

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

September 13, 2011 @ 10:00 a.m.

(Original Meeting Date: September 6, 2011)

Acting President – Berndt Leifeld

Acting Secretary – Martin Donnelly

I. Call to Order

II. Pledge of Allegiance: Led by Berndt Leifeld.

III. Roll Call of Directors

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

Members Excused: Donald Brandow, Georgianna Lepke, and Wayne Marshfield.

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: Carol Jean Finch (*NBT Bank*), Rose Gerber, Lissa Harris (*Watershed Post*), Heidi Hochman, Peter Manning (*Catskill Center for Conservation and Development*), Michael Meyer (*NYC DEP*), Al Parks, Kay Parks, Walter Severini, Thomas Stalter (*NYC DEP*), Robert Stanley (*Town of Shandaken*), and Veronica Wranovics.

IV. Review and Approval of August 2, 2011 Board Meeting Minutes

A motion to approve the minutes from the August 2, 2011 board meeting was made by James Eisel and seconded by Michael Flaherty.

Voice Vote, carried unanimously

~~~~~

**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of July 31, 2011 was made by Michael Flaherty and seconded by Jeff Graf.

**Voice Vote, carried unanimously**

~~~~~

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. Presentation of Resolutions

~~~~~

**Septic Appeal – Fred Beemer - Tab 7**

A motion to approve Resolution No. 1973 was made by James Eisel and seconded by Leonard Utter.

September 6, 2011

**RESOLUTION NO. 1973**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
FRED BEEMER**

**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-Two Thousand Four Hundred Seventy-Seven Dollars (\$32,477.00); 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-Two Thousand Four Hundred Seventy-Seven Dollars (\$32,477.00) 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-Two Thousand Four Hundred Seventy-Seven Dollars (\$32,477.00) 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-Two Thousand Four Hundred Seventy-Seven Dollars (\$32,477.00).

**Fred Beemer Backup**

Mr. Beemer's property is located in the Town of Roxbury, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$34,380.00, \$34,269.00, and \$32,477.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, siphon chamber, 185 lineal feet of 4" gravity piping, one distribution box, 590 cubic yards of absorption fill material, one effluent filter, 360 lineal feet of absorption trench, water line crossing, cleanout, and extensive restoration. The lowest 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 \$32,477.

**Voice Vote, carried unanimously**

~~~~~

Septic Reimbursement Over \$20,000 – Borislav Bilash - Tab 8

A motion to approve Resolution No. 1974 was made by James Eisel and seconded by Leonard Utter.

September 6, 2011

RESOLUTION NO. 1974

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
BORISLAV BILASH**

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-Five Thousand Dollars (\$35,000.00); 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-Five Thousand Dollars (\$35,000.00) 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 Thirty-Five Thousand Dollars (\$35,000.00) 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 Thirty-Five Thousand Dollars (\$35,000.00).

Borislav Bilash Backup

Mr. Bilash's property is located in the Town of Jewett, Greene County. Homeowner and CWC staff received three quotes from unrelated contractors for \$35,765.00, \$35,332.80, and \$35,000.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, pump station, 15 lineal feet of 4" gravity piping, 200 lineal feet of 2" forcemain, one distribution box, 525 cubic yards of absorption fill material, one effluent filter, 375 lineal feet of absorption trench, 228 lineal feet of curtain drain, tree removal, temporary access road, and 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 \$35,000.00.

Voice Vote, carried unanimously

~~~~~

**Septic Reimbursement Over \$20,000 – Brar Braren - Tab 9**

A motion to approve Resolution No. 1975 was made by James Eisel and seconded by Leonard Utter.

September 6, 2011

**RESOLUTION NO. 1975**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
BRAR BRAREN**

**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-One Thousand Six Hundred Sixteen Dollars and Thirty Cents (\$31,616.30); 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-One Thousand Six Hundred Sixteen Dollars and Thirty Cents (\$31,616.30) 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-One Thousand Six Hundred Sixteen Dollars and Thirty Cents (\$31,616.30) 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-One Thousand Six Hundred Sixteen Dollars and Thirty Cents (\$31,616.30).

**Brar Braren Backup**

Mr. Braren's property is located in the Town of Conesville, Schoharie County. Homeowner and CWC staff received three quotes from unrelated contractors for \$35,386.30, \$35,000.00, and \$31,616.30. This system is for a four bedroom house. The major components for this system include 135 lineal feet of 4" gravity piping, 640 cubic yards of absorption fill material, one effluent filter, 450 lineal feet of absorption trench, 260 lineal feet of curtain drain, and 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 \$31,616.30.

***Voice Vote, carried unanimously***

~~~~~

Septic Reimbursement Over \$20,000 – Norma Carson - Tab 10

A motion to approve Resolution No. 1976 was made by James Eisel and seconded by Leonard Utter.

September 6, 2011

RESOLUTION NO. 1976

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
NORMA CARSON**

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 two construction quotes submitted by contractors for the septic system repair, the lowest quote in the amount of Twenty-Three Thousand Twenty-Eight Dollars and Ninety-Two Cents (\$23,028.92); 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 Twenty-Eight Dollars and Ninety-Two Cents (\$23,028.92) 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 Twenty-Eight Dollars and Ninety-Two Cents (\$23,028.92) 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 Twenty-Eight Dollars and Ninety-Two Cents (\$23,028.92).

Norma Carson Backup

Ms. Carson's property is located in the Town of Tompkins, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$23,028.92. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, 100 lineal feet of 4" gravity piping, distribution box, 150 cubic yards of absorption fill material, 130 cubic yards of random fill material, 90 lineal feet of curtain drain, 10 cubic yards of mason sand, 396 square feet of Eljen in-drain units, and restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$23,028.92.

Voice Vote, carried unanimously

~~~~~

**Septic Reimbursement Over \$20,000 – Gail Feinstein - Tab 11**

A motion to approve Resolution No. 1977 was made by James Eisel and seconded by Leonard Utter.

September 6, 2011

**RESOLUTION NO. 1977**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
GAIL FEINSTEIN**

**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 two construction quotes submitted by contractors for the septic system repair, the lowest quote in the amount of Twenty-Eight Thousand Eighty-Five Dollars (\$28,085.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Eight Thousand Eighty-Five Dollars (\$28,085.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Eight Thousand Eighty-Five Dollars (\$28,085.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Eight Thousand Eighty-Five Dollars (\$28,085.00).

**Gail Feinstein Backup**

Ms. Feinstein’s property is located in the Town of Roxbury, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$28,085.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, pump chamber, 20 lineal feet of 4” gravity piping, 185 lineal feet of 2” forcemain, distribution box, 525 cubic yards of absorption fill material, 221 lineal feet of absorption trench, tree removal, driveway crossing, and restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$28,085.00.

**Voice Vote, carried unanimously**

~~~~~

Septic Reimbursement Over \$20,000 – Florence Keahey - Tab 12

A motion to approve Resolution No. 1978 was made by James Eisel and seconded by Leonard Utter.

September 6, 2011

RESOLUTION NO. 1978

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

FLORENCE KEAHEY

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 two construction quotes submitted by contractors for the septic system repair, the lowest quote in the amount of Twenty-Five Thousand Six Hundred Fifty Dollars (\$25,650.00); 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 Six Hundred Fifty Dollars (\$25,650.00) 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 Six Hundred Fifty Dollars (\$25,650.00) 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 Six Hundred Fifty Dollars (\$25,650.00).

Florence Keahey Backup

Ms. Keahey’s property is located in the Town of Shandaken, Ulster County. Homeowner and CWC staff received two quotes from unrelated contractors in the amount of \$34,100.00 and \$25,650.00. This system is for a six bedroom house. The major components for this system include two 1,000 gallon septic tanks, pump station, 30 lineal feet of 4” gravity piping, 10 lineal feet of 2” forcemain, distribution box, 15 cubic yards of mason sand, 432 square feet of Eljen in-drain modules, tree removal, clean out, and silt fencing. The lower 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 \$25,650.00.

Voice Vote, carried unanimously

~~~~~

**Septic Reimbursement Over \$20,000 – Dawn Kuzma - Tab 13**

A motion to approve Resolution No. 1979 was made by James Eisel and seconded by Leonard Utter.



**RESOLUTION NO. 1979**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
DAWN KUZMA**

**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 two construction quotes submitted by contractors for the septic system repair, the lowest quote in the amount of Twenty-Nine Thousand Eight Hundred Twenty-Five Dollars and Eighty Cents (\$29,825.80); 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 Eight Hundred Twenty-Five Dollars and Eighty Cents (\$29,825.80) 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 Eight Hundred Twenty-Five Dollars and Eighty Cents (\$29,825.80) 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 Eight Hundred Twenty-Five Dollars and Eighty Cents (\$29,825.80).

**Dawn Kuzma Backup**

Ms. Kuzma’s property is located in the Town of Conesville, Schoharie County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,825.80. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, pump station, 45 lineal feet of 4” gravity piping, 250 lineal feet of 2” forcemain, distribution box, 340 cubic yards of absorption fill material, 330 lineal feet of absorption trench, 230 lineal feet of curtain drain, and extensive restoration. The quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,825.80.

**Voice Vote, carried unanimously**

~~~~~

Septic Reimbursement Over \$20,000 – Brittany Reese - Tab 14

A motion to approve Resolution No. 1980 was made by James Eisel and seconded by Leonard Utter.

September 6, 2011

RESOLUTION NO. 1980

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:
BRITTANY REESE**

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 two construction quotes submitted by contractors for the septic system repair, the lowest quote in the amount of Twenty-One Thousand One Hundred Four Dollars and Twenty-Six Cents (\$21,104.26); 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 Four Dollars and Twenty-Six Cents (\$21,104.26) 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 Four Dollars and Twenty-Six Cents (\$21,104.26) 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 Four Dollars and Twenty-Six Cents (\$21,104.26).

Brittany Reese Backup

Ms. Reese’s property is located in the Town of Olive, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$21,104.26. This system is for a two bedroom house. The major components for this system include a 1,000 gallon septic tank, pump station, 10 lineal feet of 4” gravity piping, 25 lineal feet of 2” forcemain, 255 cubic yards of absorption fill material, one effluent filter, 192 lineal feet of absorption trench, 60 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 \$21,104.26.

Voice Vote, carried unanimously

~~~~~

**Septic Reimbursement Over \$20,000 – Michael Wright - Tab 15**

A motion to approve Resolution No. 1981 was made by James Eisel and seconded by Leonard Utter.

September 6, 2011

**RESOLUTION NO. 1981**

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

**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 two construction quotes submitted by contractors for the septic system repair, the lowest quote in the amount of Twenty-Two Thousand Three Hundred Eleven Dollars (\$22,311.00); 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 Three Hundred Eleven Dollars (\$22,311.00) 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 Three Hundred Eleven Dollars (\$22,311.00) 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 Three Hundred Eleven Dollars (\$22,311.00).

**Michael Wright Backup**

Mr. Wright'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 \$22,311.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, 700 gallon pump chamber, 30 lineal feet of 4" gravity piping, 21 lineal feet of 2" forcemain, effluent filter, 3 peat modules, 230 lineal feet of drainage swale, temporary access road, and electric upgrade. 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 \$22,311.00.

**Voice Vote, carried unanimously**

~~~~~

Future Stormwater – Kenneth Hoffman - Tab 16

A motion to approve Resolution No. 1982 was made by James Eisel and seconded by Thomas Hynes.

September 6, 2011

RESOLUTION NO. 1982

**BOARD REVIEW OF KENNETH HOFFMAN 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, Kenneth Hoffman has applied for funding of eligible design costs in the not-to-exceed amount of Six Thousand Seven Hundred Eighty Dollars (\$6,780.00) for the design of an eligible 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 Six Thousand Seven Hundred Eighty Dollars (\$6,780.00); 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 funding in a total not-to-exceed amount of Six Thousand Seven Hundred Eighty Dollars (\$6,780.00).

Backup
Kenneth Property

Kenneth Hoffman's property is located in the McMurdy Brook subdivision in the Town of Kortright, Delaware County. He 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 an 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.

CWC Stormwater/Wastewater Committee recommends funding approval on the following costs:

	Requested	Recommend Funding
SWPPP Design Amendment	\$ 6,780.00	\$ 6,780.00
Total Recommended Funding		\$6,780.00

Voice Vote, carried unanimously

~~~~~

**Fiscal Policies and Procedures Amendments - Tab 17**

A motion to approve Resolution No. 1983 was made by James Eisel and seconded by Michael Flaherty.

September 6, 2011

**RESOLUTION NO. 1983**

**FISCAL POLICIES AND PROCEDURES AMENDMENTS**

**WHEREAS**, Fiscal Policies and Procedures are necessary for the orderly conduct of the corporation and its business affairs; and

**WHEREAS**, CWC Executive Director reviewed CWC Fiscal Policies and Procedures and suggested certain changes, including the amount of petty cash, as well as various minor changes; and

**WHEREAS**, as recommended by the Finance Committee, the Policy Committee has reviewed the Fiscal Policy and Procedures amendment in Attachment A and recommends its adoption.

**NOW, THEREFORE BE IT RESOLVED**, that the Board adopts the attached Fiscal Policies and Procedures revision, and that such policies and procedures shall be further amended from time to time based upon experience and information and as the CWC deems necessary.

**Voice Vote, carried unanimously**

~~~~~

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 James Eisel and seconded by Leonard Utter.

Voice Vote, carried unanimously

~~~~~

**Camp Move-It, LLC Request for Substitution of Collateral – Tab 18**

*No motion was made.*

~~~~~

A motion to waive Rule 14 for four handout resolutions was made by Paul Dibbell and seconded by Jeff Graf. Voice vote, carried unanimously.

Handout Resolution – Transfer from Catskill Fund for the Future to Operating Fund for CWC Flood Expenses

A motion to approve Resolution No. 1984 was made by James Eisel and seconded by Martin Donnelly.

September 13, 2011

RESOLUTION NO. 1984
TRANSFER FROM CATSKILL FUND FOR THE FUTURE TO OPERATING FUND
FOR CWC FLOOD EXPENSES

WHEREAS, the Catskill Watershed Corporation (CWC) offices in Margaretville, New York sustained damage as a result of flooding caused by Hurricane Irene on August 28, 2011; and

WHEREAS, a majority of the CWC Board of Directors discussed via conference call on September 6, 2011 transferring up to Two Hundred Fifty-Thousand Dollars (\$250,000.00) from the Catskill Fund for the Future to CWC Operating Fund to cover expenses related to the cleanup and repair of CWC office; and

WHEREAS, all Board members present on the conference call on September 6, 2011 by motion, second, and voice vote approved the transfer.

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors affirms the transfer of up to Two Hundred Fifty Thousand Dollars (\$250,000.00) from Catskill Fund for the Future to Operation Fund authorized on September 6, 2011.

Voice Vote, carried unanimously

~~~~~

**Handout Resolution – Adoption of CFF 2011 Flood Recovery Grant Program**

A motion to approve Resolution No. 1985 was made by Paul Dibbell and seconded by Deborah DeWan.

Alan Rosa asked Mike Triolo and Timothy Cox summarized the proposed program for the CWC Board of Directors. Alan explained that the program is in response to requests from Town Supervisors.. Mike Triolo stated that the proposal is for \$5,000,000 from CFF to assist businesses in watershed communities. Mike further explained that the allocation by county used the percentages contained in CWC By-laws. Mike stated that watershed town supervisors in each county must agree on how much each town is further allocated. Mike said that each business is eligible for up to \$30,000. Tim explained that businesses not eligible included trailer parks, apartment houses, or multi-state chains. In response to a question from Michael Flaherty, home based businesses may be eligible for damages to space used for the business, on a case by case business. Tim further explained that the Town Supervisors must agree to an allocation amongst the watershed towns within that County, villages are included within the town’s allocation. Tim continued that the Town Board then has to pass a resolution authorizing a contract with CWC and also identify businesses to be included. In response to a question from Michael Flaherty, Tim noted that CWC can’t overrule a decision of a town supervisor, except as to eligibility of expenses and compliance with program rules. Alan confirmed that churches are not eligible. In response to a question from Jim Eisel, Mike Triolo said that current CFF borrowers may be eligible for a forbearance, but that was a decision to be made by the CWC Loan Committee and reported to the Board. Alan noted that businesses that have a loan with CWC were required to have flood insurance.

Mike Triolo stated that the focus was to get businesses repaired and reopened. Alan Rosa stated that Prattsville had only a few businesses that remained standing. Martin Donnelly asked if this would set a precedent for any future disasters. Mike Triolo responded that CWC is criticized for having a \$59 million economic development fund even though only \$30 million remains. Tim Cox noted that while each town may have a right to ask for funds for future disasters, there is no right to the funds. Tim continued the CWC Board was the only one who could decide to allocate funds.

Berndt Leifeld stated that the grant funds should be available to businesses in the watershed, not just in a watershed town. Tim Cox noted that the Board could place a restriction that the funds are only available to businesses within the watershed. Len Utter agreed and noted that businesses outside the watershed but in a watershed town still could apply for a loan. Rich Parete stated that numerous towns below the Ashokan Reservoir on the Esopus Creek are being destroyed because of the high water. Alan Rosa explained that CWC policy is that grant dollars for businesses have not been granted by CWC to businesses located outside the watershed because there are stricter rules within the watershed. Upon motion of Michael Flaherty and second by Len Utter, the CWC Board unanimously approved amending the resolution and rules to provide that only businesses physically located within the watershed will be eligible for this grant funding.

In response to a question from Rich Parete, Alan stated all nine watershed towns in Ulster County must approve of the allocation.

September 13, 2011

## RESOLUTION NO. 1985

### ADOPTION OF CFF 2011 FLOOD RECOVERY GRANT PROGRAM

**WHEREAS**, pursuant to Resolution Number 1831, the adoption of the 2011 budget for Catskill Watershed Corporation (CWC) expenses for the fiscal year 2011, the transferring of appropriations from the individual budget categories and budget amendments requires Board of Directors approval; and

**WHEREAS**, on and following August 28, 2011 flood waters generated by Tropical Storms Irene and Lee caused catastrophic losses to many businesses in several West of Hudson (WOH) municipalities; and

**WHEREAS**, watershed communities, local business owners, state and federal governmental leaders asked CWC for immediate emergency assistance to help rebuild affected businesses so as to restore at least partial normalcy to the communities and businesses affected; and

**WHEREAS**, due to the amount of destruction and the urgency of the situation CWC staff is unable to schedule the Economic Development Committee to develop, review, and recommend program rules for Board approval; and

**WHEREAS**, by separate resolution, CWC staff recommend that the Capital Expenditure Budget will be increased by Five Million Dollars (\$5,000,000) for Catskill Fund for the Future to assist qualified WOH businesses directly impacted by the August 28, 2011 flood; and

**WHEREAS**, to expedite relief CWC will enter into a contract with the affected municipality for flood relief reimbursement up to an amount agreed to by the affected member towns for businesses in their respective towns.

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board approves the Flood Recovery Grant Rules as attached to this resolution.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, the CWC Board authorizes the CWC Executive Director to enter into agreements with WOH towns to assist qualified WOH businesses directly impacted by the 2011 floods caused by Tropical Storms Irene and Lee.

#### 2011 Flood Recovery Program Grant Rules

##### **1. Definitions**

- a. Business - business shall mean a person, partnership, joint venture, corporation, cooperative or other for-profit that owns and/or operates a business that is located in the West of Hudson Watershed and identified by the watershed town where it is located for inclusion in the 2011 Flood Recovery Program. Businesses are limited to one per parcel of property. Business that is operated over two or more tax lots shall be limited to one reimbursement in an amount not to exceed \$30,000. Business shall not include a not for profit organization, and/or a business seeking reimbursement for damage to residential properties, including apartments or trailer parks. Business shall also not include multi-state franchise or chain stores.



- b. Eligible Expense - actual expenses incurred by a business as defined herein. Reimbursable expense is limited to actual costs of structural repair/replacement (materials and/or labor costs) due to flood and/or wind damage that occurred between August 28, 2011 and September 9, 2011. Expenses not eligible for reimbursement include but are not limited to labor of property owner or volunteers, donated materials, purchase of inventory, loss income due to damage, expense that is or shall be reimbursable under insurance and/or an approved grant, and any other expense not directly related to repair/replacement of structural damage as described above.

**2. CWC 2011 Flood Recovery Program**

Grant funds are allocated by County as described below. Watershed town supervisors in each County shall allocate the CWC Flood Relief funds to member towns in that County. The Grant money is to the Town for the benefit of flood affected businesses. The Town must execute a contract with CWC. The Business must sign a contract with the Town.

Pursuant to CWC By-Laws as amended January 3, 1997 Article IX section 1 paragraph (b) the grant funds are allocated up to the amounts as follows:

|           |        |             |
|-----------|--------|-------------|
| Delaware  | 51.47% | \$2,573,500 |
| Greene    | 18.63% | \$ 931,500  |
| Schoharie | 4.41%  | \$ 220,500  |
| Sullivan  | 4.90%  | \$ 245,000  |
| Ulster    | 20.59% | \$1,029,500 |

Grant money is only available to for-profit-businesses as defined above located in WOH Towns that experienced structural damage to walls, floors, foundations, windows and fixed improvements caused by the floods precipitated Tropical Storms Irene and Lee not covered by Flood Insurance. Flood insurance claims must be submitted first. Apartment buildings, mobile home parks, national chains and multi-state franchises are not eligible.

Grants will cover the cost to return the building to pre-flood condition minus any insurance proceeds and other grants

Maximum Grant Amount ----\$30,000 per business. No more than one business per parcel.

Invoices are required to be submitted before the check can be disbursed. Grant can be used for uninsured materials, labor or contractor expenses.

Grants will be coordinated with flood insurance, participating agencies and charities.

CWC Staff will contact each affected business and complete paper work. Town supervisor or a designated individual(s) will assist CWC staff determine the validity of each grant application.

Town Supervisor, with Town Board approval, must approve each grant and disbursement request.

Checks will be made out to the affected business and the town (two party). Where the town has

secured materials for the benefit of an affected business the town and supplier will be payees on the check.

Businesses receiving funds must sign a contract providing at a minimum indemnity clause for CWC and the participating town and a provision that funds may only be used as defined herein. Business must further agree to permit CWC onsite inspection of property for six months following grant disbursement.

Allocated money not utilized remains with CWC

Participating businesses may also qualify for other CWC programs under current rules or as developed and approved.

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

**Purpose: To review the CWC 2011 Flood Recovery Grant Program.**

The Executive Director of the CWC makes the following evaluation concerning the CWC 2011 Flood Recovery Grant Program to towns for businesses located within the watershed that sustained structural damage from Tropical Storms Irene and/or Lee. 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. CWC staff will also complete a QEDP for each individual business request.

1. All participating businesses applying for funding shall be required to execute an agreement to comply with all applicable laws, rules and regulations.
2. Each town shall be required to provide a list of eligible businesses to CWC. All funding is intended to repair structural damage that likely placed the structures out of compliance with current codes and local laws
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
  - (i) The project is funding the repair/replacement of existing structures.
  - (ii) The project is located in the West of Hudson Watershed. Numerous eligible businesses are within village, village extensions, hamlets.
  - (iii) The project will utilize the current septic system or current municipal sewer system serving the individual business.
  - (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) No business eligible has been currently identified as located within the 60 day travel time.
  - (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Towns because it is repairing current structures owned and utilized by existing businesses.
  - (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.

**Roll Call Vote, *amended resolution and rules carried unanimously***

~~~~~

Handout Resolution – Adoption of CFF Budget Increase Amendment for Fiscal Year 2011

A motion to approve Resolution No. 1986 was made by Paul Dibbell and seconded by Michael Flaherty.

September 13, 2011

RESOLUTION NO. 1986

**ADOPTION OF CFF LOAN BUDGET INCREASE AMENDMENT
FOR FISCAL YEAR 2011**

WHEREAS, pursuant to Resolution Number , adoption of the 2011 budget for Catskill Watershed Corporation (CWC) expenses for the fiscal year 2011, the transferring of appropriations from the individual budget categories and budget amendments requires Board of Directors approval; and

WHEREAS, on and following August 28, 2011 flood waters generated by Tropical Storm Irene and Lee caused catastrophic losses to many businesses in several WOH municipalities; and

WHEREAS, watershed communities, local business owners, state and federal governmental leaders have asked CWC for immediate emergency assistance to help rebuild affected businesses so as to restore at least partial normalcy to the communities and businesses affected; and

WHEREAS, due to the amount of destruction and the urgency of the situation CWC staff is unable to have the Economic Development Committee and the Finance Committee review and recommend for Board approval the following budget amendment, as noted below; and

WHEREAS, the Capital Expenditure Budget will be increased by Five Million Dollars (\$5,000,000.00) for Catskill Fund for the Future for grants to assist qualified WOH businesses directly impacted by the August 28, 2011 flood; and

WHEREAS, pursuant to CWC By-Laws as amended January 3, 1997 Article IX section 1 paragraph (b) the grant funds will be allocated up to the amounts as follows:

Delaware	51.47%	\$2,573,500
Greene	18.63%	\$ 931,500
Schoharie	4.41%	\$ 220,500
Sullivan	4.90%	\$ 245,000
Ulster	20.59%	\$1,029,500

NOW, THEREFORE BE IT RESOLVED, the CWC Board approves the budget amendment as described herein.

NOW, THEREFORE BE IT FURTHER RESOLVED, the CWC Board authorizes the Finance Department to increase the Capital Expenditure Budget by Five Million Dollars (\$5,000,000.00) for the Catskill Fund for the Future's 2011 Flood Recovery Grant Program to assist qualified WOH businesses directly impacted by the 2011 floods caused by Tropical Storms Irene and Lee.

Voice Vote, carried unanimously

~~~~~

**Handout Resolution – Establishment of CWC Business Recovery Fund**

A motion to approve Resolution No. 1987 was made by James Eisel and seconded by Paul Dibbell.

Alan Rosa stated that CWC opened a checking account to raise additional funds. Jim Martin stated that CWC received a request to make a personal donation to businesses. This individual's employer may also make a donation to CWC for the same purpose. The employer's requirement is that no administration fees be charged against the donated funds, so that all funds go to the businesses. Jim concluded that the donation is under review within that corporation, and CWC opened an account in case donations are made. Alan Rosa noted that the fund could assist both businesses and not for profits, many of which were decimated by the flooding. Alan stressed that CWC was not trying to duplicate efforts, but to raise some real funds to help out businesses. In response to a question from Jeff Graf, Alan explained that no rules were established for this fund because no funds have been received. Jim Martin noted that a donor may also place restrictions on funds.

September 13, 2011

**RESOLUTION NO. 1987**  
**ESTABLISHMENT OF CWC BUSINESS RECOVERY FUND**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a 501(c)(3) not-for-profit local development corporation whose purpose is to foster economic development and administer watershed protection programs in the Catskill/Delaware New York City West of Hudson (WOH) Watershed; and

**WHEREAS**, the federal Safe Drinking Water Act requires that all surface water drinking supplies be filtered to remove contaminants and impurities; and

**WHEREAS**, the United States Environmental Protection Agency allows water from the Catskill/Delaware WOH Watershed to be delivered to unfiltered to over nine million consumers in and around New York City due to the high quality of our water; and

**WHEREAS**, since 1997, CWC has funded to completion the repair or replacement of over 3,600 residential septic systems, funded completion of six community wastewater projects, thirteen stream corridor protection projects, and fifty-four stormwater retrofit projects within the Catskill/Delaware WOH Watershed to help maintain both watershed communities as well as the high quality of the drinking water; and

**WHEREAS**, since 1997, CWC has funded 293 watershed education grants to schools in the Catskill/Delaware WOH Watershed and in New York City to promote awareness and protection of the Catskill/Delaware WOH Watershed and its communities; and

**WHEREAS**, since 1997, the CWC Board of Directors has approved two hundred ten loans to assist businesses within watershed communities; and

**WHEREAS**, record flooding by Tropical Storms Irene and Lee inundated watershed communities and caused severe damage to watershed communities, including to numerous septic systems, stormwater projects, businesses, and not-for-profits that previously received funding from CWC; and

**WHEREAS**, no federal or state grant programs currently exist to assist Catskill/Delaware Watershed businesses and not-for-profits that were damaged by flooding due to Tropical Storms Irene and Lee; and

**WHEREAS**, Catskill Fund for the Future is insufficient to provide grant funding necessary to restore businesses and not-for-profits in the Catskill/Delaware WOH Watershed to their condition prior to the flooding caused by Tropical Storms Irene and Lee; and

**WHEREAS**, CWC Board desires to accept tax-exempt donations from individuals, corporations, and foundations to provide needed assistance to businesses and not-for-profits in the Watershed that were severely damaged in the historical flooding.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors authorizes the Finance Director to establish the CWC Business Recovery Fund to provide assistance to businesses and not for profits in the Catskill/Delaware WOH Watershed that were damaged by Tropical Storms Irene and Lee.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the CWC Board of Directors authorizes and directs the CWC Executive Director and CWC staff to work cooperatively with other local not for profit corporations and local governments to assist businesses and not for profit corporations that were damaged as a result of Tropical Storms Irene and Lee.

**Voice Vote, carried unanimously**

~~~~~

VII. Announcements from the Chair: None

VIII. Public Discussion

Lissa Harris asked if the meetings of town supervisors to discuss allocations would be public. Tim Cox responded that it would be up to the town supervisors in each county. An audience member asked if there was any assistance available for trailer parks. Alan Rosa responded that from CWC, there is nothing available at this time for trailer parks. Lissa Harris asked the justification for not including housing in the grant program. Alan Rosa responded that under rules established in 1997, CFF cannot be used for housing stock. Deb Dewan noted that home based businesses would be eligible for the grants.

CarolJean Finch asked if there a survey of how many businesses in Delaware County would qualify. Jim Eisel responded that each town will reach out to businesses.

IX. Board Member Discussion: None

A motion to adjourn was made by James Eisel and seconded by Richard Parete.

Voice Vote, *carried unanimously*

X. Adjournment: @ 11:30 a.m.