

**CATSKILL WATERSHED CORPORATION**

**Board of Directors Meeting**

**MINUTES**

**January 4, 2011 @ 1:00 p.m.**

**I. Call to Order**

**II. Pledge of Allegiance:** Led by James Eisel.

**III. Roll Call of Directors**

**Members Present:** Donald Brandow, Deborah Meyer DeWan, Paul R. Dibbell, Martin Donnelly, James Eisel, Michael Flaherty, Jeff Graf (*New York City DEP*), Thomas Hynes, Berndt Leifeld, Georgianna Lepke, Wayne Marshfield, Tina Molé, Michael Shultis, Thomas Snow (*New York State DEC*) and Leonard Utter.

**Members Excused:** None

**Staff Members Present:** Kimberlie Ackerley, Timothy Cox, Nate Hendricks, Diane Galusha, Leo LaBuda, James Martin, Barbara Puglisi, Alan L. Rosa, Philip Sireci, Frieda Suess, and Michael Triolo.

**Others Present:** Michael Meyer (*New York City DEP*), Thomas Stalter (*New York City DEP*), and Corneel Verlaan (*Local Artist*)

**IV. Review and Approval of December 7, 2010 Board Meeting Minutes**

A motion to approve the minutes from the December 7, 2010 board meeting was made by Michael Shultis and seconded by Tina Molé.

*Amendment: Resolution #1839, under the second "Whereas," the Town should read Hunter, not Ashland.*

**Voice Vote, carried unanimously**

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of November 30, 2010 was made by James Eisel and seconded by Leonard Utter.

**Voice Vote, carried unanimously**

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**Executive Director's Report**

The Executive Director's Report was presented as outlined in the board packet. *Alan Rosa requested, on behalf of the Board President Georgianna Lepke, that all Board members stay for a few moments following the meeting to witness and toast the signing of the "Agreement Among West of Hudson Watershed Stakeholders Concerning NYCDEP's Continuation of Its Land Acquisition Program". Wayne Marshfield asked to be excused from the toast, as the Town of Hamden had yet to vote on approving the agreement.*

**Presentation of News Articles**

**Committee Schedule**

**Committee Meeting Minutes**

**VI. Public Discussion**

*Diane Galusha introduced CWC's newest art exhibitor, Corneel Verlaan, who shared a slideshow presentation of additional works that are currently on display at Countryside Care Center in Delhi. Mr. Verlaan's aerial photographic works are entitled "Delaware County Air and Space". Created in 2010 with funds provided by the NYS Council on the Arts Decentralization Grant Program, administered in Delaware County by the Roxbury Arts Group, and with additional support from The O'Connor Foundation, this series highlights Delaware County towns, villages, and hamlets. Mr. Verlaan noted the similarities and differences between his native home in the Netherlands and Delaware County. This exhibit will be displayed through the end of January.*

*Georgianna Lepke asked that the Board of Directors approve purchase of an aerial photo of the Pepacton Reservoir. **Voice vote, carried unanimously***

**VII. Presentation of Resolutions**

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**Septic Reimbursement Over \$20,000 – Michael Bernholz - Tab 7**

A motion to approve Resolution No. 1846 was made by Wayne Marshfield and seconded by Michael Shultis.

January 4, 2011

**RESOLUTION NO. 1846**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
MICHAEL BERNHOLZ**

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

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

**WHEREAS**, CWC staff has reviewed three construction quotes submitted by three unrelated contractors for the septic system repair, the lowest quote in the amount of Twenty-Five Thousand One Hundred Eighty-Six Dollars (\$25,186.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Five Thousand One Hundred Eighty-Six Dollars (\$25,186.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Five Thousand One Hundred Eighty-Six Dollars (\$25,186.00) 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 One Hundred Eighty-Six Dollars (\$25,186.00).

**Michael Bernholz Backup**

Mr. Bernholz’s property is located in the Town of Olive, Ulster County. Homeowner and CWC staff received quotes from three unrelated contractors, the lowest quote in the amount of \$25,186.00. This system is for a four bedroom house. The major components for this system include a 1,000 gallon septic tank, a pump station, 45 lineal feet of gravity piping, 15 lineal feet of forcemain, 85 cubic yards of absorption fill material, Eljen in-drain system, 25 cubic yards of mason sand, and extensive restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$25,186.00.

***Voice Vote, carried unanimously***

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A motion to approve Resolution No. 1847 was made by Wayne Marshfield and seconded by Michael Shultis.

January 4, 2010

**RESOLUTION NO. 1847**

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

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Eight Thousand Four Hundred Thirty-Five Dollars (\$28,435.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Eight Thousand Four Hundred Thirty-Five Dollars (\$28,435.00) 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 Four Hundred Thirty-Five Dollars (\$28,435.00) 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 Four Hundred Thirty-Five Dollars (\$28,435.00.)

**Alan Davis Backup**

Mr. Davis’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 \$28,435.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, a pump station, 95 lineal feet of 4” gravity piping, 55 lineal feet of forcemain, a distribution box, 355 cubic yards of absorption fill material, one effluent filter, 750 lineal feet of absorption bed, and restoration. The quote

is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$28,435.00.

**Voice Vote, carried unanimously**

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**Septic Reimbursement Over \$20,000 – Marc Sussman - Tab 9**

A motion to approve Resolution No. 1848 was made by Wayne Marshfield and seconded by Michael Shultis.

January 4, 2010

**RESOLUTION NO. 1848**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
MARC SUSSMAN**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-One Thousand Five Hundred Dollars (\$21,500.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-One Thousand Five Hundred Dollars (\$21,500.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-One Thousand Five Hundred Dollars (\$21,500.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-One Thousand Five Hundred Dollars (\$21,500.00.)

**Marc Sussman Backup**

Mr. Sussman's property is located in the Town of Jewett, Greene County. Homeowner and CWC staff received a quote from a contractor in the amount of \$21,500.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, 65 lineal feet of 4" gravity piping, a distribution box, 470 cubic yards of absorption fill material, one effluent filter, 275 lineal feet of absorption trench, 155 lineal feet of curtain drain, and restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$21,500.00.

***Voice Vote, carried unanimously***

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**Septic Reimbursement Over \$20,000 – Levon Telian - Tab 10**

A motion to approve Resolution No. 1849 was made by Wayne Marshfield and seconded by Michael Shultis.

January 4, 2010

**RESOLUTION NO. 1849**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
LEVON TELIAN**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Three Thousand One Hundred Fourteen Dollars (\$23,114.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Three Thousand One Hundred Fourteen Dollars (\$23,114.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Three Thousand One Hundred Fourteen Dollars (\$23,114.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Three Thousand One Hundred Fourteen Dollars (\$23,114.00.)

**Levon Telian Backup**

Mr. Telian's property is located in the Town of Meredith, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$23,114.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, a siphon chamber, 1290 lineal feet of 4" gravity piping, a distribution box, 145 cubic yards of absorption fill material, one effluent filter, an Eljen in-drain system, 145 cubic yards of mason sand, 12 lineal feet of driveway sleeve, clean out, and restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$23,114.00.

***Voice Vote, carried unanimously***

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**Septic Reimbursement Over \$20,000 – Additional Funds – William Baez - Tab 11**

A motion to approve Resolution No. 1850 was made by Leonard Utter and seconded by Tina Molé.

January 4, 2011

**RESOLUTION NO. 1850**

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

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

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

is more than Twenty Thousand Dollars (\$20,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, by Resolution Number 1764, the CWC Board approved reimbursement to William Baez in an amount not to exceed Twenty-Three Thousand Five Hundred Sixty-Four Dollars (\$23,564.00); 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 Three Thousand Six Hundred Fifty-Three Dollars (\$3,653.00); and

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

**WHEREAS**, the CWC have determined the contractor's total invoices of Twenty-Seven Thousand Two Hundred Seventeen Dollars (\$27,217.00) 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 contractor's invoice of Twenty-Seven Thousand Two Hundred Seventeen Dollars (\$27,217.00) 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 Two Hundred Seventeen Dollars (\$27,217.00).

**William Baez Backup**

Mr. Baez's property is located in the Town of Hurley, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$23,564.00. During construction rock was encountered that required a mechanical hammer to remove. The Design Engineer has corroborated in writing the additional cost as necessary. A reasonable and just cost for the additional work is \$3,653.00. The Septic Committee recommends that the Board approve the additional cost of \$3,653.00, for total reimbursement not to exceed \$27,217.00.

***Voice Vote, carried unanimously***

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**Septic Reimbursement Over \$20,000 – Additional Funds – Theodore Finkle - Tab 12**

A motion to approve Resolution No. 1851 was made by Leonard Utter and seconded by Tina Molé.

January 4, 2011

**RESOLUTION NO. 1851**



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

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

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

**WHEREAS**, CWC Staff approved Septic Program reimbursement for Theodore Finkle in the amount of Nineteen Thousand Nine Hundred Ninety-Nine Dollars (\$19,999.00); 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 One Thousand Eight Hundred Dollars (\$1,800.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s total invoices of Twenty-One Thousand Seven Hundred Ninety-Nine Dollars (\$21,799.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s total invoice of Twenty-One Thousand Seven Hundred Ninety-Nine Dollars (\$21,799.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-One Thousand Seven Hundred Ninety-Nine Dollars (\$21,799.00).

**Theodore Finkle Backup**

Mr. Finkle’s property is located in the Town of Kortright, Delaware County. CWC staff approved reimbursement for this project in the amount of \$19,999.00. During construction it became apparent that another foundation penetration would be required and additional piping would also be required. The Design Engineer has corroborated the need for the additional work. A justified and reasonable additional cost as per our schedule of values is \$1,800.00. The contractor agreed to accept the amount according to CWC Schedule of Values. The Septic Committee recommends that the Board of

Directors approves an additional reimbursement of \$1,800.00, for a total not-to-exceed amount of \$21,799.00.

**Voice Vote, carried unanimously**

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**Septic Reimbursement Over \$20,000 – Additional Funds – Keith Klercker - Tab 13**

A motion to approve Resolution No. 1852 was made by Leonard Utter and seconded by Tina Molé.

January 4, 2011

**RESOLUTION NO. 1852**

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

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

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

**WHEREAS**, CWC Staff approved Septic Program reimbursement for Keith Klercker in the amount of Nineteen Thousand Eight Hundred Seventy-Seven Dollars (\$19,877.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the contractor for the septic system repair; and

**WHEREAS**, CWC Schedule of Values for the additional work is One Thousand Nine Hundred Thirteen Dollars (\$1,913.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s total invoices of Twenty-One Thousand Seven Hundred Ninety Dollars (\$21,790.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s total invoice of Twenty-One Thousand Seven Hundred Ninety Dollars (\$21,790.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-One Thousand Seven Hundred Ninety Dollars (\$21,790.00).

**Keith Klercker Backup**

Mr. Klercker’s property is located in the Town of Hurley, Ulster County. CWC staff approved reimbursement for this project in the amount of \$19,877.00. During construction rock was encountered. The additional work was approved by the Design Engineer in writing. The contractor requested reimbursement in the amount of \$2,503.00. A justified and reasonable additional cost as per our schedule of values is \$1,913.00. The contractor agreed to accept the amount according to CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approves an additional reimbursement of \$1,913.00, for a total not-to-exceed amount of \$21,790.00.

***Voice Vote, carried unanimously***

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**Septic Reimbursement Over \$20,000 – Additional Funds – Ann Shelton - Tab 14**

A motion to approve Resolution No. 1853 was made by Leonard Utter and seconded by Tina Molé.

January 4, 2011

**RESOLUTION NO. 1853**

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

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

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

**WHEREAS**, CWC Staff approved Septic Program reimbursement for Ann Shelton in the amount of Seventeen Thousand Seven Hundred Eighty Dollars and Fifty-Six Cents (\$17,780.56); 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 Four Thousand Two Hundred Sixty-Six Dollars (\$4,266.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's total invoices of Twenty-Two Thousand Forty-Six Dollars and Fifty-Six Cents (\$22,046.56) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's total invoice of Twenty-Two Thousand Forty-Six Dollars and Fifty-Six Cents (\$22,046.56) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Two Thousand Forty-Six Dollars and Fifty-Six Cents (\$22,046.56).

**Ann Shelton Backup**

Ms. Shelton's property is located in the Town of Neversink, Sullivan County. CWC staff approved reimbursement for this project in the amount of \$17,780.56. During construction a water problem was encountered. At the Engineer's request the Contractor constructed a 150 foot curtain drain and an additional 120 cubic yards of fill material was utilized. A justified and reasonable additional cost as per CWC Schedule of Values is \$4,266.00. The Septic Committee recommends that the Board of Directors approves an additional reimbursement of \$4,266.00, for a total not-to-exceed amount of \$22,046.56.

***Voice Vote, carried unanimously***

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**Septic Program Rule Change – Reimbursement of Past Repairs Outside Priority Areas Before January 1, 2011 - Tab 15**

A motion to approve Resolution No. 1854 was made by Michael Shultis and seconded by Michael Flaherty.

January 4, 2011

**RESOLUTION NO. 1854**

**SEPTIC PROGRAM RULE CHANGE FOR REIMBURSEMENT OF PAST REPAIRS OUTSIDE PRIORITY AREAS BEFORE JANUARY 1, 2011**

**WHEREAS**, pursuant to the 1997 Watershed Memorandum of Agreement (Paragraph 124) and the Septic System Rehabilitations and Replacements Program Contract (the “Septic Program”) with NYCDEP, the CWC shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contract and CWC’s Septic Program Rules; and; and

**WHEREAS**, the CWC Septic Program Rules (Article 2-A) established priority areas for the CWC Septic Program, effective on July 1, 1999; and

**WHEREAS**, by Resolution Number 1663, the CWC Board of Directors approved a program rule change to Article 2-A providing for reimbursement to homeowners outside of current priority areas who repaired or replaced their septic system prior to January 1, 2010; and

**WHEREAS**, numerous watershed residents outside of the current CWC Septic Program priority areas have rehabilitated or replaced their septic systems after January 1, 2010; and

**WHEREAS**, the repair or replacement of these septic systems has been and will continue to benefit the water quality in the West of Hudson Watershed; and

**WHEREAS**, the CWC Septic Committee and CWC staff estimate that there is adequate funding and personnel to reimburse those residents who repaired or replaced their septic system between January 1, 2010 and December 31, 2010 regardless of whether or not those systems are located in an existing priority area; and

**WHEREAS**, the CWC Septic Committee recommends that the CWC Board of Directors approve the attached program rule change to reimburse individuals who have repaired or replaced a failed system between July 2, 1999 and December 31, 2010 outside of the existing priority areas.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board approves the attached amendment of Article 2A of the CWC Septic Program Rules as described in Attachment A to provide for the reasonable and necessary reimbursement to individuals who repaired or replaced failed septic systems between July 2, 1999 and December 31, 2010 in areas within the West of Hudson Watershed but outside the CWC Septic Program priority areas.

#### ATTACHMENT A

Proposed changes are underlined.  
Proposed deletions are ~~struck-out~~.

2:00:02:01 Reimbursement of Repaired Failures:

- 1) An eligible septic system will be funded under applicable program rules depending on the date of the inspection of the system resulting in the issuance of a NOV/NOF by NYCDEP and/or the date of repair/replacement as provided below. The applicable rules shall be determined by the following:
  - a) An NOV/NOF issued due to an inspection scheduled before January 1, 1999 will follow Article 2 of the CWC Program Rules. This includes applications for reimbursement for work done between November 2, 1995 and January 21, 1997.
  - b) An NOV/NOF issued due to a inspection scheduled between January 1, 1999 and July 1, 1999 will follow Article 2 of the CWC Program Rules except the Coordinator program will not be available, and the following limits will also apply:
    - i) Any eligible septic system that receives a Notice of Priority List Failure due to inspection scheduled between January 1, 1999 and July 1, 1999 shall be eligible for reimbursement payment in the year 1999 for reasonable costs incurred in response to the Notice of Priority List Failure. The CWC may pay a portion of reasonable and necessary costs of improvements made to such eligible septic system. Section 2:01:05 and 2:01:06 further clarifies eligible costs.
    - ii) Any eligible septic system that receives a Notice of Failure due to inspection scheduled between January 1, 1999 and July 1, 1999, that has not been identified as a priority shall be eligible for reimbursement payment of reasonable costs incurred in response to the Notice of Failure. Payment shall not occur before the year 2000. The CWC may pay a portion of reasonable and necessary costs of improvements made to such eligible septic system. Section 2:01:05 and 2:01:06 further clarifies eligible costs.
  - c) An eligible system repaired or replaced between July 2, 1999 and December 31, ~~2009~~2010:
    - ±. Any eligible system that has not been identified as a priority shall be eligible for reimbursement payment for reasonable costs incurred between July 1, 1999 and December 31, ~~2009~~2010. The CWC, upon receipt of a copy of NYCDEP Final Construction Approval, may pay a portion of reasonable and necessary costs of improvements made to such eligible septic system. Section 2:01:05 and 2:01:06 further clarifies eligible costs.
  - f) An eligible system repaired or replaced on or after January 1, ~~2010~~2011 will follow Article 2-A of the CWC program rules, as follows.
  - g) The CWC Board may allocate additional funds to reimburse homeowners outside of the priority area(s) under consideration for repair and replacement of septic systems.

**Voice Vote, carried unanimously**

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**Stormwater Retrofit – Town of Walton – Bob Gould Rd. – Additional Funds - Tab 16**

A motion to approve Resolution No. 1855 was made by Tina Molé and seconded by Paul Dibbell.

January 4, 2011

**RESOLUTION NO. 1855**

**BOARD REVIEW OF ADDITIONAL FUNDS**  
**FOR THE TOWN OF WALTON BOB GOULD ROAD**

## **DRAINAGE 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 Retrofit Program (“Program”) Rules that provides for payment of eligible project costs; 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/Stormwater Committee, which shall issue recommendations to the CWC Board of Directors; and

**WHEREAS**, by Resolution Number 1473, the CWC Board of Directors approved the Town of Walton Bob Gould Road Drainage Improvements Project for an amount not to exceed Fifty-Three Thousand Seven Hundred Twenty Dollars (\$53,720.00); and

**WHEREAS**, by Resolution 1474, the CWC Board of Directors approved the Town of Walton Oxbow Hollow Drainage Improvements Project in the amount of One Hundred Forty-Three Thousand Nine Hundred Ninety Dollars (\$143,990); and

**WHEREAS**, the Town of Walton requested transferring the amount of Six Thousand Dollars from the Oxbow Hollow Drainage Improvements Project to the Bob Gould Road Drainage Improvements Project to cover final costs; and

**WHEREAS**, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve reducing Six Thousand Dollars (\$6,000.00) from the Town of Walton Oxbow Hollow Drainage Improvements Project to the Bob Gould Road Drainage Improvements Project for a total not-to-exceed amount of Fifty-Nine Thousand Seven Hundred Twenty Dollars (\$59,720.00) for the Town of Walton Bob Gould Road Drainage Improvements Project; and

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

**NOW, THEREFORE, BE RESOLVED**, the CWC Board of Directors approves reducing the Town of Walton Stormwater Retrofit Grant for Oxbow Hollow Drainage Improvements Project by Six Thousand Dollars (\$6,000.00) for a total not to exceed amount of One Hundred Thirty-Seven Thousand Nine Hundred Ninety Dollars (\$137,990).

**NOW, THEREFORE BE IT FURTHER RESOLVED**, the CWC Board of Directors approves an increase to the Town of Walton Stormwater Retrofit Grant for Bob Gould Road Drainage Improvements Project by Six Thousand Dollars (\$6,000.00) for a total not-to-exceed amount of Fifty-Nine Thousand Seven Hundred Twenty Dollars (\$59,720.00).

**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.

**Stormwater Retrofit Program  
Town of Walton Bob Gould Road  
Transfer of funds from one project to another**

The Town of Walton requested that \$6,000.00 be taken from the Oxbow Hollow Project and put into the Bob Gould Road Project to cover the final costs. Both projects have completed and have submitted their final invoices for payment.

Resolution Number 1473, passed by the CWC Board of Directors, approved \$53,720.00 for the Town of Walton Bob Gould Road Drainage Improvements Project. Members of the CWC Wastewater/Stormwater Committee recommend approving the transfer of funds from the Oxbow Hollow Project to the Bob Gould Road Project in an amount not to exceed \$6,000.00. A total not-to-exceed amount of \$59,720.00 has been recommended for funding.

*Voice Vote, carried unanimously*

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**Stormwater Retrofit – Town of Hunter – Brine Tank O&M - Tab 17**

A motion to approve Resolution No. 1856 was made by Paul Dibbell and seconded by Leonard Utter.

January 4, 2011

**RESOLUTION NO. 1856**

**BOARD REVIEW OF TOWN OF HUNTER REQUEST OF OPERATION &  
MAINTENANCE FUNDS FOR THE TOWN OF HUNTER BRINE TANKS  
STORMWATER IMPROVEMENTS PROJECT**

**WHEREAS**, Paragraph 125 of the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA) authorizes 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 to the extent such BMP's are necessary to correct or reduce existing erosion and/or pollutant loading; and

**WHEREAS**, pursuant to the CWC Program Rules as adopted by the CWC Board of Directors, Stormwater Retrofit projects are eligible for maintenance funds totaling 17.6% of the CWC Stormwater Retrofit grant funds actually utilized, for regular periodic inspections, additional inspections before and after heavy storm events, periodic removal of debris and excavation of sediment from BMPs, and necessary repairs as needed to preserve the function of the BMPs; and

**WHEREAS**, pursuant to Resolution Number 1570, the CWC Board of Directors approved funding to the Town of Hunter in an amount not to exceed Sixteen Thousand Eighty-Four Dollars and Fifty-Five Cents (\$16,084.55) for a Stormwater Retrofit Project; and

**WHEREAS**, the Town of Hunter requested maintenance funds for this project in the amount of 17.6% of the CWC Stormwater Retrofit Funds expended on this project for a total of Two Thousand Eight Hundred Thirty Dollars and Eighty-Eight Cents (\$2,830.88); and

**WHEREAS**, any required operation and maintenance costs not covered by CWC funding shall be the responsibility of the project owner and/or project sponsor; and

**WHEREAS**, the CWC Wastewater Committee has reviewed the request and recommend that the CWC Board of Directors authorize the President and/or Executive Director to enter into a contract with the Town of Hunter to provide maintenance funds in the amount of Two Thousand Eight Hundred Thirty Dollars and Eighty-Eight Cents (\$2,830.88), representing 17.6% of the total CWC Stormwater Retrofit Funds expended on this project; 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 FURTHER RESOLVED**, the CWC Board of Directors authorizes the President and/or Executive Director to execute an Operation and Maintenance Contract with the Town of Hunter for Two Thousand Eight Hundred Thirty Dollars and Eighty-Eight Cents (\$2,830.88).

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

**Stormwater Retrofit Program  
Town of Hunter**

**Stormwater System Improvements Project**

The Town of Hunter requested funding from the CWC Stormwater Retrofit Program for a not-to-exceed amount of \$16,084.55 for Brine Tanks for their Highway trucks to improve Stormwater in the Town of Hunter. The project is now complete.

The actual funds provided on this project were \$16,084.55. The Town of Hunter is entitled to Operation and Maintenance (O&M) funding for the Stormwater project in an amount not to exceed \$2,830.88. O&M funding is established at 17.6% of actual funds provided by the CWC.

**Voice Vote, carried unanimously**

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**Stormwater Retrofit – Town of Shandaken – Brine Tank O&M - Tab 18**

A motion to approve Resolution No. 1857 was made by Thomas Snow and seconded by Michael Shultis.

January 4, 2011

**RESOLUTION NO. 1857**

**BOARD REVIEW OF TOWN OF SHANDAKEN REQUEST OF OPERATION & MAINTENANCE FUNDS FOR THE TOWN OF SHANDAKEN BRINE TANKS STORMWATER IMPROVEMENTS PROJECT**

**WHEREAS**, Paragraph 125 of the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA) authorizes 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 to the extent such BMP’s are necessary to correct or reduce existing erosion and/or pollutant loading; and

**WHEREAS**, pursuant to the CWC Program Rules as adopted by the CWC Board of Directors, Stormwater Retrofit projects are eligible for maintenance funds totaling 17.6% of the CWC Stormwater Retrofit grant funds actually utilized, for regular periodic inspections, additional inspections before and after heavy storm events, periodic removal of debris and excavation of sediment from BMPs, and necessary repairs as needed to preserve the function of the BMPs; and

**WHEREAS**, pursuant to Resolution Number 1371, the CWC Board of Directors approved funding to the Town of Shandaken in an amount not to exceed Twenty-Four Thousand Four Hundred Thirty-Six Dollars (\$24,436.00) for a Stormwater Retrofit Project; and

**WHEREAS**, the Town of Shandaken requested maintenance funds for this project in the amount of 17.6% of the CWC Stormwater Retrofit Funds expended on this project for a total of Three Thousand Seven Hundred Thirty-Three Dollars and Ninety-One Cents (\$3,733.91); and

**WHEREAS**, any required operation and maintenance costs not covered by CWC funding shall be the responsibility of the project owner and/or project sponsor; and

**WHEREAS**, the CWC Wastewater Committee has reviewed the request and recommend that the CWC Board of Directors authorize the President and/or Executive Director to enter into a contract with the Town of Shandaken to provide maintenance funds in the amount of Three Thousand Seven Hundred Thirty-Three Dollars and Ninety-One Cents (\$3,733.91), representing 17.6% of the total CWC Stormwater Retrofit Funds expended on this project; 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 FURTHER RESOLVED**, the CWC Board of Directors authorizes the President and/or Executive Director to execute an Operation and Maintenance Contract with the Town of Shandaken for Three Thousand Seven Hundred Thirty-Three Dollars and Ninety-One Cents (\$3,733.91).

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

**Stormwater Retrofit Program  
Town of Shandaken  
Stormwater System Improvements Project**

The Town of Shandaken requested funding from the CWC Stormwater Retrofit Program for a not-to-exceed amount of \$24,436 for Brine Tanks for their Highway trucks to improve Stormwater in the Town of Shandaken. The project is now complete.

The actual funds provided on this project were \$21,215.40. The Town of Shandaken is entitled to Operation and Maintenance (O&M) funding for the Stormwater project in an amount not to exceed \$3,733.91. O&M funding is established at 17.6% of actual funds provided by the CWC.

**Voice Vote, carried unanimously**

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A motion to approve Resolution No. 1858 was made by Berndt Leifeld and seconded by Michael Shultis.

January 4, 2011

**RESOLUTION NO. 1858**

**BOARD REVIEW OF TOWN OF OLIVE REQUEST OF OPERATION & MAINTENANCE FUNDS FOR THE TOWN OF OLIVE STORMWATER SYSTEM IMPROVEMENTS PROJECT**

**WHEREAS**, Paragraph 125 of the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA) authorizes 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 to the extent such BMP's are necessary to correct or reduce existing erosion and/or pollutant loading; and

**WHEREAS**, pursuant to the CWC Program Rules as adopted by the CWC Board of Directors, Stormwater Retrofit projects are eligible for maintenance funds totaling 17.6% of the CWC Stormwater Retrofit grant funds actually utilized, for regular periodic inspections, additional inspections before and after heavy storm events, periodic removal of debris and excavation of sediment from BMPs, and necessary repairs as needed to preserve the function of the BMPs; and

**WHEREAS**, pursuant to Resolution Number 1010, the CWC Board of Directors approved funding to the Town of Olive in an amount not to exceed Five Hundred Eighty-One Thousand Four Hundred Dollars (\$581,400.00) for a Stormwater Retrofit Project; and

**WHEREAS**, the Town of Olive requested maintenance funds for this project in the amount of 17.6% of the CWC Stormwater Retrofit Funds expended on this project for a total of Eighty-Three Thousand Three Hundred Ninety-One Dollars and Thirty-Eight Cents (\$83,391.38); and

**WHEREAS**, any required operation and maintenance costs not covered by CWC funding shall be the responsibility of the project owner and/or project sponsor; and

**WHEREAS**, the CWC Wastewater Committee has reviewed the request and recommend that the CWC Board of Directors authorize the President and/or Executive Director to enter into a contract with the Town of Olive to provide maintenance funds in the amount of Eighty-Three Thousand Three Hundred Ninety-One Dollars and Thirty-Eight Cents (\$83,391.38), representing 17.6% of the total CWC Stormwater Retrofit Funds expended on this project; 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 FURTHER RESOLVED**, the CWC Board of Directors authorizes the President and/or Executive Director to execute an Operation and Maintenance Contract with the Town of Olive for Eighty-Three Thousand Three Hundred Ninety-One Dollars and Thirty-Eight Cents (\$83,391.38).

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

**Stormwater Retrofit Program  
Town of Olive  
Stormwater System Improvements Project**

The Town of Olive requested funding from the CWC Stormwater Retrofit Program for a not-to-exceed amount of \$581,400.00 for a Stormwater System Improvement Project in the Town of Olive to be built in conjunction with the Wastewater Treatment Plant. The project is now complete.

The actual funds provided on this project were \$473,814.64. The Town of Olive has requested Operation and Maintenance (O&M) funding for the Stormwater project in an amount not to exceed \$83,391.38. O&M funding is established at 17.6% of actual funds provided by the CWC.

**Voice Vote, carried unanimously**

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**CWMP II Block Grants – Tab 20**

A motion to approve Resolution No. 1859 was made by Michael Flaherty and seconded by Tina Molé.

January 4, 2011

**RESOLUTION NO. 1859**

**COMMUNITY WASTEWATER MANAGEMENT PROGRAM  
PROJECT AND BLOCK GRANT APPROVAL FOR TROUT CREEK,  
LEXINGTON, AND SOUTH KORTRIGHT**

**WHEREAS**, by Resolution 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 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) 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 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) to provide for full funding for a project in the Hamlet of Ashland and three additional communities; and

**WHEREAS**, the Town of Tompkins agreed to participate in the study phase of the CWMP for the Hamlet of Trout Creek; and

**WHEREAS**, the Town of Lexington agreed to participate in the study phase of the CWMP for the Hamlet of Lexington; and

**WHEREAS**, the Town of Stamford agreed to participate in the study phase of the CWMP for the Hamlet of South Kortright; 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 Trout Creek of Six Million Five Hundred Thousand Dollars (\$6,500,000) to provide for the design and construction of a community septic system; 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) to provide for the design and construction of a community septic system with sand filter; 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 South Kortright of Four Million Nine Hundred Thousand Dollars (\$4,900,000) to provide for the design and construction to pump to the Village of Hobart Wastewater Treatment Plant; and

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

**WHEREAS**, NYCDEP has agreed to the proposed project and block grant amount of Six Million Five Hundred Thousand Dollars (\$6,500,000) for Trout Creek, Nine Million One Hundred Thousand Dollars (\$9,100,000) for Lexington, and Four Million Nine Hundred Thousand (\$4,900,000) for South Kortright; and

**WHEREAS**, the CWC Wastewater Committee recommends that the CWC Board of Directors approve the projects and block grant amounts of Six Million Five Hundred Thousand Dollars (\$6,500,000) for Trout Creek, Nine Million One Hundred Thousand

Dollars (\$9,100,000) for Lexington, and Four Million Nine Hundred Thousand (\$4,900,000) for South Kortright.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the projects and block grant amounts of Six Million Five Hundred Thousand Dollars (\$6,500,000) for Trout Creek, Nine Million One Hundred Thousand Dollars (\$9,100,000) for Lexington, and Four Million Nine Hundred Thousand (\$4,900,000) for South Kortright.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of block grants 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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**Tax Consulting Program Rule Change – Removal of Tax Advisory Group – Tab 21**

A motion to approve Resolution No. 1860 was made by Martin Donnelly and seconded by Michael Shultis.

January 4, 2011

**RESOLUTION NO 1860**

**BOARD APPROVAL OF AMENDMENT OF CWC TAX CONSULTING PROGRAM RULES**

**WHEREAS**, pursuant to paragraph 136 of the 1997 New York City Watershed Memorandum of Agreement, the Catskill Watershed Corporation (CWC) administers the CWC Tax Consulting Fund that provides funding to West of Hudson counties, towns and villages, to review, analyze and/or assist in the administration of real property taxes paid by the City on City-owned lands; and

**WHEREAS**, the CWC Board of Directors (West of Hudson Members Only), by Resolution Number 208, and thereafter amended by Resolution Number 1096, adopted program rules to provide for the administration of the CWC Tax Consulting Program; and

**WHEREAS**, the CWC Land Committee (West of Hudson Members only) recommends that the CWC Board of Directors (West of Hudson Members Only) amend the CWC Tax Consulting Program Rules as provided in attachment A to remove the Technical Advisory Group.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors (West of Hudson Members Only) approves the attached amendment of Article 6 of the CWC Tax Consulting Program Rules as described in Attachment A to remove the Technical Advisory Group.

**Voice Vote, carried unanimously** (*West of Hudson members only*)

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**Resolution in Support of Belleayre – Tab 22**

A motion to approve Resolution No. 1861 was made by Thomas Hynes and seconded by James Eisel.

January 4, 2011

**RESOLUTION NO. 1861**  
**SUPPORTING CONTINUED FULL OPERATION OF THE BELLEAYRE**  
**MOUNTAIN SKI CENTER**

**WHEREAS**, the Catskill Watershed Corporation is a not for profit local development corporation whose members are the forty-one towns who are signatories to the 1997 New York City Watershed Memorandum of Agreement; and

**WHEREAS**, a purpose of CWC is relieving and reducing adult unemployment, and promoting and providing additional and maximum adult employment in the New York City West of Hudson Watershed; and

**WHEREAS**, an additional purpose of CWC under its Certificate of Incorporation is encouraging the development of, or retention of, commerce and industry in the West of Hudson Watershed; and

**WHEREAS**, CWC administers the Catskill Fund for the Future, a revolving loan fund for qualified economic development projects in the forty-one towns wholly or partially in the West of Hudson Watershed

**WHEREAS**, tourism is a vital economic component of the Catskill Region economy, accounting for fifteen percent of all private payroll in the West of Hudson Watershed; and

**WHEREAS**, the four ski centers in the Catskills are a major component of the tourism economy in both the Catskills and West of Hudson Watershed; and

**WHEREAS**, CWC Catskill Fund for the Future provided grants and loans to numerous businesses in the West of Hudson Watershed that are dependent upon tourism generated by the four ski centers; and



**WHEREAS**, one of the ski centers, Belleayre Mountain Ski Center, in the Town of Shandaken, Ulster County is owned and operated by the New York State Department of Environmental Conservation; and

**WHEREAS**, Belleayre Mountain Ski Center is a major generator of tourism in the Central Catskills in all four seasons; and

**WHEREAS**, the New York State Department of Environmental Conservation recently announced that eighty-one percent of the full time employee positions at Belleayre Mountain Ski Center will be eliminated, causing great hardship for those employees and their families, and severely impacting the economy of the Central Catskills; and

**WHEREAS**, a reduction of operations and services at Belleayre Mountain Ski Center will have a severe detrimental impact on the economy of the Central Catskills; and

**WHEREAS**, CWC provided loans to thirteen business with total loan balances of Three Million Three Hundred Seventy-Three Thousand Seven Hundred Forty-Three Dollars (\$3,373,743) that are partially or wholly dependent upon the tourism generated by Belleayre Mountain Ski Center; and

**WHEREAS**, a reduction of operations at Belleayre Mountain Ski Center will also impact the ability of those borrowers to make principal and interest payments to CWC, thereby reducing the amount of funds available to CWC to loan to other businesses in the West of Hudson Watershed; and

**WHEREAS**, the CWC Economic Development Committee recommends that CWC Executive Director meet with all interested parties to assist in finding an equitable solution to ensure that the Belleayre Mountain Ski Center remains in full operation, providing vital economic benefit to tourism in the Central Catskills.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors authorizes the Executive Director to consult with outside counsel and meeting with interested parties to assist in finding an equitable solution to ensure that Belleayre Mountain Ski Center remains in full operation, providing a vital economic benefit to the Central Catskills.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that a copy of this resolution be provided to Governor Andrew Cuomo, New York State Department of Environmental Conservation Commissioner, New York City Department of Environmental Protection Commissioner, Friends of Belleayre Mountain, and Central Catskills Chamber of Commerce.

**Voice Vote, carried, Thomas Snow (NYSDEC) abstained**

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A motion to enter into Executive Session with Alan L. Rosa, Timothy Cox, Barbara Puglisi, Phil Sireci, and Michael Triolo to discuss CFF delinquent loans

and new loan applicant financials was made by Tina Molé and seconded by Wayne Marshfield.

**Voice Vote, carried unanimously**

A motion to resume the regular meeting was made by James Eisel and seconded by Michael Flaherty.

**Voice Vote, carried unanimously**

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

**IX. Board Member Discussion:**

*Thomas Snow announced that the Water Supply Permit was issued on December 24, 2010. He thanked everyone involved in the negotiations and expressed the importance of having CWC at the table during those negotiations.*

*Jeff Graf echoed Tom's thanks to all who were involved with the negotiations, and stated that there were compromises on many sides of the table in the spirit of cooperation and fair play, and a lot of good came out of it. Many advantages are included for the City, and the communities have a long stream of funding guaranteed, among others. It's a testimony to a lot of hard work by a lot of people.*

*Georgianna Lepke announced that, for the Board members, representing the people of the West of Hudson watershed area, with our partners, by having the guarantee of the funding, it was very important.*

*Tom Snow added that the State hopes this is seen as a win/win/win situation for everyone involved.*

*Wayne Marshfield reiterated that he would not take part in the toast because as of today the Town has not approved the agreement. If this meeting were to have taken place the following week, after the Town of Hamden's Board meeting, as they are a party to the agreement, then he most likely would have been participating. On behalf of the CWC Board, Georgie stated that it is understood and acceptable.*

A motion to adjourn was made by Deborah DeWan and seconded by Berndt Leifeld.

**Voice Vote, carried unanimously**

**X. Adjournment: @ 1:37 p.m.**