

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

October 4, 2016 @ 1:10 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Michael Meyers.

III. Roll Call of Directors

Members Present: Martin Donnelly, James Eisel, Thomas Hynes, Innes Kasanof, Berndt Leifeld, Wayne Marshfield, Mark McCarthy, Tina Molé, Richard Parete, Thomas Snow (*New York State DEC*), Michael Triolo and Michael Meyer (*New York City DEP*).

Members Excused: Donald Brandow and Robert Pelham.

Staff Members Present: Timothy Cox, Diane Galusha, Leo LaBuda, James Martin, John Mathiesen, Jason Merwin, Barbara Puglisi, and Frieda Suess.

Others Present: Bruce Dolph, Chair (*Coalition of Watershed Towns*), Dean Frazier, Commissioner (*Delaware County Watershed Affairs*), Molly Oliver (*Delaware County Watershed Affairs*), Thomas Stalter (*New York City DEP*), and Alicia Terry (*Schoharie County Planning & Development*).

IV. Review and Approval of September 6, 2016 Board Meeting Minutes

A motion to approve the minutes from the September 6, 2016 board meeting was made by Wayne Marshfield and seconded by Thomas Hynes.

Voice Vote, carried unanimously

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of July 31, 2016 was made by James Eisel and seconded by Richard Parete.

**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

Timothy Cox noted that there will be a Sporting Advisory Committee meeting held Tuesday, October 18 at 6:00 pm, at CWC. All Board members are welcome to attend.

Committee Meeting Minutes

VI. Public Discussion

Diane Galusha noted the new exhibit, “The Watershed Project”, an interdisciplinary exercise supported by a CWC education grant awarded to Tri-Valley Central School in Grahamsville, in partnership with the DEP. The project involved stream studies, career exploration, digital documentation and creative expression and resulted from a year-long exploration of stream function and other topics and two field trips along the Rondout Creek and a tributary, Stone Cabin Brook in Sundown. The CWC exhibit features skillfully designed framed posters explaining concepts like stream channel cross sections and bedloading. The posters are interspersed with stunning photos of the field visit site.

Michael Triolo noted that for the first time ever he had seen an Arm of the Sea production in Grahamsville at the Garlic Festival over the weekend.

VII. Presentation of Resolutions

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*A motion to waive Rule 14 was made by James Eisel and seconded by Richard Parete.*

**Voice Vote, carried unanimously**

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Handout Resolution – Future Stormwater – 3115 Route 28, LLC – Additional Funds

A motion to approve Resolution No. 2939 was made by Berndt Leifeld and seconded by Richard Parete.

October 4, 2016

RESOLUTION NO. 2939

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, 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, 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, 3115 Route 28, LLC has applied for additional funding of eligible design and implementation costs 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, 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 Six Thousand Eight Hundred Seventy-Eight Dollars (\$6,878.00); 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 additional funding for implementation costs in the amount of Six Thousand Eight Hundred Seventy-Eight Dollars (\$6,878.00) for total reimbursement of Thirty-Six Thousand Three Hundred Seventy-Eight Dollars (\$36,378.00).

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. Mr. Grabowski has submitted an estimate for implementation of the NYC DEP only required SWPPP. 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 are 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	\$13,756.00
NYCDEP 50% Share	\$6,878.00

Recommended CWC funding 50% of eligible SWPPP costs \$6,878.00

Total approved CWC funding amount \$36,378.00

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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**Handout Resolution – CWC Parking Lot Amendment**

A motion to approve Resolution No. 2940 was made by James Eisel and seconded by Thomas Hynes.

October 4, 2016

**RESOLUTION NO. 2940**

**STORMWATER COSTS FOR CWC PARKING LOT AND HANDICAP RAMP**

**WHEREAS**, the Catskill Watershed Corporation (CWC) Board of Directors, on January 2, 1998, by Resolution Number 99, authorized the purchase of 905 Main Street in the Village of Margaretville to be used as the corporate offices; and

**WHEREAS**, the parking lot at 905 Main Street is at the end of its useful life, and now needs to be repaired, and the paved handicap ramp at 905 Main Street no longer meets building code standards and needs to be replaced; and

**WHEREAS**, CWC staff requested responses to a request for proposal to repair the parking lot and replace the handicap ramp; and

**WHEREAS**, the work to be performed at 905 Main Street handicap ramp requires that a stormwater pollution prevention plan be reviewed and approved by the New York City Department of Environmental Protection, and CWC staff estimate the additional cost of construction to install required stormwater controls will not exceed Two Thousand Dollars (\$2,000.00); and

**WHEREAS**, on August 2, 2016, by Resolution Number 2925, the CWC Board of Directors accepted the bid of Evergreen Mountain Contracting (Evergreen) as the lowest responsible bidder and authorized the Executive Director to execute a contract with Evergreen in the amount of up to Sixteen Thousand Three Hundred Dollars (\$16,300.00) to repair the parking lot and handicap ramp and inclusive of a CWC staff initial estimate of Two Thousand Dollars (\$2,000.00) for installation of required stormwater controls for the ramp; and

**WHEREAS**, the Stormwater Pollution Prevention Plan has been completed by Lamont Engineers at a cost of Five Thousand Three Hundred Twenty-Eight Dollars and Twenty Cents (\$5,328.20); and

**WHEREAS**, Evergreen provided a quote to complete the controls required by the approved stormwater pollution prevention plan for Three Thousand Five Hundred Dollars (\$3,500.00); and

**WHEREAS**, the CWC Finance Committee recommends the CWC Board of Directors authorize the President and/or Executive Director to enter into an amended agreement with Evergreen for an amount not to exceed Seventeen Thousand Eight Hundred Dollars (\$17,800.00) for repaving of CWC parking lot, handicap ramp and installation of stormwater controls; and

**WHEREAS**, CWC Finance Committee further recommends the CWC Board of Directors authorize the President and/or Executive Director to enter into an agreement with Lamont Engineers for professional fees for completion a stormwater pollution prevention plan for an amount not to exceed Five Thousand Three Hundred Twenty-Eight Dollars and Twenty Cents (\$5,328.20).

**NOW THEREFORE BE IT RESOLVED**, the CWC Board of Directors authorize the President and/or Executive Director to enter into an amended agreement with Evergreen for a total amount not to exceed Seventeen Thousand Eight Hundred Dollars (\$17,800.00) for repaving of CWC parking lot, handicap ramp and installation of stormwater controls.

**NOW THEREFORE BE IT FURTHER RESOLVED**, the CWC Board of Directors authorize the President and/or Executive Director to enter into an agreement with Lamont Engineers for professional fees for completion a stormwater pollution prevention plan in an amount not to exceed Five Thousand Three Hundred Twenty-Eight Dollars and Twenty Cents (\$5,328.20).

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Dennis Connington – Tab 6

A motion to approve Resolution No. 2941 was made by Wayne Marshfield and seconded by Martin Donnelly.

October 4, 2016

RESOLUTION NO. 2941

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

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 Five Hundred Dollars (\$26,500.00); 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 Five Hundred Dollars (\$26,500.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Six Thousand Five Hundred Dollars (\$26,500.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Six Thousand Five Hundred Dollars (\$26,500.00).

Dennis Connington Backup

Mr. Connington's property is located in the Town of Kortright, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$26,500.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump station, 25 lineal feet of 4" gravity piping, 50 lineal feet of forcemain, one distribution box, 55 cubic yards of random fill material, one effluent filter, 3 peat modules, 100 lineal feet of curtain drain, and complete 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 \$26,500.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Laura Levine – Tab 7**

A motion to approve Resolution No. 2942 was made by Wayne Marshfield and seconded by Innes Kasanof.

October 4, 2016

**RESOLUTION NO. 2942**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE  
OVER \$25,000 – LAURA LEVINE**

**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 Two Hundred Ninety-Seven Dollars (\$29,297.00); 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-Nine Thousand Two Hundred Ninety-Seven Dollars (\$29,297.00) 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 Two Hundred Ninety-Seven Dollars (\$29,297.00) 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 Two Hundred Ninety-Seven Dollars (\$29,297.00).

**Laura Levine Backup**

Ms. Levine’s property is located in the Town of Shandaken, Ulster County. This system is for a two bedroom house. CWC and the homeowner received a quote from a contractor for \$26,336.00. In addition, the contractor installed a 1,000 gallon septic tank on an emergency basis at a cost of \$2,961.00, but has not yet been reimbursed. The major components for this system include one syphon chamber, 75 lineal feet of 4” gravity piping, one distribution box, 362 cubic yards of absorption fill material, 250 lineal feet of absorption trench, tree and brush removal, temporary access road, and complete site restoration. The quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement not to exceed \$29,297.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Additional Cost – Michael Carroll – Tab 8

A motion to approve Resolution No. 2943 was made by Wayne Marshfield and seconded by Innes Kasanof.

October 4, 2016

RESOLUTION NO. 2943

BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION
OVER \$25,000:
MICHAEL CARROLL

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 July 7, 2015, by Resolution Number 2698, the CWC Board approved reimbursement to Michael Carroll in an amount not to exceed Twenty-Five Thousand Nine Hundred Fifty Dollars (\$25,950.00); and

WHEREAS, on November 3, 2015, by Resolution Number 2761, the CWC Board approved additional reimbursement to Michael Carroll in an amount of Three Thousand Five Hundred Dollars (\$3,500.00) for total reimbursement not to exceed Twenty-Nine Thousand Four Hundred Fifty Dollars (\$29,450.00); 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 Three Thousand Seven Hundred Thirty-Five Dollars (\$3,735.00); 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 Three Thousand Seven Hundred Thirty-Five Dollars (\$3,735.00); and

WHEREAS, CWC staff have determined that Thirty-Three Thousand One Hundred Eighty-Five Dollars (\$33,185.00) is a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Thirty-Three Thousand One Hundred Eighty-Five Dollars (\$33,185.00) as it is in substantial agreement with our schedule of values.

NOW, THEREFORE LET IT BE RESOLVED, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-Three Thousand One Hundred Eighty-Five Dollars (\$33,185.00).

Michael Carroll Backup

Mr. Carroll’s property is located in the Town of Kortright, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$29,450.00. During construction the project engineer requested that the contractor install 182 lineal feet of curtain drain and to complete additional site restoration in order to protect the new system from surface runoff. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$3,735.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$3,735.00, for total reimbursement not to exceed \$33,185.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Joan Finazzo – Tab 9**

A motion to approve Resolution No. 2944 was made by Wayne Marshfield and seconded by Innes Kasanof.

October 4, 2016

**RESOLUTION NO. 2944**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE  
OVER \$25,000 – ADDITIONAL COSTS:  
JOAN FINAZZO**

**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 Joan Finazzo in the amount of Twenty-Four Thousand Eight Hundred Thirty-Two Dollars (\$24,832.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the contractor for the septic system repair in the amount of Four Thousand Thirteen Dollars (\$4,013.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s total invoices of Twenty-Eight Thousand Eight Hundred Forty-Five Dollars (\$28,845.00) 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 total reimbursement of Twenty-Eight Thousand Eight Hundred Forty-Five Dollars (\$28,845.00) 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 Eight Hundred Forty-Five Dollars (\$28,845.00).

**Joan Finazzo Backup**

Ms. Finazzo's property is located in the Town of Andes, Delaware County. CWC staff previously approved reimbursement for replacement of the septic system at \$24,832.00. During construction the project engineer directed the contractor to reroute the perimeter drain and the sump pump line away from the new septic system. Installation of an H2O loading septic tank was also required due to its proximity to the driveway parking area. These changes were corroborated by the project engineer in writing. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$4,013.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$4,013.00, for total reimbursement not to exceed \$28,845.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Additional Cost – Lucinda Hopps – Tab 10

A motion to approve Resolution No. 2945 was made by Wayne Marshfield and seconded by Innes Kasanof.

October 4, 2016

RESOLUTION NO. 2945

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE
OVER \$25,000 – ADDITIONAL COSTS:
LUCINDA HOPPS**

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 Lucinda Hopps in the amount of One Thousand One Hundred Ten Dollars and Ten Cents (\$1,110.10) in 1998 for a septic tank replacement; and

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Four Thousand Six Hundred Twenty-Five Dollars and Twenty Cents (\$24,625.20); 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-Four Thousand Six Hundred Twenty-Five Dollars and Twenty Cents (\$24,625.20) 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-Four Thousand Six Hundred Twenty-Five Dollars and Twenty Cents (\$24,625.20) 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-Five Thousand Seven Hundred Thirty-Five Dollars and Thirty Cents (\$25,735.30).

Lucinda Hopps Backup

Ms. Hopps's property is located in the Town of Hamden, Delaware County. This system is for a three bedroom house. A 1,000 gallon septic tank and riser was previously installed in 1998 at a cost of \$1,110.10. This cost was not included in the quote received from the contractor in the amount of \$24,625.20. The major components for this system include one pump station, 40 lineal feet of 4" gravity piping, 210 lineal feet of forcemain, one distribution box, 130 cubic yards of absorption fill material, one effluent filter, 225 lineal feet of absorption trench, 110 lineal feet of curtain drain, 160 lineal feet of swale, tree and brush removal, temporary access road, 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 additional reimbursement for construction in an amount of \$24,625.20, with total project reimbursement not to exceed \$25,735.30.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Raymond Kowalski – Tab 11**

A motion to approve Resolution No. 2946 was made by Wayne Marshfield and seconded by Innes Kasanof.

October 4, 2016

**RESOLUTION NO. 2946**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE  
OVER \$25,000 – ADDITIONAL COSTS:  
RAYMOND KOWALSKI**

**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 Raymond Kowalski in the amount of Twenty-Four Thousand Nine Hundred Fifty-Six Dollars (\$24,956.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the contractor for the septic system repair in the amount of Four Thousand Two Hundred Ninety-Six Dollars (\$4,296.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's total invoices of Twenty-Nine Thousand Two Hundred Fifty-Two Dollars (\$29,252.00) 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 total reimbursement of Twenty-Nine Thousand Two Hundred Fifty-Two Dollars (\$29,252.00) 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 Two Hundred Fifty-Two Dollars (\$29,252.00).

**Raymond Kowalski Backup**

Mr. Kowalski's property is located in the Town of Shandaken, Ulster County. CWC staff previously approved reimbursement for replacement of the septic system at \$24,956.00. During construction the project engineer directed the contractor to remove and replace the existing septic tank due to leaks, and to install an additional 240 lineal feet of curtain drain to ensure positive drainage beyond the absorption field. These changes were corroborated by the project engineer in writing. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$4,296.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$4,296.00, for total reimbursement not to exceed \$29,252.00.

***Voice Vote, carried unanimously***

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Future Stormwater – HD Land Volunteer Fire Company, LLC – Tab 12

A motion to approve Resolution No. 2947 was made by Thomas Hynes and seconded by Thomas Snow.

RESOLUTION NO. 2947

**BOARD REVIEW OF FUTURE STORMWATER PROGRAM
APPLICATION FOR H.D. LANE VOLUNTEER FIRE COMPANY INC.
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, the H.D. Lane Volunteer Fire Company Inc. has requested funding in the amount of Five Thousand Nine Hundred Twenty-Seven Dollars and Sixty-Seven Cents (\$5,927.67) for design and construction observation of new stormwater controls related to an addition to the the fire hall; 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 eligible stormwater costs for a total not-to-exceed amount of Five Thousand Nine Hundred Twenty-Seven Dollars and Sixty-Seven Cents (\$5,927.67); 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 the design funding request of Five Thousand Nine Hundred Twenty-Seven Dollars and Sixty-Seven Cents (\$5,927.67).

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 are applicable. 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 Design Costs

\$5,927.67

Voice Vote, carried unanimously

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**Future Stormwater – Town of Lexington Pavilion – Tab 13**

A motion to approve Resolution No. 2948 was made by James Eisel and seconded by Wayne Marshfield.

October 4, 2016

**RESOLUTION NO. 2948**

**BOARD REVIEW OF FUTURE STORMWATER PROGRAM**  
**APPLICATION FOR TOWN OF LEXINGTON**  
**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**, the Town of Lexington has requested funding in the amount of Four Hundred Fifty Dollars (\$450.00) for design of new stormwater controls related to the construction of a pavilion at the new town park; 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 eligible stormwater costs for a total not-to-exceed amount of Four Hundred Fifty Dollars (\$450.00); 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 the design funding request of Four Hundred Fifty Dollars (\$450.00).

**CWC Future Stormwater Controls Program - Town of Lexington – Town Park Pavilion**

The Town of Lexington is building a pavilion at the new town park, Greene County. The disturbance is less than 1 acre and within 100 feet of a watercourse. Only NYCDEP stormwater requirements are applicable to this project. Per the CWC Future Stormwater Program Rules a retainage will be held until Construction Acceptance is received from NYCDEP. For municipal applicants, CWC pays for 100% of eligible stormwater costs.

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

|                             |          |
|-----------------------------|----------|
| Total Eligible Design Costs | \$450.00 |
|-----------------------------|----------|

**Voice Vote, carried unanimously**

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Future Stormwater – Chris Barber – Additional Construction Costs – Tab 14

A motion to approve Resolution No. 2949 was made by James Eisel and seconded by Berndt Leifeld.

October 4, 2016

RESOLUTION NO. 2949

BOARD REVIEW OF CHRIS BARBER FUTURE STORMWATER PROGRAM

ADDITIONAL REIMBURSEMENT

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

WHEREAS, on February 2, 2016, by Resolution Number 2803, the CWC Board of Directors approved a reimbursement application by Chris Barber for funding of eligible design costs in the not-to-exceed amount of Twenty-Nine Thousand Five Hundred Seventy-Two Dollars (\$29,572.00) for the design and implementation of an eligible project; and

WHEREAS, on May 3, 2016, by Resolution Number 2847, the CWC Board of Directors approved additional reimbursement to Chris Barber for funding of eligible costs in the not-to-exceed amount of Seven Thousand Six Hundred Dollars (\$7,600.00) for the design and implementation of an eligible project; and

WHEREAS, on September 6, 2016, by Resolution Number 2936, the CWC Board of Directors approved additional reimbursement to Chris Barber for funding of eligible costs in the not-to-exceed amount of One Thousand Four Hundred Thirteen Dollars and Twenty-Seven Cents (\$1,413.27), for the design and implementation of an eligible project; and

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

WHEREAS, Chris Barber has applied for additional funding of eligible construction costs in the not-to-exceed amount of One Thousand Five Hundred Dollars (\$1,500.00), for total reimbursement of Forty Thousand Eighty-Five Dollars and Twenty-Seven Cents (\$40,085.27) for the design and implementation of an approved SWPPP; 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 Forty Thousand Eighty-Five Dollars and Twenty-Seven Cents (\$40,085.27).

Future Stormwater Program Application - Chris Barber additional funds

Chris Barber’s property is located Windham, Greene County. The developer who sold the property to Mr. Barber submitted a SWPPP to NYC DEP and was approved December 28, 2012. The developer built the homes but did not install the stormwater practices. The developer sold the homes, including one to Mr. Barber. CWC Board previously approved design and construction costs. Mr. Barber implemented the SWPPP and received construction approval on June 1, 2016 and has applied to CWC for additional funding for extra costs during construction. The new owner is not a small business and is therefore eligible for 100% funding by CWC.

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

	Requested	Recommend Funding
SWPPP Construction	\$1,500.00	\$1,500.00
Total Recommended Funding		\$40,085.27

Voice Vote, carried unanimously

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**Future Stormwater – DRNC Realty, LLC – Additional Reimbursement – Tab 15**

A motion to approve Resolution No. 2950 was made by Thomas Hynes and seconded by Mark McCarthy.

October 4, 2016

**RESOLUTION NO. 2950**

**BOARD REVIEW OF FUTURE STORMWATER PROGRAM APPLICATION FOR  
DRNC REALTY, LLC (DELHI REHABILITATION AND NURSING CENTER)  
ADDITIONAL 50% 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 April 5, 2016, by Resolution Number 2833, the CWC Board of Directors approved a reimbursement application by DRNC Realty, LLC for a not-to-exceed amount of One Hundred Sixty-Two Thousand Four Hundred Ten Dollars and Twenty-Three Cents (\$162,410.23) for 50% design and construction of new stormwater controls related to renovations being done at an existing building being brought up to code to reopen a rehabilitation and nursing center. These renovations required a NYS SWPPP and NYC DEP had additional requirements; and

**WHEREAS**, NYCDEP determined that DRNC Realty, LLC is not a small business due to the number of employees at related corporations under common ownership, and as a result the CWC share of stormwater funding is 100% of the eligible costs for this project; and

**WHEREAS**, CWC staff recommend additional reimbursement of the remaining 50% of eligible stormwater design and construction costs in a not-to-exceed amount of One Hundred Sixty-Two Thousand Four Hundred Ten Dollars and Twenty-Three Cents (\$162,410.23) for a total not to exceed amount of Three Hundred Twenty-Four Thousand Eight Hundred Twenty Dollars and Forty-Six Cents (\$324,820.46); 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 reimbursement in an amount not to exceed One Hundred Sixty-Two Thousand Four Hundred Ten Dollars and Twenty-Three Cents (\$162,410.23) for a total not to exceed amount of Three Hundred Twenty-Four Thousand Eight Hundred Twenty Dollars and Forty-Six Cents (\$324,820.46).

**CWC Future Stormwater Controls Program - DRNC Realty, LLC – Town of Delhi, Delaware County**

DRNC Realty, LLC had previously applied for design and construction funding. NYC DEP had additional requirements above and beyond State and Federal Regulations. DRNC Realty, LLC submitted a Stormwater Pollution Prevention Plan with revisions to comply with NYC DEP regulations. The engineer has tracked his time separately from the first meeting with NYC DEP. Design approval was issued by NYC DEP on January 26, 2016.

CWC Board originally approved 50% of eligible costs as a small business due to DRBC’s having less than 100 employees. Although DRNC Realty, LLC has under 100 employees, review by DEP disclosed related corporations under common ownership with more than 100 employees

total. As a result, DRNC does not qualify as a small business under the Watershed MOA. This resolution is to approve the remaining 50% of eligible costs.

Total Requested Funding: \$324,820.46  
Recommended CWC Funding: **\$324,820.46**

Recommended CWC funding 100% of eligible SWPPP construction costs \$324,820.46

**Voice Vote, carried unanimously**

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FHMIP – GNH Lumber Purchase of Relocation Property Closing Costs – Tab 16

A motion to approve Resolution No. 2951 was made by James Eisel and seconded by Thomas Snow.

October 4, 2016

RESOLUTION NO. 2951

**CWC REVIEW OF FLOOD HAZARD MITIGATION PROGRAM APPLICATION
FOR GNH LUMBER – PURCHASE OF RELOCATION PROPERTY
CLOSING 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, on February 2, 2016, by Resolution Number 2813, the CWC Board of Directors approved an application by the Town of Windham for funding for the Relocation Feasibility Study for the GNH Lumber Relocation Project; and

WHEREAS, on June 7, 2016, by Resolution Number 2892, the CWC Board of Directors approved an application by GNH Lumber for purchase of real property within the Town of Windham to relocate out of the floodplain in an amount not to exceed Two Hundred Thirty-Five Thousand Dollars (\$235,000.00);

WHEREAS, June 7, 2016, by Resolution Number 2892, the CWC Board of Directors also authorized the Executive Director, if requested, to purchase such real property and hold title to it in the name of CWC or entity formed by CWC to hold such property, and transfer title to such real property to GNH Lumber at a later date, and without cost, to allow the applicant to relocate within the Town of Windham and outside of the floodplain; and

WHEREAS, CWC purchased the property in its name on September 20, 2016 for the agreed upon and authorized price of Two Hundred Thirty-Five Thousand Dollars and also incurred additional expense for title insurance and title search of One Thousand Eight Hundred Sixty-Nine Dollars (\$1,869.00), real property tax adjustments of Two Hundred Fifteen Dollars (\$215.00), and Three Thousand Five Hundred Dollars (\$3,500.00) for CWC closing counsel.

NOW THEREFORE BE IT RESOLVED THAT, the CWC Board of Directors authorizes additional expenditure of One Thousand Eight Hundred Sixty-Nine Dollars (\$1,869.00) for title insurance, Two Hundred Fifteen Dollars (\$215.00) for real property tax adjustment in connection with the purchase of GNH Lumber relocation property and Three Thousand Five Hundred Dollars (\$3,500.00) for CWC closing counsel.

Relocation Feasibility for GNH Lumber Relocation Project

GNH Lumber, with the assistance of the Greene County IDA, has identified relocation property within the Town of Windham.

The Local Flood Analysis (LFA) completed and accepted by the Town of Windham identified a floodplain enhancement project on property currently owned by GNH Lumber. The LFA indicates that lowering the elevation in this area will reduce flood elevations elsewhere in the hamlet. GNH Lumber is also an anchor business and has been flooded previously. In February, 2016, the CWC Board approved the maximum of \$15,000 to the Town of Windham to assist in the completion of a feasibility study for relocating GNH Lumber to a different property within the Town. Although the feasibility study will be complete in July or August of 2016, GNH Lumber and Greene County IDA have identified suitable relocation property that is for sale now. The owner is anxious to sell and has recently sold the remaining adjacent lots. In order TO ensure the property is available for relocation, GNH Lumber requested that CWC provide a grant now for the purchase. It may be necessary for CWC to hold title to the property until GNH Lumber is ready to relocate. If owned by GNH, deed covenants imposed by CWC will require GNH Lumber to relocate to the site and maintain a business there for five (5) years.

CWC Board of Directors approve the application for an amount not to exceed \$235,000

Update: CWC closed on the property and now holds title. To purchase the property in our name, CWC incurred closing expenses of \$1869.00 for title search and insurance. CWC also paid \$215.00 for pro-rata share of real property taxes previously paid by the seller. Lastly, closing attorney costs for CWC was \$3,500.00 CWC staff request Board authorization for these incurred expenses.

The purchase price remained unchanged and the above are ordinary closing expenses.

Voice Vote, carried unanimously

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**WPPC Executive Committee & Technical Advisory Committee Appointments – Tab 17**

A motion to approve Resolution No. 2952 was made by James Eisel and seconded by Innes Kasanof.

October 4, 2016

**RESOLUTION NO. 2952**

**APPOINTMENT OF MEMBERS TO THE WATERSHED PARTNERSHIP AND PROTECTION COUNCIL EXECUTIVE COMMITTEE AND THE TECHNICAL ADVISORY COMMITTEE**

**WHEREAS**, the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA) provides for the establishment of the Watershed Protection and Partnership Council (WPPC), to aid in the protection of drinking water quality and the economic vitality of Watershed communities as well as the creation of a Technical Advisory Committee (TAC) to the WPPC; and

**WHEREAS**, pursuant to Executive Order Number 57, Governor Pataki established the Watershed Partnership and Protection Council and said order was continued by Governor Spitzer, by Governor Paterson, and Governor Cuomo; and

**WHEREAS**, pursuant to the terms of the Watershed MOA, within the Council a sixteen member Executive Committee was established, three members of which were to be chosen by the watershed community members of the Catskill Watershed Corporation (CWC) Board; and

**WHEREAS**, there are no restrictions or qualifications on members appointed by the CWC watershed community members, however there can only be one member from a county; and

**WHEREAS**, the watershed community members of the CWC may appoint three members to the TAC, while there are no membership restrictions for the appointees, appropriate scientific or technical expertise is preferred; and

**WHEREAS**, members of the WPPC and the TAC serve four-year terms; and

**WHEREAS**, the watershed community members of the CWC Board by Resolution Number 2193 appointed Georgianna Lepke and Alicia Terry for four year terms with the WPPC and the TAC, respectively, which expire on October 23, 2016; and

**WHEREAS**, the watershed community members of the CWC Policy committee recommend that Mark McCarthy, CWC Board member and Sullivan County Legislator, be appointed to the WPPC for a term which would expire on October 23, 2020; and

**WHEREAS**, the watershed community members of the CWC Policy committee recommend that Alicia Terry, Senior Planner for Schoharie County Department of Planning be reappointed to the TAC for a term which would expire on October 23, 2020.

**NOW, THEREFORE BE IT RESOLVED**, that the watershed community members of the CWC Board appoint Mark McCarthy to the WPPC for four year term commencing on October 23, 2016 and expiring on October 23, 2020.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that the watershed community members of the CWC Board appoint Alicia Terry to the TAC for an additional four year term commencing on October 23, 2016 and expiring on October 23, 2020.

**Voice Vote, carried unanimously**

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VIII. Announcements from the Chair:

IX. Board Member Discussion:

Thomas Snow announced that the DOH will be hosting a FAD webinar on October 13, at 4:00.

A motion to adjourn was made by Tina Molé and seconded by Thomas Hynes.

Voice Vote, carried unanimously

X. Adjournment: @ 1:25 p.m.