

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

July 5, 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, Michael Meyer (*New York City DEP*), Thomas Hynes, Berndt Leifeld, Georgianna Lepke, Wayne Marshfield, Tina Molé, Richard 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, Barbara Puglisi, Alan L. Rosa, Philip Sireci, Frieda Suess, and Michael Triolo.

Others Present:

IV. Review and Approval of June 7, 2011 Board Meeting Minutes

A motion to approve the minutes from the June 7, 2011 board meeting was made by Deborah DeWan 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 Martin Donnelly.

**Voice Vote, carried unanimously**

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Executive Director's Report

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

Presentation of News Articles

Committee Schedule

Committee Meeting Minutes

VI. Public Discussion

Berndt Leifeld introduced Town of Olive Boy Scouts of America Troop #163 Scoutmaster Keith Davis and Committee Chairman Rob Overton, accompanied by their sons Billy Davis and Blake Overton. He publicly recognized that they resurrected the Troop, and that they are hosting a monumental event. The Troop (made up of 15 boys) contacted the Commissioner of the NYCDEP and set up a trip to revitalize the beginning of scouting here in New York State. He thanked them for coming to the meeting, and turned the floor over to them.

Mr. Overton explained that the first Boy Scout Troop in the United States was established where the Ashokan Reservoir is today. He continued to share the history of the founding of the Boy Scouts, and provided a print-out of this information (attached). He said that on August 19th the Troop will be departing at the Ashokan aerator, and following the aqueduct as much as possible, down to NYC, ending in Central Park, for a celebration on August 27th. There will be a kick-off ceremony at 10:00 am on the 19th, and the Board is invited to attend.

Mr. Davis announced that the Troop was re-chartered about 18 months ago, and in that time the Troop has climbed 10 mountains in the Catskills, have performed community services, served several hundred meals to seniors in Kingston, held a free Thanksgiving dinner for the seniors in Olive, done multiple community projects, and they feel it's important to give back to the community more than it is to receive. They camp out at least once per month, learning skills on how to build lean-tos, and learn about the outdoors. Mr. Davis explained that when he read about a trek in 2007 for freshwater that went from Belleayre down the east side of the Hudson, and Mr. Davis sent an e-mail to CWC asking for information. He continued that through Diane Galusha and NYCDEP, they gained permission to go on this hike, and it has now become a huge event. It will be one of the top events for Boy Scouts this year, possibly pulling in national coverage. The Deputy Commissioner will be speaking at the send-off celebration on the 19th, and the NYC DEP will be doing a helicopter fly-over. The Town of Olive will be there with fire trucks, and food will be served. The hike is roughly 120 miles, most of it down the Catskills aqueduct, with an overnight at Mohawk Mountain, Ulster County Fairgrounds, Stewart Air Force Base, where they will be given a tour of the base and will see the DEP chopper and their facilities there, will be crossing the Hudson river at Bannerman Castle, hiking Great Neck, staying over-night at Scout Reservation there, hiking 25 miles on that side, and then arriving in New York City. Mr. Davis thanked Diane for working with them to make this event possible. He explained that this adventure is being funded through various area fundraisers, and they asked that the Board help spread the word, and there are busses available leaving from Onteora for the public to join them in New York City. He noted that there will be opportunities all along the trek for people to meet up with them, and they will be blogging from the trail, so the public can track where they are. The boys have been provided with cameras, and this event will be turned into a movie.

On July 23rd, at the Boiceville Inn, the Troop will be holding a fundraiser, with a motorcycle run around the reservoir from 8:30 to 10:30, three bands playing (all donating the cover charge to the Troop), and a silent auction. For more information or to contact them, their website is www.olivescouts.org. The Board recognized the Troop and what scouting does with a standing ovation. Berndt recognized Diane and her efforts, he noted that without those efforts this event would not have moved forward as it did.

VII. Presentation of Resolutions

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*A motion to waive Rule 14 was made by Martin Donnelly and seconded by Wayne Marshfield.*

**CWC Insurance Premium Adjustment - Handout Resolution**

A motion to approve Resolution No. 1942 was made by Wayne Marshfield and seconded by Thomas Hynes.

July 5, 2011

**RESOLUTION NO. 1942**

**CWC INSURANCE PREMIUMS**

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

**WHEREAS**, by Resolution 1936, the Board of Directors approved payment of insurance premiums totaling Seventeen Thousand Five Hundred Seventy-Two Dollars and Sixty-Five Cents (\$17,572.65); and

**WHEREAS**, the Finance Department received invoices for Three Thousand Fifty-Three Dollars and Ninety-Seven Cents (\$3,053.97) additional insurance premiums and Ten Thousand Eight Hundred Fifty-Seven Dollars (\$10,857.00) for Directors and Officers insurance.

**NOW, THEREFORE BE IT RESOLVED**, the Board of Director's approves the Executive Director to pay the additional insurance premiums of Three Thousand Fifty-Three and Ninety-Seven Cents (\$3,053.97) and the Directors and Officers insurance of Ten Thousand Eight Hundred Fifty-Seven Dollars (\$10,857.00).

**Voice Vote, carried unanimously**

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Septic Appeal – James Cecchi – Design Costs - Tab 7

A motion to approve Resolution No. 1943 was made by Wayne Marshfield and seconded by Thomas Hynes.

July 5, 2011

RESOLUTION NO. 1943

SEPTIC PROGRAM APPEAL – JAMES CECCHI – DESIGN COSTS

WHEREAS, pursuant to 1997 New York City Watershed Memorandum of Agreement (“MOA”) paragraph 124 and Program Contracts with the New York City Department of Environmental Protection (“NYCDEP”), the Catskill Watershed Corporation (“CWC”) established a Septic System Rehabilitation and Replacement Program (“Septic Program”) to replace or repair eligible septic systems, serving one or two family residences with less than 1000 gallons per day flow in the New York City Watershed West of the Hudson River; and

WHEREAS, the CWC staff reviewed a request for reimbursement from James Cecchi for reimbursement of design costs in the amount of Nine Thousand Five Hundred Thirty-Three Dollars and Fifteen Cents (\$9,533.15), 60% of Fifteen Thousand Eight Hundred Eighty-Eight Dollars and Fifty-Nine Cents (\$15,888.59), under the CWC Septic Program; and

WHEREAS, CWC staff reviewed the application and determined design costs for this system were above CWC's Schedule of Values of One Thousand Seven Hundred Forty Dollars (\$1,740.00), 60% of Two Thousand Nine Hundred Dollars (\$2,900.00), for an engineered system; and

WHEREAS, the CWC Septic Program rules established an appeals process that permits an applicant to appeal to the CWC Board of Directors when the applicant disputes the CWC staff determination; and

WHEREAS, James Cecchi, through his engineer, timely submitted a letter appealing the determination of ineligibility of the additional design costs; and

WHEREAS, the Septic Program rules provides that the CWC Board of Directors may reverse the decision to deny reimbursement in whole or in part in the following instances:

- a) The applicant was wrongly deemed ineligible;
- b) The applicant was wrongly denied reimbursement, in whole or in part, based upon an incorrect determination that the work for which reimbursement is sought was not necessary.
- c) The applicant was wrongly denied reimbursement, in whole or in part, based upon an incorrect determination that the cost of the work for which reimbursement is sought is not reasonable.
- d) There are special circumstances involved which warrant eligibility to the program or that warrant reimbursement; and

WHEREAS, the CWC Septic Committee has reviewed James Cecchi's Appeal pursuant to the criteria and procedure established by the CWC Article 2-A, 2:01:10; and

WHEREAS, the Septic Committee recommends that the CWC Board of Directors deny James Cecchi's appeal and approve reimbursement of design costs in the amount of One Thousand Seven Hundred Forty Dollars (\$1,740.00) per CWC's Schedule of Values.

NOW, THEREFORE, LET IT BE RESOLVED, that the CWC Board of Directors has reviewed the Septic Reimbursement Program Appeal and makes the following determination:

Denies the Appeal

Grants the Appeal

James Cecchi – Design Costs Appeal

Mr. Cecchi appeals the determination that he is only eligible for \$1,740 in total design costs (60% of the Schedule of Values for Design Costs for an engineered system). His engineer, on his behalf, requested reimbursement of 60% of \$15,888.59 in design costs, or \$9,533.15.

The property is located in the Town of Hunter, Greene County. Mr. Cecchi signed into the CWC Septic Program in June, 2010, and CWC staff did not hear from him again until both the design was approved and the system was constructed. The first design undertaken by his engineer would have placed the septic system on a separate tax lot also owned by Mr. Cecchi. In their review, NYCDEP required him to either undertake a lot line change or file an easement on this separate tax lot where the septic was to be located. Mr. Cecchi declined to do so and his engineer undertook a second septic design to be placed on the same lot as Mr. Cecchi’s house. The second design involved a novel treatment system design by the engineer to serve as gravelless trench. It was rejected by DEP, necessitating a revision. The final approved design includes standard gravelless trenches, such as infiltrators.

The engineer also had a consultant walk the site to map any federal wetlands, and requested reimbursement on Mr. Cecchi’s behalf. These costs are part of the total request for reimbursement of \$15,888.59. Although the engineer originally stated the mapping was for setback purposes, CWC staff confirmed that the setbacks in both State law and the Watershed Regulations only apply to *NYSDEC* mapped wetlands over 12.4 acres. The engineer now states that the mapping was also necessary to avoid placing the new system in a federal wetland.

A separate resolution recommends reimbursement of construction costs at the CWC Schedule of Values.

The CWC Septic Committee recommends that the appeal be denied and that design costs be reimbursed at the CWC schedule of values, 60% of \$2,900.

Voice Vote, carried unanimously

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**Septic Appeal – James Cecchi – Construction Costs - Tab 8**

A motion to approve Resolution No. 1944 was made by Wayne Marshfield and seconded by Deborah DeWan.

July 5, 2011

**RESOLUTION NO. 1944**

**SEPTIC PROGRAM APPEAL – JAMES CECCHI – CONSTRUCTION COSTS**

**WHEREAS**, pursuant to 1997 New York City Watershed Memorandum of Agreement (“MOA”) paragraph 124 and Program Contracts with the New York City Department of Environmental Protection (“NYCDEP”), the Catskill Watershed Corporation (“CWC”) established a Septic System Rehabilitation and Replacement Program (“Septic Program”) to

replace or repair eligible septic systems, serving one or two family residences with less than 1000 gallons per day flow in the New York City Watershed West of the Hudson River; and

**WHEREAS**, the CWC staff reviewed a request for reimbursement from James Cecchi for reimbursement of construction costs in the amount of Twenty-Eight Thousand Seven Hundred Seventy-Nine Dollars (\$28,779.00), 60% of Forty-Seven Thousand Nine Hundred Sixty-Five Dollars (\$47,965.00), under the CWC Septic Program; and

**WHEREAS**, CWC staff reviewed the application and determined construction costs for this system were above CWC's Schedule of Values of Twenty-Three Thousand Five Hundred Sixty Dollars (\$23,560.00), 60% of Thirty-Nine Thousand Two Hundred Sixty-Six Dollars (\$39,266.00); and

**WHEREAS**, the CWC Septic Program rules established an appeals process that permits an applicant to appeal to the CWC Board of Directors when the applicant disputes the CWC staff determination; 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**, James Cecchi, through his engineer, submitted a letter requesting 60% reimbursement of his claimed actual construction costs, prior to CWC Board approval of this over \$20,000 system; and

**WHEREAS**, the Septic Program rules provides that the CWC Board of Directors may reverse the decision to deny reimbursement in whole or in part in the following instances:

- a) The applicant was wrongly deemed ineligible;
- b) The applicant was wrongly denied reimbursement, in whole or in part, based upon an incorrect determination that the work for which reimbursement is sought was not necessary.
- c) The applicant was wrongly denied reimbursement, in whole or in part, based upon an incorrect determination that the cost of the work for which reimbursement is sought is not reasonable.
- d) There are special circumstances involved which warrant eligibility to the program or that warrant reimbursement; and

**WHEREAS**, the CWC Septic Committee has reviewed James Cecchi's Appeal pursuant to the criteria and procedure established by the CWC Article 2-A, 2:01:10 and 2:01:09; and

**WHEREAS**, the Septic Committee recommends that the CWC Board of Directors approve reimbursement of construction costs in the amount of Twenty-Three Thousand Five Hundred Sixty Dollars (\$23,560.00), the CWC Schedule of Values for this system on the condition that pursuant to the CWC Septic Program Rules, the homeowner complete a reimbursement form and provide proof of payment for his construction costs; and

**WHEREAS**, the Septic Committee further recommends that the CWC Board of Directors deny the appeal for further reimbursement of construction costs above CWC's Schedule of Values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement at 60% CWC's Schedule of Values to be the total not-to-exceed amount of Twenty-Three Thousand Five Hundred Sixty Dollars (\$23,560.00), provided pursuant to the CWC Septic Program Rules, Mr. Cecchi submit a request for reimbursement form and proof of payment of construction costs prior to any reimbursement.

**NOW, THEREFORE, LET IT BE FURTHER RESOLVED**, that the CWC Board of Directors has reviewed the Septic Reimbursement Program Appeal for reimbursement construction costs above CWC's Schedule of Values and makes the following determination:

Denies the Appeal

Grants the Appeal

**James Cecchi – Construction Costs Appeal**

Mr. Cecchi appeals the determination that he is only eligible for \$23,560 in total construction costs (60% of the Schedule of Values of \$39,266). His engineer, on his behalf, requested reimbursement of 60% of \$47,965.00 in construction costs, or \$28,779.

The property is located in the Town of Hunter, Greene County. Mr. Cecchi signed into the CWC Septic Program in June, 2010, and CWC staff did not hear from him again until both the design was approved and the system was constructed. This septic system serves a five bedroom home and consists of a 1,500 gallon septic tank septitech unit, 225 linear feet of gravity piping, 5 cubic yards of absorption fill, 300 linear feet of infiltrators, and a pressure distribution system. In addition, CWC staff also recommends reimbursement of additional work that includes a footing drain cleanout and extensive restoration. The CWC Schedule of Values for the system, including the additional work, is \$39,266.

A separate resolution recommends reimbursement of design costs at the CWC Schedule of Values and recommends denying an appeal for additional design costs.

The CWC Septic Committee recommends that the appeal be denied and that construction costs be reimbursed at the CWC schedule of values, 60% of \$39,266 on the condition that pursuant to the CWC Septic Program Rules, the homeowner submits a request for reimbursement and provides proof of payment prior to any reimbursement.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Lee Marie Burns - Tab 9

A motion to approve Resolution No. 1945 was made by Leonard Utter and seconded by Tina Molé.

RESOLUTION NO. 1945

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
LEE MARIE BURNS**

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-Nine Thousand Three Hundred Ten Dollars (\$29,310.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Nine Thousand Three Hundred Ten Dollars (\$29,310.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Three Hundred Ten Dollars (\$29,310.00).

Lee Marie Burns Backup

Ms. Burns’ property is located in the Town of Bovina, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,310.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, siphon chamber, 175 lineal feet of 4” gravity piping, 300 cubic yards of absorption fill material, 170 lineal feet of absorption trench, 170 lineal feet of curtain drain, 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 \$29,310.00.

Voice Vote, carried unanimously

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A motion to approve Resolution No. 1946 was made by Leonard Utter and seconded by Tina Molé.

July 5, 2011

**RESOLUTION NO. 1946**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:**  
**ERIK HOLMLIN**

**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-Five Thousand Five Hundred Dollars (\$25,500.00); 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-Five Thousand Five Hundred Dollars (\$25,500.00) 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-Five Thousand Five Hundred Dollars (\$25,500.00) 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-Five Thousand Five Hundred Dollars (\$25,500.00).

**Erik Holmlin Backup**

Mr. Holmlin’s property is located in the Town of Woodstock, Ulster County. Homeowner and CWC staff received two quotes from unrelated contractors, the lowest in the amount of \$25,500.00. This system is for a two bedroom house. The major components for this system include a 1,000 gallon septic tank, a siphon chamber, 170 lineal feet of 4” gravity piping, one distribution box, 200 cubic yards of random fill material, 114 cubic yards of absorption fill material, 200 lineal feet of absorption trench, 130 lineal feet of curtain drain, removal of two culverts, installation of 20 lineal feet of steel sleeve, and extensive restoration on a difficult site. 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 \$25,500.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Walter Kuhnle - Tab 11

A motion to approve Resolution No. 1947 was made by Leonard Utter and seconded by Tina Molé.

July 5, 2011

RESOLUTION NO. 1947

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
WALTER KUHNLE**

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

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

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Nine Hundred Twelve Dollars and Ten Cents (\$29,912.10); and

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

WHEREAS, the CWC staff have determined the contractor’s quote of Twenty-Nine Thousand Nine Hundred Twelve Dollars and Ten Cents (\$29,912.10) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Nine Thousand Nine Hundred Twelve Dollars and Ten Cents (\$29,912.10) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Nine Hundred Twelve Dollars and Ten Cents (\$29,912.10).

Walter Kuhnle Backup

Mr. Kuhnle’ property is located in the Town of Bovina, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,912.10. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, pump chamber, 675 lineal feet of force main, a distribution box, 370 cubic yards of absorption

fill material, 300 lineal feet of absorption trench, 165 lineal feet of swale, tree removal, cleanout, and over 500 lineal feet of temporary access road. 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 \$29,912.10.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Phyllis Paperno - Tab 12**

A motion to approve Resolution No. 1948 was made by Leonard Utter and seconded by Tina Molé.

July 5, 2011

**RESOLUTION NO. 1948**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
PHYLLIS PAPERNO**

**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 Six Hundred Dollars (\$23,600.00); 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 Six Hundred Dollars (\$23,600.00) 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 Six Hundred Dollars (\$23,600.00) 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 Six Hundred Dollars (\$23,600.00).

**Phyllis Paperno Backup**

Ms. Paperno's property is located in the Town of Hurley, Ulster County. Homeowner and CWC staff received three quotes from unrelated contractors, the lowest in the amount of \$23,600.00. This system is for a three bedroom house. The major components for this system include a siphon chamber, 50 lineal feet of 4" gravity piping, one distribution box, 360 cubic yards of absorption fill material, 250 lineal feet of absorption trench, willow tree removal, 165 lineal feet of drainage swale, and a large area of 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 \$23,600.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Additional Costs – Ricki Abramson - Tab 13

A motion to approve Resolution No. 1949 was made by Martin Donnelly and seconded by Wayne Marshfield.

July 5, 2011

RESOLUTION NO. 1949

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

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 1818, the CWC Board approved reimbursement to Ricki Abramson in an amount not to exceed Twenty-One Thousand Two Hundred Fifty-Two Dollars and Forty-Seven Cents (\$21,252.47); 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 Five Hundred Twenty-Two Dollars (\$1,522.00); 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-Two Thousand Seven Hundred Seventy-Four Dollars and Forty-Seven Cents (\$22,774.47) 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-Two Thousand Seven Hundred Seventy-Four Dollars and Forty-Seven Cents (\$22,774.47) 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 Seven Hundred Seventy-Four Dollars and Forty-Seven Cents (\$22,774.47).

Ricki Abramson Backup

Mr. Abramson's property is located in the Town of Woodstock, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$21,252.47. During construction rock was encountered. The design engineer determined the least costly solution in this case would be to use a low flow profile tank to minimize the depth of excavation. The design engineer requested that select material be utilized for backfill material. CWC staff determined that a reasonable and just cost for the additional work according to CWC Schedule of Values is \$1,522.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,522.00, for total reimbursement not to exceed \$22,774.47.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Additional Costs – George Nicholas - Tab 14**

A motion to approve Resolution No. 1950 was made by Michael Flaherty and seconded by Deborah DeWan.

July 5, 2010

**RESOLUTION NO. 1950**

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

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

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

**WHEREAS**, CWC Staff previously approved Septic Program reimbursement for George Nicholas in the amount of Nineteen Thousand Five Hundred Dollars (\$19,500.00); 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 Dollars (\$2,000.00); 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 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 total invoice 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).

**George Nicholas Backup**

Mr. Nicholas' property is located in the Town of Prattsville, Greene County. CWC staff previously approved reimbursement for this project at \$19,500.00. A diversion swale was utilized to control the surface waters. However, a problem developed around the pump station allowing water to pond in this vicinity. The engineer proposed a curtain drain to alleviate this condition. CWC staff received a quote from the contractor for the additional work in the amount of \$2,000.00. This quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,000.00, for total reimbursement not to exceed \$21,500.00.

***Voice Vote, carried unanimously***

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Septic Program Rule Change – Construction Observation Eligible Costs - Tab 15

A motion to approve Resolution No. 1951 was made by Leonard Utter and seconded by Deborah DeWan.

July 5, 2011

RESOLUTION NO. 1951

SEPTIC PROGRAM RULE CHANGE
CONSTRUCTION OBSERVATION ELIGIBLE COSTS

WHEREAS, the Catskill Watershed Corporation (CWC) is the program manager of the CWC Septic Rehabilitation and Replacement Program (CWC Septic Program); and

WHEREAS, CWC staff have reviewed the CWC Septic Program Rules, Article 2A and recommend certain amendments to provide clarity, incorporate long standing policies, as well as remove outdated sections referring to programs, procedures, or priority areas that are no longer relevant to the CWC Septic Program; and

WHEREAS, the CWC Septic Committee reviewed the revised CWC Septic Program Rules, Article 2A, attached hereto as Exhibit A, and recommends the CWC Board of Directors approve said revised program rules.

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors approves the attached revised Septic Program Rules, Article 2A.

NOW THEREFORE BE IT FURTHER RESOLVED, that the CWC Board of Directors may further amend the CWC Septic Program Rules as may be required from time to time.

Voice Vote, carried unanimously

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**CWMP – Lexington Pre-Construction Phase - Tab 16**

A motion to approve Resolution No. 1952 was made by Paul Dibbell and seconded by Michael Flaherty.

July 5, 2011

**RESOLUTION NO. 1952**

**COMMUNITY WASTEWATER MANAGEMENT PROGRAM**  
**LEXINGTON PRECONSTRUCTION PHASE ENGINEERING SERVICES**

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

**WHEREAS**, by Resolution 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 Number 1249 on November 27, 2007, the CWC Board of Directors approved the CWMP II Contract to provide an additional Thirty-Seven Million Two Hundred Thousand Dollars (\$37,200,000) to provide for full funding for a project in three additional communities; and

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

**WHEREAS**, Lamont Engineers completed the Study Phase as outlined in their Contract with CWC and recommend a total block grant for the Hamlet of Lexington of Nine Million One

Hundred Thousand Dollars (\$9,100,000) to provide for the design and construction of a small diameter gravity sewer and community septic system; and

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

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

**WHEREAS**, CWC staff has reviewed the proposal from Lamont Engineers for Pre-Construction Phase Engineering Services for the Hamlet of Lexington; and

**WHEREAS**, CWC staff is satisfied with Lamont Engineers, PC work and completion of the Study Phase for the project in the Hamlet of Lexington, and desire to issue an amendment to Lamont Engineers for the Pre-Construction Phase that includes permitting, final design, sewer district formation, sewer use law, bidding, and development of operation and maintenance plans and contracts as well as other necessary actions; and

**WHEREAS**, the CWC Wastewater Committee has reviewed the documentation and recommend approving an amendment with Lamont Engineers, PC to include the Pre-Construction Phase Engineering Services for the Hamlet of Lexington to their existing contract as described in Attachment A in an amount not to exceed One Million Forty-Seven Thousand One Hundred Eighty-Two Dollars (\$1,047,182.00); and

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves amendment with Lamont Engineers, PC to include Pre-Construction Phase Engineering Services for the Hamlet of Lexington to their existing CWMP contract in an amount not to exceed One Million Forty-Seven Thousand One Hundred Eighty-Two Dollars (\$1,047,182.00).

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

**Voice Vote, carried unanimously**

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Future Stormwater – Mugnai – Additional Costs - Tab 17

A motion to approve Resolution No. 1953 was made by Thomas Hynes and seconded by Leonard Utter.

July 5, 2011

RESOLUTION NO. 1953

**BOARD REVIEW OF ADDITIONAL FUNDING FOR THE JOSEPH MUGNAI
FUTURE STORMWATER PROJECT**

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, by Resolution Number 1760, the CWC Board of Directors approved an application by Joseph Mugnai for funding of eligible construction costs in the not-to-exceed amount of Thirty Thousand Dollars (\$30,000.00) for the construction of an eligible project; and

WHEREAS, Joseph Mugnai requested additional funding to pay for the additional costs incurred to complete the project in an amount not to exceed One Thousand Seventy-Three Dollars and Fifty Cents (\$1,073.50); and

WHEREAS, upon review of the information and staff recommendation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve an amended not-to-exceed amount of Thirty-One Thousand Seventy-Three Dollars and Fifty Cents (\$31,073.50) for the Joseph Mugnai Future 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, recommended eligible costs equal a not-to-exceed amount of Thirty-One Thousand Seventy-Three Dollars and Fifty Cents (\$31,073.50); and

WHEREAS, the CWC Wastewater Committee recommended that the application be approved by the CWC Board.

NOW, THEREFORE, LET IT BE RESOLVED, that the CWC Board of Directors has reviewed the attached application, staff recommendation and supporting documentation and approves additional funding in the amount of One Thousand Seventy-Three Dollars and Fifty Cents (\$1,073.50) for a total not-to-exceed amount of Thirty-One Thousand Seventy-Three Dollars and Fifty Cents (\$31,073.50);

Backup

Joseph Mugnai Property

Joseph Mugnai was required to comply with the Watershed Rules and Regulations enforced by the NYCDEP. NYCDEP solely required a Stormwater Pollution Prevention Plan (SWPPP) as the project is part of development that qualifies as a common plan of sale, requiring a SWPPP under the Watershed Rules and Regulations, but NYSDEC regulations did not require a SWPPP in this case. As an individual applicant, CWC will be reimbursing 100% of eligible costs.

Joseph Mugnai has requested the additional funding to pay for the planting of the rain gardens that were specified in the NYC DEP approved SWPPP. The plantings exceeded the construction estimate by \$1,073.50. The CWC Wastewater Committee recommends that the CWC Board approve the additional funding of \$1,073.50.

Voice Vote, carried unanimously

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

**IX. Board Member Discussion:**

*Alan Rosa noted that a copy of a letter received from Paul Rush (NYCDEP) regarding CWC contract funding was also handed out to Board members.*

*Diane Galusha announced the newest art exhibit, highlighting several artists from the area. It will be available for viewing/purchase until the end of July, and the next exhibit will be hung August 1.*

A motion to adjourn was made by Michael Flaherty and seconded by Berndt Leifeld.

**Voice Vote, carried unanimously**

**X. Adjournment: @ 1:20 p.m.**