

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

July 5, 2017 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Martin Donnelly.

III. Roll Call of Directors

Members Present: Martin Donnelly, James Eisel, Innes Kasanof, Wayne Marshfield, Mark McCarthy, Tina Molé, Richard Parete, John Schwartz (*New York City DEP*), James Sofranko, Michael Triolo, and Anthony Van Glad.

Members Excused: Thomas Hynes, Robert Pelham and Thomas Snow (*New York State DEC*).

Staff Members Present: Timothy Cox, Diane Galusha, Leo LaBuda, James Martin, John Mathiesen, Barbara Puglisi, Alan L. Rosa, Justine Rutherford, Philip Sireci, and Frieda Suess.

Others Present: Bruce E. Dolph, Chairman (*Coalition of Watershed Towns*), Charles Gregory, Supervisor (*Town of Walton*), Michael Meyer (*New York City DEP*), Thomas Stalter (*New York City DEP*), David Warne (*New York City DEP*), and Gloria Zola-Mulloy (*Catskill Mountain News*).

IV. Review and Approval of June 6, 2017 Board Meeting Minutes

A motion to approve the minutes from the June 6, 2017 board meeting was made by James Sofranko and seconded by Martin Donnelly.

Voice Vote, carried unanimously

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of April 30, 2017 was made by James Eisel and seconded by Wayne Marshfield.

**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.

Committee Schedule

Committee Meeting Minutes

VI. Public Discussion

Alan Rosa introduced new CWC employee Justine Rutherford, hired as Administrative Assistant in the Septic, Stormwater, Community Wastewater, and Flood Hazard Mitigation programs. Justine shared that she recently graduated from SUNY Delhi with an associate’s degree in Environmental Studies. She has worked with the US Department of Agriculture Farm Service Agency, located in Walton, where she worked with program technicians and performed GIS tasks.

Alan also announced that two new employees have been hired to work in the Economic Development department. Samantha (Sam) Costa has a communications degree and a desire to work in Economic Development, so she will be cross-trained with Barbara Puglisi under CFF and Diane Galusha under Public Education & Communications. Lynn Kavanagh has a paralegal background and is currently working with Cobleskill Stone as their office manager. Lynn will be cross-trained with Barbara in CFF and with James Martin and Wendy Loper in the Finance department. Sonia Martinez was hired to work with Frieda Suess as General Office Personnel, and will fill the position of front office receptionist once the new office is built in Arkville. Sonia is fluent in both English and Spanish.

Charles Gregory, Supervisor for the Town of Walton, stated that the Town of Walton is in full support of CWC’s involvement with the new flood gauge project and will do whatever they can to help facilitate that, and that the Town is in full support of the CWC’s flood buyout program for relocation of Breakey Motors, located in the Village of Walton.

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$25,000 – Walter Kaminski – Tab 6**

A motion to approve Resolution No. 3105 was made by Wayne Marshfield and seconded by Richard Parete.

July 5, 2017

**RESOLUTION NO. 3105**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
WALTER KAMINSKI**

**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 Forty Thousand Eight Hundred Ninety-Two Dollars and Two Cents (\$40,892.02); 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 Forty Thousand Eight Hundred Ninety-Two Dollars and Two Cents (\$40,892.02) 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 Forty Thousand Eight Hundred Ninety-Two Dollars and Two Cents (\$40,892.02) 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 Forty Thousand Eight Hundred Ninety-Two Dollars and Two Cents (\$40,892.02).

**Walter Kaminski Backup**

Mr. Kaminski’s property is located in the Town of Wawarsing, Ulster County. This property has two homes, one built prior to 1997 and one built in 2002. The septic system will serve only the home built prior to 1997. Homeowner and CWC staff received three quotes from unrelated contractors for \$64,610.67, \$49,180.00, and \$40,892.02. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump station, 55 lineal feet of 4” gravity piping, 175 lineal feet of 2” forcemain, one distribution box, 354 cubic yards of absorption fill material, 208 lineal feet of absorption trench, 338 lineal feet of curtain drain, 4,050 square feet of topsoil, seed and mulch, removal of 20+ trees, brush clearing, temporary access road, and temporary entrance. The lowest quote does not exceed the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$40,892.02.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Molly Oliver – Tab 7

A motion to approve Resolution No. 3106 was made by Wayne Marshfield and seconded by Tina Molé.

July 5, 2017

RESOLUTION NO. 3106

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:
MOLLY OLIVER**

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 Eighty-Six Dollars (\$33,086.00); 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 Eighty-Six Dollars (\$33,086.00) 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 Eighty-Six Dollars (\$33,086.00) 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 Eighty-Six Dollars (\$33,086.00).

Molly Oliver Backup

Ms. Oliver's property is located in the Town of Meredith, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$34,575.00, \$34,500.00, and \$33,086.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, one pump station, 30 lineal feet of 4" gravity piping, 170 lineal feet of forcemain, 85 cubic yards of random fill material, 20 cubic yards of sand, one effluent filter, 4 peat modules, temporary access road, small loads delivery to site, and 2,820 square feet of site restoration. The lowest quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$33,086.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Wayne Sparling – Tab 8**

A motion to approve Resolution No. 3107 was made by Wayne Marshfield and seconded by James Eisel.

July 5, 2017

**RESOLUTION NO. 3107**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
WAYNE SPARLING**

**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-Five Thousand Dollars (\$25,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Eight Hundred Eighty-Two Dollars and Twenty-Four Cents (\$29,882.24); and

**WHEREAS**, the contractor’s quote for this system is more than Twenty-Five Thousand Dollars (\$25,000); and

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Nine Thousand Eight Hundred Eighty-Two Dollars and Twenty-Four Cents (\$29,882.24) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Nine Thousand Eight Hundred Eighty-Two Dollars and Twenty-Four Cents (\$29,882.24) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Eight Hundred Eighty-Two Dollars and Twenty-Four Cents (\$29,882.24).

**Wayne Sparling Backup**

Mr. Sparling’s property is located in the Town of Hamden, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,882.24. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump chamber, 20 lineal feet of 4” gravity piping, 305 lineal feet of forcemain, 280 cubic yards of absorption fill material, 11 cubic yards of C-33 sand, 288 square feet of Eljen in-drain, temporary access, and site restoration. The quote does not exceed the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,882.24.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Additional Cost – Aaron Bonesteel – Tab 9

A motion to approve Resolution No. 3108 was made by Wayne Marshfield and seconded by James Sofranko.

July 5, 2017

RESOLUTION NO. 3108

BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION
OVER \$25,000:
AARON BONESTEEL

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-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, on May 2, 2017, by Resolution Number 3037, the CWC Board approved reimbursement to Aaron Bonesteel in an amount not to exceed Thirty-Six Thousand Nine Hundred Sixty-Five Dollars (\$36,965.00); and

WHEREAS, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of Six Thousand One Hundred Six Dollars and Thirty Cents (\$6,106.30); and

WHEREAS, the total contractor’s invoices for this system is more than Twenty-Five Thousand Dollars (\$25,000.00); and

WHEREAS, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Six Thousand One Hundred Six Dollars and Thirty Cents (\$6,106.30); and

WHEREAS, CWC staff have determined that Forty-Three Thousand Seventy-One Dollars and Thirty Cents (\$43,071.30) 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 Forty-Three Thousand Seventy-One Dollars and Thirty Cents (\$43,071.30) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Forty-Three Thousand Seventy-One Dollars and Thirty Cents (\$43,071.30).

Aaron Bonesteel Backup

Mr. Bonesteel’s property is located in the Town of Woodstock, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$36,965.00. During construction the Engineer instructed the contractor to install approximately 210 cubic yards of random fill to ensure positive drainage and eliminate ponding, resulting in an additional 1,420 square feet of restoration. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$6,106.30. The Septic Committee recommends that the Board approves an additional reimbursement of \$6,106.30, for total reimbursement not to exceed \$43,071.30.

Voice Vote, *carried unanimously*

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**Future Stormwater – Town of Denning – Additional Funds – Construction – Tab 10**

A motion to approve Resolution No. 3109 was made by James Eisel and seconded by Martin Donnelly.

July 5, 2017

**RESOLUTION NO. 3109**

**BOARD REVIEW OF ADDITIONAL FUNDING FOR THE  
TOWN OF DENNING (PARKING LOT)  
FUTURE STORMWATER PROJECT**

**WHEREAS**, the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA) paragraph 128 directs the Catskill Watershed Corporation (CWC) to establish a program to pay for the reasonable and proper cost to design, implement, permit, construct and maintain new stormwater measures pursuant to stormwater pollution prevention plans solely required by the 18-39(b)(3) and 18-39(e) of the watershed regulations and not otherwise required by State or federal law; and

**WHEREAS**, on September 2, 2014, by Resolution Number 2556, the CWC Board of Directors approved an application by Town of Denning for funding of eligible design costs in the not-to-exceed amount of Three Thousand Five Hundred Dollars (\$3,500.00); and

**WHEREAS**, the Town of Denning went out to bid and has requested additional implementation funding in an amount not to exceed Thirty-Five Thousand Eight Hundred Ninety-Eight Dollars (\$35,898.00) for construction of the Town of Denning Parking Lot project; and

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

**WHEREAS**, upon review of the information and staff recommendation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve an amended not-to-exceed amount of Thirty-Nine Thousand Three Hundred Ninety-Eight Dollars (\$39,398.00) for the Town of Denning Future Stormwater Project.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the attached application, staff recommendation and supporting documentation and approves additional funding in the amount of Thirty-Five Thousand Eight Hundred Ninety-Eight Dollars (\$35,898.00) for construction of the Town of Denning Parking Lot project, for a total project amount not to exceed Thirty-Nine Thousand Three Hundred Ninety-Eight Dollars (\$39,398.00).

**CWC Future Stormwater Controls Program - Town of Denning – Town Hall Parking Lot**

The Town of Denning is paving the Town Hall parking lot in Claryville, Ulster County. The disturbance is less than 1 acre, within 100 feet of a watercourse, and in the designated hamlet of Claryville. Due to the small size of the project, no State stormwater requirements are applicable.

Due to the distance from a watercourse, the Watershed Regulations require the Town to complete a stormwater pollution prevention plan.

The CWC Board previously approved design funding for the project. For the construction costs, The Town requested to submit vouchers to CWC for payment as the project progresses. Per the CWC Future Stormwater Program Rules, a retainage will be held until Construction Acceptance is received from NYCDEP. For municipal applicants, CWC pays for 100% of eligible stormwater costs.

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

|                                   |             |
|-----------------------------------|-------------|
| Total Eligible Construction Costs | \$35,898.00 |
|-----------------------------------|-------------|

**Voice Vote, carried unanimously**

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Future Stormwater – Frosty Land, Inc. – Additional O&M – Tab 11

A motion to approve Resolution No. 3110 was made by Innes Kasanof and seconded by Tina Molé.

July 5, 2016

RESOLUTION NO. 3110

FROSTY LAND, INC.

KAATSKILL MOUNTAIN CLUB CONDOMINIUMS

ADDITIONAL FUTURE STORMWATER OPERATION & MAINTENANCE

WHEREAS, the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA) paragraph 128 directs the Catskill Watershed Corporation (CWC) to establish a program to pay for the reasonable and proper cost to design, implement, permit, construct and maintain new stormwater measures pursuant to stormwater pollution prevention plans required by Sections 18-39(b)(3) and 18-39(e) of the Watershed Regulations; and

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

WHEREAS, Frosty Land, Inc. has applied for additional reimbursement for operation and maintenance of an eligible project; and

WHEREAS, on August 23, 2005, by Resolution Number 888, the CWC Board of Directors approved an application by Frosty Land, Inc. for operation and maintenance costs in an amount not to exceed Ten Thousand Dollars (\$10,000.00) through the year 2007; and

WHEREAS, on November 27, 2007, by Resolution Number 1239, the CWC Board of Directors approved extending the operation and maintenance contract for an additional two years; and

WHEREAS, approximately Two Thousand Six Hundred Eighty-Six Dollars and Forty-Three Cents (\$2,686.43) remain in operation and maintenance funding approved by Resolution Number 888, on August 23, 2005; and

WHEREAS, on June 20, 2017, the president of Frosty Land, Inc. requested additional operation and maintenance funding; and

WHEREAS, the CWC Wastewater Committee recommends that the CWC Board of Directors approve additional reimbursement in an amount not to exceed Ten Thousand Dollars (\$10,000.00); and

WHEREAS, the CWC Wastewater Committee also recommends the remaining funds from Resolution Number 888 be included in a new operation and maintenance funding agreement with Frosty Land, Inc.; and

WHEREAS, the CWC Wastewater/Stormwater Committee has reviewed the CWC staff recommendation and recommends that the CWC Board of Directors authorize the President and/or Executive Director to enter into a contract with Frosty Land, Inc. for reimbursement of stormwater maintenance for a total not-to-exceed amount of Twelve Thousand Six Hundred Eighty-Six Dollars and Forty-Three Cents (\$12,686.43).

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes the President and/or Executive Director to execute a contract with Frosty Land, Inc. for a total not-to-exceed amount of Twelve Thousand Six Hundred Eighty-Six Dollars and Forty-Three Cents (\$12,686.43) for maintenance costs associated with the Kaatskill Mountain Club Condominiums (Frost Land, Inc.) Future Stormwater project.

Future Stormwater Program - Frosty Land, Inc.

Frosty Land, Inc. constructed the Kaatskill Mountain Club Condominiums in the Village of Hunter, Greene County. Frosty Land applied to CWC for reimbursement of eligible stormwater maintenance costs. The NYCDEP requirements for the stormwater portion of the project included installation of 4 Stormwater Management Inc. Stormfilters™, discharge piping, 2 catch basins, and interceptor drains with associated washed stone and filter fabric. It also included installation of a stormwater detention and infiltration system and 3 stormceptor™ water quality units.

Frosty Land, Inc. is considered a large business under the MOA since closely related businesses have over 100 employees. For large businesses the CWC Future Stormwater Program reimburses 100% of eligible costs. The contract will reimburse eligible costs as they are incurred.

The CWC Board first approved operation and maintenance funding to Frosty Land, Inc. in 2005. \$2,686.43 remains unspent in that contract. Under that prior agreement, in 2010 CWC reimbursed \$5,016.31 for cartridges for certain stormwater units. To ensure sufficient funding if additional cartridges require replacement, CWC Wastewater Committee recommends that the remaining balance be rolled over into a new operation and maintenance agreement with Frosty Land, Inc. The CWC Wastewater/Stormwater Committee recommends that the CWC Board approves entering an agreement with Frosty Land, Inc. for \$12,686.43, representing \$10,000 as well as the remaining funds from the first contract of \$2,686.43.

Voice Vote, carried unanimously

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**FHMIP – Anchoring of Tanks Over 420 Gallons – Delhi Telephone Company – Tab 12**

A motion to approve Resolution No. 3111 was made by James Eisel and seconded by Wayne Marshfield.

July 5, 2017

**RESOLUTION NO. 3111**

**REIMBURSEMENT FOR ANCHORING OF PROPANE TANK OF  
GREATER THAN 420 GALLONS - DELHI TELEPHONE COMPANY**

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

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

**WHEREAS**, the CWC, City of New York (City), all municipalities in the West of Hudson Watershed, New York State, the federal Environmental Protection Agency, and several environmental organizations recognized that the goals of drinking water protection and economic vitality within the West of Hudson Watershed communities are not inconsistent and under the 1997 New York City Watershed Memorandum of Agreement (“Watershed MOA”) agreed to cooperate in the development and implementation of watershed protection programs that maintain and enhance the quality of the City’s drinking water supply system and the economic and social character of the West of Hudson Watershed communities; and

**WHEREAS**, extensive flooding resulting from tropical storms Irene and Lee in, August and September 2011, respectively, caused catastrophic losses in certain towns and villages within the West of Hudson Watershed which affected the economic and social character of certain West of Hudson watershed communities and adversely impacted water quality in the West of Hudson Watershed; and

**WHEREAS**, as a condition of the 2014 Mid-Term Filtration Avoidance Determination Review, New York City Department of Environmental Protection (NYCDEP) has agreed to fund a Flood Hazard Mitigation Implementation Program to reduce repetitive flood losses that also pose a threat to water quality during storm events; and

**WHEREAS**, on March 4, 2014, by Resolution Number 2439, the CWC Board of Directors agreed to serve as program manager of such a program to be referred to as the CWC Flood Hazard Mitigation Implementation Program (the “Program”) and approved a Program Agreement with the City; and

**WHEREAS**, on May 6, 2014, by Resolution Number 2460, the CWC Board of Directors approved program rules for the CWC Flood Hazard Mitigation Program (the “Program Rules”); and

**WHEREAS**, on June 7, 2016, by Resolution Number 2893, the CWC Board of Directors approved amendments to the Program Rules to provide that CWC may be an applicant for projects, and also for the eligibility of securing of oil and propane tanks in a floodplain and within a town that has completed a local flood analysis, even if the property is outside of the local flood analysis study area; and

**WHEREAS**, pursuant to the Program Rules, staff reimbursement approval was limited to oil tanks 330 gallons or less, and propane tanks 420 gallons or less; and

**WHEREAS**, CWC staff received an application from Delhi Telephone Company for reimbursement of the costs to secure a 500 gallon propane tank for a total amount not to exceed Three Thousand Three Hundred Seventy Dollars (\$3,370.00); and

**WHEREAS**, CWC Stormwater Committee recommends the CWC Board approve the reimbursement application of Delhi Telephone Company for the costs to secure a 500 gallon propane tank in a total amount not to exceed Three Thousand Three Hundred Seventy Dollars (\$3,370.00).

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors the CWC Board approve the reimbursement application of Delhi Telephone Company for the costs to secure a 500 gallon propane tank at a total not-to-exceed amount of Three Thousand Three Hundred Seventy Dollars (\$3,370.00).

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of FHMIP funding 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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CFF Municipal Assistance Loan – Town of Bovina – Tab 14

A motion to approve Resolution No. 3112 was made by Innes Kasanof and seconded by James Sofranko.

July 5, 2017

RESOLUTION NO. 3112
APPROVAL OF TOWN OF BOVINA
CATSKILL MUNICIPAL ASSISTANCE LOAN PROGRAM

WHEREAS, the CWC established the “Catskill Municipal Assistance Loan Program” for the purpose of providing low interest bonds to qualified economic development projects in the West of Hudson Watershed which program is administered by the CWC in accordance with the Catskill Fund for the Future (“CFF”) Program Rules; and

WHEREAS, the Town of Bovina has applied for a Seventy Five Thousand Dollars (\$75,000.00) bond anticipation note for a term of one (1) year renewable for up to a maximum of five (5) years, at a rate of zero per cent (0%) to be paid in one annual payment such that the outstanding principal is fully paid on the last payment date for the installation of a water source and related improvements, as provided for by Chapter 1:24 Catskill Municipal Assistance Loan Program; and

WHEREAS, pursuant to the CFF Program rules the CWC Staff has reviewed a completed Catskill Municipal Assistance Loan Program Bond application and prepared an underwriting report for the Town of Bovina; and

WHEREAS, due to the date of receipt of the application and the inapplicability of usual underwriting concerns due the applicant being a municipality, CWC staff recommend the CWC Board waive the CFF Program Rules requirement for the CWC Loan Committee review for the Town of Bovina Catskill Municipal Assistance Loan Program application; and

WHEREAS, the CWC staff has reviewed and processed this application and submitted a Catskill Municipal Assistance Loan Program application report to the Board of Directors, attached hereto; and

WHEREAS, the Executive Director, pursuant to the NYCDEP CFF Program Contract and the CFF Program rules, has evaluated and determined that this bond anticipation note meets the criteria for a qualified economic development project, which 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 regulatory 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 approves the application of the Town of Bovina of up to Seventy Five Thousand Dollars (\$75,000.00) repayable under a bond anticipation note for a term of one (1) year, renewable for up to a maximum of five (5) years, at a rate of zero per cent (0%) to be paid in one annual payment such that the outstanding principal is fully paid on the last payment date, for the installation of a water source and related improvements.

NOW, THEREFORE BE IT FURTHER RESOLVED, the CWC staff is authorized and directed to issue a commitment letter informing the applicant of its intention to issue the loan subject to applicant's compliance with all applicable provisions of the New York City Watershed regulations as well as other applicable laws, rules and regulations, completion of the necessary documents and the right of objection and staff is directed to develop the bond anticipation note, funding agreement, attorney opinion, and other documentation necessary to effectuate this bond in a form agreed upon by CWC.

NOW, THEREFORE BE IT FURTHER RESOLVED, that upon said approval of bond documentation, the CWC is authorized to close on said loan and 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 Catskills Municipal Assistance Loan Program Application of the Town of Bovina

The Executive Director of the CWC makes the following evaluation concerning a Catskills Municipal Assistance Loan Program Application for the Town of Bovina, located in Bovina, NY. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules.

1. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the Town of Bovina 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 Town of Bovina 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) Town of Bovina is constructing a new well for a municipal water supply.
 - (ii) The project is located in the Town of Bovina.
 - (iii) The project does not require a sewage 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.
 - (vi) Based on NYCDEP map delineating the 60-day travel time zone, the project is not in a 60-day travel time zone.
 - (vii) There is no impact on Federal or State wetlands.(b) The project maintains the character of the Town of Bovina.
 - (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) To the best of CWC's knowledge, the project will not promote secondary growth.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

Alan Rosa noted that CWC By-Laws Article V, Section 2, CWC Board members who are also officers of municipality receiving funding from CWC can still vote on the resolution. Alan Rosa concluded that Tina Mole could vote on the resolution even though she was supervisor of the Town of Bovina. Tim Cox explained that Board members do not personally benefit from such funding and without this rule, no funding to Delaware County could have ever been approved because Delaware County town supervisors, who are also county legislators, would not be able to vote on the resolution, leaving CWC short the number of votes required for approval. Alan

Rosa asked that this be noted in the minutes, including Supervisor Mole's ability to vote on this resolution.

Voice Vote, carried unanimously

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A motion to enter into Executive Session with Alan L. Rosa, Timothy Cox, Barbara Puglisi, and Phil Sireci to discuss CFF delinquent loans and new loan applicant financials was made by James Eisel and seconded by Wayne Marshfield. *At Alan Rosa's request, James Martin remained in the Board room during Executive Session to discuss financial matters pertaining to a loan customer.*

**Voice Vote, carried unanimously**

A motion to resume the regular meeting was made by Anthony Van Glad and seconded by Richard Parete.

**Voice Vote, carried unanimously**

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CFF REDI Loan – Catskill Ventures, LLC – Tab 13

A motion to approve Resolution No. 3113 was made by Richard Parete and seconded by Wayne Marshfield.

July 5, 2017

RESOLUTION NO. 3113
APPROVAL OF CATSKILL VENTURES, LLC BUSINESS LOAN

WHEREAS, the CWC established the REDI 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, Catskill Ventures, LLC has applied for a Nine Hundred Sixty-Five Thousand One Hundred Ninety-Five Dollar (\$965,195.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), interest only for twelve (12) months, to be amortized in one hundred sixty eight (168) equal monthly payments, such that the outstanding principal is fully paid on the one hundred and eightieth (180th) payment date, to build a rope course adventure attraction; and

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

WHEREAS, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Catskill Ventures, LLC REDI Fund Loan application; and

WHEREAS, the CWC Loan Committee has recommended approval of the REDI Fund Loan application of Catskill Ventures, LLC; 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 NYCDEP CFF Program Contract and the CFF Program rules, has evaluated and determined that this loan meets the criteria for a qualified economic development project, said recommendation is attached hereto and made a part hereof; and

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

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

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

NOW, THEREFORE BE IT RESOLVED, the CWC Board determines that Catskill Ventures, LLC application meets the CWC CFF qualified economic development criteria and approves of the application in the amount of Nine Hundred Sixty-Five Thousand One Hundred Ninety-Five Dollar (\$965,195.00) for a term of fifteen (15) years, at a rate of four percent (4.0%), interest only for the twelve (12) months to be amortized in one hundred sixty eight (168) equal monthly payments, such that the outstanding principal is fully paid on the one hundred and eightieth (180th) payment date.

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

NOW, THEREFORE BE IT FURTHER RESOLVED, that upon said approval of loan documentation and upon issuance of all zoning approvals by the Town of Shandaken, CWC is authorized to close on said loan and 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 REDI Fund Loan Application of Catskill Ventures, LLC

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Catskill Ventures, LLC, 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, Catskill Ventures, LLC is presently in compliance with all applicable environmental statutes and regulations including the NYCDEP Watershed Regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, Catskill Ventures, LLC 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) Catskill Ventures, LLC will construct a rope course adventure attraction.
 - (ii) The project is located in the Town of Shandaken.
 - (iii) The project will utilize a 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.
 - (vi) Based on NYCDEP map delineating the 60-day travel time zone, the project is not in a 60-day travel time zone.
 - (vii) There is no impact on Federal or State wetlands.
3. (b) The project maintains the character of the Town of Shandaken.
 - (i) Provided the project receives variances and/or special permits from the Town, 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) To the best of CWC's knowledge, the project will not promote secondary growth.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

Voice Vote, carried unanimously

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**VIII. Announcements from the Chair:**

**IX. Board Member Discussion:**

A motion to adjourn was made by Anthony Van Glad and seconded by James Sofranko.

**Voice Vote, carried unanimously**

**X. Adjournment: @ 1:42 p.m.**