

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

December 6, 2016 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by Berndt Leifeld.

III. Roll Call of Directors

Members Present: Donald Brandow, James Eisel, Thomas Hynes, Innes Kasanof, Berndt Leifeld, Wayne Marshfield, Mark McCarthy, Tina Molé, Richard Parete, Robert Pelham, Michael Triolo and David Warne (*New York City DEP*).

Members Excused: Martin Donnelly and Thomas Snow (*New York State DEC*)

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

Others Present: Bruce Dolph, Chair (*Coalition of Watershed Towns*), Michael Meyer (*New York City DEP*), Thomas Stalter (*New York City DEP*), and John Schwartz (*New York City DEP*).

IV. Review and Approval of November 1, 2016 Board Meeting Minutes

A motion to approve the minutes from the November 1, 2016 Board meeting was made by Mark McCarthy and seconded by Berndt Leifeld.

Voice Vote, carried unanimously

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of October 31, 2016 was made by James Eisel and seconded by Tina Molé.

**Voice Vote, carried unanimously**

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Executive Director's Report

The Executive Director's Report was presented as outlined in the board packet.

Presentation of News Articles

Committee Schedule

Committee Meeting Minutes

VI. Public Discussion

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$25,000 – Patricia Crosby – Tab 6**

A motion to approve Resolution No. 2967 was made by Wayne Marshfield and seconded by Tina Molé.

December 6, 2016

**RESOLUTION NO. 2967**

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

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

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000) 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 Three Hundred Seventy-Eight Dollars and Eighty Cents (\$29,378.80); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Nine Thousand Three Hundred Seventy-Eight Dollars and Eighty Cents (\$29,378.80) 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 Three Hundred Seventy-Eight Dollars and Eighty Cents (\$29,378.80) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Three Hundred Seventy-Eight Dollars and Eighty Cents (\$29,378.80).

**Patricia Crosby Backup**

Ms. Crosby’s property is located in the Town of Tompkins, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,378.80. 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, 325 lineal feet of forcemain, one distribution box, 240 cubic yards of absorption fill material, 10 cubic yards of C-33 sand, one effluent filter, 288 square feet of Eljen in-drains, 115 lineal feet of curtain drain, and 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 \$29,378.80.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Marion Dekoeyer – Tab 7

A motion to approve Resolution No. 2968 was made by Wayne Marshfield and seconded by Tina Molé.

December 6, 2016

RESOLUTION NO. 2968

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

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 Nine Hundred Eighty-Six Dollars (\$28,986.00); 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 Nine Hundred Eighty-Six Dollars (\$28,986.00) 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 Nine Hundred Eighty-Six Dollars (\$28,986.00) 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 Nine Hundred Eighty-Six Dollars (\$28,986.00).

Marion Dekoeyer Backup

Ms. Dekoeyer's property is located in the Town of Hamden, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$28,986.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, 100 lineal feet of 4" gravity piping, 10 lineal feet of forcemain, 156 cubic yards of absorption fill material, 3 peat modules, 50 lineal feet of curtain drain, tree removal, and 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 \$28,986.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Judith Lutkowski – Tab 8**

A motion to approve Resolution No. 2969 was made by Wayne Marshfield and seconded by Tina Molé.

December 6, 2016

**RESOLUTION NO. 2969**

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

**WHEREAS**, pursuant to the Watershed Memorandum of Agreement and the Septic System Rehabilitation and Replacement Program Contracts with New York City Department of Environmental Protection, the Catskill Watershed Corporation ("CWC")

shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Nine Hundred Dollars (\$29,900.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Nine Hundred Dollars (\$29,900.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor's quote of Twenty-Nine Thousand Nine Hundred Dollars (\$29,900.00) 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 Dollars (\$29,900.00).

**Judith Lutkowski Backup**

Ms. Lutkowski's property is located in the Town of Walton, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,900.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, 350 lineal feet of 4" gravity piping, one siphon chamber, 330 cubic yards of absorption fill material, one distribution box, one effluent filter, 225 lineal feet of absorption trench, 105 lineal feet of curtain drain, 83 lineal feet of solid drain piping, 4 cleanouts, 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 \$29,900.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Jennifer Meyer-Anderson – Tab 9

A motion to approve Resolution No. 2970 was made by Wayne Marshfield and seconded by Tina Molé.

December 6, 2016

RESOLUTION NO. 2970

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE 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) 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 One Hundred Sixty-Seven Dollars and Sixty Cents (\$28,167.60); 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 One Hundred Sixty-Seven Dollars and Sixty Cents (\$28,167.60) 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 One Hundred Sixty-Seven Dollars and Sixty Cents (\$28,167.60) 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-Eight Thousand One Hundred Sixty-Seven Dollars and Sixty Cents (\$28,167.60).

Jennifer Meyer-Anderson Backup

Ms. Meyer-Anderson’s property is located in the Town of Andes, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$28,167.60. This system is for a five bedroom house. The major components for this system include a 1,500 gallon septic tank, 55 lineal feet of 4” gravity piping, 30 lineal feet of forcemain, 60 cubic yards of random fill material, 5 peat modules, 11 cubic yards of C-33 sand, temporary access, and total 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 \$28,167.60.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Dennis Radcliffe – Tab 10**

A motion to approve Resolution No. 2971 was made by Wayne Marshfield and seconded by Tina Molé.

December 6, 2016

**RESOLUTION NO. 2971**

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

**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 Twenty-Nine Thousand Nine Hundred Ninety-Eight Dollars (\$29,998.00); 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 Nine Hundred Ninety-Eight Dollars (\$29,998.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Nine Thousand Nine Hundred Ninety-Eight Dollars (\$29,998.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Nine Hundred Ninety-Eight Dollars (\$29,998.00).

**Dennis Radcliffe Backup**

Mr. Radcliffe's property is located in the Town of Hunter, Greene County. Homeowner and CWC staff received three quotes from unrelated contractors for \$35,700.00, \$32,500.00, and \$29,998.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump station, 40 lineal feet of 4" gravity piping, 160 lineal feet of forcemain, one effluent filter, one distribution box, 450 cubic yards of absorption fill material, 300 lineal feet of absorption trench, temporary access road, and complete site restoration. The lowest quote does not exceed the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,998.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Lukasz Sito – Tag 11

A motion to approve Resolution No. 2972 was made by Wayne Marshfield and seconded by Tina Molé.

December 6, 2016

RESOLUTION NO. 2972

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

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

WHEREAS, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

WHEREAS, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Nine Hundred Fifty Dollars (\$29,950.00); and

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

WHEREAS, the CWC staff have determined the contractor's quote of Twenty-Nine Thousand Nine Hundred Fifty Dollars (\$29,950.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Nine Thousand Nine Hundred Fifty Dollars (\$29,950.00) 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 Fifty Dollars (\$29,950.00).

Lukasz Sito Backup

Mr. Sito’s property is located in the Town of Jewett, Greene County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,950.00. This system is for a four bedroom house. The major components for this system include a 1,250 gallon septic tank, duel siphon, 190 lineal feet of 4” gravity piping, two distribution boxes, 222 cubic yards of absorption fill material, 400 lineal feet of absorption trench, and extensive site restoration. The quote is within 10% of CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,950.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Richard Tazzara – Tab 12**

A motion to approve Resolution No. 2973 was made by Wayne Marshfield and seconded by Tina Molé.

December 6, 2016

**RESOLUTION NO. 2973**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE 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) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Nine Hundred Ninety-Five Dollars (\$29,995.00).

**Richard Tazzara Backup**

Ms. Tazzara’s property is located in the Town of Roxbury, Delaware County. Homeowner and CWC staff received a quote from a contractor in the amount of \$29,995.00. This system is for a three bedroom house. The major components for this system include a 1,000 gallon septic tank, one pump station, 15 lineal feet of 4” gravity piping, 375 lineal feet of forcemain, 2 distribution boxes, 385 cubic yards of absorption fill material, one effluent filter, 225 lineal feet of absorption trench, tree removal, and extensive site restoration. The quote does not exceed the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$29,995.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Additional Cost – Jerome Ayalon – Tab 13

A motion to approve Resolution No. 2974 was made by Mark McCarthy and seconded by Robert Pelham.

December 6, 2016

RESOLUTION NO. 2974

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

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 November 3, 2015, by Resolution Number 2757, the CWC Board approved reimbursement to Jerome Ayalon in an amount not to exceed Thirty-Four Thousand Eight Hundred Twenty-Five Dollars (\$34,825.00); 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 Two Thousand Four Hundred Forty Dollars (\$2,440.00); and

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

WHEREAS, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Two Thousand Four Hundred Forty Dollars (\$2,440.00); and

WHEREAS, CWC staff have determined that Thirty-Seven Thousand Two Hundred Sixty-Five Dollars (\$37,265.00) 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-Seven Thousand Two Hundred Sixty-Five Dollars (\$37,265.00) 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-Seven Thousand Two Hundred Sixty-Five Dollars (\$37,265.00).

Jerome Ayalon Backup

Mr. Ayalon's property is located in the Town of Andes, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$34,825.00. During construction the design engineer requested additional drainage to protect the absorption field. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$2,440.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,440.00, for total reimbursement not to exceed \$37,265.00.

Voice Vote, carried unanimously

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A motion to approve Resolution No. 2975 was made by Mark McCarthy and seconded by Robert Pelham.

December 6, 2016

**RESOLUTION NO. 2975**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION  
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 (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, on October 4, 2016, by Resolution Number 2941, the CWC Board approved reimbursement to Dennis Connington in an amount not to exceed Twenty-Six Thousand Five Hundred Dollars (\$26,500.00); 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 Two Thousand Nine Hundred Dollars (\$2,900.00); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Two Thousand Nine Hundred Dollars (\$2,900.00); and

**WHEREAS**, CWC staff have determined that Twenty-Nine Thousand Four Hundred Dollars (\$29,400.00) 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 Twenty-Nine Thousand Four Hundred Dollars (\$29,400.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Four Hundred Dollars (\$29,400.00).

**Dennis Connington Backup**

Mr. Connington’s property is located in the Town of Kortright, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$26,500.00. During installation of the septic tank and the pump station rock was encountered, making it necessary to use a rock hammer. The project engineer has corroborated the need for the additional work. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$2,900.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,900.00, for total reimbursement not to exceed \$29,400.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Additional Cost – Melissa Post – Tab 15

A motion to approve Resolution No. 2976 was made by Mark McCarthy and seconded by Robert Pelham.

December 6, 2016

RESOLUTION NO. 2976

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

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 Melissa Post in the amount of Twenty-Four Thousand Five Hundred Dollars (\$24,500.00); 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 Seven Thousand Six Hundred Twenty Dollars (\$7,620.00); 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 Thirty-Two Thousand One Hundred Twenty Dollars (\$32,120.00) 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 Thirty-Two Thousand One Hundred Twenty Dollars (\$32,120.00) 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-Two Thousand One Hundred Twenty Dollars (\$32,120.00).

Melissa Post Backup

Ms. Post’s property is located in the Town of Prattsville, Greene County. CWC staff previously approved reimbursement for replacement of the septic system at \$24,500.00. During construction there were several unforeseen conditions, resulting in extensive rock hammering and addition of 100 lineal feet of curtain drain, 30 cubic yards of additional random fill material to the lower taper and 16 cubic yards of absorption fill material. The project engineer has corroborated the need for the additional work. A reasonable and just cost for the additional work according to CWC Schedule of Values is \$7,620.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$7,620.00, for total reimbursement not to exceed \$32,120.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Additional Cost – Robert Warfield – Tab 16**

A motion to approve Resolution No. 2977 was made by Mark McCarthy and seconded by Robert Pelham.

December 6, 2016

**RESOLUTION NO. 2977**

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

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

**WHEREAS**, pursuant to section 2:01:09 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, on June 3, 2015, by Resolution Number 2499, the CWC Board approved reimbursement to Robert Warfield in an amount not to exceed Twenty-Nine Thousand One Hundred Thirty Dollars (\$29,130.00); and

**WHEREAS**, on September 1, 2015, by Resolution Number 2732, the CWC Board approved additional reimbursement to Robert Warfield in the amount of One Thousand Forty-Three Dollars (\$1,043.00), for a total not to exceed amount of Thirty Thousand One Hundred Seventy-Three Dollars (\$30,173.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for additional curtain drain in the amount of One Thousand One Hundred Eighteen Dollars (\$1,118.00) 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 One Hundred Eighteen Dollars (\$1,118.00); and

**WHEREAS**, CWC staff have determined that Thirty-One Thousand Two Hundred Ninety-One Dollars (\$31,291.00) 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 Two Hundred Ninety-One Dollars (\$31,291.00) 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 Two Hundred Ninety-One Dollars (\$31,291.00).

**Robert Warfield Backup**

Mr. Warfield's property is located in the Town of Halcott, Greene County. CWC Board of Directors previously approved reimbursement for this project at \$30,173.00. During construction the project engineer required the contractor add an additional 100 lineal feet of curtain drain to ensure the safe and proper operation of the new system. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$1,118.00. The Septic Committee recommends that the Board approves an additional reimbursement of \$1,118.00, for total reimbursement not to exceed \$31,291.00.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Additional Cost – William Wolfinger – Tab 17

A motion to approve Resolution No. 2978 was made by Mark McCarthy and seconded by Robert Pelham.

December 6, 2016O

RESOLUTION NO. 2978

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

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 October 6, 2015, by Resolution Number 2746, the CWC Board approved reimbursement to William Wolfinger in an amount not to exceed Twenty-Nine Thousand Three Hundred Sixty-Eight Dollars and Fifty (\$29,368.00); 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 Seven Thousand Six Hundred Eighty-Nine Dollars and Fifty Cents (\$7,689.50); 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 Seven Thousand Six Hundred Eighty-Nine Dollars and Fifty Cents (\$7,689.50); and

WHEREAS, CWC staff have determined that Thirty-Seven Thousand Fifty-Seven Dollars and Fifty Cents (\$37,057.50) 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-Seven Thousand Fifty-Seven Dollars and Fifty Cents (\$37,057.50) 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-Seven Thousand Fifty-Seven Dollars and Fifty Cents (\$37,057.50).

William Wolfinger Backup

Mr. Wolfinger’s property is located in the Town of Meredith, Delaware County. CWC Board of Directors previously approved reimbursement for this project at \$29,368.00. During construction the design engineer requested 30 cubic yards of random fill material to ensure access to the absorption field, 160 lineal feet of curtain drain to protect the absorption field from ground/surface runoff, and 165 cubic yards of additional absorption fill material to ensure proper treatment of the effluent. A reasonable and just cost for the additional work according to the CWC Schedule of Values is \$7,689.50. The Septic Committee recommends that the Board approves an additional reimbursement of \$7,689.50, for total reimbursement not to exceed \$37,057.50.

Voice Vote, carried unanimously

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**Rescission of Resolution #2919 Septic Construction – Ernest Hanselman – Tab 18**

A motion to approve Resolution No. 2979 was made by Innes Kasanof and seconded by Wayne Marshfield.

December 6, 2016

**RESOLUTION NO. 2979**

**BOARD RESCISSION OF RESOLUTION #2919 SEPTIC CONSTRUCTION  
REGARDING SEPTIC CONSTRUCTION FUNDING:  
ERNEST HANSELMAN**

**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**, on August 2, 2016, by Resolution Number 2919 the CWC Board of Directors approved reimbursement to Ernest Hanselman in the total not-to-exceed amount of Twenty-Nine Thousand Nine Hundred Fifty Dollars (\$29,950.00) to replace a septic system for an eight bedroom home in the Town of Stamford, Delaware County; and

**WHEREAS**, following CWC Board approval, Ernest Hanselman informed CWC that he no longer desired to replace his likely to fail septic system and requested reimbursement instead for a new septic tank only and he would utilize the existing seepage pit as an absorption field; and

**WHEREAS**, CWC staff estimate that the cost of a new septic tank will be less than Twenty-Five Thousand Dollars (\$25,000.00) and Ernest Hanselman can request reimbursement from CWC for an absorption field at a later date; and

**WHEREAS**, CWC Septic Committee recommends that the CWC Board of Directors rescind Resolution Number 2919.

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors rescinds Resolution Number 2919 and it shall have no further force or effect.

**Voice Vote, carried unanimously**

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Septic IV Contract – Change Order – Tab 19

A motion to approve Resolution No. 2980 was made by James Eisel and seconded by Mark McCarthy.

December 6, 2016

RESOLUTION NO. 2980
SEPTIC IV PROGRAM AGREEMENT CHANGE ORDER

WHEREAS, the Revised 2007 New York City Filtration Avoidance Determination issued by the New York State Department of Health (“NYSDOH”), in consultation with the United States Environmental Protection Agency (“EPA”), requires the City to contract with CWC to administer the Septic System Rehabilitation and Replacement IV Program (the “Septic IV Program”) in the City’s West of Hudson Watershed through the end of 2017, and it is anticipated that NYSDOH will require the Septic IV Program to continue past 2017; and

WHEREAS, on August 7, 2012, by Resolution Number 2152 the CWC Board approved the Septic IV Program agreement, subsequently approved by New York City Department of Environmental Protection and dated June 12, 2013 (the “Septic IV Agreement”); and

WHEREAS, the total contract amount provided under the Septic IV Agreement is Thirty-Six Million Dollars (\$36,000,000) and is based on the estimated cost of inspecting and rehabilitating, replacing or upgrading (as appropriate) approximately 300 septic systems per year; and

WHEREAS, as a result of the success of the Septic IV Program and the requirement to continue the Septic IV Program without disruption, NYCDEP has proposed providing additional funds in the amount of Ten Million Eight Hundred Thousand Dollars (\$10,800,000.00)

WHEREAS, the CWC Septic Committee recommends the CWC Board of Directors authorize the President and/or Executive Director to execute a change order to the Septic IV Program Agreement to provide an additional Ten Million Eight Hundred Thousand Dollars (\$10,800,000.00) to the CWC Septic IV Program Agreement.

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes the President and/or Executive Director to execute a change order the Septic IV Program Agreement to provide an additional Ten Million Eight Hundred Thousand Dollars (\$10,800,000.00) to the CWC Septic IV Program Agreement.

**AMENDMENT TO
THE SEPTIC SYSTEM REHABILITATION AND REPLACEMENT IV
CONTRACT,
CONTRACT # CAT 415
BY AND BETWEEN
THE CITY OF NEW YORK
AND
THE CATSKILL WATERSHED CORPORATION**

THIS AMENDMENT (“Amendment”), is made the ___ day of _____ 2016, by and between **THE CITY OF NEW YORK**, a municipal corporation of the State of New York, having its principal office at City Hall, New York, New York 10007 (the “City”), acting by and through the **NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION**, having its principal office at 59-17 Junction Boulevard, Flushing , New York 11373 (“DEP”), and the Catskill Watershed Corporation, an independent locally-based and locally administered not-for-profit corporation, organized and existing under Section 1411 of the New York State Not-For-Profit-Corporation Law and having its principal office in Margaretville, New York (“CWC”). For purposes of this Amendment, the City, DEP, and CWC shall be referred to collectively as the “Parties.”

WITNESSETH:

WHEREAS, the Revised 2007 New York City Filtration Avoidance Determination issued by the New York State Department of Health (“NYSDOH”), in consultation with the United States Environmental Protection Agency (“EPA”), requires the City to contract

with CWC to administer the Septic System Rehabilitation and Replacement IV Program (the “Septic IV Program”) in the City’s West of Hudson Watershed through the end of 2017, and it is anticipated that NYSDOH will require the Septic IV Program to continue past 2017; and

WHEREAS, the City, by and through DEP, entered into an agreement with CWC to administer the Septic IV Program, dated June 12, 2013 (Contract # CAT 415; Registration # CT 826 20131429146), which expires on November 30, 2022 (the “Agreement”); and

WHEREAS, the total contract amount provided under Article 3, section 3.01 is Thirty-Six Million Dollars (\$36,000,000)(“Contract Amount”); and

WHEREAS, the Contract Amount is based on the estimated cost of inspecting and rehabilitating, replacing or upgrading (as appropriate) approximately 300 septic systems per year; and

WHEREAS, the success of the Septic IV Program and the requirement to continue the Septic IV Program without disruption warrant additional funds in the amount of Ten Million Eight Hundred Thousand Dollars (\$10,800,000) ; and

WHEREAS, the Parties desire to change the Contract Amount of the Agreement in accordance with the New York City Procurement Policy Board Rules Section 4-02 to allow the CWC to continue administering the Septic IV Program.

NOW THEREFORE, in consideration of the premises and respective representation and covenants contained in the Agreement, the Parties mutually agree as follows:

1. Section 3.01 of the Agreement is hereby amended to increase the Contract Amount by Ten Million, Eight Hundred Thousand Dollars (\$10,800,000), from Thirty-Six Million Dollars (\$36,000,000) to Forty-Six Million, Eight Hundred Thousand Dollars (\$46,800,000), to be paid in equal installments of One Million Eight Hundred Thousand Dollars (\$1,800,000), as provided in such section of the Agreement.
2. Full Force and Effect. All the terms and conditions of the Agreement not expressly and specifically modified by this Amendment shall remain in full force and effect and shall govern the relationship of the Parties during the amended term of the Agreement.

IN WITNESS WHEREOF, the City, by and through DEP, and CWC, intending to be bound hereto, execute this Amendment by their duly authorized representatives.

THE CITY OF NEW YORK, by and through **THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

By: _____
Elisa Velazquez, Assistant Commissioner

Agency Chief Contracting Officer
Department of Environmental Protection

CATSKILL WATERSHED CORPORATION

By: _____

Alan Rosa
Executive Director
Catskill Watershed Corporation

ACKNOWLEDGEMENT BY AGENCY CHIEF CONTRACTING OFFICER

State of New York, County of QUEENS SS:

On this _____ day of _____ 2016

before me personally came **Elisa Velazquez** to be known, and known to be the Agency Chief Contracting Officer of the Department of Environmental Protection of The City of New York, the person described as such in and who as such executed the foregoing instrument and she acknowledged to me that she executed the same as Agency Chief Contracting Officer for the purposes therein mentioned.

Notary Public or Commissioner of Deeds

ACKNOWLEDGEMENT BY CATSKILL WATERSHED CORPORATION

State of New York, County of DELAWARE SS:

On this _____ day of _____ 2016

before me personally came **Alan Rosa** who affirmed or being by me duly sworn, did depose and say that he resides in the Town of Middletown, and that he is the Executive Director of the Catskill Watershed Corporation, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the directors of said corporation, and that he signed his name thereto by like order.

Notary Public of Commissioner of Deeds

Voice Vote, carried unanimously

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**CWC Handicap Ramp – Additional Stormwater Costs – Tab 20**

A motion to approve Resolution No. 2981 was made by Innes Kasanof and seconded by James Eisel.

**RESOLUTION NO. 2981**  
**ADDITIONAL STORMWATER COSTS FOR CWC 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**, 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 stormwater controls required by a New York City Department of Environmental Protection (NYCDEP) for the ramp; and

**WHEREAS**, on October 4, 2016, by Resolution Number 2940, the CWC Board of Directors approved additional funding for stormwater controls required by 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 NYCDEP required stormwater controls; and

**WHEREAS**, following construction CWC requested gravel be placed within the constructed stormwater detention pond to immediately reduce a hazard due to the pond's depth and closeness to the handicapped ramp and CWC received an invoice of One Thousand Two Hundred Dollars (\$1,200.00) for the materials and labor; and

**WHEREAS**, CWC Finance Committee recommends CWC Board of Directors approves the additional funding for the stormwater controls for total funding for the parking lot and stormwater controls not to exceed Nine Thousand Dollars (\$9,000.00).

**NOW THEREFORE**, CWC Board of Directors approves total funding for the parking lot and stormwater controls not to exceed Nine Thousand Dollars (\$9,000.00).

***Voice Vote, carried unanimously***

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Future Stormwater – CWC Handicap Ramp Stormwater Controls Reimbursement – Tab 21

A motion to approve Resolution No. 2982 was made by Thomas Hynes and seconded by Richard Parete.

December 6, 2016

RESOLUTION NO. 2982

**BOARD REVIEW OF FUTURE STORMWATER PROGRAM APPLICATION
FOR CATSKILL WATERSHED CORPORATION HANDICAPPED RAMP
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 Catskill Watershed Corporation has applied for funding of eligible project costs in the amount of Ten Thousand Twenty-Eight Dollars and Twenty Cents (\$10,028.20) for design and construction of new stormwater controls related to the construction of a handicap ramp; 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 Ten Thousand Twenty-Eight Dollars and Twenty Cents (\$10,028.20); 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 payment of Ten Thousand Twenty-Eight Dollars and Twenty Cents (\$10,028.20).

**CWC Future Stormwater Controls Program:
Catskill Watershed Corporation, Town of Middletown, Delaware County, New York**

The Catskill Watershed Corporation is located on Route 30 in the Village of Margaretville, Delaware County. The Catskill Watershed was required to design and construct new stormwater control measures to control stormwater runoff for a redesigned paved handicap ramp within 100 feet of a watercourse.

The Catskill Watershed was required to comply with the Watershed Rules and Regulations enforced by the NYCDEP. The NYCDEP Stormwater Pollution Prevention Plan (SWPPP) approval was issued on September 14, 2016.

CWC staff recommended reimbursement of eligible stormwater costs to the CWC Wastewater/Stormwater Committee. The CWC Wastewater/Stormwater Committee recommends reimbursement of \$10,028.20 to the Catskill Watershed Corporation for its SWPPP costs solely attributable to the Watershed Regulations and not otherwise required by State or federal law.

Voice Vote, carried unanimously

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**Future Stormwater – Delhi Community Church – Tab 22**

A motion to approve Resolution No. 2983 was made by Tina Molé and seconded by Innes Kasanof.

December 6, 2016

**RESOLUTION NO. 2983**

**BOARD REVIEW OF FUTURE STORMWATER PROGRAM APPLICATION  
FOR DELHI COMMUNITY CHURCH 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 Delhi Community Church has applied for funding of eligible project costs in the amount of Fifteen Thousand Three Hundred Ninety-One Dollars and Ninety-Eight Cents (\$15,391.98) for design and construction of new stormwater controls related to the construction of a large addition; 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 Twelve Thousand Three Hundred Ninety-One Dollars and Ninety-Eight Cents (\$12,391.98); 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 payment of Twelve Thousand Three Hundred Ninety-One Dollars and Ninety-Eight Cents (\$12,391.98).

**CWC Future Stormwater Controls Program:  
Delhi Community Church, Town of Delhi, Delaware County, New York**

The Delhi Community Church is located on Route 10 in the Town of Delhi, Delaware County. The church was required to design and construct new stormwater control measures to control stormwater runoff for a new addition to the church.

The church was required to comply with the Watershed Rules and Regulations enforced by the NYCDEP. The NYCDEP Stormwater Pollution Prevention Plan (SWPPP) approval was issued on October 19, 2016.

CWC staff recommended reimbursement of eligible stormwater costs to the CWC Wastewater/Stormwater Committee. The CWC Wastewater/Stormwater Committee recommends reimbursement of \$12,391.98 to the Delhi Community Church for its SWPPP costs solely attributable to the Watershed Regulations and not otherwise required by State or federal law.

**Voice Vote, carried unanimously**

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Future Stormwater – Darlene Colandrea – O&M Costs – Tab 23

A motion to approve Resolution No. 2984 was made by Richard Parete and seconded by Robert Pelham.

December 6, 2016

RESOLUTION NO. 2984
DARLENE COLANDREA
FUTURE STORMWATER OPERATION AND MAINTENANCE FUNDING

WHEREAS, pursuant to Paragraph 128 of the 1997 New York City Watershed (“Watershed MOA”), the Catskill Watershed Corporation (“CWC”) is the program manager for the Future Stormwater Program; and

WHEREAS, the Future Stormwater Program is intended to reimburse applicants for costs associated solely from requirements of New York City Department of Environmental Protection Watershed Regulations that are not also State or Federal requirements; and

WHEREAS, interest from earnings on Future Stormwater Funds can be used to reimburse applicants for maintenance costs associated with previously approved applications; and

WHEREAS, on October 7, 2014, by Resolution Number 2573, the CWC Board of Directors approved the Future Stormwater Application of Darlene Colandrea for 50% reimbursement of eligible costs in an amount not to exceed Five Thousand Nine Hundred Seventy-Five Dollars (\$5,975.00) associated with her Pine Grove Self Storage project; and

WHEREAS, on August 4, 2015, by Resolution Number 2714, the CWC Board of Directors approved additional funds to Darlene Colandrea for 50% reimbursement of eligible costs in an amount not to exceed Twenty-Two Thousand Three Hundred Nineteen Dollars and Forty-Two Cents (\$22,319.42) associated with her Pine Grove Self Storage project; and

WHEREAS, Darlene Colandrea has requested operation and maintenance funding to maintain the stormwater best management practices installed as part of the NYC DEP required SWPPP associated with her Pine Grove Self Storage project.

WHEREAS, CWC staff recommends funding in the amount of Five Hundred Dollars (\$500.00) for 50% reimbursement of operation and maintenance costs; and

WHEREAS, the CWC Wastewater/Stormwater Committee has reviewed the CWC staff recommendation and recommends that the CWC Board of Directors authorize the President and/or Executive Director to enter into a contract with Darlene Colandrea for 50% of reimbursement of stormwater maintenance for a total not-to-exceed amount of Five Hundred Dollars (\$500.00).

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes the President and/or Executive Director to execute a contract with Darlene Colandrea for a total not-to-exceed amount of Five Hundred Dollars (\$500.00) for 50% of operation and maintenance costs associated with the Pine Grove Self Storage project.

Future Stormwater Program Application - Darlene Colandrea

Darlene Colandrea owns Pine Grove Self Storage and constructed additional storage units in 2014. This site required a NYC DEP SWPPP. The stormwater best management practices included two rain gardens. As a small business, Darlene Colandrea is eligible to

apply to CWC and NYCDEP to seek reimbursement for maintenance costs and each organization is responsible for up to 50% of these costs.

The CWC Wastewater/Stormwater Committee recommends a Future Stormwater Reimbursement contract for operation and maintenance of this project for an amount not to exceed \$500.00. This contract can be revised by the CWC Board if and when additional funds are required.

Voice Vote, carried unanimously

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**Stormwater Retrofit – Delaware County Highway Vacuum Truck – Tab 24**

A motion to approve Resolution No. 2985 was made by James Eisel and seconded by Wayne Marshfield.  
December 6, 2016

**RESOLUTION NO. 2985**

**BOARD REVIEW OF THE  
DELAWARE COUNTY HIGHWAY VACUUM TRUCK  
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**, by Resolution Number 2620, the CWC Board of Directors revised the Program Rules to provide for an annual grant round with applications due on October 1<sup>st</sup> and applications to be reviewed by the CWC Board on the first Tuesday in December; 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**, CWC received applications on or before October 1, 2016 as more fully described in Attachment A; and

**WHEREAS**, CWC and NYCDEP staff have jointly reviewed and recommend funding for the Delaware County Highway Vacuum Truck as detailed in the application dated September 27, 2016 for a not-to-exceed amount of Two Hundred Sixty Thousand Dollars (\$260,000.00) and have presented their recommendations to the CWC Wastewater Committee; and

**WHEREAS**, the CWC Wastewater Committee has reviewed and recommends the proposal as detailed in the application dated September 27, 2016 on the condition that the Delaware County Highway Department provides a local match of Thirty Thousand Dollars (\$30,000.00) for the purchase of the vehicle as proposed in the application, and that the truck be used exclusively and solely within the watershed in CWC Watershed member towns in Delaware County, and that Delaware County be required to annually report to CWC structure condition and work completed, and mileage used thereof; and

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

**NOW, THEREFORE, LET IT BE RESOLVED**, the CWC Board of Directors approves funding as per the attached funding limits Two Hundred Sixty Thousand Dollars (\$260,000.00).

**NOW THEREFORE, LET IT BE FURTHER RESOLVED**, that the CWC Board approves such funding on the condition that the Delaware County Highway Department provide a local match of Thirty Thousand Dollars (\$30,000.00) for the purchase of the vehicle as proposed in the application, that the truck be used exclusively and solely within the watershed in CWC Watershed member towns in Delaware County, and that Delaware County be required to annually report to CWC structure condition and work completed, and mileage used thereof.

**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.

Voice Vote, carried unanimously

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Stormwater Retrofit – Windham Theatre – Tab 25

A motion to approve Resolution No. 2986 was made by Innes Kasanof and seconded by Wayne Marshfield.

December 6, 2016

RESOLUTION NO. 2986

**BOARD REVIEW OF THE WINDHAM THEATRE
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, by Resolution Number 2620, the CWC Board of Directors revised the Program Rules to provide for an annual grant round with applications due on October 1st and applications to be reviewed by the CWC Board on the first Tuesday in December; 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, CWC received applications on or before October 1, 2016 as more fully described in Attachment A; and

WHEREAS, CWC and NYCDEP staff have jointly reviewed and recommend funding for the Windham Theatre for design of a Stormwater Improvement Project as detailed in the application dated September 30, 2016 for a not-to-exceed amount of Eighteen Thousand Two Hundred Fourteen Dollars and Forty Cents (\$18,214.40) and have presented their recommendations to the CWC Wastewater Committee; and

WHEREAS, the CWC Wastewater Committee has reviewed and recommends the proposal as detailed in the application dated September 30, 2016; and

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

NOW, THEREFORE, LET IT BE RESOLVED, the CWC Board of Directors approves funding for the Windham Theatre for design of a Stormwater Improvement Project as per the attached funding application for not to exceed amount of Eighteen Thousand Two Hundred Fourteen Dollars and Forty Cents (\$18,214.40).

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.

Voice Vote, carried unanimously

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**FHMIP – Town of Shandaken Relocation Property Purchase – Tab 26**

A motion to approve Resolution No. 2987 was made by Richard Parete and seconded by Berndt Leifeld.

December 6, 2016

**RESOLUTION NO. 2987**

**CWC REVIEW OF FLOOD HAZARD MITIGATION PROGRAM APPLICATION  
FOR TOWN OF SHANDAKEN –  
TOWN HALL RELOCATION, PROPERTY ACQUISITION**

**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**, by Resolution Number 2439, on March 4, 2014, 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 recommendation to the CWC Wastewater Stormwater Committee, which shall issue recommendations to the CWC Board of Directors; and

**WHEREAS**, the Town of Shandaken (Town) submitted an application to CWC to fund the purchase of a property for the relocation of the Town Hall and Town Highway Garage, currently located on New York State Route 28, Shandaken, N.Y., in an area immediately adjacent to the Esopus Creek, to property out of the 500 year flood plain; and

**WHEREAS**, the Town previously purchased a property in the Town (Section/Block/Lot 25.1-1-2.100) with funding from the New Infrastructure Program (NIP Program) (MOA

Paragraph 122) (NIP Property) in 2006 for a now discontinued wastewater treatment project; and

**WHEREAS**, pursuant to the Town's NIP Program contract it is obligated to either retain the NIP Property and reimburse NYCDEP for the lesser of the cost of the fee interests acquired or their fair market value, or sell the NIP Property for fair market value and return the sale proceeds to NYCDEP; and

**WHEREAS**, the NIP Property is located outside the 100 year flood plain, is .89 acres larger than the current location for the Town Hall and Highway Garage, and contains a modest ranch style home that is in an uninhabitable condition, as well as a collapsed garage; and

**WHEREAS**, the Town has completed a local flood analysis for the hamlets of Phoenicia and Mt. Tremper; and

**WHEREAS**, the current Town Hall and Town Highway Garage are located within the 100 year flood plain where there are no alternatives for elevating or flood proofing the structures, which includes areas where petroleum and oils are located; and

**WHEREAS**, the Town wishes to relocate the Town Hall and Town Highway Garage to the NIP Property pursuant to the Program (Relocation Property); and

**WHEREAS**, upon review of the information and staff recommendation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approves an amount not to exceed One Hundred Fourteen Thousand Dollars (\$114,000.00) for the Relocation Property for the Town Hall and Town Highway Garage; and

**WHEREAS**, the CWC Wastewater Committee further recommends that the CWC Board waive Program Rule § 17:00:03 (2)(b) in order to allow the Town to be eligible to relocate because a FEMA Flood Damage Toolkit shows that a 100 year storm will flood the inside of the Town Hall with five feet of water, damage 49.7% of the Town Hall's structure and contents, prevent the use of the Town Hall as an emergency response center for the town, flood the Town Highway Garage, impacting equipment, and disrupt the workings of the Town Supervisor, Clerk and Assessors offices; and

**WHEREAS**, the CWC Wastewater Committee further recommends the CWC Board waive Program Rule §17:02:03 (4)(b)(iii) that requires funds to be used to purchase property not currently owned by the applicant, because the Town purchased the Relocation Property with funds from NYCDEP for another purpose and cannot continue to own the Relocation Property unless it reimburses NYCDEP, either through sale of the property or with Town funds; and

**WHEREAS**, the CWC Wastewater Committee further recommends the CWC Board waive Program Rule § 17:02:03 (4)(b)(iii) which requires that the relocation property be the same size or smaller than the current property because the Relocation Property is only



nominally larger than the current property, is available immediately to start the relocation process and is bisected by a watercourse that restricts development of the entire Relocation Property; and

**WHEREAS**, the CWC Wastewater Committee recommends the CWC Board waive Program Rule §17:02:03(4)(b)(iii) that requires FHMIP funds to be used to pay for the appraised land value, absent improvements, because the structures on the Relocation Property are uninhabitable and will require significant expense to make them suitable for any use; and

**WHEREAS**, the CWC Wastewater Committee further recommends that the CWC Board of Directors approve the Town of Shandaken's application subject to the Town's agreement that the construction of the relocation will be completed within five years, that a deed restriction will cause title to the Relocation Property to revert to CWC if such project is not completed within five years, that current location of the Town offices and Town highway garage will be subject to deed covenants restricting development after demolition of the current structures and that the Town use the funds allocated herein solely to reimburse DEP as required in the NIP Program contract, and associated costs for filing costs for deed restrictions.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the Town's application, staff recommendation and supporting documentation and approves funding the Town of Shandaken Town Hall Complex Relocation for the costs necessary to reimburse DEP for the Relocation Property's fair market value and associated costs in an amount not to exceed One Hundred Fourteen Thousand Dollars (\$114,000.00).

### **Backup**

Town of Shandaken submitted an application on 10/21/16 for the FHMIP program for a land purchase for the relocation of the Town owned complex to be located outside of the Special Flood Hazard Area (SFHA). This includes the Town of Shandaken's office/court building, highway department, recycling center and dog kennel. This complex is a critical facility. The existing parcel of land that the Town's Complex is now on is located on 3.2 acres, all of which is in the SFHA. Per the flood maps, during a 100 year flood event the entire area would be under approximately 5' of flood water which would cause substantial damage and a loss of services to the community.

The proposed new parcel of land being considered is located further east on Rt. 28 on tax parcel 25.1-1-2.100, closer to the hamlet of Phoenicia and entirely out of the SFHA. The new parcel of land is 4.05 acres which has a small watercourse running through it and would limit the amount of useable land to be about the same size as they now have.

The Town of Shandaken is requesting funding of not to exceed \$114,000.00 for the purchase of the property. \$105,000.00 is for the land purchase and the remaining \$9,000.00 is for all closing costs and legal fees. The desired parcel of land for the new Town Complex is currently owned by the Town of Shandaken, however the Town must

reimburse the NYCDEP for the original cost of the land of \$105,000.00. The property was originally acquired by the Town of Shandaken with funding from NYCDEP several years ago as a potential location for a wastewater treatment facility which never happened.

The relocation of the Town Complex is a recommendation in their LFA to relocate to this parcel of land. The Town of Shandaken has been participating in the NY Rising Community Reconstruction Program and hired CT Male Associates to conduct a Feasibility Study for this relocation, design/engineering for the construction of a new Town Complex. Although there is a relatively low BCR of 49.7 for the structure and the contents of the building, this appears to be a good project for relocation. This is a Critical Facility and day to day government functions and a storm command center is essential for the smooth operation of the Town of Shandaken.

**Voice Vote, carried unanimously**

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VIII. Announcements from the Chair: None

IX. Board Member Discussion:

Board members inquired about the status of the contract with the Veterans regarding the Delaware Inn. Timothy Cox explained lease terms as they are being laid out in the contract, and what that means regarding responsibilities for maintenance, repairs and improvements to the building and grounds. The Board directed Tim to look further into a maintenance bond as a requirement for the lease.

Michael Triolo wished everyone a very Merry Christmas and a safe and Happy New Year.

A motion to adjourn was made by Thomas Hynes and seconded by Donald Brandow.

Voice Vote, carried unanimously

X. Adjournment: @ 1:17 p.m.