

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

February 7, 2012 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Leonard Utter.

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: Kimberlie Ackerley, Timothy Cox, Nate Hendricks, Diane Galusha, Leo LaBuda, James Martin, Jason Merwin, Barbara Puglisi, Alan L. Rosa, Philip Sireci, Frieda Suess, and Michael Triolo.

Others Present: Paul Cerrosalletti (*Cornelle Cooperative Extension*), Michael Meyer (*NYC DEP*), and Tom Stalter (*NYC DEP*)

IV. Review and Approval of January 3, 2012 Board Meeting Minutes

A motion to approve the minutes from the January 3, 2012 board meeting was made by Berndt Leifeld and seconded by James Eisel.

Voice Vote, carried unanimously

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**V. Presentation of Communication**

**Finance Report**

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

**Voice Vote, carried unanimously**

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Executive Director's Report

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

Presentation of News Articles

Committee Schedule

Committee Meeting Minutes

VI. Public Discussion

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$20,000 – Additional Costs – Louis Gilson - Tab 7**

A motion to approve Resolution No. 2037 was made by Paul Dibbell and seconded by Tina Molé.

February 7, 2012

**RESOLUTION NO. 2037**

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

**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 1779, the CWC Board approved reimbursement to Louis Gilson in an amount not to exceed Twenty-Four Thousand Three Hundred Eighty-Three Dollars (\$24,383.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for an additional 200 lineal feet of curtain drain up gradient in the amount of Two Thousand Seven Hundred Twelve Dollars (\$2,712.00); 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 Two Thousand Seven Hundred Twelve Dollars (\$2,712.00); and

**WHEREAS**, CWC staff have determined that Twenty-Seven Thousand Ninety-Five Dollars (\$27,095.00) 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-Seven Thousand Ninety-Five Dollars (\$27,095.00) 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 Ninety-Five Dollars (\$27,095.00).

**Louis Gilson Backup**

Mr. Gilson's property is located in the Town of Hamden, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$24,383.00. During construction the engineer requested an additional 200 lineal feet of curtain drain up gradient of the septic system. According to CWC Schedule of Values a reasonable and just cost for the additional work is \$2,712.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,712.00, for total reimbursement not to exceed \$27,095.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Additional Costs – Christine Owad - Tab 8

A motion to approve Resolution No. 2038 was made by Paul Dibbell and seconded by Tina Molé.

February 7, 2012

RESOLUTION NO. 2038

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

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

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

WHEREAS, by Resolution Number 1932, the CWC Board approved reimbursement to Christine Owad in an amount not to exceed Thirty-Three Thousand Five Hundred Dollars (\$33,500.00); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the contractor for repair of damages to the septic system caused by Hurricane Irene in the amount of Five Thousand Five Hundred Forty Dollars (\$5,540.00); 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 Five Thousand Five Hundred Forty Dollars (\$5,540.00); and

WHEREAS, CWC staff have determined that Thirty-Nine Thousand Forty Dollars (\$39,040.00) 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 Thirty-Nine Thousand Forty Dollars (\$39,040.00) 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-Nine Thousand Forty Dollars (\$39,040.00).

Christine Owad Backup

Ms. Owad's property is located in the Town of Prattsville, Greene County. CWC Board of Directors previously approved reimbursement for this project at \$33,500.00. This property was extensively damaged during Hurricane Irene. The project was under construction during the event. The work completed was virtually destroyed. The dwelling could not be reached for weeks. According to CWC Schedule of Values a reasonable and just cost for the additional work is \$5,540.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$5,540.00, for total reimbursement not to exceed \$39,040.00.

Voice Vote, carried unanimously

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**Investment Broker Authorization - Tab 9**

A motion to approve Resolution No. 2039 was made by James Eisel and seconded by Paul Dibbell.

February 7, 2012

**RESOLUTION NO. 2039**

**INVESTMENT BROKER AUTHORIZATION**

**WHEREAS**, the Catskill Watershed Corporation (CWC) Board, Personnel and Fiscal Policies and Procedures are necessary for the orderly conduct of the corporation and its business affairs; and

**WHEREAS**, by Resolution 696, the CWC Board of Directors established the CWC Investment Committee to review and advise the CWC Board of Directors of investment options and practices within contractual limitations to maximize return while protecting assets or monies held by or for CWC; and

**WHEREAS**, the CWC Investment Policy dictates that the CWC Board of Directors must authorize the retention of a New York State Investment Broker; and

**WHEREAS**, by Resolution 719, the CWC Investment Committee recommends using First Albany Capital Incorporated as the Investment Broker for the purchase of permitted investments described in section 3-4.01-13.8 of the CWC Master Fiscal Policy Manual for the Catskill Watershed Corporation's Program funds and assets excluding the Catskill Fund for the Future; and the CWC Investment Committee will recommend investments to the New York State Environmental Facilities Corporation (NYSEFC) for the Catskill Fund for the Future's assets; and the CFF's assets will continue to be invested by NYSEFC according to the NYSEFC's investment policy; and

**WHEREAS**, all of the Catskill Fund for the Future assets were transferred to the Catskill Watershed Corporation and are no longer in custody of the New York State Environmental Facilities Corporation (NYSEFC); and

**WHEREAS**, the Finance Committee recommended using Samuel A. Ramirez & Company, Inc. as the current Investment Broker for the Catskill Watershed Corporation's programs including the Catskill Fund for the Future.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approves Samuel A. Ramirez & Company, Inc. as the corporation's Investment Broker for the purchase of permitted investments as described in section 3-4.01-13.8 of the CWC Master Fiscal Policy Manual and authorizes the Executive Director and the Finance Director to consult with CWC Investment committee in connection with their investment of all CWC assets.

**Voice Vote, carried unanimously**

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Investments – Authorization of CWC Staff - Tab 10

A motion to approve Resolution No. 2040 was made by Martin Donnelly and seconded by Thomas Snow.

February 7, 2012

RESOLUTION NO. 2040

**DESIGNATION OF AUTHORIZED STAFF FOR INVESTMENTS
WITH SAMUEL A. RAMIREZ & COMPANY, INCORPORATED**

WHEREAS, by Resolution Number 2039, the Catskill Watershed Corporation (CWC) Board of Directors approved Samuel A. Ramirez & Company, Inc. as the corporation's investment broker; and

WHEREAS, Samuel A. Ramirez & Company, Inc. requires a resolution by the CWC Board of Directors authorizing named individuals to transact business with Samuel A. Ramirez & Company, Inc. including the purchase, sale and all other transactions ,including opening additional brokerage accounts for CWC programs, with securities purchased by CWC through Samuel A. Ramirez & Company, Inc.; and

WHEREAS, the Executive Director is authorized by Section 3-4.01-13.8 of the CWC Fiscal Policies to invest monies not required for immediate expenditure; and

WHEREAS, the CWC Finance Director must receive prior internal approval from the Executive Director and/or the President, Vice-Presidents or Treasurer of CWC before investing funds or authorizing a broker to open an account, purchase, convert, exchange, sell or otherwise convey a security on behalf of CWC.

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes and empowers the following individuals, individually or jointly to wit:

Alan L. Rosa, Executive Director
James R. Martin, Finance Director

solely with respect to the transactions through Samuel A. Ramirez & Company, Inc., its successors and assigns, to transfer, convert, endorse, sell, assign, set over and deliver all shares of stock, bond, debentures, notes, subscription warrants, stock purchase warrants, evidences of indebtedness or other securities now or hereafter standing in the name of or owned by this Corporation only for the purpose of securities or funds, and to make, execute and deliver, under the corporate seal of this Corporation or otherwise, any and all written instruments of assignment and transfer necessary or proper to effectuate the authority hereby conferred.

Voice Vote, carried unanimously

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**CWMP - Lamont Engineers Preconstruction Phase – Bloomville, Hamden and Boiceville - Tab 11**

A motion to approve Resolution No. 2041 was made by Leonard Utter and seconded by Berndt Leifeld.

February 7, 2012

**RESOLUTION NO. 2041**

**COMMUNITY WASTEWATER MANAGEMENT PROGRAM**  
**AMENDMENT TO AGREEMENT WITH LAMONT ENGINEERS FOR**  
**BLOOMVILLE, HAMDEN, AND BOICEVILLE PRECONSTRUCTION PHASE**  
**ENGINEERING SERVICES**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is the Program Manager for the Community Wastewater Management Program (CWMP) I & II pursuant to contracts with New York City Department of Environmental Protection (NYCDEP); and

**WHEREAS**, by Resolution 991, the CWC Board of Directors approved a continuation of the consultant contract with Lamont Engineers for Preconstruction Phase tasks for Bloomville, Hamden, and Boiceville in the CWC CWMP; and

**WHEREAS**, Lamont Engineers has requested funding for additional Preconstruction Phase Engineering Services for Bloomville in the amount of Forty-One Thousand Seven Hundred Twenty-Five Dollars and Twenty-One Cents (\$41,725.21); and

**WHEREAS**, Lamont Engineers has requested funding for additional Preconstruction Phase Engineering Services for Hamden in the amount of Fifty-Three Thousand Three Hundred Five Dollars and Eighty-Nine Cents (\$53,305.89); and

**WHEREAS**, Lamont Engineers has requested funding for additional Preconstruction Phase Engineering Services for Boiceville in the amount of Eighty-Nine Thousand Two Hundred Seventy-Nine Dollars and Forty-Six Cents (\$89,279.46); and

**WHEREAS**, CWC staff and the CWC Wastewater/Stormwater Committee have reviewed the request from Lamont Engineers for funding of additional Preconstruction Phase Engineering Services for Bloomville, Hamden, and Boiceville and find the request reasonable; and

**WHEREAS**, the CWC Wastewater/Stormwater Committee recommend that the CWC Board of Directors approve additional funding for Preconstruction Phase Engineering Services by Lamont Engineers for costs as described in Attachment A for the Bloomville, Hamden, and Boiceville CWMP projects in an amount not to exceed One Hundred Eighty-Four Thousand Three Hundred Ten Dollars and Fifty-Six Cents (\$184,310.56).

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approves an amendment with Lamont Engineers for additional Preconstruction Phase Engineering Services for the Bloomville, Hamden, and Boiceville CWMP projects as described in Attachment A in an amount not to exceed One Hundred Eighty-Four Thousand Three Hundred Ten Dollars and Fifty-Six Cents (\$184,310.56).

**Voice Vote, carried unanimously**

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CWMP – Lamont Engineers Preconstruction Phase - Phoenicia - Tab 12

A motion to approve Resolution No. 2042 was made by Deborah DeWan and seconded by Jeff Graf.

February 7, 2012

RESOLUTION NO. 2042

**BOARD APPROVAL OF CONTRACT AMENDEMENT WITH TOWN OF SHANDAKEN
AND SUBCONTRACT WITH LAMONT ENGINEERS FOR PRE CONSTRUCTION
PHASE OF PHOENICIA WASTEWATER PROJECT**

WHEREAS, under the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA) Paragraph 122, the City of New York provided certain funding for

wastewater treatment projects in certain Towns, Villages and hamlets in the West of Hudson Watershed (New Infrastructure Program); and

WHEREAS, the Hamlet of Phoenicia, in the Town of Shandaken, is community six on both the New Infrastructure Program list and Paragraph 122 (b) the Watershed MOA; and

WHEREAS, the Amended Identified Community Agreement dated March 21, 2005 between the Town of Shandaken and New York State Environmental Facilities Corporation (EFC) (Town-EFC Agreement) and the First Amendment to the Town-EFC Agreement, effective August 26, 2009 together provided a total block grant of Seventeen Million Two Hundred Eleven Thousand Dollars (\$17,211,000.00) for the design and construction of a wastewater project in the hamlet of Phoenicia; and

WHEREAS, the Catskill Watershed Corporation (CWC) is the administrator of the Community Wastewater Management Program (CWMP), a continuation of the New Infrastructure Program, that provides certain funding for NIP listed communities 8-22 in MOA Paragraph 122; and

WHEREAS, the CWC CWMP has successfully completed wastewater treatment projects in four hamlets listed in Paragraph 122 of the Watershed MOA; and

WHEREAS, by Resolution 1761, on July 6, 2010, and at the Town of Shandaken's request, the CWC Board of Directors agreed to enter into a contract with the Town to provide for CWC review and assistance and recommendation of a preferred project for the Hamlet of Phoenicia for the Design Review Phase, with additional services to be provided for the design and construction of the preferred project at a cost to be determined upon selection by the Town of a preferred project; and

WHEREAS, also by Resolution 1761, CWC Board approved retention of Lamont Engineers to undertake a review phase of all NIP engineering work to date for the Town of Shandaken, and to provide to CWC and the Town a preferred wastewater project within the remaining block grant amount; and

WHEREAS, CWC completed the Design Review Phase and presented to the Town and NYCDEP a preferred project of a 130,000 gallons per day membrane bioreactor wastewater treatment plant and a reduced collection system that can be completed with remaining block grant funds; and

WHEREAS, NYCDEP approved the preferred project by letter to the Town of Shandaken dated November 21, 2010; and

WHEREAS, the contract between CWC and the Town of Shandaken provides for its automatic termination if the Town of Shandaken does not pass a written resolution to move forward with the project within sixty (60) days of City approval of the preferred project; and

WHEREAS, the Town of Shandaken is expected to approve moving forward with the proposed project at their regular monthly Board meeting on February 6, 2012, more than 60 days after NYCDEP approval; and

WHEREAS, members of the CWC Stormwater/Wastewater Committee recommend that CWC Board approve the attached amendment to allow for a town resolution after the termination date

provided that the Shandaken Town Board passes such a resolution on or before February 6, 2012.

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes the President and/or Executive Director to execute a contract amendment with the Town of Shandaken in the form provided in Attachment A provided that the Town of Shandaken approves a resolution to move forward with the Phoenicia Wastewater Project on or before February 6, 2012.

NOW THEREFORE BE IT FURTHER RESOLVED, that the CWC Board of Directors authorizes the President and/or Executive Director, following execution of the contract between the Town of Shandaken and CWC, to execute a contract with Lamont Engineers in an amount not to exceed One Million Nine Hundred Eighty Thousand Seven Hundred Eighty-Nine Dollars (\$1,980,789.00), to undertake a design phase of the Phoenicia Wastewater Preferred Project.

**AMENDMENT TO AGREEMENT BETWEEN TOWN OF SHANDAKEN AND
CATSKILL WATERSHED CORPORATION FOR ASSISTANCE IN THE
PROPOSED HAMLET OF PHOENICIA WASTEWATER TREATMENT PROJECT**

THIS AMENDMENT, made and entered into the _____ day of February, 2012 , by and between **THE CATSKILL WATERSHED CORPORATION** (the "CWC"), a local development corporation having its principal office at Main Street, P.O. Box 569, Margaretville, State of New York, and the **TOWN OF SHANDAKEN** ("Town"), a political subdivision of the State of New York, acting by and through its Supervisor, having its principal office at Route 28, Allaben, New York, the CWC and the Town collectively referred to as the "Parties"; and

WHEREAS, Catskill Watershed Corporation (CWC) Board of Directors by Resolution 1761, the CWC agreed to provide assistance to the Town of Shandaken for proposed Hamlet of Phoenicia Wastewater Project under an agreement approved by CWC and the Town; and

WHEREAS, the agreement between the parties required the Town Board of Shandaken by January 21, 2012 to pass a resolution to proceed with the Design Phase of the Project, otherwise the agreement would automatically terminate; and

WHEREAS, the Town of Shandaken passed a resolution to proceed with the Design Phase on February 6, 2012; and

WHEREAS, the parties desire to extend the time limit for the Town to pass a resolution to proceed with the Design Phase to February 6, 2012.

NOW THEREFORE, the Parties Agree and Stipulate that Agreement originally dated September 20, 2010 between CWC and the Town of Shandaken is amended as follows:

Section 2.04 - Design Review Phase

E. 1. At the conclusion of the Design Review, CWC shall present to NYCDEP and the Town Board a report summarizing the results of the relevant tasks set forth in this section and

setting forth a Preferred Project for the hamlet of Phoenicia (the "Review Report"). The Design Phase shall commence upon written approval by DEP of the Preferred Project and a written resolution by the Town Board acknowledging its desire to continue with the Design Phase for the Preferred Project provided the resolution is approved by the Town Board on or before February 6, 2012.

IT IS expressly understood that in all other respects, said terms and conditions of the agreement shall be in full force and effect.

THIS amendment of the agreement shall bind heirs, executors, administrators and assigns of the respective parties.

THIS IN WITNESS THEREOF, the parties signify their agreement by signatures affixed below, one part to be retained by CWC and one part to be delivered to the Town of Shandaken.

For Town of Shandaken

BY: _____ Date: _____
Robert A. Stanley
Supervisor
Town of Shandaken

For Catskill Watershed Corporation

BY: _____ Date: _____
Alan L. Rosa
Executive Director
Catskill Watershed Corporation

STATE OF NEW YORK)
) ss.
COUNTY OF)

On this _____ day of _____, 2012 before me personally came Robert A. Stanley, to me known, who, being by me duly sworn, did depose and say that he is the Supervisor of the municipality described in and which executed the foregoing instrument; and that he signed his name thereto by the authority of said municipality.

Notary Public

STATE OF NEW YORK)
)ss.:
COUNTY OF DELAWARE)

On this _____ day of _____, 2012 before me personally came Alan L. Rosa, to me known, who, being by me duly sworn, did depose and say that he is the Executive Director of the Corporation described in and which executed the foregoing instrument; and that he signed his name thereto by the authority of said Corporation.

Notary Public

Voice Vote, carried unanimously

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**Future Stormwater – Burton F. Clark - Tab 13**

A motion to approve Resolution No. 2043 was made by Martin Donnelly and seconded by James Eisel.

February 7, 2012

**RESOLUTION NO. 2043**

**BOARD REVIEW OF BURTON F. CLARK, INC.**  
**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**, Burton F. Clark, Inc. has requested reimbursement in the amount of Nine Thousand Nine Hundred Fifty-Nine Dollars and Forty-Eight Cents (\$9,959.48) for design and construction of new stormwater controls related to building an addition to student housing in Delhi, Delaware County; and

**WHEREAS**, the CWC share of stormwater funding is 50% of the eligible costs for this project because Burton F. Clark, Inc. is a small business under Watershed MOA Paragraph 145; and

**WHEREAS**, CWC staff has reviewed the application of Burton F. Clark Inc. and recommend reimbursement of eligible costs in an amount not-to-exceed Four Thousand Nine Hundred Seventy-Eight Dollars and Forty-Three Cents (\$4,978.43), 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 Four Thousand Nine Hundred Seventy-Eight Dollars and Forty-Three Cents (\$4,978.43).

**Future Stormwater Program Application**  
**Burton F. Clark, Inc.**

Burton F. Clark, Inc. was required to comply with the Watershed Rules and Regulations enforced by the NYCDEP for the addition to a student housing unit built in the Village of Delhi, Delaware 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 6, 2010 and the NYCDEP SWPPP construction certification was issued on December 27, 2011.

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

|                      |            |
|----------------------|------------|
| Total Eligible Costs | \$9,959.48 |
| NYCDEP 50% Share     | \$4,978.43 |

Recommended CWC funding 50% of eligible SWPPP costs \$4,978.43

Burton F. Clark, Inc. 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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Future Stormwater – Uram& Greenburg - Tab 14

A motion to approve Resolution No. 2044 was made by Berndt Leifeld and seconded by Thomas Hynes.

February 7, 2012

RESOLUTION NO. 2044

BOARD REVIEW OF MARTIN URAM 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, Martin Uram has applied for funding of eligible design and implementation costs in the not-to-exceed amount of Two Hundred Seventy-Six Thousand Eight Hundred Eighty-Nine Dollars and Thirty-Six Cents (\$276,889.36) 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 Two Hundred Fifty-Two Thousand Two Hundred Seventy-Four Dollars and Sixty-One Cents (\$252,274.61); 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 Two Hundred Fifty-Two Thousand Two Hundred Seventy-Four Dollars and Sixty-One Cents (\$252,274.61).

Backup
Martin Uram's Property

Martin Uram's property is located on Skye Drive in the Town of Woodstock, Ulster County. NYCDEP issued a violation on this site. Mr. Uram 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	\$276,889.36	\$252,274.61
Total Recommended Funding		\$252,274.61

Voice Vote, carried unanimously

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**Stormwater Retrofit – Town of Tompkins (Trout Creek) - Tab 15**

A motion to approve Resolution No. 2045 was made by Tina Molé and seconded by Wayne Marshfield.

February 7, 2012

**RESOLUTION NO. 2045**

**BOARD REVIEW OF STORMWATER RETROFIT PROGRAM APPLICATION**  
**FOR TROUT CREEK STORMWATER IMPROVEMENTS PROJECT**

**WHEREAS**, Paragraph 125 of the 1997 New York City Watershed Memorandum of Agreement (“MOA”) directs the Catskill Watershed Corporation (“CWC”) to establish a program to pay the costs to design, permit, maintain, implement and construct Stormwater Best Management Practices (BMP’s) to address existing stormwater runoff in concentrated areas of impervious surface in West of Hudson Watershed to the extent such BMP’s are necessary to correct or reduce existing erosion and/or pollutant loading; and

**WHEREAS**, by Resolution Number 265, the CWC Board of Directors established the Stormwater Retrofits Program “Program” Rules that provides for payment of eligible project costs; and

**WHEREAS**, by Resolution Number 547, the CWC Board of Directors approved a change order to the Program Contract with New York City Department of Environmental Protection (“NYCDEP”) to provide for Community-Wide Stormwater Infrastructure Assessment and Planning Grants; and

**WHEREAS**, by Resolution Number 862, the CWC Board of Directors revised the Program Rules to provide a waiver of the local match if the proposed project will occur in the proposed service area of a wastewater project in a community funded pursuant to Paragraph 122, including the Community Wastewater Management Program (CWMP), or Paragraph 123 of the Watershed MOA; and

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

**WHEREAS**, the Town of Tompkins, with assistance from Lamont Engineers, has submitted a Stormwater Retrofit application for the Trout Creek Stormwater Improvements Project; and

**WHEREAS**, CWC and NYCDEP staff have jointly reviewed and recommend the Trout Creek Stormwater Improvements Project for funding as detailed in the application dated October 6, 2011 requesting One Hundred Forty-Seven Thousand Dollars (\$147,000) and have presented their recommendations to the CWC Wastewater Committee; and

**WHEREAS**, the CWC Wastewater Committee has reviewed and recommended the proposal as detailed in the application dated October 6, 2011 and also that the match be waived because the project will occur in the service area contemporaneously with the Trout Creek CWMP; and

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

**NOW, THEREFORE, LET IT BE RESOLVED**, the CWC Board of Directors approves funding as per the attached funding limits totaling One Hundred Forty-Seven Thousand Dollars (\$147,000) and waives the requirement of a local match.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of 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 Stormwater Retrofit Program  
Town of Tompkins  
Hamlet of Trout Creek Stormwater System Improvements Project**

The Town of Tompkins proposes to construct a stormwater system improvement project in the Hamlet of Trout Creek in conjunction with the proposed community wastewater management project. The project is intended to address water quality issues and treat stormwater to the program goals of removing 50% of Total Suspended Solids (TSS) and 20% Total Phosphorus (TP). It is the intention of the project to mitigate existing drainage problems, as well.

The Stormwater Retrofit Program Rules waive local match requirements if the project is constructed in conjunction with the Community Wastewater Management Program. The estimated project cost is One Hundred Forty-Seven Thousand Dollars (\$147,000). The CWC Wastewater/Stormwater Committee recommends approving the application for funding.

*Voice Vote, carried unanimously*

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Catskill Studies Grant Funding – Expanded Boating Program - Tab 16

A motion to approve Resolution No. 2046 was made by James Eisel and seconded by Michael Flaherty.

February 7, 2012

RESOLUTION NO. 2046

**APPROVAL OF CATSKILL WATERSHED CORPORATION CATSKILL STUDIES
FUNDING PROGRAM GRANT FOR THE EXPANDED BOATING PROGRAM FOR
THE PEPACTON, NEVERSINK, AND SCHOHARIE RESERVOIRS**

WHEREAS, the Catskill Watershed Corporation (“CWC”) is a not-for-profit local development corporation whose purpose is, in part, to act in the public interest by promoting increased employment and encouraging environmentally sound development within the West of Hudson Watershed; and

WHEREAS, CFF Program Rules, Chapter 1:14 provides for the Catskill Studies Funding Program whereby a governmental entity or the CWC may apply for funding for feasibility studies, environmental studies, market development studies, industry development studies, or other studies that have a purpose of enhancing watershed protection and/or expanding, creating, or improving the prospects of environmentally sound economic development activities within the West of Hudson Watershed; and

WHEREAS, the New York City Department of Environmental Protection (NYCDEP) has collaborated with local municipal governments, environmental organizations, Chambers of Commerce and others and developed an Expanded Boating Pilot Program for the Cannonsville Reservoir in order to improve regional recreational opportunities for watershed residents and visitors and promote environmentally sound economic development by allowing certain new types of reservoir recreational boating that is compatible with water quality protection; and

WHEREAS, by Resolution 1486, the CWC Board of Directors approved funding of up to One Hundred Fifty Thousand Dollars (\$150,000.00) over three (3) years to fund the Cannonsville Reservoir Expanded Boating Pilot Program in collaboration with NYCDEP, Delaware County Economic Development and the Delaware County Chamber of Commerce; and

WHEREAS, the three (3) year Cannonsville Reservoir Expanded Boating Pilot Program has been completed and NYCDEP desires to expand the Boating Program to non-terminal reservoirs in the West of Hudson Watershed, including the Pepacton, Neversink, and Schoharie Reservoirs; and

WHEREAS, the CWC Economic Development Committee recommends that CWC Board of Directors approve funding of up to Sixty-Five Thousand Dollars (\$65,000.00) for costs for the first year of the Boating Program at non-terminal reservoirs, including steam cleaning equipment, kiosk and flag pole materials, portable restrooms, program brochures, and road signs.

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

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

NOW, THEREFORE BE IT RESOLVED, the CWC Board authorizes the President and/or the Executive Director to execute contracts for up to Sixty-Five Thousand Dollars (\$65,000.00) for the first year of the Expanded Boating Program.

NOW, THEREFORE BE IT FURTHER RESOLVED, the CWC staff is authorized and directed to issue a letter informing the CWC of its intention to provide funds for the study, subject to compliance with all applicable provisions of the New York City Watershed regulations as well as other applicable laws, rules and regulations, completion of the necessary documents, and the right of objection, and staff is directed to develop an agreement and other documentation necessary to effectuate this study in a form agreed upon by New York State Environmental Facilities Corporation.

NOW, THEREFORE BE IT FURTHER RESOLVED, that upon said approval of documentation CWC, is authorized to disburse proceeds thereof in accordance with the documents.

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

QEDP Evaluation and CWC Staff Recommendation

Purpose: to review the CWC Catskill Studies Funding Program Grant for the Expanded Boating Pilot Program for the Cannonsville Reservoir

The Executive Director of the CWC makes the following evaluation concerning a Catskills Studies Funding Program Grant to CWC located on the Cannonville Reservoir in the Towns of Deposit, Tompkins and Walton, N.Y. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 and revised on May 24, 2005 by the CWC Board of Directors.

1. Based on due inquiry to the NYS DEC, the NYC DEP and to the best of CWC's knowledge, the proposed Expanded Boating Pilot Program for the Cannonsville Reservoir is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYS DEC, the NYC DEP, and to the best of CWC's knowledge, the Expanded Boating Pilot Program for the Cannonsville Reservoir New York, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
 - (i) CWC will use the funds to pay for porta-johns at eight (8) launch sites, steam cleaning of boats at five (5) vendor locations and a consultant to determine the effect of the program on water quality and economic activity
 - (ii) The project is located in the Towns of Deposit, Tompkins and Walton.
 - (iii) The project will utilize portable toilets.
 - (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 pre-treated prior to release.
 - (vi) Based upon NYC DEP, the project is in the 60-day travel time zone.
 - (vii) There is no impact on Federal or New York State Wetlands.
- (b) The project maintains the character of the Towns of Deposit, Tompkins and Walton.
 - (i) The project is consistent with current zoning in the Towns of Deposit, Tompkins and Walton.
 - (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 no additional review of land use plans or infrastructure.
4. The project is consistent with the West-of-Hudson Economic Development Study, which has been completed.
5. Not applicable.

Voice Vote, carried unanimously

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A motion to approve Resolution No. 2047 was made by Michael Flaherty and seconded by Paul Dibbell.

February 7, 2012

**RESOLUTION NO. 2047**  
**CWC BOARD APPROVAL OF 2012 GREENE COUNTY FLOOD ASSISTANCE**  
**PROGRAM**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is the administrator of the Catskill Fund for the Future (CFF) whose goal is to reduce and relieve adult unemployment in the West of Hudson Watershed; 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**, by Resolution 1985, on September 13, 2011, the CWC Board of Directors established the 2011 Flood Recovery Grant Program to provide through watershed towns up to Thirty Thousand Dollars (\$30,000) to businesses to repair structural damage caused by Tropical Storms Irene and Lee; and

**WHEREAS**, numerous businesses in Greene County Watershed Towns were severely impacted by the flooding and the 2011 CFFF Flood Recovery Grant Program does not provide enough funding to fully repair damaged structures; and

**WHEREAS**, CWC staff anticipate that Greene County Watershed Towns will exhaust the funding provided pursuant to the CWC 2011 Flood Recovery Grant Program; and

**WHEREAS**, Greene County expects to provide additional grants to businesses in watershed towns in Greene County for structural damage caused by Tropical Storms Irene and/or Lee; and

**WHEREAS**, by Resolution 2034, on January 3, 2012, CWC Board of Directors approved a Memorandum of Agreement with New York City Department of Environmental Protection (NYCDEP), whereby NYCDEP will supplement the CWC 2011 Flood Recovery Grant Program with an additional One Million Dollars (\$1,000,000); and

**WHEREAS**, to ensure State funds reach the maximum number of businesses, Greene County requested CWC to provide matching funds; and

**WHEREAS**, the CWC Economic Development Committee recommends the allocation of up to Four Hundred Fifty Thousand Dollars (\$450,000.00) as a fifty percent (50%) match to 2012 Greene County Grant Funds.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors allocates Four Hundred Fifty Thousand Dollars (\$450,000.00) as a fifty percent (50%) match to 2012 Greene County Flood Recovery Grant Program.

**NOW, THEREFORE BE IT FURTHER 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 eligible businesses in Greene County, as defined by the attached Program Rules, that were directly impacted by the 2011 floods caused by Tropical Storms Irene and Lee.

## **GREENE COUNTY FLOOD GRANT ASSISTANCE PROGRAM**

### **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 in Greene County and has been approved for a Main Street Development and/or Community Development Block Grant to repair structural damage caused by Tropical Storms Irene and/or Lee. Business shall not include property used solely for residential purposes
- 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) as approved by Greene County for reimbursement and 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 expenses that are not approved for reimbursement by Greene County. CWC grant shall provide 50% funding of total eligible costs.

### **2. CWC 2012 Greene County Flood Recovery Grants**

CWC Board has allocated a maximum of \$450,000.00 for eligible businesses in the West of Hudson Watershed in Greene County. Each business must execute a contract with CWC prior to receipt of CWC Grant Funds for reimbursement of eligible expenses.

Prior to execution of a contract with an eligible business, CWC Executive Director shall complete a QEDP Report.

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

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

CWC Staff will contact each affected business and complete paper work.

Checks will be made out to the affected business. If work is complete and contractor has not been paid, checks may also be made out to the affected business and the property owner.

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.

**Voice Vote, carried unanimously**

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Ulster County Flood Grant Matching Funds Program – Tab 18

A motion to approve Resolution No. 2048 was made by Berndt Leifeld and seconded by Richard Parete.

February 7, 2012

RESOLUTION NO. 2048
APPROVAL OF AGREEMENT WITH ULSTER COUNTY FOR FLOOD GRANT
ASSISTANCE

WHEREAS, the Catskill Watershed Corporation (CWC) is the administrator of the Catskill Fund for the Future (CFF) whose goal is to reduce and relieve adult unemployment in the West of Hudson Watershed; 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, by Resolution 1985, on September 13, 2011, the CWC Board of Directors established the 2011 Flood Recovery Grant Program to provide through watershed towns up to Thirty Thousand Dollars (\$30,000.00) to businesses to repair structural damage caused by Tropical Storms Irene and Lee; and

WHEREAS, numerous businesses in Ulster County Watershed Towns were severely impacted by the flooding; and

WHEREAS, Ulster County applied to New York State for Main Street Grant Funding and Community Development Block Grant to assist businesses damaged by flooding from Tropical Storms Irene and/or Lee; and

WHEREAS, Ulster County requested CWC serve as sub-recipient for businesses in Ulster County Watershed Towns to assist in distribution of State grants to eligible businesses in the West of Hudson Watershed Towns in Ulster County; and

WHEREAS, Ulster County will reimburse CWC for CWC costs up to 7 1/2 % of Main Street Grant Funding distributed by CWC, and up to 12% of Community Development Block Grant funding distributed by CWC; and

WHEREAS, the CWC Economic Development Committee recommends CWC enter into a contract with Ulster County to provide for the distribution of Main Street Grant Funding and Community Development Block Grant funding for businesses in watershed towns in Ulster County.

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes the President and/or Executive Director to execute an agreement with Ulster County to provide for the distribution of Main Street and Community Development Block Grants to businesses in West of Hudson Watershed Towns in Ulster County with CWC to be reimbursed for cost and time up to 7½ % of Main Street Grant Funding distributed by CWC, and up to 12% of Community Development Block Grant funding distributed by CWC

Voice Vote, carried unanimously

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**Catskill Development Foundation Loan Modification – Tab 19**

A motion to approve Resolution No. 2049 was made by Tina Molé and seconded by Jeff Graf.

February 7, 2012

**RESOLUTION NO. 2049**

**APPROVAL OF CATSKILL DEVELOPMENT FOUNDATION  
COLLATERAL AND TERM MODIFICATION REQUEST**

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

**WHEREAS**, on August 25, 2005, the CWC Board of Directors, by Resolution Number 892, approved the request by Catskill Development Foundation, for a One Hundred Thirty-Seven Thousand Five Hundred Dollar (\$137,500.00) loan for a term of fifteen (15) years, at a rate of four and one hundred twenty-five of one percent (4.125%) adjustable every five years to the CWC rate in effect at that time, to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date, to provide a match for an ARC grant the purpose of which is to purchase equipment to be used in its E-center located on Main Street in the Village of Delhi; and

**WHEREAS**, the Catskill Development Foundation, has requested that said collateral on the loan be secured by real property located at 174 Main Street, Margaretville, NY, currently being rehabilitated to serve as an E-Center, in lieu of the Main Street, Delhi property; and

**WHEREAS**, in addition, the Catskill Development Foundation has requested that said loan have a term of fifteen (15) years, with interest deferred and no payments for the first twenty-four (24) months of the loan, and that interest rate be reduced to four percent (4.00%), and remains adjustable every five years to the CWC rate in effect at the time, to be amortized in equal monthly payments beginning on the twenty –fifth (25<sup>th</sup>) month of the term, such that the outstanding principal is fully paid on the last payment date; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed the request of the Catskill Development Foundation; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Catskill Development Foundation; and

**WHEREAS**, as with the original loan request from the Catskill Foundation, the CWC Loan Committee is forwarding this request to the CWC Board of Directors with no recommendation due to inadequate support for the revenue projections that support repayment of the loan, however the Loan committee does recognize that the collateral value of the project is sufficient to support this loan and further recognizes the considerable positive potential for economic development that the project presents and is supportive of the concept; and

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines that Catskill Development Foundation meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of One Hundred Thirty-Seven Thousand Five Hundred Dollars (\$137,500.00) for a term of fifteen (15) years, with deferred interest and no payments for the first twenty-four (24) months, at a rate of four percent (4.00%) adjustable every five years to the CWC rate in effect at the time, to be amortized in equal monthly payments beginning on the twenty-fifth (25<sup>th</sup>) month of the term, such that the outstanding principal is fully paid on the last payment date.

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

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

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of an application by the Board constitutes a preliminary decision under the MOA. The decision will become final

without any further action by the Board unless an objection is timely filed with the Watershed Protection and Partnership Council.

**QEDP Evaluation and CWC Staff Recommendation**

**Purpose: To review the CWC Loan Application of Catskill Development Foundation**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Catskill Development Foundation for property located at 174 Main Street in the Village of Margaretville, NY. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 by the CWC Board of Directors.

4. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 174 Main Street, Margaretville, NY, is presently in compliance with all applicable environmental statutes and regulations.
5. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 174 Main Street, Margaretville, owned by Delaware County Industrial Development Agency, is not subject to any enforcement actions by any regulatory agency.
6. (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.
  - (vii) Catskill Development Foundation is restoring and renovating a building and purchasing equipment and furniture for the building to be used as an e-center.
  - (viii) The project is located in the Village of Margaretville.
  - (ix) The project will utilize a municipal sewage system.
  - (x) The project appears to present no threat to water quality.
  - (xi) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (xii) Based on NYCDEP the project is not in the 60 day travel time.
  - (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Village of Margaretville.
  - (v) The project is consistent with current zoning.
  - (vi) The project is compatible with surrounding land uses.
  - (vii) The project will not generate excessive traffic.
  - (viii) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires no additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**

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VIII. Announcements from the Chair:

Georgianna Lepke stated that she would not be able to attend the meeting at CWC on Friday regarding the expansion of the Pilot Boating Program, and that she is glad that CWC had the opportunity to assist

in the pilot program and will be further able to assist in the expansion. She also noted that she was pleased at DEP's involvement and support of the program. Georgianna concluded that this program not only adds to quality of life, but is good for economic development in the watershed areas.

The CWC Board and staff wished Leonard Utter a very happy 80th birthday.

IX. Board Member Discussion: None

A motion to adjourn was made by Martin Donnelly and seconded by Richard Parete.

Voice Vote, carried unanimously

X. Adjournment: @ 1:07 p.m.