

**CATSKILL WATERSHED CORPORATION**

**Board of Directors Meeting**

**MINUTES**

**November 1, 2011 @ 1:00 p.m.**

**I. Call to Order**

**II. Pledge of Allegiance:** Led by Tina Molé.

**III. Roll Call of Directors**

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

**Members Excused:** None

**Staff Members Present:** Timothy Cox, Nate Hendricks, Diane Galusha, Leo LaBuda, James Martin, Jason Merwin, Alan L. Rosa, Frieda Suess, and Michael Triolo.

**Others Present:** Michael Meyer (*New York City DEP*) and Thomas Stalter (*New York City DEP*)

**IV. Review and Approval of October 4, 2011 Board Meeting Minutes**

A motion to approve the minutes from the October 4, 2011 board meeting was made by Berndt Leifeld and seconded by Deborah DeWan.

**Voice Vote, carried unanimously**

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of August 31, 2011 was made by James Eisel and seconded by Martin Donnelly.

*James Martin reminded board members to submit their yearend travel expenses to Wendy Loper for processing.*

**Voice Vote, carried unanimously**

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**Executive Director’s Report**

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

*Alan Rosa noted that due to the flooding and recovery period, hiring a replacement of Mary Jane Oppenheimer in Economic Development was delayed. CWC has now Jason Merwin. He began working for CWC on October 24<sup>th</sup>.*

*Alan also noted that he received a letter from Tony VanGlad (T. of Gilboa) requesting that the grant funds designated to the town for flood recovery be approved to assist a business within the Town that is outside of the watershed boundary, specifically for Nickerson Park. The Board agreed that there is extensive damage within the watershed and all funds should remain available to those businesses within the watershed. CWC would draft a response stating such.*

**Presentation of News Articles**

**Committee Schedule**

**Committee Meeting Minutes**

**VI. Public Discussion**

**VII. Presentation of Resolutions**



*A motion to waive Rule 14 was made by Paul Dibbell and seconded by Thomas Snow.*

**Voice Vote, carried unanimously**



**Handout Resolution - Septic Reimbursement Over \$20,000 – Joanne Bruen**

A motion to approve Resolution No. 2002 was made by Wayne Marshfield and seconded by Tina Molé.

November 1, 2011

**RESOLUTION NO. 2002**

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

**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 (öCWCö) shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Five Thousand One Hundred Fifty-Nine Dollars (\$25,159.00); and

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

**WHEREAS**, the CWC staff have determined the contractorö quote of Twenty-Five Thousand One Hundred Fifty-Nine Dollars (\$25,159.00) 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 contractorö quote of Twenty-Five Thousand One Hundred Fifty-Nine Dollars (\$25,159.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Five Thousand One Hundred Fifty-Nine Dollars (\$25,159.00).

**Joanne Bruen Backup**

Ms. Bruenö property is located in the Town of Roxbury, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$25,159.00. This system is for a three bedroom house. The major components for this system include a pump station, 10 lineal feet of 4ö gravity piping, 230 lineal feet of forcemain, one distribution box, 335 cubic yards of absorption fill material, 225 lineal feet of absorption trench, 125 lineal feet of swale, 150 lineal feet of silt fencing, 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 \$25,159.00.

***Voice Vote, carried unanimously***

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**Handout Resolution - Septic Reimbursement Over \$20,000 – Richard Cook**

A motion to approve Resolution No. 2003 was made by Wayne Marshfield and seconded by Tina Molé.

November 1, 2011

**RESOLUTION NO. 2003**

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

**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 (öCWCö) shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Five Thousand Three Hundred Dollars (\$25,300.00); and

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

**WHEREAS**, the CWC staff have determined the contractorø quote of Twenty-Five Thousand Three Hundred Dollars (\$25,300.00) 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 contractorø quote of Twenty-Five Thousand Three Hundred Dollars (\$25,300.00) 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 Three Hundred Dollars (\$25,300.00).

**Richard Cook Backup**

Mr. Cookø property is located in the Town of Kortright, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$25,300.00. This system is for a four bedroom house. The major components for this system include a H2O loading septic tank, an H2O loading pump station, 40 lineal feet of 4ö gravity piping, 35 lineal feet of forcemain, four peat modules, re-routing of spring line, 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 \$25,300.00.

Voice Vote, carried unanimously

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**Handout Resolution - Septic Reimbursement Over \$20,000 – Harriet McGreen**

A motion to approve Resolution No. 2004 was made by Wayne Marshfield and seconded by Tina Molé.

November 1, 2011

**RESOLUTION NO. 2004**

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

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Four Hundred Fifty Dollars (\$29,450.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Four Hundred Fifty Dollars (\$29,450.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Nine Thousand Four Hundred Fifty Dollars (\$29,450.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Four Hundred Fifty Dollars (\$29,450.00).

**Harriet McGreen Backup**

Ms. McGreen's property is located in the Town of Delhi, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,450.00. This

system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one float chamber, 50 lineal feet of 4ö gravity piping, one distribution box, 430 cubic yards of absorption fill material, 165 lineal feet of absorption trench, tree removal, relocation of a shed, and extensive restoration. The quote is within 10 % of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,450.00.

**Voice Vote, carried unanimously**

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**Handout Resolution - Septic Reimbursement Over \$20,000 – Kelly Nichols**

A motion to approve Resolution No. 2005 was made by Wayne Marshfield and seconded by Tina Molé.

November 1, 2011

**RESOLUTION NO. 2005**

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

**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 (öCWCö) shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Four Hundred Sixty-Six Dollars (\$29,466.00); and

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

**WHEREAS**, the CWC staff have determined the contractorø quote of Twenty-Nine Thousand Four Hundred Sixty-Six Dollars (\$29,466.00) 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 contractorø quote of Twenty-Nine Thousand Four Hundred Sixty-Six Dollars (\$29,466.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Four Hundred Sixty-Six Dollars (\$29,466.00).

**Kelly Nichols Backup**

Ms. Nichols's property is located in the Town of Delhi, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,466.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon H2O loading septic tank, an H2O loading pump station, 10 lineal feet of gravity piping, 70 lineal feet of forcemain, a distribution box, five peat modules, 70 feet of temporary access, 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 \$29,466.00.

***Voice Vote, carried unanimously***

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**Handout Resolution - Septic Reimbursement Over \$20,000 – Laura O'Brien**

A motion to approve Resolution No. 2006 was made by Wayne Marshfield and seconded by Tina Molé.

November 1, 2011

**RESOLUTION NO. 2006**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$20,000:  
LAURA O'BRIEN**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00).

**Laura O'Brien Backup**

Ms. O'Brien'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 \$29,995.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, pump station, 130 lineal feet of 4" gravity piping, 540 lineal feet of forcemain, one distribution box, 330 cubic yards of absorption fill material, 275 lineal feet of absorption trench, 112 lineal feet of swale, 30 lineal feet of schedule 80 sleeve, 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 \$29,995.00.

***Voice Vote, carried unanimously***

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**Handout Resolution - Septic Reimbursement Over \$20,000 – Antonio Rodia**

A motion to approve Resolution No. 2007 was made by Wayne Marshfield and seconded by Tina Molé.

November 1, 2011

**RESOLUTION NO. 2007**

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

**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 Thousand Four Hundred Seventy-Eight Dollars (\$20,478.00); 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 Thousand Four Hundred Seventy-Eight Dollars (\$20,478.00) 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 Thousand Four Hundred Seventy-Eight Dollars (\$20,478.00) 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 Thousand Four Hundred Seventy-Eight Dollars (\$20,478.00).

**Antonio Rodia Backup**

Mr. Rodia's property is located in the Town of Gilboa, Schoharie County. Homeowner and CWC staff received a quote from a contractor in the amount of \$20,478.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, 20 lineal feet of 4" gravity piping, 130 lineal feet of 2" forcemain, one distribution box, 10 cubic yards of random fill, effluent filter, three peat modules, 115 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 \$20,478.00.

***Voice Vote, carried unanimously***

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**Handout Resolution - Septic Reimbursement Over \$20,000 – John Shea**

A motion to approve Resolution No. 2008 was made by Wayne Marshfield and seconded by Tina Molé.

November 1, 2011

**RESOLUTION NO. 2008**

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

**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 Dollars (\$27,000.00); 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-Seven Thousand Dollars (\$27,000.00) 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-Seven Thousand Dollars (\$27,000.00) 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-Seven Thousand Dollars (\$27,000.00).

**John Shea Backup**

Mr. Shea's property is located in the Town of Shandaken, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$27,000.00. This system is for a two bedroom house. The major components for this system include 1,000 gallon septic tank, siphon chamber, 160 lineal feet of 4" gravity piping, one distribution box, 295 cubic yards of absorption fill material, an effluent filter, 160 lineal feet of absorption trench, temporary access road, 60 feet of rip-rap and trees. 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 \$27,000.00.

***Voice Vote, carried unanimously***

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**Handout Resolution - Septic Reimbursement Over \$20,000 – Additional Costs – Robert Colando**

A motion to approve Resolution No. 2009 was made by Wayne Marshfield and seconded by Tina Molé.

November 1, 2011

**RESOLUTION NO. 2009**

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

**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 Robert Colando in the amount of Nineteen Thousand Nine Hundred Ninety Dollars (\$19,900.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the contractor for the septic system repair in the amount of Four Thousand Four Hundred Eighty-Four Dollars (\$4,484.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's total invoices of Twenty-Four Thousand Four Hundred Seventy-Four Dollars (\$24,474.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's total invoice of Twenty-Four Thousand Four Hundred Seventy-Four Dollars (\$24,474.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Four Thousand Four Hundred Seventy-Four Dollars (\$24,474.00).

**Robert Colando Backup**

Mr. Colando's property is located in the Town of Middletown, Delaware County. CWC staff previously approved reimbursement for this project at \$19,990.00. During construction it was discovered that the topography would not allow gravity flow. The alternatives were to change all the interior plumbing and cut a hole at a higher elevation through the foundation, or install a pump station, which was the most cost effective solution. The contractor agreed to do the additional work for the amount of \$4,484.00.

This quote does not exceed CWC Schedule of Values. The Septic Committee recommends that the Board approves an additional reimbursement of \$4,484.00, for total reimbursement not to exceed \$24,474.00.

**Voice Vote, carried unanimously**

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**Approval of Operating Funds Contract - Tab 7**

A motion to approve Resolution No. 2010 was made by Wayne Marshfield and seconded by Jeff Graf.

November 1, 2011

**RESOLUTION NO. 2010**

**CWC STREAM CORRIDOR PROTECTION PROGRAM APPROVAL OF  
ADDITIONAL FUNDING FOR THE MONTGOMERY HOLLOW STREAM  
STABILIZATION PROJECT**

**WHEREAS**, the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA) paragraph 127(d) provides that the Catskill Watershed Corporation (CWC) shall administer and disburse funds transferred to the Stream Corridor Protection Program and that CWC shall select and design the projects and allocate amounts of Stream Corridor Funds to each selected project jointly with the City and in consultation with the municipalities; and

**WHEREAS**, by Resolution Number 831, the CWC Board of Directors transferred One Million One Hundred Twenty Thousand Dollars (\$1,120,000) from the Future Stormwater Program to provide for a CWC Stream Corridor Protection Program pursuant to Watershed MOA paragraph 127(d); and

**WHEREAS**, by Resolution Number 1265, the CWC Board of Directors approved the CWC Stream Corridor Protection Program Rules, which provide that applications must propose mitigating or correcting condition(s) that present an imminent and substantial danger to people or property in certain hamlets, villages, and population centers; and

**WHEREAS**, by Resolution 1407, the Town of Roxbury was awarded funding for the Montgomery Hollow Stream Bank Stabilization Project to correct an imminent and substantial danger to the Hamlet of Hubbell's Corners in an amount not to exceed One Hundred Thousand Dollars (\$100,000); and

**WHEREAS**, the Town of Roxbury has completed the project and requested additional funding in the amount of Six Thousand Seven Hundred Ninety-Six Dollars and Twenty-Seven Cents (\$6,796.27); and

**WHEREAS**, pursuant to the CWC Program Rules as adopted by the CWC Board of Directors, CWC staff and NYCDEP staff must evaluate grant requests and issue funding

recommendations to the CWC Wastewater/Stormwater Committee, which shall issue recommendations to the CWC Board of Directors; and

**WHEREAS**, the CWC Stormwater/Wastewater Committee recommends that the CWC Board approve a contract with the Town of Roxbury for a total not to exceed amount of One Hundred Six Thousand Seven Hundred Ninety-Six Dollars and Twenty-Seven Cents (\$106,796.27) from the CWC Stream Corridor Protection Funds; and

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

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors authorizes the President and/or Executive Director to execute a contract with the Town of Roxbury in an amount not to exceed One Hundred Six Thousand Seven Hundred Ninety-Six Dollars and Twenty-Seven Cents (\$106,796.27) from the CWC Stream Corridor Protection Fund.

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

**CWC Stream Corridor Protection Program  
Town of Roxbury  
Montgomery Hollow Stream Stabilization**

The Town of Roxbury applied for Stream Corridor Protection Program funding to design and construct stream bank stabilization measures on the Montgomery Hollow stream located in the Hamlet of Hubbellø Corners. CWC and NYCDEP staff determined that the project met the program rules and would correct further stream bank erosion that threatens infrastructure in the Town of Roxbury. The Town of Roxbury completed the project in 2011.

CWC staff recommended additional funding for the project to the CWC Wastewater/Stormwater Committee. The committee agrees and recommends funding a total not to exceed amount of One Hundred Six Thousand Seven Hundred Ninety-Six Dollars and Twenty-Seven Cents (\$106,796.27) for the project.

**Voice Vote, carried unanimously**

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**CWC Stream Program – T. of Roxbury - Montgomery Hollow Rd. - Additional Funds - Tab 8**

A motion to approve Resolution No. 2011 was made by Berndt Leifeld and seconded by Jeff Graf.

**RESOLUTION NO. 2011**

**APPROVAL OF CWC OPERATING FUNDS III AGREEMENT**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a not-for-profit corporation established to administer Watershed Protection and Partnership Programs as more fully described herein; and

**WHEREAS**, the Commissioner of NYCDEP is charged with the duty of protecting the high quality of waters from which the City's water supply is drawn and preserving it from degradation for the purpose of protecting the health and general welfare of the consumers of this supply; and

**WHEREAS**, ninety percent of the City's water supply originates in the Catskill Mountain region from an area commonly referred to as the West of Hudson portion of the watershed of the New York City water supply (the "West of Hudson Watershed"), which spans over 1,600 square miles and portions of five counties, forty-one towns, and nine villages; and

**WHEREAS**, the City has determined that the source waters and reservoirs from which the City's water supply is drawn are vulnerable to degradation and contamination from various sources and activities; and

**WHEREAS**, the New York City water supply system is an extremely valuable natural resource that must be protected in a comprehensive manner; and

**WHEREAS**, the goals of drinking water protection and economic vitality within the watershed communities are not inconsistent and it is the intention of the Parties to continue their partnership to cooperate in the development and implementation of a watershed protection program that maintains and enhances the quality of the City's drinking water supply system and the economic and social character of the watershed communities; and

**WHEREAS**, on January 21, 1997, the City entered into a Memorandum of Agreement regarding the City's watershed protection program by and among the City, the State of New York, the United States Environmental Protection Agency, the Coalition of Watershed Towns, CWC, Putnam County, Westchester County, certain watershed counties, towns and villages, and certain environmental groups (the "Watershed MOA"); and

**WHEREAS**, the City, as set forth in the Watershed MOA, agreed to fund a number of programs in the West of Hudson Watershed which the Parties agreed were and continue to agree are necessary to maintain and enhance water quality in the West of Hudson Watershed and the economic and social character of the West of Hudson Watershed communities; and

**WHEREAS**, as set forth in the Watershed MOA, CWC agreed to serve as program manager and to identify projects and allocate and disburse program funds to each project in

accordance with an agreement between the City and CWC, dated January 21, 1997 (the "1997 Operating Agreement"), and agreements with each identified recipient of the funds; and

**WHEREAS**, pursuant to the 1997 Operating Agreement, the City provided Three Million Five Hundred and Forty Thousand Dollars (\$3,540,000) to CWC for certain costs related to its Operations ("Operating I Agreement"); and

**WHEREAS**, as a condition of the 2007 New York City Filtration Avoidance Determination (2007 FAD), the City funded for a number of programs set forth in the Watershed MOA and related programs set forth in the 2007 FAD ("Watershed Programs") and therefore, the City provided additional operational funding in the amount of Five Hundred Thousand Dollars (\$500,000) for the CWC to manage the Watershed Programs ("Operating II Agreement"); and

**WHEREAS**, pursuant to the 2007 FAD and consistent with the December 24, 2010 New York State Water Supply Permit issued to DEP the Watershed Programs will continue into the 2007 FAD second five (5) year period, the City agrees to provide additional CWC operational funding in the amount of Two Million Forty-One Thousand Twenty-Five Dollars (\$2,041,025) for the CWC to manage the Watershed Programs ("Operating III Agreement") pursuant to this Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, the CWC Board of Directors approves the Operating Funds III Agreement in the form attached hereto as **Exhibit A**.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that the President of CWC be, and hereby is, authorized to execute the Operating Funds III Agreement in the form attached hereto as **Exhibit A** and all such other instruments, and to perform all such other acts, as may be necessary or desirable in order to carry into effect the Operating Funds III Program, and in furtherance of the purposes of the Watershed MOA and consistent with all such other agreements, contracts, policies and/or procedures to which CWC is bound.

*Tim Cox announced that a substitute backup was provided to each board member. All references to an insurance requirement for sub-contractors have been removed.*

**Voice Vote, carried unanimously**

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

**IX. Board Member Discussion:**

*Tim Cox noted that while there is no need for any action on delinquent loans, there are notices received from County Tax Departments regarding unpaid taxes. Staff is following up with those particular borrowers.*

*Alan Rosa asked Mike Triolo if he was going to distribute to the Economic Development Committee members the status report on all of the businesses affected by Irene that was compiled and given to the Loan Committee. Mike noted that there were 140 applications received from businesses with structural damages sustained from tropical storms Irene and Lee. There were 40 to 50 other businesses that had loss of inventory and other damages to property, including furnaces and appliances.*

*Alan suggested that during the Economic Development Committee meeting the members discuss the ineligible businesses, such as those renting their shops from landlords in order to figure out how to assist them also. Mike pointed out that there are several buildings on Main Street in Margaretville alone with several businesses renting space in the same building. The building owner requested the maximum \$30,000 but there is still damage that needs to be fixed within the businesses. Mike also noted that trailer parks are neglected in funding assistance for recovery. A major section of population in the area resides in trailer parks, and with the flooding, their infrastructure has been devastated. He noted that FEMA has all of these trailers available for homeowners who lost theirs to the flood, and no place to put them. Mike continued that there are hundreds of trailers parked in Cobleskill, but no one can use them because the sewer and water lines within the pre-existing parks have been destroyed and can't be rebuilt in the current location. Mike concluded that there are gaps that CWC has found that we thought FEMA and the Federal government would have fixed after Katrina and every other disaster, but just in the past two months there have been gaps the Federal government should have filled in a long time ago.*

*Alan stated that while this is a serious event, and winter is upon us, it's no more serious than the 1996 flood, the day after which it was 15 above zero. Alan concluded that CWC was not here during 1996, but we're here now, and we're going to help where we can.*

*Michael Flaherty asked if there are any businesses that had pre-flood loans with CWC which were unable to meet their obligations due to the flood. Barbara Puglisi responded that, to give these businesses some relief and time to rebuild, borrowers affected directly by the tropical storms have been given a 6-month interest and principal free forbearance. CWC staff spoke with every business after the flood and the forbearance paperwork is being prepared by CWC's closing attorney. Barbara noted that 22 borrowers were affected by Irene. Mike Triolo noted that the interest is not being forgiven, but will be added to the end of the loan through the re-amortization process. This hurts us primarily in our cash flow at this time, but we will be getting all of those funds eventually.*

*Jeff Graf asked if 6 months will be sufficient for them to rebuild and be back in business. Barbara replied that most of them just need a "breather" period to repair rooms, replace furnaces, and restock. Some of them simply didn't have electricity for over a week and lost their inventory. There are a couple of businesses that are in worse shape. There is one business in Windham that may not be able to reopen because he had 4 businesses in one building. Alan noted that the 22 businesses referred to were only in Delaware County. This doesn't include Greene and Ulster.*

A motion to adjourn was made by Michael Flaherty and seconded by Paul Dibbell.

**Voice Vote, carried unanimously**

**X. Adjournment: @ 1:21 p.m.**