

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

May 1, 2012 @ 1:00 p.m.

Tina Molé serving as Acting Secretary.

I. Call to Order

II. Pledge of Allegiance: Led by Robert Pelham.

III. Roll Call of Directors

Members Present: Deborah Meyer DeWan, Martin Donnelly, James Eisel, Michael Flaherty, Jeff Graf (*New York City DEP*), Thomas Hynes, Berndt Leifeld, Georgianna Lepke, Wayne Marshfield, Tina Molé, Richard Parete, Robert Pelham, Thomas Snow (*New York State DEC*) and Michael Triolo.

Members Excused: Donald Brandow

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

Others Present: Michael Meyer (*NYC DEP*) and Thomas Stalter (*NYC DEP*)

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

A motion to approve the minutes from the April 3, 2012 annual and board meetings was made by Berndt Leifeld and seconded by Wayne Marshfield.

Voice Vote, carried unanimously

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of March 31, 2012 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 – Joan Kutcher - Tab 7**

A motion to approve Resolution No. 2077 was made by Michael Flaherty and seconded by Berndt Leifeld.

May 1, 2012

**RESOLUTION NO. 2077**

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

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

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Thirty Thousand Dollars (\$30,000.00), the homeowner shall supply detailed quotes from three unrelated contractors, and CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed three construction quotes, including the lowest quote for the septic system repair in the amount of Thirty-Three Thousand Thirty-One Dollars (\$33,031.00); and

**WHEREAS**, the contractor’s quote for this system is more than Thirty Thousand Dollars (\$30,000.00); and

**WHEREAS**, the CWC staff have determined the contractor’s quote of Thirty-Three Thousand Thirty-One Dollars (\$33,031.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Thirty-Three Thousand Thirty-One Dollars (\$33,031.00) 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-Three Thousand Thirty-One Dollars (\$33,031.00).

**Joan Kutcher Backup**

Ms. Kutcher’s property is located in the Town of Jewett, Greene County. Homeowner and CWC staff received three quotes from unrelated contractors for \$48,993.00, \$36,800.00, and \$33,031.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, siphon chamber, 245 lineal feet of 4” gravity piping, one distribution box, 585 cubic yards of absorption fill material, one effluent filter, 375 lineal feet of absorption trench, 230 lineal feet of curtain drain, and extensive restoration. The lowest quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$33,031.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$20,000 – Joshua Laborsky - Tab 8

A motion to approve Resolution No. 2078 was made by Richard Parete and seconded by Michael Triolo.

May 1, 2012

RESOLUTION NO. 2078

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

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 Five Hundred Dollars (\$27,500.00); and

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

WHEREAS, the CWC staff have determined the contractor’s quote of Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00).

Joshua Luborsky Backup

Mr. Luborsky'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 \$27,500.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, pump chamber, 20 lineal feet of 4" gravity piping, 135 lineal feet of 2" forcemain, 140 cubic yards of absorption fill material, 1 effluent filter, 385 lineal feet of absorption trench, tree removal, temporary access road, 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 \$27,500.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$20,000 – Michael Puryear - Tab 9**

A motion to approve Resolution No. 2079 was made by Deborah DeWan and seconded by Michael Triolo.

May 1, 2012

**RESOLUTION NO. 2079**

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

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-One Thousand Four Hundred Dollars (\$21,400.00); 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-One Thousand Four Hundred Dollars (\$21,400.00) 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-One Thousand Four Hundred Dollars (\$21,400.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-One Thousand Four Hundred Dollars (\$21,400.00).

**Michael Puryear Backup**

Mr. Puryear's property is located in the Town of Olive, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$21,400.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, pump station, 20 lineal feet of 4" gravity piping, 125 lineal feet of 2" forcemain, distribution box, 160 cubic yards of absorption fill material, 225 lineal feet of absorption trench, 165 lineal feet of curtain drain, and extensive site restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$21,400.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$20,000 – Additional Costs – Laura O'Brien - Tab 10

A motion to approve Resolution No. 2080 was made by James Eisel and seconded by Wayne Marshfield.

May 1, 2012

RESOLUTION NO. 2080

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION
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, by Resolution Number 2006, the CWC Board approved reimbursement to Laura O'Brien in an amount not to exceed Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner and contractor for unforeseen conditions in the total amount of Three Thousand Eight Hundred Thirty-Four Dollars (\$3,834.00); 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 Three Thousand Eight Hundred Thirty-Four Dollars (\$3,834.00); and

WHEREAS, CWC staff have determined that Thirty-Three Thousand Eight Hundred Twenty-Nine Dollars (\$33,829.00) 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-Three Thousand Eight Hundred Twenty-Nine Dollars (\$33,829.00) 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-Three Thousand Eight Hundred Twenty-Nine Dollars (\$33,829.00).

Laura O'Brien Backup

Ms. O'Brien's property is located in the Town of Roxbury, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$29,995.00. After construction was completed, a backup occurred in the house. After an extensive investigation by the contractor and the engineer it was determined that a second waste line had to be "tied in" to the new septic system. The contractor requested an additional \$3,100 for over 15 hours of work and materials. The homeowner has submitted receipts in the amount of \$734.00. The total additional cost is \$3,834.00. According to CWC Schedule of Values this is a reasonable and just cost for the additional work. The Septic Committee recommends that the Board approves an additional reimbursement of \$3,834.00, for total reimbursement not to exceed \$33,829.00.

Voice Vote, carried unanimously

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**SW Retrofit – Hamlet of Lexington - Tab 11**

A motion to approve Resolution No. 2081 was made by Michael Flaherty and seconded by Martin Donnelly.

May 1, 2012

**RESOLUTION NO. 2081**

**BOARD REVIEW OF STORMWATER RETROFIT PROGRAM APPLICATION  
FOR LEXINGTON 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 Rules that provides for payment of eligible project costs; 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 Lexington, with assistance from Lamont Engineers, has submitted a Stormwater Retrofit application for the Lexington Stormwater Improvements Project; and

**WHEREAS**, CWC and NYCDEP staff have jointly reviewed and recommend the Lexington Stormwater Improvements Project for funding as detailed in the application dated February 14, 2012 requesting One Hundred Eighty Thousand Dollars (\$180,000.00) 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 February 14, 2012 and also that the match be waived because the project will occur in the service area contemporaneously with the Lexington 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 Eighty Thousand Dollars (\$180,000.00) 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 Lexington  
Hamlet of Lexington Stormwater System Improvements Project**

The Town of Lexington proposes to construct a stormwater system improvement project in the Hamlet of Lexington 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 and water quality 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 \$180,000.00. The CWC Wastewater/Stormwater Committee recommends approving the application for funding.

**Voice Vote, carried unanimously**

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Public Education Grant – Washington Heights - Tab 12

A motion to approve Resolution No. 2082 was made by Michael Flaherty and seconded by Deborah DeWan.

May 1, 2012

RESOLUTION NO. 2082

**PUBLIC EDUCATION GRANT: WASHINGTON HEIGHTS EXPEDITIONARY
LEARNING SCHOOL**

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award One Thousand Four Hundred Eighty-Seven Dollars (\$1,487.00) to Washington Heights Expeditionary Learning School for a project titled “Trout in the Classroom”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of One Thousand Four Hundred Eighty-Seven Dollars (\$1,487.00) to Washington Heights Expeditionary Learning School.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – Eltingville Lutheran School - Tab 13**

A motion to approve Resolution No. 2083 was made by Jeff Graf and seconded by Thomas Hynes.

May 1, 2012

**RESOLUTION NO. 2083**

**PUBLIC EDUCATION GRANT: ELTINGVILLE LUTHERAN SCHOOL**

**WHEREAS**, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

**WHEREAS**, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

**WHEREAS**, PEAG recommended a grant award of Nine Thousand Five Hundred Fifty-Four Dollars (\$9,554.00) to Eltingville Lutheran School for a project titled “Catskill Watershed Partnership Program”.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the recommended award of Nine Thousand Five Hundred Fifty-Four Dollars (\$9,554.00) to Eltingville Lutheran School.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of CWC Public Education Program 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.

**Voice Vote, carried unanimously**

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Public Education Grant – PS 57 - Tab 14

A motion to approve Resolution No. 2084 was made by Martin Donnelly and seconded by Tina Molé.

May 1, 2012

RESOLUTION NO. 2084

PUBLIC EDUCATION GRANT: PS 57

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award Eight Thousand Five Hundred Dollars (\$8,500.00) to PS 57 for a project titled “Jr. Watershed Rangers”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of Eight Thousand Five Hundred Dollars (\$8,500.00) to PS 57.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – Catskill Center - Tab 15**

A motion to approve Resolution No. 2085 was made by Berndt Leifeld and seconded by Jeff Graf.

May 1, 2012

**RESOLUTION NO. 2085**

**PUBLIC EDUCATION GRANT: CATSKILL CENTER FOR  
CONSERVATION & DEVELOPMENT**

**WHEREAS**, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

**WHEREAS**, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

**WHEREAS**, PEAG recommended a grant award of Eight Thousand Five Hundred Thirty-Six Dollars (\$8,536.00) to Catskill Center for Conservation & Development for a project titled “Sustainable Catskills Pilot Program”.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the recommended award of Eight Thousand Five Hundred Thirty-Six Dollars (\$8,536.00) to Catskill Center for Conservation & Development.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of CWC Public Education Program 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.

**Voice Vote, 10 aye, 4 nay - Carried**

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Public Education Grant – Woodstock Day School - Tab 16

A motion to approve Resolution No. 2086 was made by Michael Flaherty and seconded by Deborah DeWan.

May 1, 2012

RESOLUTION NO. 2086

PUBLIC EDUCATION GRANT: WOODSTOCK DAY SCHOOL

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award of One Thousand Three Hundred Dollars (\$1,300.00) to Woodstock Day School for a project titled “Trout in the Classroom”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of One Thousand Three Hundred Dollars (\$1,300.00) to Woodstock Day School.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – Phoenicia Elementary - Tab 17**

A motion to approve Resolution No. 2087 was made by Richard Parete and seconded by Martin Donnelly.

May 1, 2012

**RESOLUTION NO. 2087**

**PUBLIC EDUCATION GRANT: PHOENICIA ELEMENTARY SCHOOL**

**WHEREAS**, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

**WHEREAS**, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

**WHEREAS**, PEAG recommended a grant award of One Thousand Eight Hundred Fifty Dollars (\$1,850.00) to Phoenicia Elementary School for a project titled “Expanding Environmental Education Program”.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the recommended award of One Thousand Eight Hundred Fifty Dollars (\$1,850.00) to Phoenicia Elementary School.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of CWC Public Education Program 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.

**Voice Vote, carried unanimously**

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Public Education Grant – Rocking the Boat - Tab 18

A motion to approve Resolution No. 2088 was made by Thomas Hynes and seconded by Thomas Snow.

May 1, 2012

RESOLUTION NO. 2088

PUBLIC EDUCATION GRANT: ROCKING THE BOAT

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award of Seven Thousand Nine Hundred Twenty-Three Dollars (\$7,923.00) to Rocking the Boat for a project titled “Watershed Exploration at Ashokan Center”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of Seven Thousand Nine Hundred Twenty-Three Dollars (\$7,923.00) to Rocking the Boat.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – PS 144Q - Tab 19**

A motion to approve Resolution No. 2089 was made by Deborah DeWan and seconded by Jeff Graf.

May 1, 2012

**RESOLUTION NO. 2089**

**PUBLIC EDUCATION GRANT: PS 144Q**

**WHEREAS**, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

**WHEREAS**, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

**WHEREAS**, PEAG recommended a grant award of Two Thousand Dollars (\$2,000.00) to PS 144Q for a project titled “Trout in the Classroom”.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the recommended award of Two Thousand Dollars (\$2,000.00) to PS 144Q.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of CWC Public Education Program 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.

***Voice Vote, carried unanimously***

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Public Education Grant – Hunter Elementary - Tab 20

A motion to approve Resolution No. 2090 was made by Michael Flaherty and seconded by Michael Triolo.

May 1, 2012

RESOLUTION NO. 2090

PUBLIC EDUCATION GRANT: HUNTER ELEMENTARY SCHOOL

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award of One Thousand Two Hundred Fifty Dollars (\$1,250.00) to Hunter Elementary School for a project titled “City That Drinks the Mountain Sky”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of One Thousand Two Hundred Fifty Dollars (\$1,250.00) to Hunter Elementary School.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – Farm Catskills - Tab 21**

A motion to approve Resolution No. 2091 was made by Michael Triolo and seconded by Wayne Marshfield.

**RESOLUTION NO. 2091**

**PUBLIC EDUCATION GRANT: FARM CATSKILLS**

**WHEREAS**, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

**WHEREAS**, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

**WHEREAS**, PEAG recommended a grant award of Eight Thousand Four Hundred Dollars (\$8,400.00) to Farm Catskills for a project titled “Cultivating Connections”.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the recommended award of Eight Thousand Four Hundred Dollars (\$8,400.00) to Farm Catskills.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of CWC Public Education Program 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.

**Voice Vote, carried unanimously**

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Public Education Grant – Walton Central School - Tab 22

A motion to approve Resolution No. 2092 was made by Michael Flaherty and seconded by Thomas Hynes.

RESOLUTION NO. 2092

PUBLIC EDUCATION GRANT: WALTON CENTRAL SCHOOL

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award of Seven Thousand Three Hundred Forty-Eight Dollars (\$7,348.00) to Walton Central School for a project titled “Cannonsville, Community and Common Core”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of Seven Thousand Three Hundred Forty-Eight Dollars (\$7,348.00) to Walton Central School.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – Ulster BOCES - Tab 23**

A motion to approve Resolution No. 2093 was made by Richard Parete and seconded by James Eisel.

May 1, 2012

**RESOLUTION NO. 2093**

**PUBLIC EDUCATION GRANT: ULSTER BOCES**

**WHEREAS**, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

**WHEREAS**, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

**WHEREAS**, PEAG recommended a grant award of Ten Thousand Dollars (\$10,000.00) to Ulster BOCES for a project titled “Introduction to the Ashokan Reservoir”.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the recommended award of Ten Thousand Dollars (\$10,000.00) to Ulster BOCES.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of CWC Public Education Program 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.

**Voice Vote, carried unanimously**

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Public Education Grant – Horticultural Society of NY - Tab 24

A motion to approve Resolution No. 2094 was made by Tina Molé and seconded by Thomas Snow.

May 1, 2012

RESOLUTION NO. 2094

PUBLIC EDUCATION GRANT: HORTICULTURAL SOCIETY OF NY

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award Ten Thousand Dollars (\$10,000.00) to Horticultural Society of NY for a project titled “Harlem H2O Outreach Program”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of Ten Thousand Dollars (\$10,000.00) to Horticultural Society of NY.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – Trout in the Classroom/TU - Tab 25**

A motion to approve Resolution No. 2095 was made by Thomas Snow and seconded by Martin Donnelly.

May 1, 2012

**RESOLUTION NO. 2095**

**PUBLIC EDUCATION GRANT: TROUT UNLIMITED/TROUT IN THE CLASSROOM**

**WHEREAS**, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

**WHEREAS**, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

**WHEREAS**, PEAG recommended a grant award of Ten Thousand Dollars (\$10,000.00) to Trout Unlimited/Trout in the Classroom for a project titled “TIC and STEM”.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the recommended award of Ten Thousand Dollars (\$10,000.00) to Trout Unlimited/Trout in the Classroom.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of CWC Public Education Program 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.

**Voice Vote, carried unanimously**

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Public Education Grant – Delaware Academy & Central School - Tab 26

A motion to approve Resolution No. 2096 was made by Wayne Marshfield and seconded by Richard Pelham.

May 1, 2012

RESOLUTION NO. 2096

PUBLIC EDUCATION GRANT: DELAWARE ACADEMY & CENTRAL SCHOOL

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award of One Thousand Six Hundred Eighty-Four Dollars (\$1,684.00) to Delaware Academy & Central School for a project titled “Catskills Acid Rain and Geology Study”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of One Thousand Six Hundred Eighty-Four Dollars (\$1,684.00) to Delaware Academy & Central School.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – PS 84 - Tab 27**

A motion to approve Resolution No. 2097 was made by Jeff Graf and seconded by Michael Flaherty.

May 1, 2012

**RESOLUTION NO. 2097**

**PUBLIC EDUCATION GRANT: PS 84**

**WHEREAS**, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

**WHEREAS**, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

**WHEREAS**, PEAG recommended a grant award of One Thousand Three Hundred Dollars (\$1,300.00) to PS 84 for a project titled “Trout in the Classroom”.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the recommended award of One Thousand Three Hundred Dollars (\$1,300.00) to PS 84.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of CWC Public Education Program 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.

**Voice Vote, carried unanimously**

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Public Education Grant – Bronx Children’s Museum - Tab 28

A motion to approve Resolution No. 2098 was made by Jeff Graf and seconded by Berndt Leifeld.

May 1, 2012

RESOLUTION NO. 2098

PUBLIC EDUCATION GRANT: BRONX CHILDREN’S MUSEUM

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award of One Thousand Three Hundred Dollars (\$1,300.00) to Bronx Children’s Museum for a project titled “Little Friends of the River”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of One Thousand Three Hundred Dollars (\$1,300.00) to Bronx Children’s Museum.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – South St. Seaport Museum - Tab 29**

A motion to approve Resolution No. 2099 was made by Martin Donnelly and seconded by Michael Flaherty.

May 1, 2012

**RESOLUTION NO. 2099**

**PUBLIC EDUCATION GRANT: SOUTH STREET SEAPORT MUSEUM**

**WHEREAS**, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

**WHEREAS**, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

**WHEREAS**, PEAG recommended a grant award of Five Thousand Dollars (\$5,000.00) to South Street Seaport Museum for a project titled “For Learning on Water”.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the recommended award of Five Thousand Dollars (\$5,000.00) to South Street Seaport Museum.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of CWC Public Education Program 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.

**Voice Vote, carried unanimously**

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Public Education Grant – Groundswell - Tab 30

A motion to approve Resolution No. 2100 was made by Thomas Snow and seconded by Deborah DeWan.

May 1, 2012

RESOLUTION NO. 2100

PUBLIC EDUCATION GRANT: GROUNDSWELL

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award of Ten Thousand Dollars (\$10,000.00) to Groundswell for a project titled “NYC Water Supply Mural”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of Ten Thousand Dollars (\$10,000.00) to Groundswell.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – Friends of PS 166 - Tab 31**

A motion to approve Resolution No. 2101 was made by Michael Flaherty and seconded by Thomas Hynes.

May 1, 2012

**RESOLUTION NO. 2101**

**PUBLIC EDUCATION GRANT: FRIENDS OF PS 166**

**WHEREAS**, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

**WHEREAS**, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

**WHEREAS**, PEAG recommended a grant award of Two Thousand Four Hundred Thirty-One Dollars (\$2,431.00) to Friends of PS 166 for a project titled “Ashokan Center Trip”.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the recommended award of Two Thousand Four Hundred Thirty-One Dollars (\$2,431.00) to Friends of PS 166.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of CWC Public Education Program 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.

**Voice Vote, carried unanimously**

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Public Education Grant – RPI - Tab 32

A motion to approve Resolution No. 2102 was made by Jeff Graf and seconded by Wayne Marshfield.

May 1, 2012

RESOLUTION NO. 2102

PUBLIC EDUCATION GRANT: RENSSELAER POLYTECHNIC INSTITUTE

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the 15th round of funding have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award of Ten Thousand Dollars (\$10,000.00) to Rensselaer Polytechnic Institute for a project titled “Watershed Video Game and Fieldwork Project”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of Ten Thousand Dollars (\$10,000.00) to Rensselaer Polytechnic Institute.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**Public Education Grant – CCE Ulster - Tab 33**

A motion to table this resolution due to a question of funding by another MOA Program Contract was made by James Eisel and seconded by Michael Flaherty.

***Voice Vote, carried unanimously***

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Public Education Special Program Grant – Time and the Valleys Museum - Tab 34

A motion to approve Resolution No. 2103 was made by Thomas Hynes and seconded by Richard Parete.

May 1, 2012

RESOLUTION NO. 2103

PUBLIC EDUCATION GRANT: TIME AND THE VALLEYS MUSEUM

WHEREAS, it is one of the aims of the Catskill Watershed Corporation to promote knowledge and understanding of the history and ecology of the New York City Watershed among West-of-Hudson residents and New York City water consumers; and

WHEREAS, pursuant to the New York City Watershed Memorandum of Agreement, the CWC is the administrator of the Public Information and Education Program, to provide grants to schools and non-profit organizations in the West-of-Hudson Watershed and in NYC; and

WHEREAS, pursuant to the CWC Public Education Program rules as adopted by the CWC Board of Directors, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

WHEREAS, such recommendations for the Education Special Program Fund have been received from PEAG and reviewed by the CWC Education Committee; and

WHEREAS, PEAG recommended a grant award of Four Thousand Three Hundred Fifty Dollars (\$4,350.00) to Time and the Valleys Museum for a project titled “Interactive Education Stations”.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approve the recommended award of Four Thousand Three Hundred Fifty Dollars (\$4,350.00) to Time and the Valleys Museum.

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of CWC Public Education Program 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.

Voice Vote, carried unanimously

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**CFR Program Rule Change – REDI Loan Interest Rate Cap - Tab 35**

A motion to approve Resolution No. 2104 was made by James Eisel and seconded by Michael Triolo.

May 1, 2012

**RESOLUTION NO. 2104**

**AMENDMENT TO CATSKILL FUND FOR THE FUTURE PROGRAM RULES**  
**INTEREST RATES**

**WHEREAS**, pursuant to the New York City Watershed Memorandum of Agreement (“MOA”) and a Program Contract with New York City Department of Environmental Protection, the Catskill Watershed Corporation (“CWC”) shall administer the Catskill Fund for the Future (“CFF”), the CWC has adopted program rules consistent with the MOA and Program Contract to administer this program; and

**WHEREAS**, pursuant to the MOA, the CFF shall be used to make loans and grants to Qualified Economic Development Projects (QEDP’s); and

**WHEREAS**, pursuant to the MOA, QEDP is defined as economic development studies, grants and loans for projects which encourage environmentally sound development and which encourage the goals of watershed protection and job growth in the West of Hudson Watershed communities; and

**WHEREAS**, by Resolution Number 707, the CWC Board of Directors amended CFF Program Rules to provide for setting interest rates on REDI Fund, Hospital/Health Care Industry, and Commercial Septic and WOH Mandates Loan Programs at the higher of (one-half the Prime Interest Rate) minus one percent or 3% (three percent) to not-for-profit entities and the higher of (one-half the Prime Interest Rate) plus one percent or 4% (four percent) to for-profit entities and on the MICRO Loan Fund at the higher of Prime interest rate minus one percent or 3% (three percent) for not-for-profit entities and or the higher of Prime interest rate plus one percent or 4% (four percent) for for-profit entities; and

**WHEREAS**, CWC staff now services all loans approved by the Board and the loan servicing software requires that a maximum interest rate be entered for each loan; and

**WHEREAS**, the Economic Development Committee recommends that for the purposes of loan servicing, the interest rate on REDI Fund, Hospital/Health Care Industry, and Commercial Septic and WOH Mandates Loan Programs be capped at ten (10%) percent.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board consistent with the terms of the MOA and the Program Contract, the West of Hudson Economic Development Study and the Economic Development Committee recommendation amends the CWC Program Rules governing the Catskill Fund for the Future REDI Fund, Hospital/Health Care Industry, and Commercial Septic and WOH Mandates Loan Programs to capped at no greater than ten (10%) percent per annum for the purposes of loan servicing record keeping.

## **ATTACHMENT A**

### **Chapter 1:05 REDI Loan Program**

#### **1:05:04 Interest Rates**

The REDI Loan Interest Rate shall be the higher of one-half the Prime Interest Rate plus one percent or 4% for both for-profit and not-for-profit Applicants. Loans with a maturity of seven years or less shall be amortized at a fixed rate over the term of the loan such that it is paid in full at its maturity date. The interest rate on loans with a maturity exceeding seven years shall be adjusted to the current CWC interest rate in effect on the fifth anniversary of the loan and every

five years thereafter and amortized such that that it is paid in full at its maturity date. For the purposes of loan servicing, interest rate shall not exceed 10%.

## **Chapter 1:06 Micro-Loan Program**

### **1:06:03 Interest Rates**

The Micro-Loan Interest Rate shall be the higher of Prime Interest Rate plus one percent or 5.25 % for for-profit and not-for-profit Applicants. The loan shall be amortized at a fixed rate over the term of the loan such that it is paid in full at its maturity date. For the purposes of loan servicing, interest rate shall not exceed 10%.

## **Chapter 1:07 Commercial Septic and WOH Mandates Loan Program**

### **1:07:03 Interest Rates**

The Commercial Septic and WOH Mandates Loan Interest Rate shall be the higher of one-half the Prime Interest Rate plus one percent or 4% for for-profit and not-for-profit Applicants. Loans with a maturity of seven years or less shall be amortized at a fixed rate over the term of the loan such that it is paid in full at its maturity date. The interest rate on loans with a maturity exceeding seven years shall be adjusted to the current CWC interest rate in effect on the fifth anniversary of the loan and every five years thereafter and amortized such that that it is paid in full at its maturity date. For the purposes of loan servicing, interest rate shall not exceed 10%.

## **Chapter 1:15 Catskills Hospital/Health Care Industry Loan Program**

### **1:15:05 Interest Rates**

The HC Fund interest rates shall be the higher of one-half Prime Interest Rate plus one percent or 4%. Loans with a maturity of seven years or less shall be amortized at a fixed rate over the term of the loan such that it is paid in full at its maturity date. The interest rate on loans with a maturity exceeding seven years shall be adjusted to the current CWC interest rate in effect on the fifth anniversary of the loan and every five years thereafter and amortized such that that it is paid in full at its maturity date. For the purposes of loan servicing, interest rate shall not exceed 10%.

*Alan explained that the new software program for CFF loan servicing requires that a ceiling on the adjustable interest rate be entered for each loan. There is already a floor established. The ceiling would now be 10%.*

**Voice Vote, carried unanimously**

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CFF Flood Recovery Grant – T. of Neversink - Tab 36

A motion to approve Resolution No. 2105 was made by Thomas Snow and seconded by Deborah DeWan.

May 1, 2012

RESOLUTION NO. 2105 **AMENDMENT OF 2011 CFF FLOOD RECOVERY GRANT RULES**

FOR BUSINESSES IN SULLIVAN COUNTY

WHEREAS, by Resolution 1985, CWC established the 2011 Flood Recovery Grant Program to assist businesses within the West of Hudson Watershed (WOH WATERSHED) that sustained structural damage as a result of Tropical Storms Irene and/or Lee; and

WHEREAS, CWC By-Laws provide that “the Catskill Fund for the Future shall be allocated in a matter that recognizes the relative size of each County in the West of Hudson Watershed” and “consistent with the following percentages:”

Delaware	51.47%
Greene	18.63%
Schoharie	4.41%
Sullivan	4.90%
Ulster	20.59%

WHEREAS, by Resolution 1985, CWC Board of Directors allocated Five Million Dollars (\$5,000,000) to the 2011 Flood Recovery Grant Program on the basis of allocation percentages defined in CWC By-Laws including Two Hundred Twenty Thousand Five Hundred Dollars (\$220,500) for Schoharie County; and

WHEREAS, as of December 31, 2011, the actual percentages of all loans and grants approved by the CWC Board is as follows:

Delaware	52.61%
Greene	8.54%
Schoharie	0.52%
Sullivan	4.33%
Ulster	30.74%
Projects for All Counties	1.04%
Unallocated from original CFF funding	2.21%

WHEREAS, by Resolution Number 2064, the CWC Board approved allowing businesses outside the allow for the eligibility of businesses located in watershed towns in Schoharie County, regardless of whether or not such business is located within the New York City Watershed, given the small number of eligible businesses in Schoharie County Watershed Towns and the historically low percentage of CFF funding for loans and/or grants in Schoharie County Watershed Towns; and

WHEREAS, Sullivan County also has a lower percentage of CFF funding than that provided for in the CWC By-Laws; and

WHEREAS, the Town of Neversink requested funding of up to \$30,000 under the CFF Flood Recovery Grant Program for relocating a baseball field that was severely damaged by flooding from Tropical Storm Irene; and

WHEREAS, businesses in the Town of Neversink sustained little if any damage as a result of Tropical Storms Irene and/or Lee.

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors approves the amendment of the 2011 CFF Flood Recovery Grant Program as provided in Attachment A.

2011 Flood Recovery Program Grant Rules

1. Definitions

- a. Business - business shall mean a person, partnership, joint venture, corporation, cooperative or other for-profit that owns and/or operates a business that is located in a watershed town in Schoharie County or in the West of Hudson Watershed in Delaware, Greene, Sullivan or Ulster Counties and identified by the watershed town where it is located for inclusion in the 2011 Flood Recovery Program, **or a not for profit located in the Town of Neversink in Sullivan County**. Businesses are limited to one per parcel of property. Business that is operated over two or more tax lots shall be limited to one reimbursement in an amount not to exceed \$30,000. Business shall not include a not for profit organization, and/or a business seeking reimbursement for damage to residential properties, including apartments or trailer parks. Business shall also not include multi-state franchise or chain stores.
- b. Eligible Expense - actual expenses incurred by a business as defined herein. Reimbursable expense is limited to actual costs of structural repair/replacement (materials and/or labor costs) due to flood and/or wind damage that occurred between August 28, 2011 and September 9, 2011. Expenses not eligible for reimbursement include but are not limited to labor of property owner or volunteers, donated materials, purchase of inventory, loss income due to damage, expense that is or shall be reimbursable under insurance and/or an approved grant, and any other expense not directly related to repair/replacement of structural damage as described above.

2. CWC 2011 Flood Recovery Program

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

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

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

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

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

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

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

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

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

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

Checks will be made out to the affected business and the town (two party). Where the town has secured materials for the benefit of an affected business the town and supplier will be payees on the check.

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

Allocated money not utilized remains with CWC

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

Voice Vote, carried unanimously

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A motion to enter into Executive Session with Alan L. Rosa, Timothy Cox, Barbara Puglisi, Jason Merwin, and Phil Sireci to discuss CFF delinquent loans and new loan applicant financials was made by Thomas Snow and seconded by Martin Donnelly.

***Voice Vote, carried unanimously***

A motion to resume the regular meeting was made by James Eisel and seconded by Michael Flaherty.

***Voice Vote, carried unanimously***

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CFF REDI Loan – Brio Ten Main, Inc. – Tab 37

A motion to approve Resolution No. 2106 was made by Richard Parete and seconded by Michael Triolo.

May 1, 2012

RESOLUTION NO. 2106 - DENIED
APPROVAL OF BRIO TEN MAIN, INC.
BUSINESS LOAN

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, Brio Ten Main, Inc., has applied for a Four Hundred Thousand Dollar (\$400,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years, with a twenty year amortization, after the four month construction period of interest only, 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, for the purchase of 10 Main Street, Phoenicia, NY, to purchase Al's Restaurant and renovate it to reopen as The Phoenician; and

WHEREAS, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Brio Ten Main, Inc.; and

WHEREAS, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Brio Ten Main, Inc.; and

WHEREAS, the CWC Loan Committee has recommended approval of the CWC Loan application from Brio Ten Main, Inc. in the amount of Four Hundred Thousand Dollars (\$400,000.00); and

WHEREAS, CWC staff recommend waiving the participating lender requirement pursuant to CFF Program Rules section 1:05:02 (j) on the basis that in the opinion of CWC staff only a 1st lien position adequately protects the interests of CWC; 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 Brio Ten Main, Inc. application meets the CWC CFF qualified economic development criteria and approves of

the loan application in the amount of Four Hundred Thousand Dollars (\$400,000.00) for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years, with a twenty year amortization, after the four month construction period of interest only, 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 and further waives the participating lender requirement pursuant to CFF Program Rules section 1:05:02 (j) on the basis that only a 1st lien position adequately protects the interests of CWC.

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 in a form agreed upon.

NOW, THEREFORE BE IT FURTHER RESOLVED, that upon said approval of loan documentation CWC is authorized to close on said loan and 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 Brio Ten Main, Inc.

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Brio Ten Main, Inc., located in the Town of Shandaken, 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.

1. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 10 Main Street, Phoenicia, NY, to be purchased by Brio Ten Main, Inc., is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 10 Main Street, Phoenicia, NY to be purchased by Brio Ten Main, Inc. 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) Brio Ten Main, Inc. will purchase 10 Main Street, Phoenicia, NY, renovate it, and reopen it as The Phoenician.
 - (ii) The project is located in the Town of Shandaken.
 - (iii) The project will utilize a private septic system.
 - (iv) The project appears to present no threat to water quality.
 - (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
 - (vi) 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 Town of Shandaken.
 - (i) The project is consistent with current zoning.
 - (ii) The project is compatible with surrounding land uses.
 - (iii) The project will not generate excessive traffic.
 - (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
- 4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
- 5. Not applicable.

Richard Parete noted that the applicant has a very high success rate with his other businesses/restaurants in Phoenicia, and that there is concern that as a gateway community, if The Phoenician is not renovated and reopened, it will have a negative effect on the entire region.

Voice Vote, 3 aye, 11 nay - Denied

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**CFF REDI Loan – Reed & Stewart Properties, LLC – Tab 38**

A motion to approve Resolution No. 2107 was made by Wayne Marshfield and seconded by Tina Molé.

May 1, 2012

**RESOLUTION NO. 2107**  
**APPROVAL OF REED & STEWART PROPERTIES, LLC**  
**BUSINESS LOAN**

**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**, Reed & Stewart Properties, LLC, has applied for a One Hundred Eight Thousand Seven Hundred Dollar (\$108,700.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years, after the six month construction period of interest only, 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, for the purchase of 17 Elm Street, Delhi, NY, to add a second floor, and relocate her Cardio Club business to the new expanded location; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Reed & Stewart Properties, LLC; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Reed & Stewart Properties, LLC; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Reed & Stewart Properties, LLC of One Hundred Eight Thousand Seven Hundred Dollars (\$108,700.00); 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 Reed & Stewart Properties, LLC application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of One Hundred Eight Thousand Seven Hundred Dollars (\$108,700.00) for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years, after the six month construction period of interest only, 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.

**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 in a form agreed upon.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that upon said approval of loan documentation CWC is authorized to close on said loan and 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 Reed & Stewart Properties, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Reed & Stewart Properties, LLC located in the Village of Delhi, 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 17 Elm Street, Delhi, NY, to be purchased by Reed & Stewart Properties, LLC, 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 17 Elm Street, Delhi, NY, to be purchased by Reed & Stewart Properties, LLC, 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) Reed & Stewart Properties, LLC will purchase 17 Elm Street, Delhi, NY, add a second floor, and relocate the Cardio Club to the expanded location.
  - (viii) The project is located in the Village of Delhi.
  - (ix) The project will utilize a municipal sewer 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 Delhi.
  - (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 not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**

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CFF REDI Loan – Spillian, LLC – Tab 39

A motion to approve Resolution No. 2108 was made by Richard Parete and seconded by Thomas Hynes.

May 1, 2012

RESOLUTION NO. 2108
APPROVAL OF SPILLIAN, LLC
BUSINESS LOAN

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, Spillian, LLC, has applied for a Four Hundred Thousand Dollar (\$400,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years, with a twenty year amortization after the six month construction period of interest only, 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, for the purchase of 50 Todd Mt. Road, Fleischmanns, NY, to be restored and opened as a retreat, hospitality venue; and

WHEREAS, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Spillian, LLC; and

WHEREAS, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Spillian, LLC; and

WHEREAS, the CWC Loan Committee has recommended approval of the CWC Loan application from Spillian, LLC of Four Hundred Thousand Dollars (\$400,000.00); 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, CWC staff recommend waiving the participating lender requirement pursuant to CFF Program Rules section 1:05:02 (j) on the basis that in the opinion of CWC staff only a 1st lien position adequately protects the interests of CWC; 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 the Spillian, LLC application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Four Hundred Thousand Dollars (\$400,000.00) for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years with a twenty year amortization after the six month construction period of interest only, 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 and further waives the participating lender requirement pursuant to CFF Program Rules section 1:05:02 (j) on the basis that only a 1st lien position adequately protects the interests of CWC.

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 in a form agreed upon.

NOW, THEREFORE BE IT FURTHER RESOLVED, that upon said approval of loan documentation CWC is authorized to close on said loan and 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 Spillian, LLC

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Spillian, LLC, located in the Village of Fleischmanns, 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.

7. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 50 Todd Mt. Road, Fleischmanns, NY, to be purchased by Spillian, LLC, is presently in compliance with all applicable environmental statutes and regulations.
8. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 50 Todd Mt. Road, Fleischmanns, NY, to be purchased by Spillian, LLC, is not subject to any enforcement actions by any regulatory agency.
9. (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.
 - (xiii) Spillian, LLC will purchase 50 Todd Mt. Road, Fleischmanns, NY.
 - (xiv) The project is located in the Village of Fleischmanns.
 - (xv) The project will utilize a private septic system.
 - (xvi) The project appears to present no threat to water quality.
 - (xvii) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
 - (xviii) 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 Fleischmanns.
 - (ix) The project is consistent with current zoning.
 - (x) The project is compatible with surrounding land uses.
 - (xi) The project will not generate excessive traffic.
 - (xii) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

Voice Vote, 13 aye, 1 nay - Carried

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**CFF REDI Loan – Vista Property Group, LLC – Tab 40**

A motion to approve Resolution No. 2109 was made by Deborah DeWan and seconded by Richard Parete.

May 1, 2012

**RESOLUTION NO. 2109**  
**APPROVAL OF VISTA PROPERTY GROUP LLC**  
**BUSINESS LOAN**

**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**, Vista Property Group, LLC, has applied for a Eight Hundred Sixty Thousand Dollar (\$860,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), 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, for the purchase of Woodstock Harley Davidson, located at 949 NYS Route 28, Kingston, NY; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Vista Property Group, LLC; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Vista Property Group, LLC; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Vista Property Group, LLC in the amount of Eight Hundred Sixty Thousand Dollars (\$860,000.00); 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**, CWC staff recommend waiving the participating lender requirement pursuant to CFF Program Rules section 1:05:02 (j) on the basis that in the opinion of CWC staff only a 1<sup>st</sup> lien position adequately protects the interests of CWC; 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 Vista Property Group, LLC application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Eight Hundred Sixty Thousand Dollars (\$860,000.00) for a term of fifteen (15) years, at a rate of four percent (4.0%), 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 and further waives the participating lender requirement pursuant to CFF Program Rules section 1:05:02 (j) on the basis that only a 1<sup>st</sup> lien position adequately protects the interests of CWC.

**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 in a form agreed upon.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that upon said approval of loan documentation CWC is authorized to close on said loan and 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 Vista Property Group, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Vista Property Group, LLC, located in the Town of Kingston, 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.

10. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 949 NYS Route 28, Kingston, NY, to be purchased by Vista Property Group, LLC, is presently in compliance with all applicable environmental statutes and regulations.
11. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 949 NYS Route 28, Kingston, NY, to be purchased by Vista Property Group, LLC, is not subject to any enforcement actions by any regulatory agency.
12. (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.

- (xix) Vista Property Group, LLC will purchase Woodstock Harley Davidson, located at 949 NYS Route 28, Kingston, NY.



- (xx) The project is located in the Town Kingston.
- (xxi) The project will utilize a private septic system.
- (xxii) The project appears to present no threat to water quality.
- (xxiii) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
- (xxiv) 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 Town of Kingston.
  - (xiii) The project is consistent with current zoning.
  - (xiv) The project is compatible with surrounding land uses.
  - (xv) The project will not generate excessive traffic.
  - (xvi) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
- 4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
- 5. Not applicable.

**Voice Vote, 13 aye, 1 nay - Carried**

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VIII. Announcements from the Chair: None

IX. Board Member Discussion:

Deborah DeWan noted that the Clean Water Act is now 40 years old. Tim Cox noted that the purpose of the document was to eliminate discharge to waters by 1986.

A motion to adjourn was made by Michael Flaherty and seconded by Thomas Snow.

Voice Vote, carried unanimously

X. Adjournment: @ 1:58 p.m.