

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

October 4, 2011 @ 1:00 p.m.

Acting President – Berndt Leifeld

I. Call to Order

II. Pledge of Allegiance: Led by Jeff Graf.

III. Roll Call of Directors

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

Members Excused: Deborah Meyer DeWan and Georgianna Lepke.

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

Others Present: Ken Humphrey, Michael Meyer (*NYC DEP*), and Thomas Stalter (*NYC DEP*).

IV. Review and Approval of September 13, 2011 Board Meeting Minutes

A motion to approve the minutes from the September 13, 2011 board meeting was made by Tina Molé and seconded by Richard Parete.

Voice Vote, carried unanimously

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**V. Presentation of Communication**

**Finance Report**

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

**Voice Vote, carried unanimously**

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Executive Director's Report

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

Presentation of News Articles

Committee Schedule

Committee Meeting Minutes

There were no attached committee minutes as no committee meetings in September due to Tropical Storms Irene and Lee.

VI. Public Discussion

Diane Galusha introduced photographer Ken Humphrey, a resident of Jefferson. His photographs will be on display at CWC through November.

VII. Presentation of Resolutions

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*A motion to waive Rule 14 was made by Michael Flaherty and seconded by Paul Dibbell.*

**Voice Vote, carried unanimously**

**Septic Reimbursement Over \$20,000 – Albert Tietz – Handout Resolution**

A motion to approve Resolution No. 1988 was made by James Eisel and seconded by Paul Dibbell.

October 4, 2011

**RESOLUTION NO. 1988**

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

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Two Thousand One Hundred Dollars (\$22,100.00); and

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

**WHEREAS**, the CWC staff have determined a reasonable cost for this system in accordance with CWC Schedule of Values to be Twenty-One Thousand Seven Hundred Dollars (\$21,700.00); and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving reimbursement in the amount of Twenty-One Thousand Seven Hundred Dollars (\$21,700.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-One Thousand Seven Hundred Dollars (\$21,700.00).

**Albert Tietz Backup**

Mr. Tietz’s property is located in the Town of Lexington, Greene County. Homeowner and CWC staff received an invoice from a contractor in the amount of \$22,100.00 after work was completed. Neither homeowner nor contractor submitted quotes to CWC prior to completion of construction. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, SeptiTech biological re-circulating trickling filter, 95 cubic yards of fill material, 160 cubic feet of absorption bed, 100 cubic feet of curtain drain, and extensive restoration. According to CWC Schedule of Values, staff determined a reasonable and just amount for this system is \$21,700.00. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$21,700.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Malcolm Dann - Tab 7

A motion to approve Resolution No. 1989 was made by Leonard Utter and seconded by Tina Molé.

October 4, 2011

RESOLUTION NO. 1989

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

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

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

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Eight Thousand Thirty-Four Dollars and Seventy-Seven Cents (\$28,034.77); 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 Thirty-Four Dollars and Seventy-Seven Cents (\$28,034.77) 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 Thirty-Four Dollars and Seventy-Seven Cents (\$28,034.77) 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 Thirty-Four Dollars and Seventy-Seven Cents (\$28,034.77).

Malcolm Dann Backup

Mr. Dann's property is located in the Town of Walton, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$28,034.77. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, a siphon chamber, 197 lineal feet of 4" gravity piping, one distribution box, 450 cubic yards of absorption fill material, 290 lineal feet of absorption trench, 160 lineal feet of curtain drain, cleanout, 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 \$28,034.77.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Michael Hall - Tab 8**

A motion to approve Resolution No. 1990 was made by Leonard Utter and seconded by Tina Molé.

October 4, 2011

**RESOLUTION NO. 1990**

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

**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-Six Thousand Dollars (\$26,000.00); 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-Six Thousand Dollars (\$26,000.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Six Thousand Dollars (\$26,000.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Six Thousand Dollars (\$26,000.00).

**Michael Hall Backup**

Mr. Hall'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 \$26,000.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, a siphon chamber, 115 lineal feet of 4" gravity piping, one distribution box, 430 cubic yards of absorption fill material, 225 lineal feet of absorption trench, 130 lineal feet of curtain drain, 275 lineal feet of swale, 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 \$26,000.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Laurel Manly - Tab 9

A motion to approve Resolution No. 1991 was made by Leonard Utter and seconded by Tina Molé.

October 4, 2011

RESOLUTION NO. 1991

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

WHEREAS, pursuant to the Watershed Memorandum of Agreement and the Septic System Rehabilitation and Replacement Program Contracts with New York City Department of

Environmental Protection, the Catskill Watershed Corporation (“CWC”) shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

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

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-One Thousand Five Hundred Twenty-Six Dollars and Fifty-Eight Cents (\$21,526.58); and

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

WHEREAS, the CWC staff have determined the contractor’s quote of Twenty-One Thousand Five Hundred Twenty-Six Dollars and Fifty-Eight Cents (\$21,526.58) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-One Thousand Five Hundred Twenty-Six Dollars and Fifty-Eight Cents (\$21,526.58) 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 Twenty-Six Dollars and Fifty-Eight Cents (\$21,526.58).

Laurel Manly Backup

Ms. Manly’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 \$21,526.58. This system is for a two bedroom house. The major components for this system include a 1,000 gallon septic tank, a pump chamber, 45 lineal feet of 4” gravity piping, 38 lineal feet of forcemain, one distribution box, 250 cubic yards of absorption fill material, 159 lineal feet of absorption trench, decommission of additional cesspool, 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 \$21,526.58.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Michele Ownings - Tab 10**

A motion to approve Resolution No. 1992 was made by Leonard Utter and seconded by Tina Molé.

October 4, 2011

**RESOLUTION NO. 1992**

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

**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-Seven Thousand Four Hundred Seventy-Eight Dollars and Forty Cents (\$27,478.40); 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-Seven Thousand Four Hundred Seventy-Eight Dollars and Forty Cents (\$27,478.40) 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-Seven Thousand Four Hundred Seventy-Eight Dollars and Forty Cents (\$27,478.40) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Seven Thousand Four Hundred Seventy-Eight Dollars and Forty Cents (\$27,478.40).

**Michele Ownings Backup**

Ms. Ownings’s property is located in the Town of Bovina, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$27,478.40. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, a pump station, 10 lineal feet of 4” gravity piping, 328 lineal feet of forcemain, one distribution box, 425 cubic yards of absorption fill material, 275 lineal feet of absorption trench, 105 lineal feet of curtain drain, 225 lineal feet of swale, a temporary access road, 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 \$27,478.40.

**Voice Vote, carried unanimously**

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A motion to approve Resolution No. 1993 was made by Leonard Utter and seconded by Tina Molé.

October 4, 2011

RESOLUTION NO. 1993

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

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 four construction quotes, including the lowest quote for the septic system repair in the amount of Thirty-One Thousand Seven Hundred Sixty-Eight Dollars (\$31,768.00); 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-One Thousand Seven Hundred Sixty-Eight Dollars (\$31,768.00) 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-One Thousand Seven Hundred Sixty-Eight Dollars (\$31,768.00) 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-One Thousand Seven Hundred Sixty-Eight Dollars (\$31,768.00).

Thomas Pendl Backup

Mr. Pendl’s property is located in the Town of Hunter, Greene County. Homeowner and CWC staff received four quotes from unrelated contractors for \$35,000.00, \$34,500.00, \$33,600.00, and \$31,768.00. This system is for a two bedroom house. The major components for this system include a 1,000 gallon septic tank, pump chamber, 20 lineal feet of 4” gravity piping, 230 lineal feet of 2” forcemain, one distribution box, 500 cubic yards of absorption fill material, 200 lineal feet of absorption trench, 250 lineal feet of curtain drain, two clay dams, and 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 \$31,768.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Ronald Rosenblum - Tab 12**

A motion to approve Resolution No. 1994 was made by Leonard Utter and seconded by Tina Molé.

October 4, 2011

**RESOLUTION NO. 1994**

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

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Eight Thousand Dollars (\$28,000.00); 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-Eight Thousand Dollars (\$28,000.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Eight Thousand Dollars (\$28,000.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Eight Thousand Dollars (\$28,000.00).

**Ronald Rosenblum Backup**

Mr. Rosenblum’s property is located in the Town of Walton, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$28,000.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, a siphon chamber, 405 lineal feet of 4” gravity piping, one distribution box, 128 cubic yards of

absorption fill material, effluent filter, 288 square feet of Eljen in-drain units, 10 cubic yards of sand, 140 lineal feet of swale, 10 lineal feet of sleeve, and temporary access. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$28,000.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Ralph Taylor - Tab 13

A motion to approve Resolution No. 1995 was made by Leonard Utter and seconded by Tina Molé.

October 4, 2011

RESOLUTION NO. 1995

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

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

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

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Two Thousand Nine Hundred Dollars (\$22,900.00); 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 Nine Hundred Dollars (\$22,900.00) 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 Nine Hundred Dollars (\$22,900.00) 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 Nine Hundred Dollars (\$22,900.00).

Ralph Taylor Backup

Mr. Taylor’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 \$22,900.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, 15 lineal feet of 4” gravity piping, 95 lineal feet of forcemain, four peat modules, temporary access road, and extensive restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$22,900.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Gerald Wright - Tab 14**

A motion to approve Resolution No. 1996 was made by Leonard Utter and seconded by Tina Molé.

October 4, 2011

**RESOLUTION NO. 1996**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
GERALD 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 a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Eight Thousand Two Hundred Ninety-One Dollars (\$28,291.00); 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 Two Hundred Ninety-One Dollars (\$28,291.00) 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 Two Hundred Ninety-One Dollars (\$28,291.00) 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 Two Hundred Ninety-One Dollars (\$28,291.00).

**Gerald Wright Backup**

Mr. Wright's property is located in the Town of Bovina, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$28,291.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, a float chamber, 55 lineal feet of 4" gravity piping, one distribution box, 380 cubic yards of absorption fill material, effluent filter, 330 lineal feet of absorption trench, 160 lineal feet of curtain drain, temporary access road, 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 \$28,291.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Additional Costs – Phillip Garizer - Tab 15

A motion to approve Resolution No. 1997 was made by Tina Molé and seconded by Martin Donnelly.

October 4, 2011

RESOLUTION NO. 1997

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

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 Phillip Garizar in the amount of Eighteen Thousand Seven Hundred Twenty-Three Dollars and Sixty-Two Cents (\$18,723.62); 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 and Twenty-Three Cents (\$2,000.23); 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 Thousand Seven Hundred Twenty-Three Dollars and Eighty-Five Cents (\$20,723.85) 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 Thousand Seven Hundred Twenty-Three Dollars and Eighty-Five Cents (\$20,723.85) 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 Thousand Seven Hundred Twenty-Three Dollars and Eighty-Five Cents (\$20,723.85).

Phillip Garizar Backup

Mr. Garizar's property is located in the Town of Shandaken, Ulster County. CWC staff previously approved reimbursement for this project at \$18,723.62. The engineer has requested additional work to ensure that the septic system is protected from infiltration into the septic system. CWC staff received a quote from the contractor for the additional work in the amount of \$2,000.23, represent of 60% of eligible costs. This quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,000.23, for total reimbursement not to exceed \$20,723.85.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Additional Costs – Stephen Robbins - Tab 16**

A motion to approve Resolution No. 1998 was made by Tina Molé and seconded by Martin Donnelly.

October 4, 2011

**RESOLUTION NO. 1998**

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

**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 1896, the CWC Board approved reimbursement to Stephen Robbins in an amount not to exceed Twenty-One Thousand Seven Hundred Eighty-Five Dollars and Thirty-Two Cents (\$21,785.32); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for pipe replacement in the amount of One Thousand Eight Hundred Dollars (\$1,800.00); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be One Thousand Eight Hundred Dollars (\$1,800.00); and

**WHEREAS**, CWC staff have determined that Twenty-Three Thousand Five Hundred Eighty-Five Dollars and Thirty-Two Cents (\$23,585.32) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Twenty-Three Thousand Five Hundred Eighty-Five Dollars and Thirty-Two Cents (\$23,585.32) 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 Five Hundred Eighty-Five Dollars and Thirty-Two Cents (\$23,585.32).

**Stephen Robbins Backup**

Mr. Robbins's property is located in the Town of Bovina, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$21,785.32. During construction it was discovered that the pipe under the deck would have to be replaced or a pump station would have to be added. The most cost effective method of resolving the problem was to replace the piping under the deck to the foundation. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$1,800.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,800.00, for total reimbursement not to exceed \$23,585.32.

***Voice Vote, carried unanimously***

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Small Business Septic Program Eligibility – Ulla Lee (Loretta Charles) - Tab 17

A motion to approve Resolution No. 1999 was made by James Eisel and seconded by Jeff Graf.

RESOLUTION NO. 1999

CWC SMALL BUSINESS SEPTIC PROGRAM ELIGIBILITY – ULLA LEE

WHEREAS, Catskill Watershed Corporation is a not-for-profit local development corporation whose purpose is, in part, administering certain Watershed Protection and Partnership Program as well as reducing and relieving adult unemployment in the West of Hudson Watershed; and

WHEREAS, as a condition of the 2007 Filtration Avoidance Determination, New York City Department of Environmental Protection entered into a contract with CWC to in part, fund the CWC Small Business Septic System Rehabilitation and Replacement Program (CWC Small Business Septic Program); and

WHEREAS, the CWC Board of Directors by Resolution Number 1441 reviewed and approved the CWC Small Business Septic Program Rules; and

WHEREAS, CWC Small Business Septic Program Rules § 13:00:01 (9) provides that only septic systems serving an existing small business whose use was not suspended for more than three years are eligible for the Program; and

WHEREAS, CWC Small Business Septic Program Rules § 13:00:01 (9) provides that only septic systems that are determined by CWC to be failing are eligible for the Program; and

WHEREAS, CWC Small Business Septic Program Rules §13:01:10 (2)(d) provides that CWC Board can find business eligible for the CWC Small Business Septic Program based upon “special circumstances involved that warrant eligibility to the program”; and

WHEREAS, Ulla Lee applied to the CWC Small Business Septic Program for funding of a new septic system for property located on State Route 28, in the Town of Shandaken, Ulster County; and

WHEREAS, the current septic system was constructed at that location in 1964 and served a restaurant located on the property known as Loretta Charles, that has since closed; and

WHEREAS, the septic system at the property is not failing but is not sufficient under current regulations for a restaurant to reopen at that location; and

WHEREAS, the property owner must submit a septic design for approval by NYCDEP to open a restaurant at the property; and

WHEREAS, the new restaurant would employ less than 100 full time employees and thereby be eligible for the CWC Small Business Septic Program; and

WHEREAS, the owner requests that the property be eligible for the CWC Small Business Septic Program and that CWC Board waive requirements that the septic system be failing and further waive the requirement that a business be currently operating and not suspended.

NOW THEREFORE BE IT RESOLVED THAT, the CWC Board of Directors finds the property owned by Ulla Lee eligible for the CWC Small Business Septic Program and pursuant to CWC Small Business Septic Program Rules §13:01:10 (2)(d) finds that special circumstances exist meriting the waiver of the Program Rule requirements that the septic be failing and that the business not be suspended for over three years.

Background

Ulla Lee owns property in the Town of Shandaken on State Route 28 commonly known as the Loretta Charles Restaurant. It is located near the Shandaken Tunnel portal and is between Route 28 and the Esopus Creek. The restaurant has been closed for over three years. The owner has entered into a lease for the property with an individual who desires to reopen a restaurant at that location known as J. Rocco’s Steakhouse. A new banner announcing the change has already been hung on the building.

Under the New York City Watershed Regulations, this business lost its grandfathered status because it ceased operation for too long. It must now install a septic system that meet current NYCDEP regulations. The CWC Small Business Septic Program similarly requires that businesses have been in operation since 1997 to be eligible. The CWC Small Business Septic Program Rules also require that CWC staff find that the septic system is failing. CWC Small Business Septic Program Rules also require that the design be approved by NYCDEP for funding.

Ulla Lee requests that CWC Board find the property eligible for reimbursement under the CWC Small Business Septic Program. NYCDEP found that the property lost its NCRA status in July, 2010. Two months later, in September, 2010 it was leased to an individual who desires to open the steakhouse. Although the system is not failing, the property owner is concerned that the cost of an upgrade, and possibly a variance application and required mitigation, to meet the watershed regulations will not be economically feasible, thus causing the loss of a commercial property on the Route 28 corridor.

Voice Vote, *carried unanimously*

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**Future Stormwater – Gerardo Mato – Tab 18**

A motion to approve Resolution No. 2000 was made by Michael Flaherty and seconded by Tina Molé.

October 4, 2011

**RESOLUTION NO. 2000**

**BOARD REVIEW OF GERARDO MATO 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**, Gerardo Mato has applied for funding of eligible design costs in the not-to-exceed amount of Seventy-Four Thousand Seven Hundred Ninety-One Dollars and Three Cents (\$74,791.03) for the design and implementation 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 Sixty-Three Thousand Five Hundred Dollars (\$63,500.00); 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 Sixty-Three Thousand Five Hundred Dollars (\$63,500.00).

**Backup**  
**Gerardo Mato's Property**

**Gerardo Mato's property is located on Tap Jam Road in the Town of Windham, Greene County. Both the NYCDEP and NYSDEC issued violations on this site. He was required to comply with the Watershed Rules and Regulations enforced by the NYCDEP. All stormwater controls were required by NYCDEP. Erosion and Sediment control was required by NYSDEC. CWC will be reimbursing 100% of eligible costs.**

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

|                                 | Requested    | Recommend Funding |
|---------------------------------|--------------|-------------------|
| SWPPP Design and Implementation | \$ 63,500.00 | \$ 63,500.00      |
| Total Recommended Funding       | \$63,500.00  |                   |

***Voice Vote, carried unanimously***

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Future Stormwater – Winter Partners (Enclave) – Tab 19

A motion to approve Resolution No. 2001 was made by Paul Dibbell and seconded by Thomas Hynes.

October 4, 2011

RESOLUTION NO. 2001

BOARD REVIEW OF WINTER PARTNERS (ENCLAVE)
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 required by the 18-39(b)(3) and 18-39(e) of the watershed regulations; and

WHEREAS, Section 145 (ii) of the Watershed MOA and the West of Hudson Future Stormwater Program Rules provides for payment of eligible project cost for small business, (50% by NYC and 50% by CWC); and

WHEREAS, Winter Partners (Enclave) has requested reimbursement in the amount of Three Hundred Twenty-Three Thousand Eight Hundred Fourteen Dollars and Forty-Two Cents (\$323,814.42) for design and construction of new stormwater controls related to the building of eight townhomes, driveways, sidewalks, six story condominium building with an underground parking facility, 13 surface parking areas, an entrance plaza, a drop off lane, a pool area and two out buildings; and

WHEREAS, the CWC share of stormwater funding is 50% of the eligible costs for this project because Winter Partners (Enclave) is a small business under Watershed MOA Paragraph 145; and

WHEREAS, CWC staff has reviewed the application of Winter Partners (Enclave) and recommend reimbursement of eligible costs in an amount not-to-exceed Forty-One Thousand Three Hundred Fifty-Eight Dollars and Four Cents (\$41,358.04), representing 50% of the total eligible cost; and

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

WHEREAS, the CWC 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 reimbursement in a total not-to-exceed amount of Forty-One Thousand Three Hundred Fifty-Eight Dollars and Four Cents (\$41,358.04).

Future Stormwater Program Application
Winter Partners (Enclave)

Winter Partners was required to comply with the Watershed Rules and Regulations enforced by the NYCDEP for the Enclave condominiums built in the Town of Windham, Greene County. NYSDEC also required a Stormwater Pollution Prevention Plan (SWPPP). The NYCDEP required some additional stormwater controls above and beyond State and Federal regulations.

The NYCDEP SWPPP approval was issued on June 1, 2004 and the NYCDEP SWPPP construction certification was issued on February 4, 2010.

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

Total Eligible Costs	\$82,716.08
NYCDEP 50% Share	\$41,358.04

Recommended CWC funding 50% of eligible SWPPP costs \$41,358.04

Winter Partners (Enclave) is also eligible to apply to NYCDEP to seek reimbursement for up to 50% of these costs.

Voice Vote, *carried unanimously*

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

**IX. Board Member Discussion: None**

A motion to adjourn was made by Martin Donnelly and seconded by Leonard Utter.

**Voice Vote, *carried unanimously***

**X. Adjournment: @ 1:08 p.m.**