

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

August 1, 2017 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Anthony Van Glad.

III. Roll Call of Directors

Members Present: Martin Donnelly, James Eisel, Thomas Hynes, Wayne Marshfield, Mark McCarthy, Tina Molé, Richard Parete, Robert Pelham, John Schwartz (*New York City DEP*), Thomas Snow (*New York State DEC*), James Sofranko, Michael Triolo, and Anthony Van Glad.

Members Excused: Innes Kasanof.

Staff Members Present: Samantha Costa, Timothy Cox, Lynn Kavanagh, Leo LaBuda, James Martin, Sonia Martinez, John Mathiesen, Barbara Puglisi, Alan L. Rosa, Justine Rutherford, Philip Sireci, and Frieda Suess.

Others Present: Aaron Bennet (*Ulster County Department of Environment*), Bruce E. Dolph, Chairman (*Coalition of Watershed Towns*), Michael Meyer (*New York City DEP*), Thomas Stalter (*New York City DEP*), and David Warne (*New York City DEP*).

IV. Review and Approval of July 5, 2017 Board Meeting Minutes

A motion to approve the minutes from the July 5, 2017 board meeting was made by James Eisel and seconded by Anthony Van Glad.

Voice Vote, carried unanimously

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of May 31, 2017 was made by James Eisel and seconded by Thomas Hynes.

*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

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$25,000 – Jasmin Bouton – Tab 6**

A motion to approve Resolution No. 3114 was made by James Eisel and seconded by Wayne Marshfield.

August 1, 2017

**RESOLUTION NO. 3114**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
JASMIN BOUTON**

**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-Six Thousand Seven Hundred Sixty-Seven Dollars (\$26,767.00); 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-Six Thousand Seven Hundred Sixty-Seven Dollars (\$26,767.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Six Thousand Seven Hundred Sixty-Seven Dollars (\$26,767.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Six Thousand Seven Hundred Sixty-Seven Dollars (\$26,767.00).

**Jasmin Bouton Backup**

Ms. Bouton’s property is located in the Town of Prattsville, Greene County. Homeowner and CWC staff received a quote from a contractor in the amount of \$26,767.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, 15 lineal feet of 4” gravity piping, 32 lineal feet of forcemain, 82 cubic yards of absorption fill material, 73 cubic yards of random fill material, one effluent filter, three peat modules, temporary access, retaining wall, and 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 \$26,767.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Steven Cohen – Tab 7

A motion to approve Resolution No. 3115 was made by Martin Donnelly and seconded by Tina Molé.

August 1, 2017

RESOLUTION NO. 3115

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:
STEVEN COHEN**

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 Nine Hundred Ninety Dollars (\$29,990.00); 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 Nine Hundred Ninety Dollars (\$29,990.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Nine Thousand Nine Hundred Ninety Dollars (\$29,990.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Nine Hundred Ninety Dollars (\$29,990.00).

Steven Cohen Backup

Mr. Cohen's property is located in the Town of Hunter, Greene County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,990.00. This system is for a four bedroom house. The major components for this system include 10 lineal feet of 4" gravity piping, 125 lineal feet of forcemain, 300 cubic yards of absorption fill material, four peat modules, 70 lineal feet of curtain drain, 45 lineal feet of curtain drain outlet, 105 lineal feet of silt fence, and extensive site restoration. An existing septic tank will be utilized. 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 \$29,990.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Lee Finlay – Tab 8**

A motion to approve Resolution No. 3116 was made by Tina Molé and seconded by Wayne Marshfield.

August 1, 2017

**RESOLUTION NO. 3116**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
LEE FINLAY**

**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 Five Hundred Sixty-Nine Dollars and Seventy Cents (\$29,569.70); 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 Five Hundred Sixty-Nine Dollars and Seventy Cents (\$29,569.70) 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 Five Hundred Sixty-Nine Dollars and Seventy Cents (\$29,569.70) 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 Five Hundred Sixty-Nine Dollars and Seventy Cents (\$29,569.70).

**Lee Finlay Backup**

Ms. Finlay'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 \$29,569.70. 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, 18 lineal feet of forcemain, one distribution box, 399 cubic yards of absorption fill material, one effluent filter, 330 lineal feet of absorption trench, tree removal, temporary access road, and 6,340 square feet of 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 \$29,569.70.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Patricia Gerresheim – Tab 9

A motion to approve Resolution No. 3117 was made by Wayne Marshfield and seconded by Anthony Van Glad.

August 1, 2017

RESOLUTION NO. 3117

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:
PATRICIA GERRESHEIM**

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-Four Thousand Five Hundred Thirty-Four Dollars (\$34,534.00); 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-Four Thousand Five Hundred Thirty-Four Dollars (\$34,534.00) 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-Four Thousand Five Hundred Thirty-Four Dollars (\$34,534.00) 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-Four Thousand Five Hundred Thirty-Four Dollars (\$34,534.00).

Patricia Gerresheim Backup

Ms. Gerresheim's property is located in the Town of Olive, Ulster County. Homeowner and CWC staff received three quotes from unrelated contractors for \$37,500.00, \$35,200.00, and \$34,534.00. This system is for a three bedroom house. This system will utilize an existing 1,000 gallon septic tank. The major components for this system include a one syphon chamber, 70 lineal feet of 4" gravity piping, one distribution box, 475 cubic yards of absorption fill material, one effluent filter, 250 lineal feet of absorption trench, 120 lineal feet of swale, tree removal, temporary access road, and extensive 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 \$34,534.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Tracey Knapp – Tab 10**

A motion to approve Resolution No. 3118 was made by Tina Molé and seconded by Anthony Van Glad.

August 1, 2017

**RESOLUTION NO. 3118**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
TRACEY KNAPP**

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

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

contractors, and CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed four construction quotes, including the lowest quote for the septic system repair in the amount of Thirty-Six Thousand Six Hundred Forty Dollars (\$36,640.00); 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-Six Thousand Six Hundred Forty Dollars (\$36,640.00) 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-Six Thousand Six Hundred Forty Dollars (\$36,640.00) 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-Six Thousand Six Hundred Forty Dollars (\$36,640.00).

**Tracey Knapp Backup**

Ms. Knapp's property is located in the Town of Delhi, Delaware County. Homeowner and CWC staff received four quotes from unrelated contractors for \$52,300.00, \$49,195.00, \$39,250.00, and \$36,640.00. This system is for a six bedroom house. The major components for this system include a 1,750 gallon septic tank, 20 lineal feet of 4" gravity piping, 90 lineal feet of forcemain, 40 cubic yards of random fill material, 25 cubic yards of C-33 sand, one effluent filter, five peat modules, one E-one pump station package, abandoned second cesspool, temporary access road, and complete site restoration. 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 \$36,640.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Beverly Thayer – Tab 11

A motion to approve Resolution No. 3119 was made by Wayne Marshfield and seconded by Thomas Snow.

August 1, 2017

RESOLUTION NO. 3119

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:
BEVERLY THAYER**

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

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

WHEREAS, the CWC staff have determined the contractor’s quote of Twenty-Seven Thousand Dollars (\$27,000.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Seven Thousand Dollars (\$27,000.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Seven Thousand Dollar (\$27,000.00).

Beverly Thayer Backup

Ms. Thayer’s property is located in the Town of Meredith, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$27,000.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one dosing chamber, 270 lineal feet of gravity piping, one distribution box, 175 cubic yards of absorption fill material, one effluent filter, 400 lineal feet of absorption trench, 240 lineal feet of curtain drain, and 4,370 square feet of 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 \$27,000.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Nicholas Burton – Tab 12**

A motion to approve Resolution No. 3120 was made by Wayne Marshfield and seconded by Martin Donnelly.

August 1, 2017

**RESOLUTION NO. 3120**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION**  
**OVER \$25,000:**  
**NICHOLAS BURTON**

**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 June 6, 2017, by Resolution Number 3086, the CWC Board approved reimbursement to Nicholas Burton in an amount not to exceed Thirty-Eight Thousand Three Hundred Dollars (\$38,300.00); 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 Four Thousand Eighty-Three Dollars (\$4,083.00); 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 Four Thousand Eighty-Three Dollars (\$4,083.00); and

**WHEREAS**, CWC staff have determined that Forty-Two Thousand Three Hundred Eighty-Three Dollars (\$42,383.00) 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 Forty-Two Thousand Three Hundred Eighty-Three Dollars (\$42,383.00) 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 Forty-Two Thousand Three Hundred Eighty-Three Dollars (\$42,383.00).

**Nicholas Burton Backup**

Mr. Burton’s property is located in the Town of Andes, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$38,300.00. Due to a ground water condition discovered during construction, the Engineer instructed the Contractor to install an additional 140 lineal feet of 12” HDPE piping above the previously installed pipe to ensure proper transfer of water away from the absorption field. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$4,083.00. The Septic Committee

recommends that the Board approves an additional reimbursement of \$4,083.00, for total reimbursement not to exceed \$42,383.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Additional Cost – Patricia Crosby – Tab 13

A motion to approve Resolution No. 3121 was made by Anthony Van Glad and seconded by Robert Pelham.

August 1, 2017

RESOLUTION NO. 3121

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION
OVER \$25,000:
PATRICIA CROSBY**

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 December 6, 2016, by Resolution Number 2967, the CWC Board approved reimbursement to Patricia Crosby in an amount not to exceed Twenty-Nine Thousand Three Hundred Seventy-Eight Dollars and Eighty Cents (\$29,378.80); 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 Two Thousand Two Hundred Ninety Dollars (\$2,290.00); 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 Two Thousand Two Hundred Ninety Dollars (\$2,290.00); and

WHEREAS, CWC staff have determined that Thirty-One Thousand Six Hundred Sixty-Eight Dollars and Eighty Cents (\$31,668.80) 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-One Thousand Six Hundred Sixty-Eight Dollars and Eighty Cents (\$31,668.80) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-One Thousand Six Hundred Sixty-Eight Dollars and Eighty Cents (\$31,668.80).

Patricia Crosby Backup

Ms. Crosby's property is located in the Town of Tompkins, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$29,378.80. During construction the Engineer instructed the Contractor to install heavy duty tanks due to their proximity to the driveway and parking areas, and to construct an additional 100 lineal feet of curtain drain. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$2,290.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,290.00, for total reimbursement not to exceed \$31,668.80.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Daniel Sofaer – Tab 14**

A motion to approve Resolution No. 3122 was made by James Sofranko and seconded by Tina Molé.

August 1, 2017

**RESOLUTION NO. 3122**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION  
OVER \$25,000:  
DANIEL SOFAER**

**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 3041, the CWC Board approved reimbursement to Daniel Sofaer in an amount not to exceed Thirty-Three Thousand Five Hundred Sixty-Three Dollars (\$33,563.00); 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 Eight Hundred Eighty-Eight Dollars (\$880.00); 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 Eight Hundred Eighty Eight Dollars (\$880.00); and

**WHEREAS**, CWC staff have determined that Thirty-Four Thousand Four Hundred Forty-Three Dollars (\$34,443.00) 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-Four Thousand Four Hundred Forty-Three Dollars (\$34,443.00) 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-Four Thousand Four Hundred Forty-Three Dollars (\$34,443.00).

**Daniel Sofaer Backup**

Mr. Sofaer’s property is located in the Town of Woodstock, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$33,563.00. During construction it became apparent that the house sewer was much deeper than anticipated. This resulted in additional excavation and additional risers on the septic tank and pump station. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$880.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$880.00, for total reimbursement not to exceed \$34,443.00.

*Voice Vote, carried unanimously*

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Future Stormwater – FHD Lane Volunteer Fire Company, Inc. – Additional Funds – Tab 15

A motion to approve Resolution No. 3123 was made by Martin Donnelly and seconded by Robert Pelham.

August 1, 2017

RESOLUTION NO. 3123

BOARD REVIEW OF FUTURE STORMWATER PROGRAM
APPLICATION FOR H.D. LANE VOLUNTEER FIRE COMPANY INC.
ADDITIONAL FUNDS
STORMWATER CONTROLS

WHEREAS, the 1997 New York City Watershed Memorandum of Agreement (“Watershed MOA”) paragraph 128 (“Future Stormwater Program”) directs the Catskill Watershed Corporation (“CWC”) to establish a program to pay for the reasonable and proper cost to design, implement, permit, construct and maintain new stormwater measures pursuant to stormwater

pollution prevention plans required by the 18-39(b)(3) and 18-39(e) of the watershed regulations; and

WHEREAS, Section 145(ii) of the Watershed MOA and the West of Hudson Future Stormwater Program Rules provides for payment of eligible project costs required solely by the New York City Department of Environmental Protection (“NYCDEP”) and not otherwise required by State or federal law; and

WHEREAS, on October 4, 2016, by Resolution Number 2947, the CWC Board of Directors previously approved a reimbursement application by H.D. Lane Volunteer Fire Company Inc. for funding of eligible design costs in the not-to-exceed amount of Five Thousand Nine Hundred Twenty-Seven Dollars and Sixty-Seven Cents (\$5,927.67) for the design of an eligible project; and

WHEREAS, on November 1, 2016, by Resolution Number 2953, the CWC Board of Directors approved additional funding for eligible implementation costs in the not-to-exceed amount of Seven Thousand Seven Hundred Fifty Dollars (\$7,750.00) for the implementation of an eligible project; and

WHEREAS, H.D. Lane Volunteer Fire Company Inc. has requested additional funding in the amount of Seven Hundred Ninety-Nine Dollars and Seventy Cents (\$799.70) for installation of gutters as per the SWPPP, for total reimbursement of Fourteen Thousand Four Hundred Seventy-Seven Dollars and Thirty-Seven Cents (\$14,477.37) for the design and implementation of an approved SWPPP; and

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

WHEREAS, CWC staff recommended reimbursement of additional eligible stormwater costs in the amount of Seven Hundred Ninety-Nine Dollars and Seventy Cents (\$799.70); and

WHEREAS, the CWC Wastewater/Stormwater Committee recommended that the application be approved by the CWC Board of Directors.

NOW, THEREFORE, LET IT BE RESOLVED, that the CWC Board of Directors has reviewed the attached application, staff recommendation and supporting documentation and approves reimbursement in a total not-to-exceed amount of Fourteen Thousand Four Hundred Seventy-Seven Dollars and Thirty-Seven Cents (\$14,477.37).

CWC Future Stormwater Controls Program – H.D. Lane Volunteer Fire Company Inc.

H.D. Lane Volunteer Fire Company Inc. built an addition on the existing fire hall in Lanesville, Greene County. The disturbance is less than 1 acre and within 100 feet of a watercourse. Only NYCDEP stormwater requirements come into play. Per the CWC Future Stormwater Program Rules a retainage will be held until Construction Acceptance is received from NYCDEP. For not-for-profit organizations, CWC pays for 100% of eligible stormwater costs.

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

Total Eligible Additional Construction Costs

\$799.70

The contractor’s estimate previously approved by the CWC Board did not include the gutters on the building. Gutters are part of stormwater plan because they direct and convey stormwater and appear on the NYCDEP approved SWPPP. The construction costs for the gutters is \$799.70

Voice Vote, carried unanimously

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**CFF 2017 Budget Increase – Tab 16**

A motion to approve Resolution No. 3124 was made by James Eisel and seconded by Thomas Snow.

August 1, 2017

**RESOLUTION NO. 3124**

**ADOPTION OF CFF LOAN BUDGET INCREASE AMENDMENT  
FOR FISCAL YEAR 2017**

**WHEREAS**, pursuant to Resolution Number 2957, Adoption of the Catskill Watershed Corporation Operating/Program Budget for Fiscal Year 2017, the transferring of appropriations from the individual budget categories and budget amendments requires Board of Directors approval; and

**WHEREAS**, the Economic Development Committee and the Finance Committee have reviewed and recommend for Board approval the following budget amendment, as noted below; and

**WHEREAS**, the Capital Expenditure Budget will be increased by Five Million Dollars (\$5,000,000.00) for Catskill Fund for the Future’s Loan Program.

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board approves the budget amendment.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, the CWC Board authorizes the Finance Department to increase the Capital Expenditure Budget by Five Million Dollars (\$5,000,000.00) to a total of Ten Million Dollars (\$10,000,000.00) for the Catskill Fund for the Future’s Loan Program.

**Voice Vote, carried unanimously**

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A motion to waive Rule 14 was made by Tina Molé and seconded by Martin Donnelly. **Voice Vote, carried unanimously**

Handout Resolution - CFF Municipal Assistance Loan – Town of Andes – Case Loader Purchase

A motion to approve Resolution No. 3125 was made by James Eisel and seconded by Anthony Van Glad.

August 1, 2017

RESOLUTION NO. 3125

APPROVAL OF TOWN OF ANDES

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 Andes has applied for a Sixty-Five Thousand Four Hundred Eighty-Three Dollars and Eighty-Three Cents (\$65,483.83) bond anticipation note for a term of one (1) year renewable for up to a maximum of five (5) years, at a rate of three per cent (3%) to be amortized in one annual payments such that the outstanding principal is fully paid on the last payment date, for the purchase of a new case loader 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 Andes; 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 Andes for a loan of up to Sixty-Five Thousand Four Hundred Eighty-Three Dollars and Eighty-Three Cents (\$65,483.83), 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 three per cent (3%) to be amortized in one annual payments such that the outstanding principal is fully paid on the last payment date, for the purchase of a new case loader;

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 Andes

The Executive Director of the CWC makes the following evaluation concerning a Catskills Municipal Assistance Loan Program Application for the Town of Andes, located in Andes, 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 Andes 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 Andes 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 Andes is purchasing highway equipment - a case loader.
 - (ii) The project is located in the Town of Andes.
 - (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 Andes.
 - (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.

Wayne Marshfield inquired if the Municipal Assistance Loan can be used for water improvements. Alan Rosa said that this loan program was set up as an investment program, so water improvements would qualify. Timothy Cox added that if the project meets the QEDP requirements, it would qualify.

Voice Vote, carried unanimously

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**Handout Resolution – FHMIP – Removal of Mt. Pleasant Bridge License Agreement**

A motion to approve Resolution No. 3126 was made by Thomas Hynes and seconded by Richard Parete.

August 1, 2017

**RESOLUTION NO. 3126**

**BOARD APPROVAL OF LICENSE WITH ULSTER COUNTY FOR MT. PLEASANT BRIDGE REMOVAL**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a non-profit local development program established in part to administer Watershed protections and partnership programs in the West of Hudson Watershed; and

**WHEREAS**, the “Mt. Pleasant Bridge” is a Parker pony truss bridge built in 1934 over the Esopus Creek on Mount Pleasant Road in the Mount Tremper area of the Town of Shandaken, located in Ulster County, New York (the “Property”); and

**WHEREAS**, over time the Mt. Pleasant Bridge (the “Bridge”) became dilapidated and dangerous to cross and was eventually closed off from traffic by its owner, Ulster County, and is no longer in use; and

**WHEREAS**, the removal of the Bridge is recommended in a completed flood analysis for the Mount Tremper Area; and

**WHEREAS**, Ulster County desires to have the Bridge removed and has applied to CWC for funding for such removal (the Project); and

**WHEREAS**, on May 2, 2017, by Resolution Number 3048, the CWC Board of Directors approved funding to Ulster County in an amount not to exceed Nine Hundred Thousand Dollars (\$900,000.00) for the removal of the Bridge; and

**WHEREAS**, Ulster County requested and the CWC is willing to serve as project sponsor for the removal of the Bridge in order to help mitigate flooding in the hamlet of Mt. Tremper.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors authorizes the President or Executive Director to execute a license agreement with Ulster County in a form similar to attached Exhibit A providing that CWC will serve as project sponsor for the Project and be responsible for bidding for engineering and construction services for the Project.

**Voice Vote, carried unanimously**

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A motion to enter into Executive Session with Alan L. Rosa, Timothy Cox, Barbara Puglisi, Samantha Costa, Lynn Kavanagh, and Phil Sireci to discuss CFF delinquent loans and new loan applicant financials was made by Anthony Van Glad and seconded by James Eisel.

Voice Vote, carried unanimously

A motion to resume the regular meeting was made by Richard Parete and seconded by Thomas Hynes.

Voice Vote, carried unanimously

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**CFF REDI Loan – Drew and Natasha Schuster d/b/a The Catskill Mountain Country Store – Tab 17**

A motion to approve Resolution No. 3127 was made by Martin Donnelly and seconded by John Schwartz.

*\*Address of the business corrected*

August 1, 2017

**RESOLUTION NO. 3127**  
**APPROVAL OF DREW AND NATASHA SHUSTER D/B/A THE CATSKILL**  
**MOUNTAIN COUNTRY STORE**  
**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**, Drew and Natasha Shuster d/b/a The Catskill Mountain Country Store, have applied for a One Hundred Eighty-Eight Thousand Four Hundred Seventy-Three Dollar (\$188,473.00) loan for a term of fifteen (15) years, at a rate of four percent (4.00%), adjustable every five years to the CWC rate in effect at that time; to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date; to be used for eligible refinancing of their existing CWC loan, as well as satisfy their existing mortgage on the business property located at 5504 State Route 23 in the Town of Windham; and

**WHEREAS**, pursuant to the CFF Program Rules, the CWC Staff has reviewed a completed CWC Loan Application for Drew and Natasha Shuster d/b/a The Catskill Mountain Country Store; and

**WHEREAS**, pursuant to CFF Program Rules, a participating lender should materially contribute to the total project costs, but this requirement may be waived by the CWC Board if in the opinion of CWC staff only a first lien position adequately protects the interest of CWC; and

**WHEREAS**, pursuant to the CFF Program Rules, the CWC Loan Committee has reviewed an underwriting report for Drew and Natasha Shuster d/b/a The Catskill Mountain Country Store; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan Application from Drew and Natasha Shuster d/b/a The Catskill Mountain Country Store; and

**WHEREAS**, CWC staff recommend waiving the participating lender requirement of CFF Program Rules section 1:05:02 because only a first lien position will adequately protect the interests of CWC; and

**WHEREAS**, the CWC Staff has reviewed and processed this application and submitted a loan application report to the CWC 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 of Directors determines that the Drew and Natasha Shuster d/b/a The Catskill Mountain Country Store application meets the CWC CFF qualified economic-development criteria and approves of the Loan Application in the amount of One Hundred Eighty-Eight Thousand Four Hundred Seventy-Three Dollars (\$188,473.00) for a term of fifteen (15) years, at a rate of four percent (4.00%), 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 waives the requirement of a participating lender pursuant to CFF Program Rules section 1:05:02; and

**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 CWC staff is directed to develop the Loan Agreement, Promissory Notes and other documentation necessary to effectuate this loan.

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

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, approval of a Loan (or Grant) Application by the CWC Board of Directors, constitutes a preliminary decision under the MOA.

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 (WPPC).

### **QEDP Evaluation and CWC Staff Recommendation**

**Purpose:** to review the CWC Loan Application of Drew and Natasha Shuster d/b/a The Catskill Mountain Country Store

The Executive Director of the CWC makes the following evaluation concerning a REDI- Fund Loan to Drew and Natasha Shuster d/b/a The Catskill Mountain Country Store, whose offices are located in the Hamlet of Windham, NY. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, adopted on August 22, 2001 by the CWC Board of Directors.

1. Based on due inquiry to the NYS DEC, the NYC DEP and to the best of CWC's knowledge, the business located at 5504 State Route 23, Windham, NY and known as The Catskill Mountain Country Store, currently owned by Drew Shuster and Natasha Shuster, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYS DEC, the NYC DEP and to the best of CWC's knowledge, the business located at 5504 State Route 23, Windham, NY and known as The Catskill Mountain Country Store, currently owned by Drew Shuster and Natasha Shuster, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the business located at 5504 State Route 23 in the Hamlet of Windham, NY, is consistent with historic land-use patterns, available infrastructure and sensitivity to the need for water-quality protection.
  - (i) Drew and Natasha Shuster d/b/a The Catskill Mountain Country Store will refinance their present CWC loan and satisfy their mortgage on the business property located at 5504 State Route 23, Windham, NY.
  - (ii) The project is located in the Hamlet of Windham.
  - (iii) The project will utilize a municipal 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 that are not pre-treated prior to release.
  - (vi) Based on NYC DEP, the project is not in the sixty (60)-day travel time.
  - (vii) There is no impact on Federal or State Wetlands.
- (b) The project maintains the character of the Hamlet of Windham.
  - (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 no additional review of land-use plans or infrastructure.
4. The project is consistent with the West-of-Hudson Economic-Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**

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VIII. Announcements from the Chair:

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: @ 1:22 p.m.