

**CATSKILL WATERSHED CORPORATION**

**Board of Directors Meeting**

**MINUTES**

**June 7, 2011 @ 1:00 p.m.**

**I. Call to Order**

**II. Pledge of Allegiance:** Led by Berndt Leifeld.

**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 Parete, and Leonard Utter.

**Members Excused:** Thomas Snow (*New York State DEC*)

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

**Others Present:** Thomas Stalter (*NYC DEP*), Kathleen Nolan, and Sally Fairbairn (Watershed Agricultural Council)

**IV. Review and Approval of May 3, 2011 Board Meeting Minutes**

A motion to approve the minutes from the May 3, 2011 board meeting was made by Martin Donnelly and seconded by Berndt Leifeld.

**Voice Vote, carried unanimously**

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of April 30, 2011 was made by James Eisel and seconded by Jeffrey Graf.

**Voice Vote, carried unanimously**

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**Executive Director's Report**

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

**Presentation of News Articles**

**Committee Schedule**

**Committee Meeting Minutes**

**VI. Public Discussion**

**VII. Presentation of Resolutions**

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**Septic Reimbursement Over \$20,000 – Mandy Kilmer - Tab 7**

A motion to approve Resolution No. 1929 was made by Wayne Marshfield and seconded by Tina Molé.

June 7, 2011

**RESOLUTION NO. 1929**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
MANDY KILMER**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Four Thousand Dollars (\$24,000.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Four Thousand Dollars (\$24,000.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Four Thousand Dollars (\$24,000.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Four Thousand Dollars (\$24,000.00).

**Mandy Kilmer Backup**

Ms. Kilmer'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 \$28,750.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, 90 lineal feet of 4" gravity piping, one distribution box, 250 cubic yards of absorption fill material, 24 Eljen in-drain units, 110 lineal feet of curtain drain, temporary access road, seed, mulch, and restoration. The initial quote is above our estimated cost of construction. The contractor agreed to adjust his quote to \$24,000.00. This is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$24,000.00.

**Voice Vote, carried unanimously**

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**Septic Reimbursement Over \$20,000 - Loretta Lezamiz - Tab 8**

A motion to approve Resolution No. 1930 was made by Wayne Marshfield and seconded by Tina Molé.

June 7, 2011

**RESOLUTION NO. 1930**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
LORETTA LEZAMIZ**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Two Thousand Five Hundred Twenty-Five Dollars (\$22,525.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Two Thousand Five Hundred Twenty-Five Dollars (\$22,525.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Two Thousand Five Hundred Twenty-Five Dollars (\$22,525.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Two Thousand Five Hundred Twenty-Five Dollars (\$22,525.00).

**Loretta Lezamiz Backup**

Ms. Lezamiz'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 \$22,525.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, siphon chamber, 85 linear feet of 4" gravity piping, one distribution box, 320 cubic yards of absorption fill material, 240 lineal feet of absorption trench, 120 lineal feet of curtain drain, maintenance of existing ditch and extensive 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 \$22,525.00.

***Voice Vote, carried unanimously***

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**Septic Reimbursement Over \$20,000 – Anne McInnis - Tab 9**

A motion to approve Resolution No. 1931 was made by Wayne Marshfield and seconded by Tina Molé.

June 7, 2011

**RESOLUTION NO. 1931**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
ANNE MCINNIS**

**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 One Hundred Ninety Dollars (\$21,190.00); 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 One Hundred Ninety Dollars (\$21,190.00) 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 One Hundred Ninety Dollars (\$21,190.00) 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 One Hundred Ninety Dollars (\$21,190.00).

**Anne McInnis Backup**

Ms. McInnis' property is located in the Town of Shandaken, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$24,190.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, siphon chamber, 175 lineal feet of 4" gravity piping, two distribution boxes, 145 cubic yards of absorption fill material, 15 x 50 absorption bed, tree removal, driveway crossing, temporary access, and extensive restoration. The quote is above our estimated cost of construction. The contractor agreed to adjust his quote to \$21,190.00. This is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$21,190.00.

***Voice Vote, carried unanimously***

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**Septic Reimbursement Over \$20,000 – Christine Owad - Tab 10**

A motion to approve Resolution No. 1932 was made by Wayne Marshfield and seconded by Tina Molé.

June 7, 2011

**RESOLUTION NO. 1932**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:**  
**CHRISTINE OWAD**

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

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

**WHEREAS**, CWC staff has reviewed three construction quotes, including the lowest quote for the septic system repair in the amount of Thirty-Three Thousand Five Hundred Dollars (\$33,500.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Thirty-Three Thousand Five Hundred Dollars (\$33,500.00) 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 Thirty-Three Thousand Five Hundred Dollars (\$33,500.00) 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 Thirty-Three Thousand Five Hundred Dollars (\$33,500.00).

**Christine Owad Backup**

Ms. Owad’s property is located in the Town of Prattsville, Greene County. As required by the Septic Program Rules, homeowner and CWC staff received quotes from three unrelated contractors in the amounts of \$41,278.80, \$41,500.00, and the lowest for \$33,500.00. This system is for a eight bedroom house. The major components for this system include two 1,250 gallon septic tanks, 1,000 gallon pump station, 85 lineal feet of 4” gravity sewer, 40 lineal feet of forcemain, 35 cubic yards of crushed stone, six peat filters, cleanout, updated electric service, and extensive restoration. The lowest quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$33,500.00.

***Voice Vote, carried unanimously***

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**Septic Reimbursement Over \$20,000 – Additional Costs – Philip DeVito - Tab 11**

A motion to approve Resolution No. 1933 was made by Thomas Hynes and seconded by Berndt Leifeld.

June 7, 2011

**RESOLUTION NO. 1933**

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

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

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

**WHEREAS**, by Resolution Number 1703, the CWC Board approved reimbursement to Philip DeVito in an amount not to exceed Thirty-Two Thousand Nine Hundred Twenty-Six Dollars (\$32,926.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the contractor for the septic system repair in the amount of Two Thousand Five Hundred Seventy Dollars (\$2,570.00); 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 Thirty-Five Thousand Four Hundred Ninety-Six Dollars (\$35,496.00) 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 Thirty-Five Thousand Four Hundred Ninety-Six Dollars (\$35,496.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-Five Thousand Four Hundred Ninety-Six Dollars (\$35,496.00).

**Philip DeVito Backup**

Mr. DeVito's property is located in the Town of Neversink, Sullivan County. CWC Board of Directors previously approved reimbursement for this project at \$32,926.00. Shortly after completion of construction, during a large rain event, the system appeared to begin to fail. The engineer determined that the large amount of groundwater in the immediate area was the problem. The engineer developed a plan to correct the condition. The plan includes a 36" curtain drain filled with stone and a 6" drainage pipe to convey the runoff away from the system during extremely wet periods. The contractor submitted a quote for the additional work in an amount of \$2,570.00. This is a reasonable and just cost according to CWC Schedule of Values. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,570.00, for total reimbursement not to exceed \$35,496.00.

**Voice Vote, carried unanimously**

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**Future Stormwater – Paul Cheney - Tab 12**

A motion to approve Resolution No. 1934 was made by Michael Flaherty and seconded by James Eisel.

June 7, 2011

**RESOLUTION NO. 1934**

**BOARD REVIEW OF PAUL CHENEY FUTURE STORMWATER PROGRAM**  
**APPLICATION FOR REIMBURSEMENT**

**WHEREAS**, the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA") paragraph 128 directs the Catskill Watershed Corporation (CWC) to establish a program to pay for the reasonable and proper cost to design, implement, permit, construct and maintain new stormwater measures pursuant to stormwater pollution prevention plans solely required by the 18-39(b)(3) and 18-39(e) of the watershed regulations and not otherwise required by State or federal law; and

**WHEREAS**, Paul Cheney applied for design and construction funding in the amount of Thirty-Two Thousand Nine Hundred Twenty-Six Dollars and Seventy-Six Cents (\$32,926.76) for the design and construction of a stormwater project; and

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

**WHEREAS**, the CWC Stormwater/Wastewater Committee recommend reimbursement of eligible costs in a total not-to-exceed amount of Two Thousand Four Hundred Forty-Six Dollars and Fifty Cents (\$2,446.50) for costs incurred solely due to NYC DEP requirements, including meetings with NYC DEP and pollutant loading analysis.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the application, staff recommendation and supporting documentation and approves



funding in a total not-to-exceed amount of Two Thousand Four Hundred Forty-Six Dollars and Fifty Cents (\$2,446.50).

**Backup**  
**Paul Cheney Property**

Paul Cheney purchased a parcel in the Lake in the Sky subdivision located in South Gilboa, Schoharie County. The developer, NY Lands and Lakes, was required by NYS to obtain a NYS Stormwater Permit because the total disturbance of the subdivision is over 5 acres. Since NYS required the developer to have a NYS permit this also required anyone that purchases a parcel to acquire a NYS permit no matter how much land that individual lot owner disturbs. This requirement left Mr. Cheney with minimal NYC DEP requirements. After a careful review CWC staff noted that the only NYC DEP requirements were the pollutant loading analysis and some meetings at the site with the engineer. As an individual applicant, CWC will be reimbursing 100% of eligible costs. The CWC Stormwater/Wastewater Committee recommend that the CWC Board of Directors approve reimbursement of eligible costs in the amount of \$2,446.50.

***Voice Vote, carried unanimously***

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**Stormwater Retrofit – Sugar Maples – Additional O&M - Tab 13**

A motion to approve Resolution No. 1935 was made by Paul Dibbell and seconded by Michael Flaherty.

June 7, 2011

**RESOLUTION NO. 1935**

**BOARD REVIEW OF GREENE COUNTY SOIL & WATER CONSERVATION**  
**DISTRICT REQUEST OF ADDITIONAL OPERATION & MAINTENANCE FUNDS**  
**FOR THE SUGARMAPLES 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 1405, the CWC Board of Directors approved funding to the Greene County Soil & Water Conservation District in an amount not to exceed

One Hundred Fifty-Three Thousand Five Hundred Three Dollars (\$153,503.00) for a Stormwater Retrofit Project; and

**WHEREAS**, by resolution number 1875, the CWC Board of Directors approved Operation and Maintenance funding to Greene County Soil & Water Conservation District in the amount of Twenty Thousand Five Hundred Fifty-Four Dollars and Fifty Cents (\$20,554.50); and

**WHEREAS**, Greene County Soil & Water Conservation District submitted an additional invoice which increased the amount of O&M funding they are entitled to by an additional Three Hundred Twelve Dollars and Sixty-Seven Cents (\$312.67);

**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 Greene County Soil & Water Conservation District to provide total maintenance funds in the amount of Twenty Thousand Eight Hundred Sixty-Seven Dollars and Seventeen Cents (\$20,867.17), 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 Greene County Soil & Water Conservation District for an additional Three Hundred Twelve Dollars and Sixty-Seven Cents (\$312.67), for total funding of Twenty Thousand Eight Hundred Sixty-Seven Dollars and Seventeen Cents (\$20,867.17).

**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  
Greene County Soil & Water Conservation District  
Stormwater System Improvements Project**

The Greene County Soil & Water Conservation District requested funding to implement a Stormwater Retrofit Project to improve stormwater drainage and runoff quality located in the Hamlet of Maplecrest, Town of Windham. Stormwater management practices to improve water quality include the installation of a bioswale and rain gardens along with the replacement of stormwater conveyance components consisting of catch basins, storm drains, and culverts. The project is now complete.

The actual funds provided on this project were \$118,563.45. The Greene County Soil & Water Conservation District has requested Operation and Maintenance (O&M) funding for the

Stormwater project in an amount not to exceed \$20,867.17. O&M funding is established at 17.6% of actual funds provided by the CWC.

The CWC Wastewater/Stormwater Committee recommends approving the request for O&M funding in a not to exceed amount of \$20,867.17.

**Voice Vote, carried unanimously**

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A motion to waive Rule 14 was made by Michael Flaherty and seconded by Jeffrey Graf. Voice vote, carried unanimously.

**Handout Resolution – CWC Insurance Premiums 2011**

A motion to approve Resolution No. 1936 was made by Deborah DeWan and seconded by Martin Donnelly.

June 7, 2011

**RESOLUTION NO. 1936**  
**CWC INSURANCE PREMIUM**

**WHEREAS**, the Board of Directors must approve an expense greater than Ten Thousand Dollars (\$10,000); and

**WHEREAS**, the Finance Department has received a Seventeen Thousand Five Hundred Seventy-Two Dollars and Sixty Five Cents (\$17,572.65) invoice for the General Liability, Automobile insurance, Worker Compensation and Excess Liability insurance.

**NOW, THEREFORE BE IT RESOLVED**, the Board of Directors authorizes the Executive Director to pay the insurance premiums in an amount not to exceed Seventeen Thousand Five Hundred Seventy-Two Dollars and Sixty Five Cents (\$17,572.65).

**Voice Vote, carried unanimously**

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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 James Eisel and seconded by Tina Molé.

**Voice Vote, carried unanimously**

A motion to resume the regular meeting was made by Thomas Hynes and seconded by Wayne Marshfield.

**Voice Vote, carried unanimously**

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**CFF REDI Loan – Camp MoveIt – Tab 14**

A motion to approve Resolution No. 1937 was made by Tina Molé and seconded by Michael Flaherty.

June 7, 2011

**RESOLUTION NO. 1937**  
**APPROVAL OF CAMP MOVE IT, LLC**  
**BUSINESS LOAN**

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

**WHEREAS**, Camp Move It, LLC has applied for a Four Hundred Thousand Dollars and No Cents (\$400,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in one hundred seventy-nine (179) equal monthly payments and payment one hundred eighty (180) being a balloon payment, such that the outstanding principal is fully paid on the last payment date, for the renovations to 2121 County Road #5, Bovina Center, NY; and

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

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

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Camp Move It, LLC; and

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines that the application of Camp Move It, LLC meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Four Hundred Thousand Dollars and No Cents (\$400,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in one hundred and seventy-nine (179) equal monthly payments and payment one hundred eighty (180) being a balloon payment, such that the outstanding principal is fully paid on the last payment date.

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

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

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

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

**Purpose: To review the CWC Loan Application of Camp Move It, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Camp Move It, LLC located in the Town of Bovina, 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 2121 County Route #5, Bovina, NY owned by Camp Move It, LLC is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at, 2121 County Route #5, Bovina, NY owned by Camp Move It, LLC is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
  - (i) Camp Move It, LLC will renovate the building they are presently own.
  - (ii) The project is located in the Town of Bovina
  - (iii) The project will utilize an onsite septic system.
  - (iv) The project appears to present no threat to water quality.

- (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (vi) Based on NYCDEP the project is not in the 60 day travel time.
  - (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Town of Bovina.
- (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 does not require 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, 13 aye, 1 nay**

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**CFF REDI Loan – Greener Pastures, LLC – Tab 15**

A motion to approve Resolution No. 1938 was made by Martin Donnelly and seconded by Paul Dibbell.

June 7, 2011

**RESOLUTION NO. 1938**

**APPROVAL OF GREENER PASTURES LLC**

**BUSINESS LOAN**

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

**WHEREAS**, Greener Pastures, LLC, has applied for a Forty-Five Thousand Dollars and No Cents (\$45,000.00) loan for a term of seven (7) years, at a rate of five percent (5.0%), to be amortized in equal monthly payments such that the outstanding principal is fully paid on the last payment date, for the purchase of equipment and fixtures; and

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

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

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Greener Pastures, LLC; and

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines that Greener Pastures, LLC's application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Forty-Five Thousand Dollars and No Cents (\$45,000.00) for a term of seven (7) years, at a rate of five percent (5.0%), to be amortized in equal monthly payments such that the outstanding principal is fully paid on the last payment date.

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

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

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

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

**Purpose: To review the CWC Loan Application of Greener Pastures, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Greener Pastures, LLC, located in the Town of Shandaken, 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 8373 State Route 28, Big Indian, NY, owned by Greener Pastures, LLC, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 8373 State Route 28, Big Indian, NY, owned by Greener Pastures, LLC, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
  - (i) Greener Pastures, LLC will purchase equipment and fixtures.
  - (ii) The project is located in the Town of Shandaken.
  - (iii) The project will utilize a septic system.
  - (iv) The project appears to present no threat to water quality.
  - (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (vi) Based on NYCDEP the project is not in the 60 day travel time.
  - (vii) There is no impact on Federal or State wetlands.
 (b) The project maintains the character of the Town of 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 not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**

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**CFF REDI Loan – Lighthouse on the Hill – Tab 16**

A motion to approve Resolution No. 1939 was made by Berndt Leifeld and seconded by Deborah DeWan.

June 7, 2011

**RESOLUTION NO. 1939**

**APPROVAL OF LIGHTHOUSE ON THE HILL, LLC**

**BUSINESS LOAN**

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



**WHEREAS**, Lighthouse on the Hill, LLC has applied for a One Hundred Fifty Thousand Dollars And No Cents (\$150,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date, for the refinance of existing debt related to the acquisition and septic replacement costs for property located at 11985 State Highway 23, Prattsville, NY, known as Echo Valley Motel; and

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

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

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Lighthouse on the Hill, LLC; and

**WHEREAS**, the CWC Loan Committee recommends that the need for a participating lender be waived due to the amount of equity in the property and CWC will be better more adequately secured with a first mortgage position; and

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines that Lighthouse on the Hill, LLC application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of One Hundred Fifty Thousand Dollars And No Cents (\$150,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date, and also waive the participating lender requirement.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, the CWC staff is authorized and directed to issue a commitment letter informing the borrower of its intention to issue the loan subject to compliance with all applicable provisions of the New York City Watershed regulations

as well as other applicable laws, rules and regulations, completion of the necessary documents, the right of objection and staff is directed to develop the loan agreement, promissory notes and other documentation necessary to effectuate this loan in a form agreed upon by NYSEFC.

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

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

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

**Purpose: To review the CWC Loan Application of Lighthouse on the Hill, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Lighthouse on the Hill, LLC, located in the Town of Lexington, 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 11985 Route 23A, Prattsville, NY, owned by Lighthouse on the Hill, LLC, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at, 11985 Route 23A, Prattsville NY, owned by Lighthouse on the Hill, LLC, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
  - (i) Lighthouse on the Hill, LLC will refinance debt related to the acquisition of the property and the replacement of the septic system.
  - (ii) The project is located in the Town of Lexington.
  - (iii) The project will not utilize the municipal sewer system.
  - (iv) The project appears to present no threat to water quality.
  - (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (vi) Based on NYCDEP the project is not in the 60 day travel time.
  - (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Town of Lexington.
  - (i) The project is consistent with current zoning.
  - (ii) The project is compatible with surrounding land uses.
  - (iii) The project will not generate excessive traffic.
  - (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.

5. Not applicable.

**Voice Vote, carried unanimously**

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**CFF REDI Loan – Thomas Miner and Donald VanEtten – Tab 17**

A motion to approve Resolution No 1940 was made by Deborah DeWan and seconded by Thomas Hynes.

June 7, 2011

**RESOLUTION NO. 1940**

**APPROVAL OF THOMAS E. MINER AND DONALD E. VANETTEN**

**BUSINESS LOAN**

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

**WHEREAS**, Thomas E. Miner and Donald E. VanEtten have applied for a Four Hundred Thousand Dollars and No Cents (\$400,000.00) interest-only loan at four percent (4.0%), for a term of eighteen (18) months, at which time the loan will be reduced to One Hundred Fifty Thousand Dollars (\$150,000.00) for fifteen (15) years based on a twenty year amortization, at a rate of four percent (4%), adjustable every five years to the CWC rate in effect at that time, to be amortized in one hundred seventy-nine equal monthly payments and payment one hundred eighty (180) being a balloon payment, such that the outstanding principal is fully paid on the last payment date, for the renovation to 64 Main Street, Stamford, NY; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Thomas E. Miner, Jr. and Donald E. VanEtten; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Thomas E. Miner, Jr. and Donald E. VanEtten; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Thomas E. Miner, Jr. and Donald E. VanEtten; and

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines that the Thomas E. Miner, Jr. and Donald E. VanEtten application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Four Hundred Thousand Dollar (\$400,000.00) interest-only loan at four percent (4.0%), for a term of eighteen (18) months, at which time the loan will be reduced to One Hundred Fifty Thousand Dollars (\$150,000.00) for fifteen (15) years based on a twenty year amortization, at a rate of four percent (4%), adjustable every five years to the CWC rate in effect at that time, to be amortized in one hundred seventy-nine equal monthly payments and payment one hundred eighty (180) being a balloon payment, such that the outstanding principal is fully paid on the last payment date.

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

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

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

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

**Purpose: To review the CWC Loan Application of Thomas E. Miner and Donald E. VanEtten**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Thomas E. Miner, Jr. and Donald E. VanEtten, located in the Town of Stamford, 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 64 Main Street, Stamford, NY, owned by Thomas E. Miner, Jr. and Donald E.

VanEtten, 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 64 Main Street, Stamford, NY, owned by Thomas E. Miner, Jr. and Donald E. VanEtten, 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) Thomas E. Miner, Jr. and Donald E. VanEtten will renovate the building they presently own.
  - (ii) The project is located in the Town of Stamford.
  - (iii) The project will utilize a municipal sewage system.
  - (iv) The project appears to present no threat to water quality.
  - (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (vi) Based on NYCDEP the project is not in the 60 day travel time.
  - (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Town of Stamford.
  - (i) The project is consistent with current zoning.
  - (ii) The project is compatible with surrounding land uses.
  - (iii) The project will not generate excessive traffic.
  - (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**

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**CFF Micro Loan – Sisu Enterprises, Inc. – Tab 18**

A motion to approve Resolution No. 1941 was made by Leonard Utter and seconded by Martin Donnelly.

June 7, 2011

**RESOLUTION NO. 1941**

**APPROVAL OF RUSSEL MATSON and JULIE HERNANDEZ**

**MICRO LOAN**

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

**WHEREAS**, Russel Matson and Julie Hernandez, have applied for a Thirty-Six Thousand Dollar (\$36,000.00) loan for a term of seven (7) years, at a rate of five percent (5.0%), to be amortized in 84 equal monthly payments such that the outstanding principal is fully paid on the last payment date, for the purchase and re-establishment of a miniature golf center, and purchase and rehabilitation of golf course related equipment, at the Meadows Golf center in Margaretville, NY; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Russel Matson and Julie Hernandez; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Russel Matson and Julie Hernandez; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Russel Matson and Julie Hernandez; and

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines that the Russel Matson and Julie Hernandez application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Thirty-Six Thousand Dollar (\$36,000.00) loan for a term of seven (7) years, at a rate of five percent (5.00%), to be amortized in 84 equal monthly payments such that the outstanding principal is fully paid on the last payment date.

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

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

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

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

**Purpose: To review the CWC Loan Application of Russel Matson and Julie Hernandez**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund MICRO Loan to Russel Matson and Julie Hernandez, located in the Town of Middletown, 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 42565 St. Hwy 28, Margaretville, NY, owned by Russel Matson and Julie Hernandez, 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 42565 St. Hwy 28, Margaretville, NY, owned by Russel Matson and Julie Hernandez, 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) Russel Matson and Julie Hernandez are re-establishing a mini-golf course, repairing and purchasing golf related equipment and not making any other changes to the current business footprint.
  - (ii) The project is located in the Town of Middletown.
  - (iii) The project will utilize the Margaretville Waste water treatment plant.
  - (iv) The project appears to present no threat to water quality.
  - (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (vi) Based on NYCDEP the project is not in the 60 day travel time.
  - (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Town of Middletown.
  - (i) The project is consistent with current zoning.
  - (ii) The project is compatible with surrounding land uses.
  - (iii) The project will not generate excessive traffic.
  - (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**

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**VIII. Announcements from the Chair:**

*Georgianna Lepke publicly thanked and complimented staff for the plantings done outside of the building.*

**IX. Board Member Discussion: None**

A motion to adjourn was made by Wayne Marshfield and seconded by Thomas Hynes.

**Voice Vote, carried unanimously**

**X. Adjournment: @ 1:49 p.m.**