

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

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

I. Call to Order

II. Pledge of Allegiance: Led by Mark McCarthy.

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*), James Sofranko, Michael Triolo, and Anthony Van Glad.

Members Excused: Innes Kasanof and Thomas Snow.

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

Others Present: Bruce E. Dolph, Chairman (*Coalition of Watershed Towns*), Matt Gianetta (*New York City DEP*), Tracy Ledder (*NYS Department of Health*), Michael Meyer (*New York City DEP*), Gloria Zola – Mulloy, Thomas Stalter (*New York City DEP*), and David Warne (*New York City DEP*).

IV. Review and Approval of August 1, 2017 Board Meeting Minutes

A motion to approve the minutes from the August 1, 2017 board meeting was made by James Eisel and seconded by Anthony Van Glad.

Voice Vote, carried unanimously

V. Presentation of Communication

Finance Report

A motion to approve the financial reports as of June 30, 2017 was made by Jim Sofranko and seconded by Thomas Hynes.

Voice Vote, carried unanimously

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

Tracy Ledder from NYS Department of Health introduced herself to the Board. She thanked the Board for having her at the meeting, noted that she’s new to Department of Health and is trying to learn as much as she can, such as the geography, geology, water system, and the programs. Board members thanked her and welcomed her.

Gloria Zola-Mulloy introduced herself and described her fight against use of pesticides and herbicides by public departments. She stated that she recently wrote an article that appeared in the Catskill Mountain News and summarized its contents, including her belief of deleterious impacts on health from certain commonly used pesticides. James Sofranko noted that the Town of Olive two years ago requested that DEP stop using one type of pesticide on roads within the Town around the reservoir and that the DEP is approachable. Gloria replied that although certain pesticides are no longer being used near the reservoir, they are still being used in the towns and would like us to do something about it.

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$25,000 – Daisy DeJean – Tab 6**

A motion to approve Resolution No. 3128 was made by Wayne Marshfield and seconded by Richard Parete.

September 5, 2017

**RESOLUTION NO. 3128**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
DAISY DEJEAN**

**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 Seven Dollars and Forty-Six Cents (\$34,007.46); 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 Seven Dollars and Forty-Six Cents (\$34,007.46) 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 Seven Dollars and Forty-Six Cents (\$34,007.46) 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 Seven Dollars and Forty-Six Cents (\$34,007.46).

**Daisy DeJean Backup**

Ms. DeJean's property is located in the Town of Shandaken, Ulster County. Homeowner and CWC staff received three quotes from unrelated contractors for \$35,700.00, \$34,525.00, and \$34,007.46. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, 45 lineal feet of 4" gravity piping, one distribution box, 435 cubic yards of absorption fill material, 76 cubic yards of random fill, one effluent filter, 900 square feet of absorption bed, tree removal, temporary access road, and 8,900 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 \$34,007.46.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Roderick Hillis – Tab 7

A motion to approve Resolution No.3129 was made by Wayne Marshfield and seconded by Anthony Van Glad.

September 5, 2017

RESOLUTION NO. 3129

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:
RODERICK HILLIS**

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-Six Thousand Five Hundred Dollars (\$36,500.00); 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 Five Hundred Dollars (\$36,500.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Thirty-Six Thousand Five Hundred Dollars (\$36,500.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-Six Thousand Five Hundred Dollars (\$36,500.00).

Roderick Hillis Backup

Mr. Hillis' property is located in the Town of Stamford, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$44,190.00, \$44,000.00, and \$36,500.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, one siphon chamber, 148 lineal feet of 4" gravity piping, one distribution box, 383 cubic yards of absorption fill material, 360 lineal feet of absorption trench, 100 lineal feet of curtain drain, 90 lineal feet of swale, 50 lineal feet of Schedule 80 sleeve, 10 lineal feet of curtain drain outlet piping, 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 \$36,500.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Vanessa Jacobs – Tab 8**

A motion to approve Resolution No. 3130 was made by James Sofranko and seconded by James Eisel.

September 5, 2017

**RESOLUTION NO. 3130**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
VANESSA JACOBS**

**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-Eight Thousand Twenty-Eight Dollars (\$28,028.00); 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-Eight Thousand Twenty-Eight Dollars (\$28,028.00) 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-Eight Thousand Twenty-Eight Dollars (\$28,028.00) 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-Eight Thousand Twenty-Eight Dollars (\$28,028.00).

**Vanessa Jacobs Backup**

Ms. Jacobs' property is located in the Town of Woodstock, Ulster County. Homeowner and CWC staff received a quote from a contractor in the amount of \$28,028.00. This system is for a two bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump chamber, 43 lineal feet of 4" gravity piping, one distribution box, 230 cubic yards of absorption fill material, one effluent filter, 400 square feet of absorption bed, 90 foot retaining wall, tree removal, and extensive site restoration. The 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 \$28,028.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – John Keane – Tab 9

A motion to approve Resolution No. 3131 was made by Martin Donnelly and seconded by Wayne Marshfield.

September 5, 2017

RESOLUTION NO. 3131

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

JOHN KEANE

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 Four Hundred Thirty-One Dollars (\$34,431.00); 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 Four Hundred Thirty-One Dollars (\$34,431.00) 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 Four Hundred Thirty-One Dollars (\$34,431.00) 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 Thirty-One Dollars (\$34,431.00).

John Keane Backup

Mr. Keane's property is located in the Town of Walton, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$42,195.00, \$39,250.00, and \$34,431.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one siphon chamber, 210 lineal feet of 4" gravity piping, 339 cubic yards of absorption fill material, one effluent filter, 225 lineal feet of absorption trench, 275 lineal feet of curtain drain, 2 animal guards, tree removal, patio removal, and 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 \$34,431.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Rudolph Landolt – Tab 10**

A motion to approve Resolution No. 3132 was made by Wayne Marshfield and seconded by Tina Mole.

September 5, 2017

**RESOLUTION NO. 3132**

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

**RUDOLPH LANDOLT**

**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-Eight Thousand Three Hundred Thirty-Five Dollars and Ninety Cents (\$38,335.90); 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-Eight Thousand Three Hundred Thirty-Five Dollars and Ninety Cents (\$38,335.90) 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-Eight Thousand Three Hundred Thirty-Five Dollars and Ninety Cents (\$38,335.90) 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-Eight Thousand Three Hundred Thirty-Five Dollars and Ninety Cents (\$38,335.90).

**Rudolph Landolt Backup**

Mr. Landolt’s property is located in the Town of Stamford, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$41,200.00, \$41,040.00, and \$38,335.90. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, 160 lineal feet of 4” gravity piping, one distribution box, 635 cubic yards of absorption fill material, one effluent filter, 315 lineal feet of absorption trench, 170 lineal feet of swale, 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 \$38,335.90.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Christopher Perry – Tab 11

A motion to approve Resolution No. 3133 was made by Tina Mole and seconded by Anthony Van Glad.

RESOLUTION NO. 3133

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:
CHRISTOPHER PERRY**

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-Two Thousand Forty-Two Dollars (\$42,042.00); 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 Forty-Two Thousand Forty-Two Dollars (\$42,042.00) 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 Forty-Two Thousand Forty-Two Dollars (\$42,042.00) 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 Forty-Two Dollars (\$42,042.00).

Christopher Perry Backup

Mr. Perry’s property is located in the Town of Delhi, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$46,650.00, \$45,000.00, and \$42,042.00. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, one pump station, 229 lineal feet of 4” gravity piping, one distribution box, 456 cubic yards of absorption fill material, one effluent filter, 360 lineal feet of absorption trench, 155 lineal feet of curtain drain, 130 lineal feet of swale, and total 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 \$42,042.00.

Voice Vote, carried unanimously


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**Septic Reimbursement Over \$25,000 – Johanna Shafer – Tab 12**

A motion to approve Resolution No. 3134 was made by Richard Parete and seconded by James Eisel.

September 5, 2017

**RESOLUTION NO. 3134**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
JOHANNA SHAFER**

**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 Thirty-Eight Thousand Seven Hundred Forty-Seven Dollars and Seventy-Two Cents (\$38,747.72); 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 Thirty-Eight Thousand Seven Hundred Forty-Seven Dollars and Seventy-Two Cents (\$38,747.72) 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-Eight Thousand Seven Hundred Forty-Seven Dollars and Seventy-Two Cents (\$38,747.72) 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-Eight Thousand Seven Hundred Forty-Seven Dollars and Seventy-Two Cents (\$38,747.72).

**Johanna Shafer Backup**

Ms. Shafer’s property is located in the Town of Shandaken, Ulster County. Homeowner and CWC staff received three quotes from unrelated contractors for \$39,515.00, \$39,300.00, and \$38,747.72. This system is for a three bedroom house. The major components include a 1,000 gallon septic tank, one dosing chamber, 25 lineal feet of 4” gravity piping, 50 lineal feet of forcemain, one distribution box, 475 cubic yards of absorption fill material, 240 lineal feet of absorption trench, 130 lineal feet of curtain drain, 60 lineal feet of drain outlet, temporary access

road, Goulds model SDSI sink drain system, tree removal, and 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 \$38,747.72.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Additional Cost – Rayla Hart – Tab 13

A motion to approve Resolution No. 3135 was made by James Sofranko and seconded by Tina Mole.

September 5, 2017

RESOLUTION NO. 3135

BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION

OVER \$25,000:

RAYLA HART

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 3039, the CWC Board approved reimbursement to Rayla Hart in an amount not to exceed Thirty-Four Thousand Two Hundred Twenty-Five Dollars and Ten Cents (\$34,225.10); 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 Hundred Thirty-Eight Dollars (\$438.00); 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 Hundred Thirty-Eight Dollars (\$438.00); and

WHEREAS, CWC staff have determined that Thirty-Four Thousand Six Hundred Sixty-Three Dollars and Ten Cents (\$34,663.10) 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 Six Hundred Sixty-Three Dollars and Ten Cents (\$34,663.10) 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 Six Hundred Sixty-Three Dollars and Ten Cents (\$34,663.10).

Rayla Hart Backup

Ms. Hart's property is located in the Town of Olive, Ulster County. CWC Board of Directors previously approved reimbursement for this project at \$34,225.10. During the construction phase an abandoned dug well was uncovered. The contractor was directed by the project engineer to fill in the well to ensure that a short circuit would not occur and to correct safety issues. The contractor pumped out the well and filled it in with approximately 15 cubic yard of absorption fill material. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$438.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$438.00, for total reimbursement not to exceed \$34,663.10.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Jennifer Meyer – Anderson – Tab 14**

A motion to approve Resolution No. 3136 was made by Richard Parete and seconded by James Eisel.

September 5, 2017

**RESOLUTION NO. 3136**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION  
OVER \$25,000:  
JENNIFER MEYER-ANDERSON**

**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 2970, the CWC Board approved reimbursement to Jennifer Meyer-Anderson in an amount not to exceed Twenty-Eight Thousand One Hundred Sixty-Seven Dollars and Sixty Cents (\$28,167.60); 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 One Thousand Forty-Three Dollars (\$1,043.00); 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 One Thousand Forty-Three Dollars (\$1,043.00); and

**WHEREAS**, CWC staff have determined that Twenty-Nine Thousand Two Hundred Ten Dollars and Sixty Cents (\$29,210.60) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Twenty-Nine Thousand Two Hundred Ten Dollars and Sixty Cents (\$29,210.60) 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 Two Hundred Ten Dollars and Sixty Cents (\$29,210.60).

**Jennifer Meyer-Anderson Backup**

Ms. Meyer-Anderson's property is located in the Town of Andes, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$28,167.00. After construction was completed the absorption area became very wet. The project engineer requested that the contractor install 70 lineal feet of curtain drain three feet deep to extend four drainage pipes located directly upslope of the disposal area to avoid saturation of the absorption area. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$1,043.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,043.00, for total reimbursement not to exceed \$29,210.60.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Additional Cost – Donald Moseman – Tab 15

A motion to approve Resolution No. 3137 was made by James Eisel and seconded by Tina Mole.

September 5, 2016

RESOLUTION NO. 3137

BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE
OVER \$25,000 – ADDITIONAL COSTS:
DONALD MOSEMAN

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 previously approved Septic Program reimbursement for Donald Moseman in the amount of Three Thousand Seven Hundred Seventy-Eight Dollars (\$3,778.00); 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 Two Hundred Dollars (\$26,200.00); 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-Six Thousand Two Hundred Dollars (\$26,200.00) 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 Two Hundred Dollars (\$26,200.00) 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 Seventy-Eight Dollars (\$29,978.00)

Donald Moseman Backup

Mr. Moseman’s property is located in the Town of Stamford, Delaware County. A 1,000 gallon septic tank was previously installed on an emergency basis at a cost of \$3,778.00. This cost was not included in the quote received from the contractor in the amount of \$26,200.00. The major components for this system include 340 lineal feet of 4” gravity piping, one distribution box, 296 cubic yards of absorption fill material, one effluent filter, 288 square feet of Eljen filters, 10 cubic yards of C-33 sand, 150 lineal feet of swale, 17 lineal feet of Schedule 80 piping, two trench dams, tree clearing, one dropbox, pumping of the existing tank, and 5,200 square feet of restoration. The quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve additional reimbursement for construction in an amount of \$26,200.00, with total reimbursement not to exceed \$29,978.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Richard Tazzara – Tab 16**

A motion to approve Resolution No. 3138 was made by Thomas Hynes and seconded by Anthony Van Glad.

September 5, 2017

**RESOLUTION NO. 3138**

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

**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 2973, the CWC Board approved reimbursement to Richard Tazzara in an amount not to exceed Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of One Thousand Nine Hundred Twenty-Four Dollars (\$1,924.00); 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 One Thousand Nine Hundred Twenty-Four Dollars (\$1,924.00); and

**WHEREAS**, CWC staff have determined that Thirty-One Thousand Nine Hundred Nineteen Dollars (\$31,919.00) 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-One Thousand Nine Hundred Nineteen Dollars (\$31,919.00) 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-One Thousand Nine Hundred Nineteen Dollars (\$31,919.00).

**Richard Tazzara Backup**

Mr. Tazzara's property is located in the Town of Roxbury, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$29,995.00. Upon completion of the system it became apparent that additional measures were needed to control the flow of surface water. The project engineer directed the contractor to install an additional swale to ensure proper water drainage away from the system. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$1,924.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,924.00, for total reimbursement not to exceed \$31,919.00.

**Voice Vote, carried unanimously**

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Future Stormwater – 3115 Rte. 28 - Additional Funds – Construction – Tab 17

A motion to approve Resolution No. 3129 was made by James Eisel and seconded by James Sofranko.

September 5, 2017

RESOLUTION NO. 3139

BOARD REVIEW OF ADDITIONAL FUNDS FOR 3115 ROUTE 28, LLC
FUTURE STORMWATER PROGRAM APPLICATION FOR REIMBURSEMENT

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, September 2, 2014, by Resolution Number 2555, the CWC Board of Directors approved an application by 3115 Route 28, LLC in the amount of Six Thousand Two Hundred Fifty Dollars (\$6,250.00) for design of stormwater controls required solely by NYCDEP Watershed Regulations at property located in the Town of Olive; and

WHEREAS, June 7, 2016, by Resolution Number 2889, the CWC Board of Directors approved an application by 3115 Route 28, LLC in the amount of Twenty-Three Thousand Two Hundred Fifty Dollars (\$23,250.00), for construction of stormwater controls required solely by NYCDEP Watershed Regulations at property located in the Town of Olive; and

WHEREAS, October 4, 2016, by Resolution Number 2939, the CWC Board of Directors approved an application by 3115 Route 28, LLC in the amount of Six Thousand Eight Hundred Seventy-Eight Dollars (\$6,878.00) for implementation of new stormwater controls related to the design and implementation of a new parking lot and building extension; and

WHEREAS, 3115 Route 28, LLC has applied for additional funding of eligible design and implementation costs in the amount of One Thousand Eleven Dollars and Eighty-Two Cents (\$1,011.82) for implementation of new stormwater controls related to the design and implementation of a new parking lot and building extension; and

WHEREAS, the CWC share of stormwater funding is 50% of the eligible costs for this project because 3115 Route 28, LLC is a small business under Watershed MOA Paragraph 145; 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 recommendation; and

WHEREAS, CWC staff recommended reimbursement of additional eligible stormwater implementation costs in a not-to-exceed amount of One Thousand Eleven Dollars and Eighty-Two Cents (\$1,011.82); and

WHEREAS, the CWC Wastewater/Stormwater Committee recommends 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 additional funding for implementation costs in the amount of One Thousand Eleven Dollars and Eighty-Two Cents (\$1,011.82), for total project reimbursement of Thirty-Seven Thousand Three Hundred Eighty-Nine Dollars and Eighty-Two Cents (\$37,389.82).

Future Stormwater Program Application - 3115 Route 28, LLC

Walter Grabowski, owner of 3115 Route 28, LLC, is constructing a parking lot and building extension in Shokan, Town of Olive, Ulster County. The contractor supplied a bid more than a year ago and the project didn't take place until this year. The contractor had received an estimate from the pre-caster for the tank to be installed and he based his number off of the estimate. The contractor received the bill from the pre-caster for the tanks and it was more than the original estimate. Also during construction there was a heavy downpour while the trenches were open for the installation of the pipe and DEP was doing an inspection the following day and the contractor discussed with DEP installing additional stone around the pipes to protect them before back filling.

3115 Route 28, LLC is a small business with under 100 employees and therefore is eligible for 50% reimbursement of eligible costs from the CWC and is eligible to apply to the NYC DEP for the remaining 50%.

Per the CWC Future Stormwater Program Rules a retainage will be held until Construction Acceptance is received from NYCDEP.

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

Total Eligible Costs	\$2,023.64
NYCDEP 50% Share	\$1,011.82

Recommended CWC funding 50% of eligible SWPPP costs \$1,011.82
Total approved CWC funding amount \$37,389.82

3115 Route 28, LLC is also eligible to apply to NYCDEP to seek reimbursement for up to 50% of these costs.

Voice Vote, carried unanimously

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**Stormwater Retrofit – Town of Walton Planning & Assessment – Tab 18**

A motion to approve Resolution No. 3140 was made by James Eisel and seconded by Martin Donnelly.

September 5, 2017

**RESOLUTION NO. 3140**

**BOARD REVIEW OF STORMWATER RETROFIT PROGRAM APPLICATION  
FOR THE TOWN OF WALTON  
STORMWATER INFRASTRUCTURE PLANNING & ASSESSMENT PROJECT**

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

**WHEREAS**, on March 19, 2002, by Resolution Number 265, the CWC Board of Directors established the Stormwater Retrofits Program (Program) Rules that provides for payment of eligible project costs; and

**WHEREAS**, pursuant to the CWC Program rules as adopted by the CWC Board of Directors, the CWC staff and New York City Department of Environmental Protection (NYCDEP) staff must evaluate grant requests and issue funding recommendations to the CWC Wastewater Committee, which shall issue recommendations to the CWC Board of Directors; and

**WHEREAS**, CWC and NYCDEP staff have jointly reviewed the Town of Walton Stormwater Infrastructure Planning and Assessment Project and CWC staff recommended funding in an amount not to exceed Fifty Thousand Dollars (\$50,000.00); and

**WHEREAS**, the CWC Wastewater Committee has reviewed and recommends the proposal as detailed in the application dated August 4, 2017; and

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

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors approves funding for the Town of Walton Stormwater Infrastructure Planning and Assessment Project in an amount not to exceed Fifty Thousand Dollars (\$50,000.00).

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of the grant by the CWC Board of Directors constitutes a preliminary decision under the Watershed MOA and the

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

**CWC Stormwater Retrofit Program - Town of Walton Stormwater Infrastructure Planning & Assessment Project**

The Town of Walton proposes to implement a Stormwater Infrastructure Planning & Assessment Project for the Town of Walton. The project is intended to map, assess existing conditions, perform hydraulic and hydrologic calculations, and identify potential improvements.

The estimated total project cost is \$50,000.00. The CWC Wastewater/Stormwater Committee recommends approving the application for funding.

*Alan Rosa noted that the funding would be subject to CWC staff verification that the grant would not go to duplicating work funded by prior CWC grants.*

**Voice Vote, carried unanimously**

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Stormwater Retrofit – Windham Theater – Additional Funds – Construction Tab 19

A motion to approve Resolution No. 3141 was made by Martin Donnelly and seconded by James Eisel.

September 5, 2017

RESOLUTION NO. 3141

**BOARD REVIEW OF THE
WINDHAM THEATRE - ADDITIONAL FUNDS
STORMWATER RETROFITS PROGRAM APPLICATION**

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

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

WHEREAS, as a further condition of the 2007 FAD and pursuant to the 2010 Water Supply Permit, DEP agreed to provide additional funding to the Stormwater Retrofit Program for the second five years (2012-2017) of the 2007 FAD (“2007 FAD Part II”); and

WHEREAS, by Resolution Number 2241, the CWC Board of Directors approved the Stormwater Retrofit II Program as a continuation of the Stormwater Retrofit Program created pursuant to Paragraph 125 of the Watershed MOA, the 2002 and 2007 FADs; and

WHEREAS, pursuant to the 2007 FAD Part II, CWC shall continue to implement the Stormwater Retrofit I Program, including the Community-Wide Stormwater Infrastructure Assessment and Planning Program; and

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

WHEREAS, on December 6, 2016, by Resolution Number 2986, the CWC Board of Directors approved a design funding application by Windham Theatre in an amount not to exceed Eighteen Thousand Two Hundred Fourteen Dollars and Forty Cents (\$18,214.40); and

WHEREAS, Windham Theatre has requested additional funding for construction in the amount of Two Hundred Thirteen Thousand Five Hundred Eighteen Dollars and Forty Cents (\$213,518.40); and

WHEREAS, CWC and NYCDEP staff have jointly reviewed and recommend construction funding for Windham Theatre for a not-to-exceed amount of Two Hundred Thirteen Thousand Five Hundred Eighteen Dollars and Forty Cents (\$213,518.40) and have presented their recommendations to the CWC Wastewater Committee; and

WHEREAS, the CWC Wastewater Committee has reviewed and recommends the construction funding request; and

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

NOW, THEREFORE, LET IT BE RESOLVED, the CWC Board of Directors approves additional funding for the Windham Theatre Stormwater Retrofit Project in an amount not to exceed Two Hundred Thirteen Thousand Five Hundred Eighteen Dollars and Forty Cents (\$213,518.40), for a total not-to-exceed amount of Two Hundred Thirty-One Thousand Seven Hundred Thirty-Two Dollars and Eighty Cents (\$231,732.80).

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

CWC Stormwater Retrofit Program - Windham Theatre, Greene County

Windham Theatre had applied for Stormwater Retrofit design funding and was approved in December of 2016. A design has since been approved by NYCDEP staff and the project will be going out to bid. The engineers estimate for the construction is \$213,518.40.

CWC Wastewater Committee recommends additional funding in a not-to-exceed amount of \$213,518.40.

Voice Vote, carried unanimously

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**LTAP – 2017 Sustainable Communities Deadline – Tab 20**

A motion to approve Resolution No. 3142 was made by James Eisel and seconded by Thomas Hynes.

September 5, 2017

**RESOLUTION NO. 3142**

**LOCAL TECHNICAL ASSISTANCE PROGRAM– SUSTAINABLE COMMUNITIES**  
**2017 GRANT ROUND DEADLINE**

**WHEREAS**, the Catskill Watershed Corporation (“CWC”) has agreed to serve as program manager of a Local Technical Assistance Program (“LTAP”) and to identify projects and allocate and disburse program funds; and

**WHEREAS**, the CWC Board of Directors passed Resolution Number 900 approving the CWC LTAP Program Rules; and

**WHEREAS**, as a condition of the 2013 Filtration Avoidance Determination Modification, New York City Department of Environmental Protection (DEP) agreed to fund a Flood Hazard Mitigation Program consisting of funding through the Stream Management Program to undertake a Local Flood Analysis (LFA) to identify the causes of flooding and recommend possible mitigation projects, as well as funding the Flood Hazard Mitigation Implementation Program (FHMIP) at CWC to provide grants to undertake certain categories of projects ; and

**WHEREAS**, as a condition to the 2013 Filtration Avoidance Determination Modification, DEP agreed to fund a flood buyout program (DEP Flood Buyout Program) to acquire improved properties that were not eligible or did not participate in the federal or State flood buyout program, but if vacated and returned to a natural floodplain would help mitigate flooding in other areas, or otherwise protect water quality; and

**WHEREAS**, on March 4, 2014, by Resolution Number 2439, the CWC Board of Directors approved the Flood Hazard Mitigation Implementation Program Agreement and between CWC and DEP and agreed to administer such program; and

**WHEREAS**, by Resolution Numbers 2460 and 2524, the CWC Board of Directors approved FHMIP Rules, including providing eligibility for certain costs for relocations of businesses and residences, including those recommended by an LFA; and

**WHEREAS**, by Resolution Number 2574, on October 7, 2014 the CWC Board of Directors approved changes to the FHMIP Rules to accept applications from property owners participating in the DEP Flood Buyout Program, to provide assistance in relocating within the same town outside of areas studies by an LFA; and

**WHEREAS**, by Resolution Number 2603, the CWC Board of Directors approved changes to the Local Technical Assistance Program Rule Change to provide for the Sustainable Communities Program for planning assistance to towns or villages who have completed or are undertaking an LFA to update zoning code or maps, or update that municipality’s comprehensive plan to provide for relocations of residences and businesses under the DEP Flood Buyout Program; and

**WHEREAS**, the Local Technical Assistance Program Rules provide that the deadline for applications for the Sustainable Communities Program shall be determined by CWC Board; and

**WHEREAS**, the CWC Stormwater/Wastewater Committee recommended that the application deadline for the Sustainable Communities Program be December 1, 2017.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors sets the 2017 deadline for applications to Sustainable Communities Program to be December 1, 2017, and future deadlines shall be set by the CWC Board of Directors in accordance with the Program Rules.

**Voice Vote, carried unanimously**

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CWMP – Claryville (Denning) Block Grant and Pre-Construction Phase Tab 21

A motion to approve Resolution No. 3143 was made by Thomas Haynes and seconded by Anthony Van Glad.

September 5, 2017

RESOLUTION NO. 3143

COMMUNITY WASTEWATER MANAGEMENT PROGRAM
PRE-CONSTRUCTION PHASE AND BLOCK GRANT APPROVAL
FOR THE HAMLET OF CLARYVILLE (TOWN OF DENNING)

WHEREAS, on January 8, 2013, by Resolution Number 2242, the Catskill Watershed Corporation (CWC) Board of Directors authorized the President to execute the Community Wastewater Management III Program (CWMP III) Contract with New York City Department of Environmental Protection (NYCDEP); and

WHEREAS, the hamlet of Claryville, which is an eligible community for the CWMP III, is located in the Town of Denning in Ulster County and the Town of Neversink in Sullivan County, and under the CWMP III Program Agreement, each Town would be provided a separate block grant for the portion of the hamlet within their municipal boundaries; and

WHEREAS, the Town of Denning Town Board agreed to participate in the study phase of the CWMP for the portion of the hamlet of Claryville that is in the Town of Denning; and

WHEREAS, Lamont Engineers, PC completed the Study Phase as outlined in their Contract with CWC and recommends a total block grant for the Hamlet of Denning of Three Million Seven Hundred Sixty Thousand Dollars (\$3,760,000.00) to provide for a septic maintenance district; and

WHEREAS, pursuant to the CWMP III, CWC and NYCDEP must agree upon the block grant amount for each participating community; and

WHEREAS, NYCDEP has agreed to the proposed project and block grant amount of Three Million Seven Hundred Sixty Thousand Dollars (\$3,760,000); and

WHEREAS, pursuant to the CWMP III Program Agreement and the participating community agreement between CWC and the Town of Denning, to continue with the CWMP III project, the Town must pass a resolution within ninety (90) days of the receipt of the Study Phase Report confirming the Town's agreement to continue with the proposed project; and

WHEREAS, within ninety days of receipt of the Study Phase Report and Block Grant Determination, the Town of Denning Town Board by resolution agreed to the proposed project and to continue in the CWMP Pre-Construction Phase; and

WHEREAS, CWC is satisfied with Lamont Engineers, PC's work and completion of the Study Phase for the project in the Hamlet of Claryville in the Town of Denning, and desires to issue a change order to Lamont Engineers, PC for the Pre-Construction Phase that includes final design, sewer district formation, sewer use law, bidding the project and development of operation and maintenance plans and contracts, as well as other necessary actions, for an additional not-to-exceed amount of Two Hundred Thirty-Two Thousand Five Hundred Eighty-Three Dollars (\$232,583.00), as well as additional costs incurred during the Study Phase for the Hamlet of Claryville in the Town of Denning for an additional Six Thousand Three Hundred Eighteen Dollars (\$6,318.00); and

WHEREAS, the CWC Wastewater Committee recommends that the CWC Board of Directors approve the project and block grant amount of Three Million Seven Hundred Sixty Thousand Dollars (\$3,760,000.00) for the Hamlet of Claryville (Town of Denning) Project; and

WHEREAS, the CWC Wastewater Committee has reviewed the documentation and recommends approving the change order to Lamont Engineers, PC to include the Pre-Construction Phase for the Hamlet of Claryville (Town of Denning) to their existing contract as described in Attachment A for an additional not to exceed amount of Two Hundred Thirty-Two Thousand Five Hundred Eighty-Three Dollars (\$232,583.00), as well as additional costs incurred during the Study Phase for the Hamlet of Claryville in the Town of Denning for an additional Six Thousand Three Hundred Eighteen Dollars (\$6,318.00); and

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the project and block grant amount for the Hamlet of Claryville (Town of Denning) in the amount of Three Million Seven Hundred Sixty Thousand Dollars (\$3,760,000.00).

NOW, THEREFORE LET IT BE FURTHER RESOLVED, that the CWC Board of Directors approves the change order to Lamont Engineers, PC to include the Pre-Construction Phase for the Hamlet of Claryville (Town of Denning) to their existing CWMP contract in an amount not to exceed an additional not to exceed amount of Two Hundred Thirty-Two Thousand Five Hundred Eighty-Three Dollars (\$232,583.00) as well as additional costs incurred during the Study Phase for the Hamlet of Claryville in the Town of Denning for an additional Six Thousand Three Hundred Eighteen Dollars (\$6,318.00).

NOW, THEREFORE BE IT FURTHER RESOLVED, approval of block grants under the CWMP 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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**FHMIP – Demolition – Jewett Tab 22**

A motion to approve Resolution No. 3144 was made by Martin Donnelly and seconded by James Sofranko.

September 5, 2017

**RESOLUTION NO. 3144**

**BOARD APPROVAL OF FLOOD HAZARD MITIGATION IMPLEMENTATION PROGRAM – CONSTRUCTION SERVICES FOR DEMOLITION OF STRUCTURES LOCATED IN TOWN OF JEWETT, GREENE COUNTY**

**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 assistance in the City funded Flood Buyout Program (City FBO); 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**, NYCDEP Funded Flood Buyout Program is purchasing property, including a residence, in the Town of Jewett; and

**WHEREAS**, CWC issued a request for proposal for demolition of the structure and streambank restoration and such bids are due on August 31, 2017; and

**WHEREAS**, CWC and NYCDEP staff have reviewed the responses received and recommend that CWC retain Tweedy Construction Services, Inc. in an amount not to exceed Fifty-Two Thousand Nine Hundred Twenty-One Dollars (\$52,921.00).

**WHEREAS**, the CWC Wastewater Committee has reviewed the responses received and recommend the CWC Board of Directors approve entering into an agreement with Tweedy Construction Services, Inc. in an amount not to exceed Fifty-Two Thousand Nine Hundred Twenty-One Dollars (\$52,921.00) for demolition of structure and streambank stabilization of NYCDEP funded Flood Buyout Property in the Town of Jewett.

**NOWHEREFORE BE IT RESOLVED**, that the CWC Board of Directors authorizes the President and/or Executive Director to enter into an agreement with Tweedy Construction Services, Inc. in an amount not to exceed Fifty-Two Thousand Nine Hundred Twenty-One Dollars (\$52,921.00) for demolition of structure and streambank stabilization of NYCDEP funded Flood Buyout Property in the Town of Jewett

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of 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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FHMIP – Windham Streambank Stabilization Application - Tab 23

A motion to approve Resolution No. 3145 was made by Thomas Hynes and seconded by James Sofranko.

September 5, 2017

RESOLUTION NO. 3145

**CWC REVIEW OF FLOOD HAZARD MITIGATION PROGRAM APPLICATION
FOR THE TOWN OF WINDHAM – STREAM BANK STABILIZATION DESIGN COSTS**

WHEREAS, the Catskill Watershed Corporation (CWC) is a not-for-profit corporation established to administer Watershed Protection and Partnership Programs in the West of Hudson Watershed; 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 through funding certain recommendations of local flood analyses under the NYCDEP Stream Management Program; 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, as provided in the CWC Flood Hazard Mitigation Implementation Program Rules (Program Rules), as adopted by the CWC Board of Directors, CWC staff must evaluate grant applications and issue funding recommendations to the CWC Wastewater Stormwater Committee, which shall issue recommendations to the CWC Board of Directors; and

WHEREAS, the Town of Windham completed a local flood analysis for the hamlet of Windham and submitted an application to CWC for funding for streambank stabilization design costs for a portion of Mitchell Hollow Creek in an amount not to exceed Twenty-Three Thousand Dollars (\$23,000.00); and

WHEREAS, upon CWC staff recommendation and review of the application and supporting documentation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approves funding in an amount not to exceed Twenty-Three Thousand Dollars (\$23,000.00) for streambank stabilization design costs for a portion of Mitchell Hollow Creek.

NOW, THEREFORE, LET IT BE RESOLVED, that the CWC Board of Directors has reviewed the application, staff recommendation and supporting documentation and approves funding for the design costs for Mitchell Hollow Creek Streambank Stabilization in an amount not to exceed Twenty-Three Thousand Dollars (\$23,000.00).

Streambank Stabilization – Mitchell Hollow Creek.

The Town of Windham submitted an application requesting \$23,000.00 for design costs for streambank stabilization for a portion of Mitchell Hollow Creek. This project is recommended

by the Greene County All Hazards Mitigation Plan and recommended by the Windham Local Flood Analysis, which referenced and generally recommended that projects in the County All Hazards Mitigation Plan continue to be pursued and implemented.

The project is located directly south of the bridge on State Route 23 over Mitchell Hollow Creek. The bank is unstable and the project will protect nearby structures in the hamlet of Windham, including a private residence. The Town of Windham adopted a resolution on May 11, 2017 authorizing the application.

CWC staff, in consultation with DEP staff, recommend the CWC Stormwater/Wastewater Committee refer the application to the Board for approval of funding at the requested not to exceed amount of \$23,000.00.

Voice Vote, carried unanimously

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**Procurement Policy Amendment – Tab 24**

A motion to approve Resolution No. 3146 was made by James Eisel and seconded by James Sofranko.

September 5, 2017

**RESOLUTION NO. 3146**

**CWC BOARD APPROVAL OF PROCUREMENT POLICY AMENDMENT**

**WHEREAS**, to provide for the orderly conduct of the fiscal affairs of the Catskill Watershed Corporation (CWC), the CWC Board established Fiscal Policies and Procedures, including a Procurement Policy; and

**WHEREAS**, the New York State Authorities Budget Office recommends that procurement policies include a requirement that during the pendency of requests for proposals, a log be kept of every contact with interested vendors, and that only designated staff members have contact with interested vendors; and

**WHEREAS**, the CWC Governance Committee reviewed the attached amendments to the CWC Fiscal Policies and Procedures and recommends its adoption.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approves the attached amendments to CWC Fiscal Policies and Procedures.

**3-10.02      *Competitive and Non-Competitive Bid Purchasing Regulations***

**3-10.02-1      *Definitions***

- A. Offeror – Individual or entity or person acting on behalf of such individual or entity that contacts CWC about a CWC procurement during the Restricted Period of such procurement.
- B. Purchase Contract: A contract that involves the acquisition of commodities, materials, supplies or equipment.

- C. Public Work Contract: A contract that involves the construction, installation, repair or replacement of facilities or equipment which would constitute "public works" within the meaning of Section 103 of the General Municipal Law, if the Corporation were a municipal Corporation.
- D. Personal Services Contract: A contract that involves the acquisition of personal services. As used herein, the term "personal services" shall mean any services performed for a fee, commission or other compensation by persons or organizations that are not providing such services as Officers or employees of the Corporation or any governmental agency or public corporation, but excluding any construction, installation, repair or replacement services that would constitute a public works contract as defined above. Personal services include, but are not limited to, legal, accounting, management consulting, construction management, program management, planning, training, statistical research, public relations, architectural, engineering, surveying or any other services of a consulting, technical or professional nature.
- E. Restricted Period: The period of time commencing with the earliest posting, on CWC's website or in a newspaper of a solicitation of a request for proposal, and ending with the final contract award and approval by CWC.

### **3-10.02-2 Corporation**

#### **A. Purchasing Agent:**

1. The Executive Director and/or such other Officer or employee of the Corporation as the Board of Directors may by resolution appoint shall be the "Purchasing Agent" of the Corporation. The Purchasing Agent is the only person designated to commit the Corporation to a purchase of goods or services.
2. The Purchasing Agent is responsible for the design, implementation, and effectiveness of the procurement of goods and services.
3. Whenever a disagreement arises about a purchase, the President of the Corporation shall hear the views of the Purchasing Agent and the requisitioner and render a decision and provide direction.
4. Subject to the requirements of these policies and procedures, the Purchasing Agent shall have authority to determine, in any given situation, whether to competitively bid (through public advertisement) or to solicit quotations, bids on proposals for goods and services utilizing other procurement methods. Other staff is directed to cooperate with the Purchasing Agent to achieve cost containment, efficiency and economy.

#### **B. Financial Control:**

1. The Executive Director shall confirm that the City of New York has committed sufficient funds or that other funding sources have committed sufficient funds to cover each purchase before a contract therefore is executed.

#### **C. Communications During the Restricted Period**

1. For each procurement, including request for proposals (RFP), CWC will designate a specific person or persons to receive contacts regarding each procurement from Offerors. The designated persons will be identified in the RFP. All contacts by an Offeror with these designated staff persons are acceptable, subject to the limitations contained in the Penal Law and Public Officers Law. Such designated employee(s) shall complete a record of each contact for inclusion in the procurement record. If a contact involves a possible violation of the law, the contact shall be immediately forwarded to CWC Corporate Counsel.

2. Employees, except for the designated staff person or for limited circumstances provided in this section, shall not have any contact with any offeror regarding a procurement prior to the due date of submissions. Certain contacts with CWC employees (other than the

designated staff person) are permissible. All permissible subject matter contacts must be recorded in the procurement record. These “permissible” contacts are based on subject matter and are summarized below:

- a. Submission of a bid, proposal or response for a procurement contract;
- b. Submission of written questions when written responses are to be provided to all Offerors;
- c. Participation in a pre-bid conference;
- d. Complaints by an Offeror to Corporate Counsel or the Executive Director where the designated person for the procurement contract of the Governmental Entity fails to respond in a timely matter;
- e. Negotiations with the Offeror after a tentative award;
- f. Filing of written disputes in administrative hearings, judicial proceedings and to the attorney general, inspector general, district attorney or state comptroller.

3. Except for permissible contacts listed above, CWC employees who are not the designated staff person in an RFP shall have no contact with Offerors. CWC employees contacted by an Offeror, not subject to the above exceptions, must record the contact and report the contact immediately to Corporate Counsel.

4. Offerors who knowingly and willfully contact CWC employees in violation of this section shall be ineligible for awards from CWC for a period of four years. In addition, such offeror shall not be awarded the procurement contract, unless the award to the Offeror is necessary to protect public property or public health or safety, and that the Offeror is the only source capable of supplying the required article of procurement within the necessary timeframe. In such circumstance, CWC shall include in the procurement record a statement describing the basis for such finding.

***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, Jason Merwin, and Phil Sireci to discuss CFF delinquent loans and new loan applicant financials was made by Martin Donnelly and seconded by Richard Parete.

Voice Vote, carried unanimously

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

Voice Vote, carried unanimously

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**CFF REDI Loan – Breakey Motors, Inc. – Tab 25**

A motion to approve Resolution No. 3147 was made by Richard Parete and seconded by Robert Pelham.

September 5, 2017

**RESOLUTION NO. 3147**  
**APPROVAL OF KEATH E. DAVIS T/A BREAKEY MOTORS, INC.**  
**BUSINESS LOAN**

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

**WHEREAS**, Keath E. Davis T/A Breakey Motors, Inc, has applied for a Two Hundred Seventy-Five Thousand Dollar (\$275,000.00) loan for a term of two (2) years, at a rate of four percent (4.00%), interest only monthly payments, such that the outstanding principal is fully paid on or before the last payment date; to be used for eligible refinancing to satisfy their existing mortgage on the business property located at 87 Delaware Street, in the Village of Walton pending the sale under the New York City –Funded Flood Buyout Program; and

**WHEREAS**, pursuant to the CFF Program Rules, the CWC Staff has reviewed a completed CWC Loan Application for Keath E. Davis T/A Breakey Motors, Inc; and

**WHEREAS**, pursuant to CFF Program Rules, a participating lender should materially contribute to the total project costs, but this requirement may be waive by the CWC Board if in the opinion of CWC staff only a first lien position adequately protects the interest of CWC; 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 Keath E. Davis T/A Breakey Motors, Inc. application meets the CWC CFF qualified economic-development criteria and approves the Loan Application in the amount of Two Hundred Seventy-Five Thousand Dollars (\$275,000.00) for a term of two (2) years, at a rate of four percent (4.00%), interest only monthly payments, such that the outstanding principal is fully paid on or before 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 Keath E. Davis T/A Breakey Motors, Inc.**

The Executive Director of the CWC makes the following evaluation concerning a REDI- Fund Loan to Keath E. Davis T/A Breakey Motors, Inc., whose offices are located in the Village of Walton, 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 87 Delaware Street, Walton, NY, and known as Breakey Motors, Inc., currently owned by Keath E. Davis, 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 87 Delaware Street, Walton, NY, and known as Breakey Motors, Inc., currently owned by Keath E. Davis, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the business located at 87 Delaware Street in the Village of Walton, NY, is consistent with historic land-use patterns, available infrastructure and sensitivity to the need for water-quality protection.
  - (i) Keath E. Davis T/A Breakey Motors, Inc will refinance debt to satisfy their mortgage on the business property located at 87 Delaware Street, Walton, NY.
  - (ii) The project is located in the Village of Walton.
  - (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 Village of Walton.
- (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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CFF – Nordic House Owners LLC Collateral Change – 26

A motion to approve Resolution No. 3148 was made by Tina Mole and seconded by James Eisel.

September 5, 2017

RESOLUTION NO. 3148

**APPROVAL OF COLLATERAL CHANGE FOR
NORDIC HOUSE OWNERS, LLC**

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

WHEREAS, on June 6, 2017, by Resolution Number 3104, the Board of Directors approved a loan to Nordic House Owners LLC in the amount of Four Hundred Forty Thousand Dollars (\$440,000.00), for a term of fifteen (15) years, at a rate of four percent (4.0%) adjusting to the CWC rate every five years thereafter to the CWC rate in effect at that time, to be amortized in two hundred forty (240) equal monthly payments, with the one hundred and eightieth (180th) being a balloon a payment, such that the outstanding principal is fully paid on the one hundred eightieth (180th) payment date, to purchase and renovate the real property at 5088 Route 23, Windham, NY, and for working capital; and

WHEREAS, said loan is secured by a shared first mortgage with the Bank of Greene County on property located at 5088 Route 23, Windham, NY: and

WHEREAS, the terms of the loan has changed such that both the Bank of Greene County and the Catskill Watershed Corporation will each provide a loan amount of Three Hundred Sixty-Nine Thousand Three Hundred Seventy-Five Dollars (\$369,375.00) for a term of fifteen (15) years, at a rate of four percent (4.0%) adjusting to the CWC rate every five years thereafter to the CWC rate in effect at that time, interest only for the first 12 months to be amortized in two

hundred twenty eight (228) equal monthly payments, with the one hundred and eightieth (180th) being a balloon a payment, such that the outstanding principal is fully paid on the one hundred eightieth (180th) payment date, to purchase and renovate the real property at 5088 Route 23, Windham, NY, and for working capital; and

WHEREAS, the Catskill Fund for the Future Program Rules section 1:02:04 require that a material change, including a change in collateral coverage, to a previously approved loan requires CWC Board review and approval; and

WHEREAS, Nordic House Owners LLC has informed staff that James O'Reilly requests permission from CWC and the Bank of Greene County to remove James O'Reilly as guarantor, as he no longer has any interest in Nordic House Owners LLC.

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors approves the request of Nordic House Owners LLC.

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: @ 1:45 p.m.**