property is located in the Town of Walton, 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 a 1,500 gallon septic tank, 210 lineal feet of 4" gravity piping, 35 lineal feet of 2" forcemain, 100 cubic yards of absorption fill material, one effluent filter, 4 peat modules, two cleanouts, and site restoration. The quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,995.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Michael Murphy - Tab 10**

A motion to approve Resolution No. 2582 was made by Wayne Marshfield and seconded by Jeff Graf.

November 4, 2014

**RESOLUTION NO. 2582**

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

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

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-

Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Eight Thousand One Hundred Seven Dollars (\$28,107.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Eight Thousand One Hundred Seven Dollars (\$28,107.00) 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 One Hundred Seven Dollars (\$28,107.00) 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 One Hundred Seven Dollars (\$28,107.00).

**Michael Murphy Backup**

Mr. Murphy's property is located in the Town of Middletown, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$28,107.00. This system is for a two bedroom house. The major components for this system include a 1,000 gallon septic tank, one siphon chamber, one distribution box, 380 cubic yards of absorption fill material, one effluent filter, 250 lineal feet of absorption trench, 130 lineal feet of curtain drain, brush clearing for the absorption trenches, and site restoration. The quote does not exceed the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$28,107.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Scott Poulin - Tab 11

A motion to approve Resolution No. 2583 was made by Wayne Marshfield and seconded by Jeff Graf.

November 4, 2014

RESOLUTION NO. 2583

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

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

manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

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

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Five Hundred Eighty Dollars (\$29,580.00); and

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

WHEREAS, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Five Hundred Eighty Dollars (\$29,580.00) 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 Five Hundred Eighty Dollars (\$29,580.00) 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 Five Hundred Eighty Dollars (\$29,580.00).

Scott Poulin Backup

Mr. Poulin's property is located in the Town of Walton, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,580.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, 152 lineal feet of 4" gravity piping, 107 lineal feet of 2" forcemain, one distribution box, 125 cubic yards of absorption fill material, 5 cubic yards of additional stone, 3 peat modules, 64 square feet of absorption bed, removal of several trees, and site restoration. The quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,580.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Robert Fehring - Tab 12**

A motion to approve Resolution No. 2584 was made by Tina Molé and seconded by Martin Donnelly.

November 4, 2014

**RESOLUTION NO. 2584**

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

**ROBERT FEHRING**

**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 2545, the CWC Board approved reimbursement to Robert Fehring in an amount not to exceed Twenty-Seven Thousand Four Hundred Forty-Five Dollars (\$27,445.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for replacement of the septic tank in the amount of Two Thousand Four Hundred Ninety-Four Dollars (\$2,494.00); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Two Thousand Four Hundred Ninety-Four Dollars (\$2,494.00); and

**WHEREAS**, CWC staff have determined that Twenty-Nine Thousand Nine Hundred Thirty-Nine Dollars (\$29,939.00) 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 Nine Hundred Thirty-Nine Dollars (\$29,939.00) 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 Thirty-Nine Dollars (\$29,939.00).

**Robert Fehring Backup**

Mr. Fehring’s property is located in the Town of Olive, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$27,445.00. The Design Engineer requested the replacement of the existing septic tank due to leaks in several locations. The contractor installed a 1,000 gallon septic tank. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$2,494.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,494.00, for total reimbursement not to exceed \$29,939.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Additional Cost – Joni Jennings - Tab 13

A motion to approve Resolution No. 2585 was made by Tina Molé and seconded by Martin Donnelly.

November 4, 2014

RESOLUTION NO. 2585

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

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 2547, the CWC Board approved reimbursement to Joni Jennings in an amount not to exceed Twenty-Three Thousand Six Hundred Fifty Dollars (\$23,650.00); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for additional fill material in the amount of One Thousand Four Hundred Three Dollars (\$1,403.00); and

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

WHEREAS, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be One Thousand Four Hundred Three Dollars (\$1,403.00); and

WHEREAS, CWC staff have determined that Twenty-Five Thousand Fifty-Three Dollars (\$25,053.00) 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-Five Thousand Fifty-Three Dollars (\$25,053.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Five Thousand Fifty-Three Dollars (\$25,053.00).

Joni Jennings Backup

Ms. Jennings' property is located in the Town of Olive, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$23,650.00. The Design Engineer requested additional fill along the upper taper of the system to prevent ponding and to insure proper runoff away from the system. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$1,403.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,403.00, for total reimbursement not to exceed \$25,053.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Lloyd Marlett - Tab 14**

A motion to approve Resolution No. 2586 was made by Tina Molé and seconded by Martin Donnelly.

November 4, 2014

**RESOLUTION NO. 2586**

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

**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 2533, the CWC Board approved reimbursement to Lloyd Marlett in an amount not to exceed Twenty-Nine Thousand Nine Hundred Seventy Dollars (\$29,970.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for additional fill material and redirection of runoff from the roof gutter in the amount of Six Hundred Sixty-One Dollars and Twenty Cents (\$661.20); 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 Six Hundred Sixty-One Dollars and Twenty Cents (\$661.20); and

**WHEREAS**, CWC staff have determined that Thirty Thousand Six Hundred Thirty-One Dollars and Twenty Cents (\$30,631.20) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Thirty Thousand Six Hundred Thirty-One Dollars and Twenty Cents (\$30,631.20) 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 Six Hundred Thirty-One Dollars and Twenty Cents (\$30,631.20).

**Lloyd Marlett Backup**

Mr. Marlett's property is located in the Town of Walton, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$29,970.00. The Design Engineer requested 30 cubic yards of additional random fill to insure proper coverage of piping, as well as redirection of roof gutters to insure runoff is directed away from the absorption field. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$661.20. The Septic Committee recommends that the Board approves an additional reimbursement of \$661.20, for total reimbursement not to exceed \$30,631.20.

**Voice Vote, carried unanimously**

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Septic Rehabilitation and Replacement Program Rule Change – Priority Area - Tab 15

A motion to approve Resolution No. 2578 was made by Innes Kasanof and seconded by Tina Molé.

November 4, 2014

RESOLUTION NO. 2578

**SEPTIC REHABILITATION AND REPLACEMENT PROGRAM RULE CHANGE – 700
FEET FROM A WATERCOURSE PRIORITY AREA**

WHEREAS, the Catskill Watershed Corporation (CWC) is a not-for-profit local development corporation, whose purposes include the administration of certain programs established by the 1997 New York City Watershed Memorandum of Agreement; and

WHEREAS, CWC administers the Septic Rehabilitation and Replacement Program (the Septic Program), a continuation of the Septic Rehabilitation and Replacement Program established by the Watershed MOA Paragraph 124; and

WHEREAS, pursuant to Resolution 276, on June 22, 1999, the CWC Board of Directors adopted Septic Program Rules Article 2A to provide for the administration of the Septic Program with eligibility based upon certain geographic priority areas with the portion of the New York City Watershed West of the Hudson River (West of Hudson Watershed); and

WHEREAS, the current effective priority area for the Septic Program is a failed or likely to fail septic system within three hundred (300) feet of a watercourse; and

WHEREAS, the CWC Septic Committee recommends that the CWC Board of Directors adopt the Septic Program Rule Amendment in Attachment A to provide that Septic Program priority areas be expanded to residential septic systems located between three hundred fifty (350) feet and seven hundred fifty (700) feet from a watercourse.

NOW THEREFORE BE IT RESOVLED, that the CWC Board of Directors adopts the amendments to the CWC Septic Programs Rule Article 2A as provided in Attachment A.

NOW, THEREFORE LET IT BE FURTHER RESOLVED, that CWC Septic Program Rules may be amended by the CWC Board of Directors, in consultation with NYCDEP.

ATTACHMENT A

2:00:02:01 Reimbursement for Past Completed Repairs

1. The property owner of an eligible septic system, within or outside current priority areas, including if ineligible pursuant to 2:01:06 (6), can be reimbursed under applicable program rules for eligible costs for repairs/replacement completed on or before December 27, 2013 and as provided below. For reimbursements under this section only, CWC staff need not determine if the system was in failure or reasonably likely to fail prior to the repair/replacement.

2:00:02:03 Inspection and Repair in Priority Areas

1. Inspection and Repair Priorities
 - a. The majority of program funds will be dedicated to a program for inspection and repair of septic systems within high priority areas. Such allocation will be based on the need to implement inspection and repair of septic systems within areas identified in the following priority criteria in descending order of importance:

- i. Residential septic systems with the 60-day travel time as identified in the NYC Land Acquisition Program.
 - ii. Residential septic systems located:
 - 1. Within 50 feet of a watercourse; and/or
 - 2. Within 500 feet of a reservoir or reservoir stem.
 - iii. Residential septic systems located between 50 feet and 100 feet of a watercourse.
 - iv. Residential septic systems located between 100 feet and 150 feet of a watercourse.
 - v. Residential septic systems located between 150 feet and 200 feet of a watercourse.
 - vi. Residential septic systems located between 200 feet and 250 feet of a watercourse.
 - vii. Residential septic systems located between 250 feet and 300 feet of a watercourse.
 - viii. Residential septic systems located between 300 feet and 350 feet of a watercourse.
 - ix. Residential septic systems located ~~more than~~ between 350 feet and 700 feet from a watercourse.
 - ix-x. Residential septic systems located more than 700 feet from a watercourse.
- b. Within the above priority steps, the following factors will be given due consideration by the CWC and its authorized agents to further prioritize systems on an individual basis:
- i. Soil characteristics
 - ii. Depth to seasonal high groundwater table
 - iii. Slope of site
 - iv. Flood plains
 - v. Age of system
 - vi. Incidence of maintenance on system
 - vii. Specific distances from watercourse, reservoir, or reservoir stem in a. above.
 - viii. Occupancy/Usage
 - ix. Flow rate/design flow
 - x. Signs of failure

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.)

3. Except as provided in paragraph 4 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.

4. ~~Properties in the Prattsville—Washington Street Priority Area as defined in Section 2:00:03(2) are eligible to participate in the Septic Program to the extent that:~~
- a. ~~the Septic Program Funds used shall connect these Properties via a sewer extension to the Prattsville WWTP collection system;~~
 - b. ~~are funds specifically transferred from the Future Stormwater Program to the Septic Program for such defined purpose;~~
 - c. ~~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 ledge rock; and~~
 - d. ~~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.~~

5. A property owner who is eligible to participate in the alternate program listed above, but elects not to, shall not be eligible to participate in the Septic Program until all other systems within the Watershed have been inspected under the program addressed, unless specifically approved by the Executive Director, due to unique circumstances.
6. If any of the communities listed above do not participate in the alternate program, property owners in the non-participating communities shall not be eligible to participate in the Septic Program until all other systems within the Watershed have been inspected under the program addressed, except as provided in Section 2:00:02:01. This ineligibility will not apply to properties that are participating in the Septic Program either as of October 26, 2009 or prior to a community determining not to participate, either by resolution, vote of eligible property owners, or inaction, whichever is later. For the purposes of this paragraph, communities means the proposed service areas as identified in the New York State Environmental Facilities Report dated December, 2002.
7. Upon approval by the Executive Director to proceed with a managed repair, CWC staff and/or the property owner shall consult with NYCDEP staff to discuss scope of the needed repair. The homeowner is responsible for procuring a design professional to obtain an approved design. The homeowner will also obtain a quote for the work. The quote for the work will be submitted to CWC for funding approval. The homeowner shall complete the repair and submit the costs for reimbursement. For each system that receives a managed repair and is subsequently not included in an alternate program, CWC may review the managed repair and implement design -if any upgrade is needed, as determined by CWC Executive Director.
8. Properties in the Prattsville – Washington Street Priority Area as defined in Section 2:00:03(2) are eligible to participate in the Septic Program to the extent that:
 - a. the Septic Program Funds used shall connect these Properties via a sewer extension to the Prattsville WWTP collection system;
 - b. are funds specifically transferred from the Future Stormwater Program to the Septic Program for such defined purpose;
 - c. 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 ledgerock; and
 - d. 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

~~~~~

**Small Business Septic Program Rule Change – Priority Area - Tab 16**

A motion to approve Resolution No. 2593 was made by Wayne Marshfield and seconded by Tina Molé.

November 4, 2014

**RESOLUTION NO. 2593**

**SMALL BUSINESS SEPTIC PROGRAM RULE CHANGE – 700 FEET FROM A  
WATERCOURSE PRIORITY AREA**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a not-for-profit local development corporation, whose purposes include the administration of certain programs established by the 1997 New York City Watershed Memorandum of Agreement, including the Septic Rehabilitation and Replacement Program; and

**WHEREAS**, pursuant to the 2007 Filtration Avoidance Determination (FAD) issued by the Environmental Protection Agency, NYCDEP agreed to provide additional funds in the amount of Two Million Dollars (\$2,000,000.00) for “cluster systems” and Four Million Dollars (\$4,000,000.00) for septic systems for small businesses, to be defined in a manner consistent with the definition of small business as applied under MOA Paragraph 145; and

**WHEREAS**, pursuant to the 2007 FAD, NYCDEP agreed to provide an additional \$20,000,000.00 for continuation of the Septic Program, together with the funds provided for cluster systems and septic systems for small business to be collectively known as “Septic III” Program; and

**WHEREAS**, by Resolution Number 1274, the CWC Board of Directors authorized the President to execute the Septic III Program contract; and

**WHEREAS**, by Resolution Number 1441, the CWC Board of Directors approved the CWC Small Business Septic Program Rules, which included a priority area for eligible failed systems of 60 day travel time, and/or located within 100 feet from a watercourse, and/or 500 feet away from a Reservoir or Reservoir Stem; and

**WHEREAS**, by Resolution Number 1870, the CWC Board of Directors approved an amendment to the CWC Small Business Septic Program Rules to extend the priority area for eligible failed systems to within 250 feet from a watercourse; and

**WHEREAS**, the CWC Septic Committee recommends that the CWC Board of Directors adopt the Small Business Septic Program Rule Amendment in Attachment A to provide that Small Business Septic Program priority areas be expanded to include all eligible systems located within seven hundred fifty (700) feet of a watercourse.

**NOW THEREFORE BE IT RESOVLED**, that the CWC Board of Directors adopts the amendments to the CWC Small Business Septic Programs Rule as provided in Attachment A.

**NOW, THEREFORE LET IT BE FURTHER RESOLVED**, that CWC Small Business Septic Program Rules may be amended by the CWC Board of Directors, in consultation with NYCDEP.

**ATTACHMENT A**

**Underline** is proposed addition

**~~Strikethrough~~** is proposed deletion

## 13:00:02:01 Inspection, Repair and Reimbursement in Priority Areas

### 2. Inspection and Repair Priorities

A. The majority of program funds will be dedicated to a program for inspection and repair of Small Business septic systems within Priority Areas inside the West of Hudson Watershed, using the following priority criteria in descending order of importance:

- 1) Small Business septic systems located within the 60 day travel time as identified by the NYCDEP Land Acquisition Program
- 2) Small Business septic systems located a) within 700 ~~250~~ feet of a watercourse, ~~and/or~~ b) ~~within 500 feet of a reservoir or reservoir stem.~~

**Voice Vote, carried unanimously**

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Stormwater Retrofit Program Application Revision – Town of Lexington - Tab 17

A motion to approve Resolution No. 2587 was made by Jeff Graf and seconded by Berndt Leifeld.

November 4, 2014

RESOLUTION NO. 2587

BOARD REVIEW OF AMENDED STORMWATER RETROFIT PROGRAM APPLICATION FOR LEXINGTON 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 547, the CWC Board of Directors approved a change order to the Program Contract with New York City Department of Environmental Protection (“NYCDEP”) to provide for Community-wide Stormwater Infrastructure Assessment and Planning Grants; 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, by Resolution Number 2081, the CWC Board of Directors approved the application of the Town of Lexington for the Hamlet of Lexington Stormwater System Improvements Project in an amount not to exceed One Hundred Eighty Thousand Dollars (\$180,000.00); and

WHEREAS, Lamont Engineers, PC, on behalf of the Town of Lexington, submitted a revised budget detailing an increase in engineering and construction costs for the Hamlet of Lexington Stormwater System Improvements Project in the amount of Forty-Four Thousand Dollars (\$44,000.00); and

WHEREAS, upon review of that information and staff recommendation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve an amended total of the not-to-exceed amount of Two Hundred Twenty-Four Thousand Dollars (\$224,000.00); and

WHEREAS, CWC and NYCDEP staff have jointly reviewed and recommend the Lexington Stormwater Improvements Project for funding 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 supporting documentation and also that the match be waived because the project will occur in the service area contemporaneously with the Lexington 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 not to exceed the amended total of Two Hundred Twenty-Four Thousand Dollars (\$224,000.00) and waives the requirement for 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 Lexington
Hamlet of Lexington
Stormwater System Improvements Project**

The Town of Lexington proposes to construct a stormwater system improvement project in the Hamlet of Lexington 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 CWC Board of Directors originally approved this project in May, 2012 for the not to exceed amount of \$180,000. Following the CWC Board of Directors approval, the project went out to bid in October 2014, resulting in an increase in costs.

The CWC Wastewater/Stormwater Committee recommends approving the revised budget for the Stormwater System Improvements Project for the Hamlet of Lexington in an amount not to exceed \$224,000.00 and continue to waive the local match.

Voice Vote, carried unanimously

~~~~~

**Adoption of CWC Fiscal Year 2015 Operating/Program Budget - Tab 18**

A motion to approve Resolution No. 2588 was made by James Eisel and seconded by Mark McCarthy.

November 4, 2014

**RESOLUTION NO. 2588**

**ADOPTION OF CATSKILL WATERSHED CORPORATION  
OPERATING/PROGRAM BUDGET  
FOR FISCAL YEAR 2015**

**WHEREAS**, the Finance Committee has prepared a budget for Catskill Watershed Corporation (CWC) for the period commencing January 1, 2015 through December 31, 2015; and

**WHEREAS**, the Finance Committee recommends for adoption the proposed budget to the full Board of Directors; and

**WHEREAS**, the total budgeted appropriations have been allocated to the various programs, such as Operating, Septic Program IV, etc., by category as indicated below; and

**WHEREAS**, the appropriations to the following budget categories may be transferred between the categories as indicated below without prior Board approval:

Program Expenses, Occupancy Expenses, Advertising & Printing, Office Supplies, Communications, Grants & Reimbursements, Travel, Conferences & Seminars, Insurance, Repairs & Maintenance, Subscriptions & Publications, Professional Fees, Administration Allocation, Depreciation, Dues, Licenses, & Memberships, Miscellaneous Expense, Contingency, Loan/Fixed Assets.

**NOW, THEREFORE BE IT RESOLVED** that the CWC Board of Directors approves the 2015 fiscal year budget of Thirty Three Million Two Thousand Three Hundred Seventy Eight Dollars (\$33,002,378.00) presented.

**NOW THEREFORE LET IT BE FURTHER RESOLVED**, that the CWC Board of Directors authorized the Executive Director, in accordance with all other CWC policies and procedures, to incur expenses up to the amount set forth in the attached budget.

**NOW THEREFORE LET IT BE FURTHER RESOLVED**, that CWC Board of Directors authorizes the Executive Director to reallocate funds between specific budgets and categories but may not exceed the total approved budget amount without prior Board approval.

*Voice Vote, carried unanimously*

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Adoption of CWC Fiscal Year 2015 Tax Consulting Budget - Tab 19

A motion to approve Resolution No. 2589 was made by Martin Donnelly and seconded by Mike Brandow.

November 4, 2014

RESOLUTION NO. 2589

**ADOPTION OF CATSKILL WATERSHED CORPORATION
TAX CONSULTING BUDGET
FOR FISCAL 2015**

WHEREAS, the Finance Committee of the Catskill Watershed Corporation (CWC) has prepared a projected budget for CWC's Tax Consulting program expenditures from January 1, 2015 through December 31, 2015; and

WHEREAS, the Finance Committee recommends for adoption the projected Tax Consulting program budget of Four Hundred Ninety Five Thousand Five Hundred Seventy Nine Dollars (\$495,579.00) to the full Board of Directors.

NOW, THEREFORE BE IT RESOLVED that the CWC Board of Directors approves the 2015 projected Tax Consulting program budget as presented.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the CWC Board of Directors authorized the Executive Director, in accordance with all other CWC policies and procedures, to incur expenses up to the projected program budget amounts.

Voice Vote, carried – City and State abstain

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**Fiscal Year 2015 Executive Director Compensation - Tab 20**

A motion to approve Resolution No. 2590 was made by Tina Molé and seconded by Innes Kasanof.

November 4, 2014

**RESOLUTION NO. 2590**

**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 One Thousand Two Hundred Ninety-Six Dollars (\$101,296.00) annually and further recommends that said salary take effect beginning on January 1, 2015.

**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 One Thousand Two Hundred Ninety-Six Dollars (\$101,296.00) 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, 2015.

*Voice Vote, carried unanimously*

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Qualified Reciprocal Deposit Program - Tab 21

A motion to approve Resolution No. 2591 was made by Innes Kasanof and seconded by Martin Donnelly.

November 4, 2014

RESOLUTION NO. 2591

QUALIFIED RECIPROCAL DEPOSIT PROGRAM

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

WHEREAS, the CWC wishes to comply with NYS General Municipal Law regarding the security of public deposits that it has on deposit at any bank; and

WHEREAS, the CWC wishes to utilize a qualified Reciprocal Deposit Program as allowed under Chapter 128 of the NYS Laws of 2012 to increase the effective FDIC coverage and the rate of return on its public deposits; and

WHEREAS, the Finance Committee would like to have said program added to the Fiscal (Investment) Policy as another investment option.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approves the amendment to the Fiscal (Investment) Policies and authorizes the Executive Director to execute a Deposit Placement Agreement(s).

Voice Vote, carried unanimously

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**CFF Program Rule Change – Municipal Assistance Loan Program - Tab 22**

A motion to approve Resolution No. 2592 was made by James Eisel and seconded by Thomas Hynes.

November 4, 2014

**RESOLUTION NO. 2592**

**CFF PROGRAM RULE CHANGE – MUNICIPAL ASSISTANCE LOAN PROGRAM**

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement (Watershed MOA) and a Program Contract with New York City Department of Environmental Protection, the Catskill Watershed Corporation (CWC) shall administer the Catskill Fund for the Future (CFF); and

**WHEREAS**, the CWC has adopted program rules consistent with the Watershed MOA and the CFF Program Contract to administer this program; and

**WHEREAS**, pursuant to the MOA, the CFF shall be used to make loans and grants to Qualified Economic Development Projects (QEDP's); and

**WHEREAS**, pursuant to the Watershed MOA, QEDP is defined as economic development studies, grants and loans for projects which encourage environmentally sound development and which encourage the goals of watershed protection and job growth in the West of Hudson Watershed communities; and

**WHEREAS**, the CWC Economic Development Committee recommends the establishment of the Catskills Municipal Assistance Loan Program to provide loans to municipalities as an alternative source of funding for watershed towns as well as a secure rate of return for CFF; and

**WHEREAS**, the Economic Development Committee recommends an addition to the Catskills Fund for the Future Program Rule 1:24, to provide for the Catskills Municipal Assistance Loan Program as described in Attachment A.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors consistent with the terms of the MOA and the Program Contract, the West of Hudson Economic Development Study and the Economic Development Committee recommendation amends the CWC Program Rules governing the Catskill Fund for the Future in accordance with Attachment A hereto.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that the CWC Board of Directors authorizes the expenditure of up to Seven Thousand Dollars (\$7,000.00) for the development of form closing documents by CWC closing counsel, Hodgson Russ, LLP, for use in the Catskill Municipal Assistance Loan Program.

**Chapter 1:24 Catskills Municipal Assistance Loan Program**

Purpose: To provide low interest loans to Eligible Towns (hereinafter defined) for municipal purposes. Loans to Eligible Towns will also provide a safe rate of return to CFF through local investment, rather than purchasing bonds on the open market.



1:24:01 Eligibility Requirements

To be an Eligible Town, an applicant must be a signatory to the Watershed MOA and a voting member of the Catskill Watershed Corporation pursuant to CWC By-Laws.

1:24:02 Loan Amounts

The maximum amount of Municipal Assistance Loans that may be borrowed by an Eligible Town shall be \$250,000.

1:24:03 Equity Contribution

Equity Contribution by the Eligible Town will not be required.

1:24:04 Interest Rates

The interest rate for a Municipal Assistance Loan shall be 2% per annum or one and one-quarter percent (1¼%) below the Prime Rate, whichever is higher and shall be adjustable each year.

1:24:05 Conditions to Closing

Prior to or at the closing of any Municipal Assistance Loan, an Eligible Town must have issued a bond, note or other lawful evidence of indebtedness backed by the full faith and credit of the Eligible Town, as evidence of its obligation for the repayment of the entire amount of such loan proceeds. The Eligible Town may utilize form documents created by CWC for this program.

1:24:06 Loan Maturity

The maturity of the Municipal Assistance Loan shall be no more than one year, renewable for up to five years, subject to applicable provisions of State law.

1:24:07 Loan Closing Fees

The Eligible Town will be responsible for its costs and all CWC Loan closing fees. To minimize costs, municipalities are encouraged to utilize CWC form documents developed for this program.

**Voice Vote, carried unanimously**

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Approval of Reallocation of CFF Funding from the Catskill Water Discovery Center to the Maurice D. Hinchey Catskill Interpretive Center - Tab 23

A motion to approve Resolution No. 2594 was made by _____ and seconded by _____.

November 4, 2014

RESOLUTION NO. 2594

APPROVAL OF REALLOCATION OF CFF FUNDING FROM THE CATSKILL WATER DISCOVERY CENTER TO THE MAURICE D. HINCHEY CATSKILL INTERPRETIVE CENTER

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

WHEREAS, on April 24, 2007, by Resolution Number 1150, the CWC Board of Directors allocated One Million Dollars (\$1,000,000) to the Water Discovery Center, to provide funds for the hiring of an executive director and support staff to provide management, strategic direction, fund raising, facilities construction, exhibits, and develop programming for the Center, allocated from the Delaware County portion of CFF; and

WHEREAS, no facility was constructed and the Water Discovery Center continues to face challenges in raising the approximately Twenty Million Dollars (\$20,000,000) that would be required to construct and operate their planned facility, leaving approximately Two Hundred Forty Thousand Dollars (\$240,000.00) of CFF funds remaining; and

WHEREAS, by Resolution Numbers 2170 and 2316, the CWC Board of Directors approved the reallocation of a total of Sixty Thousand Dollars (\$60,000.00) to the Time & the Valleys Museum for creation of exhibits regarding the history of the New York City Watershed Agreement from funds originally allocated by Resolution Number 1150; and

WHEREAS, the Catskill Center for Conservation and Development owns property in the Town of Shandaken upon which the Maurice D. Hinchey Catskill Interpretive Center is being constructed; and

WHEREAS, the CWC Economic Development Committee recommends that up to One Hundred Twenty-Three Thousand Dollars (\$123,000.00) from CFF funds originally allocated by Resolution Number 1150 be reallocated to the Catskill Center for Conservation and Development for the Maurice D. Hinchey Catskill Interpretive Center for costs of construction of a replica of a Ranger Station/Observer's Cabin Museum, installation of an interactive digital display, and Ten Thousand Dollars (\$10,000.00) per year for five years for maintenance and operation costs of the Interpretive Center; and

WHEREAS, the Executive Director, pursuant to the CFF Program Contract and the CFF Program rules, has evaluated and determined that this partnership 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, that the CWC Board authorizes the President and/or the Executive Director to execute a contract for up to One Hundred Twenty-Three Thousand Dollars (\$123,000.00) with the Catskill Center for Conservation and Development, for the Maurice D. Hinchey Catskill Interpretive Center to construct a replica of a Ranger Station/Observer's Cabin Museum, installation of an interactive digital display, and Ten Thousand Dollars (\$10,000.00) per year for five years for maintenance and operation costs of the Interpretive Center.

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 removed from the Delaware County portion and be accounted for out of the Ulster 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 assistance to The Maurice D. Hinchey Catskill Interpretive Center

The Executive Director of the CWC makes the following evaluation concerning an alliance with The Maurice D. Hinchey Catskill Interpretive Center, Mt. Tremper, 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 5096 State Route 28, Mt. Tremper, NY 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 5096 State Route 28, Mt. Tremper, NY 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 Maurice D. Hinchey Catskill Interpretive Center, Mt. Tremper will create and construct exhibits featuring the history of the Catskill Park.
 - (ii) The project is located on 5096 State Route 28, Mt. Tremper, NY.
 - (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 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 Shandaken.
 - (i) The project is consistent with current zoning.
 - (ii) The project is compatible with surrounding land uses.
 - (iii) The project will not generate excessive traffic.
 - (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires no additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

Voice Vote, carried unanimously

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**VIII. Announcements from the Chair:**

*Mike Triolo brought to the attention of the Board that there was an article published on the Watershed Post website today of interview responses from the Congressional Candidates Chris Gibson and Sean Eldridge in which Mr. Eldridge made some uneducated comments regarding CWC and its role in the economic development of the West of Hudson Watershed region. A response is being drafted and will be first sent to Mr. Eldridge tomorrow morning, as today is election day, and then also be sent to the Watershed Post. Mike encouraged the Board members to read the article for themselves on [www.watershedpost.com](http://www.watershedpost.com).*

**IX. Board Member Discussion: None**

A motion to adjourn was made by Thomas Hynes and seconded by Berndt Leifeld.

**Voice Vote, carried unanimously**

**X. Adjournment: @ 1:17 p.m.**