

CATSKILL WATERSHED CORPORATION

Board of Directors Meeting

MINUTES

June 6, 2017 @ 1:00 p.m.

I. Call to Order

II. Pledge of Allegiance: Led by James Sofranko.

III. Roll Call of Directors

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

Members Excused: Martin Donnelly and Robert Pelham.

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 (*Coalition of Watershed Towns*), Michael Meyer (*New York City DEP*), and Thomas Stalter (*New York City DEP*).

IV. Review and Approval of May 2, 2017 Board Meeting Minutes

A motion to approve the minutes from the May 2, 2017 board meeting was made by Anthony Van Glad and seconded by Richard Parete.

Voice Vote, carried unanimously

V. Presentation of Communication

Finance Report

A motion to approve the financial reports as of March 31, 2017 was made by James Eisel and seconded by Wayne Marshfield.

Voice Vote, carried unanimously

Executive Director's Report

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

Committee Schedule

Alan noted that, should Independence Day holiday travel interfere with Board attendance on July 5th, a reschedule date is set for July 6th.

Committee Meeting Minutes

VI. Public Discussion

VII. Presentation of Resolutions

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**Septic Reimbursement Over \$25,000 – Jeffrey Brueckner – Tab 6**

A motion to approve Resolution No. 3085 was made by Wayne Marshfield and seconded by Anthony VanGlad.

June 6, 2017

**RESOLUTION NO. 3085**

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

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

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

**WHEREAS**, CWC staff has reviewed three construction quotes, including the lowest quote for the septic system repair in the amount of Thirty-Three Thousand Nine Hundred Sixty-Five Dollars and Five Cents (\$33,965.05); and

**WHEREAS**, the contractor’s quote for this system is more than Thirty Thousand Dollars (\$30,000.00); and

**WHEREAS**, the CWC staff have determined the contractor’s quote of Thirty-Three Thousand Nine Hundred Sixty-Five Dollars and Five Cents (\$33,965.05) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Thirty-Three Thousand Nine Hundred Sixty-Five Dollars and Five Cents (\$33,965.05) 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 Nine Hundred Sixty-Five Dollars and Five Cents (\$33,965.05).

**Jeffery Brueckner Backup**

Mr. Brueckner’s property is located in the Town of Hurley, Ulster County. Homeowner and CWC staff received three quotes from unrelated contractors for \$35,342.00, \$34,865.00, and \$33,965.05. This system is for a two bedroom house. The major components for this system include one 1,000 gallon septic tank, one syphon chamber, 20 lineal feet of gravity piping, 82 lineal feet of forcemain, one distribution box, 375 cubic yards of absorption fill material, 100 cubic yards of random fill, one effluent filter, 675 square feet of absorption bed, 4,850 square feet of site restoration, tree removal, and temporary access road. The low quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$33,965.05.

***Voice Vote, carried unanimously***

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Septic Reimbursement Over \$25,000 – Nicholas Burton – Tab 7

A motion to approve Resolution No. 3086 was made by Wayne Marshfield and seconded by Anthony VanGlad.

June 6, 2017

RESOLUTION NO. 3086

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

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

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

WHEREAS, CWC staff has reviewed three construction quotes, including the lowest quote for the septic system repair in the amount of Thirty-Three Thousand Nine Hundred Sixty-Five Dollars and Five Cents (\$38,300.00); and

WHEREAS, the contractor’s quote for this system is more than Thirty Thousand Dollars (\$30,000.00); and

WHEREAS, the CWC staff have determined the contractor’s quote of Thirty-Eight Thousand Three Hundred Dollars (\$38,300.00) to be a reasonable cost for this system in accordance with our schedule of values; and

WHEREAS, the Septic Committee has reviewed the documentation and recommend approving the contractor’s quote of Thirty-Eight Thousand Three Hundred Dollars (\$38,300.00) 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-Eight Thousand Three Hundred Dollars (\$38,300.00).

Nicholas Burton Backup

Mr. Burton’s property is located in the Town of Andes, Delaware County. Homeowner and CWC staff received three quotes from unrelated contractors for \$41,555.00, \$41,195.00, and \$38,300.00. This system is for a five bedroom house. The major components for this system include one 1,500 gallon septic tank, one syphon chamber, 45 lineal feet of gravity piping, one distribution box, 470 cubic yards of absorption fill material, one effluent filter, 375 lineal feet of absorption trench, 125 lineal feet of curtain drain, 4,455 square feet of site restoration, 95 lineal feet of 12” culvert piping, and temporary access road. The low quote is within 10% of the CWC Schedule of Values. The Septic Committee recommends that the Board of Directors approve reimbursement in an amount not to exceed \$38,300.00.

Voice Vote, carried unanimously

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**Septic Reimbursement Over \$25,000 – Michael Curley – Tab 8**

A motion to approve Resolution No. 3087 was made by Wayne Marshfield and seconded by Anthony VanGlad.

June 6, 2017

**RESOLUTION NO. 3087**

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

**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 One Hundred Ninety-Two Dollars (\$26,192.00); 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 One Hundred Ninety-Two Dollars (\$26,192.00) 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 One Hundred Ninety-Two Dollars (\$26,192.00) 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 One Hundred Ninety-Two Dollars (\$26,192.00).

**Michael Curley Backup**

Mr. Curley’s property is located in the Town of Neversink, Sullivan County. Homeowner and CWC staff received a quote from a contractor in the amount of \$26,192.00. This system is for a three bedroom house. The major components for this system include one 1,000 gallon septic tank, one pump station, 15 lineal feet of gravity piping, 280 lineal feet of forcemain, one distribution box, 10 cubic yards of C-33 sand, one effluent filter, 288 square feet of Eljen in-drains, additional excavation for deep installations, brush and tree clearing, temporary access road for both tanks and absorption system, and site restoration. We received a quote from a contractor for \$26,192.00. 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 \$26,192.00.

**Voice Vote, carried unanimously**

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Septic Reimbursement Over \$25,000 – Paula Schermerhorn – Tab 9

A motion to approve Resolution No. 3088 was made by Wayne Marshfield and seconded by Anthony VanGlad.

June 6, 2017

RESOLUTION NO. 3088

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

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).

Paula Shermerhorn Backup

Ms. Shermerhorn’s property is located in the Town of Stamford, 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 one 1,250 gallon septic tank, pump station, 30 lineal feet of gravity piping, 37 lineal feet of forcemain, one distribution box, 470 cubic yards of absorption fill material, one effluent filter, 180 lineal feet of Presby piping, 23 cubic yards of C-33 sand, 95 lineal feet of curtain drain, 4,025 square feet of site restoration, and temporary access road. 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 \$29,900.00.

Voice Vote, carried unanimously

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**Future Stormwater – Conestoga Investments, LLC – Tab 10**

A motion to approve Resolution No. 3089 was made by Richard Parete and seconded by Thomas Hynes.

June 6, 2017

**RESOLUTION NO. 3089**

**BOARD REVIEW OF FUTURE STORMWATER PROGRAM APPLICATION FOR CONESTOGA INVESTMENTS, LLC 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**, Conestoga Investments, LLC has applied for reimbursement of eligible design costs in the amount of Forty-Three Thousand Three Hundred Thirty-Three Dollars and Ninety Cents (\$43,333.90) for design of new stormwater controls related to a building being converted to 3 residential units, the expansion of an existing building and the construction of a new building within 100 feet of a watercourse; and

**WHEREAS**, the CWC share of stormwater funding is 50% of the eligible costs for this project because Conestoga Investments, 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 recommendations; and

**WHEREAS**, CWC staff recommended reimbursement of eligible stormwater design costs for a total not-to-exceed amount of Forty-Three Thousand Three Hundred Thirty-Three Dollars and Ninety Cents (\$43,333.90); 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 reimbursement in the total not-to-exceed amount of Forty-Three Thousand Three Hundred Thirty-Three Dollars and Ninety Cents (\$43,333.90).

**CWC Future Stormwater Controls Program - Conestoga Investments, LLC – Village of Hunter, Greene County**

Conestoga Investments, LLC has property in the Village of Hunter, Greene County. The applicant is converting an existing building to 3 residential units, doing an expansion of an existing building and the construction of a new building within 100 feet of a watercourse which requires a SWPPP with NYC DEP. NYC DEP stormwater requirements pushed the disturbance area to over an acre therefore requiring a State SWPPP. Due to the NYC DEP stormwater requirements increasing the disturbance area and bring the project size with the State SWPPP requirements as well, all costs related to the SWPPP are eligible. Conestoga Investments, LLC is a small business therefore they are eligible for 50% reimbursement of eligible costs from the CWC and are eligible to apply to the NYC DEP for the remaining 50%.

|                             |             |
|-----------------------------|-------------|
| Total Eligible Design Costs | \$86,667.80 |
| NYCDEP 50% Share            | \$43,333.90 |

Recommended CWC funding 50% of eligible SWPPP design costs **\$43,333.90**

**Voice Vote, carried unanimously**

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Future Stormwater – Long Leasing, LLC – Tab 11

A motion to approve Resolution No. 3090 was made by Thomas Hynes and seconded by Wayne Marshfield.

June 6, 2017

RESOLUTION NO. 3090

**BOARD REVIEW OF FUTURE STORMWATER PROGRAM APPLICATION FOR
LONG LEASING, LLC 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, Long Leasing, LLC has applied for reimbursement of eligible costs in the amount of Sixteen Thousand Four Hundred Dollars (\$16,400.00) for design and implementation of new stormwater controls related to the removal of an existing building and the construction of a new building within 100 feet of a watercourse; and

WHEREAS, the CWC share of stormwater funding is 50% of the eligible costs for this project because Long Leasing, 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 recommendations; and

WHEREAS, CWC staff recommended reimbursement of eligible stormwater design costs for a total not-to-exceed amount of Sixteen Thousand Four Hundred Dollars (\$16,400.00); 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 reimbursement in the total not-to-exceed amount of Sixteen Thousand Four Hundred Dollars (\$16,400.00).

CWC Future Stormwater Controls Program - Long Leasing, LLC – Town of Andes, Delaware County

Long Leasing, LLC has property in the Town of Andes, Delaware County. The applicant demolished an existing building and constructed a new building within 100 feet of a watercourse. A new impervious surface, such as a building, within a 100 feet from a watercourse required a SWPPP approval from NYC DEP. The applicant did not have to comply with NYS General Stormwater Permit. Long Leasing, LLC is a small business therefore they are eligible for 50% reimbursement of eligible costs from the CWC and are eligible to apply to the NYC DEP for the remaining 50%.

| | |
|----------------------|-------------|
| Total Eligible Costs | \$32,800.00 |
| NYCDEP 50% Share | \$16,400.00 |

Recommended CWC funding 50% of eligible SWPPP design costs **\$16,400.00**

Voice Vote, carried unanimously

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**Future Stormwater – Windham Mountain Retreat, Inc. – Additional Funds – Tab 12**

A motion to approve Resolution No. 3091 was made by James Eisel and seconded by Tina Molé.

June 6, 2017

**RESOLUTION NO. 3091**

**BOARD REVIEW OF FUTURE STORMWATER PROGRAM APPLICATION FOR WINDHAM MOUNTAIN RETREAT, INC STORMWATER CONTROLS - ADDITIONAL FUNDING**

**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 June 2, 2015, by Resolution Number 2691, the CWC Board of Directors approved an application by Windham Mountain Retreat, Inc. in the amount of Sixty-Two Thousand Six Hundred Seventy-Seven Dollars and Ninety-Eight Cents (\$62,677.98) for design

and construction of stormwater controls required solely by NYCDEP Watershed Regulations at a subdivision on the Town of Windham; and

**WHEREAS**, October 6, 2015, by Resolution Number 2752, the CWC Board of Directors approved additional funding for Windham Mountain Retreat, Inc. in the amount of Seventeen Thousand Seven Hundred Fifty Dollars and Twenty-Eight Cents (\$17,750.28) for design and implementation of stormwater controls required solely by NYCDEP Watershed Regulations at a subdivision on the Town of Windham; and

**WHEREAS**, Windham Mountain Retreat, Inc. has applied for additional funding for construction costs in the amount of Twenty-Five Thousand Seven Hundred Ninety-Five Dollars and Sixty-Three Cents (\$25,795.63) for total reimbursement of One Hundred Six Thousand Two Hundred Twenty-Three Dollars and Eighty-Nine Cents (\$106,223.89) for the design and implementation of an approved SWPPP related to the development of a 10 lot subdivision in the Town of Windham; and

**WHEREAS**, the CWC share of stormwater funding is 50% of the eligible costs for this project; and

**WHEREAS**, upon review of the information and staff recommendation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve an amended not-to-exceed amount of One Hundred Six Thousand Two Hundred Twenty-Three Dollars and Eighty-Nine Cents (\$106,223.89) for the Windham Mountain Retreat Future Stormwater Project.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the attached application, staff recommendation and supporting documentation and approves additional funding for construction costs in the amount of Twenty-Five Thousand Seven Hundred Ninety-Five Dollars and Sixty-Three Cents (\$25,795.63) for total reimbursement of One Hundred Six Thousand Two Hundred Twenty-Three Dollars and Eighty-Nine Cents (\$106,223.89).

**CWC Future Stormwater Controls Program - Windham Mountain Retreat, Inc. -  
Subdivision, Town of Windham, Greene County**

Windham Mountain Retreat, Inc. owns a subdivision located on Nauvoo Road in the Town of Windham. Windham Mountain Retreat was required under State General Permit to prepare a Stormwater Pollution Prevent Plan. The engineer first prepared a State compliant SWPPP. After filing the Notice of Intent with the State, the engineer then provided the SWPPP to NYCDEP for their review for compliance with the New York City Watershed Regulations. NYC DEP additional requirements increased the size of the three constructed wetlands. The engineer requested a contractor provide bid on first the State compliant SWPPP and a second bid on the SWPPP approved by NYCDEP. The second bid, due to the additional requirements, was higher and CWC was able to review costs for specific NYCDEP additional requirements. Unfortunately, the original contractor commenced digging for the constructed wetlands did not complete the job and a second contractor was brought in to finish the work, including grading and plumbing per the SWPPP. CWC relied upon the percentage cost difference (between State SWPPP costs and NYCDEP approved SWPPP costs) from the original contractor to determine the amount of eligible costs.

CWC staff reviewed the latest bid and applied the percentage difference for the additional requirements from the original contractors bid:

| Description                                                               | Total Cost  | % cost difference between NYSDEC and NYCDEP requirements (original bid) | Eligible Costs (Applying percentage) | CWC Share*          |
|---------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------|--------------------------------------|---------------------|
| Excavation and grading of wetland #2, including bench and berm work       | \$21,652.37 | 75%                                                                     | \$16,239.28                          | 8,119.64            |
| Excavation, grading of Wetland #1                                         | \$27,041.57 | 40%                                                                     | \$10,816.63                          | 5,408.32            |
| Excavation and grading Wetland #3                                         | \$14,578.37 | 68%                                                                     | \$9,913.29                           | 4,956.65            |
| Excavation and grading for stump removal and burial in Wetlands 1,2, and3 | \$13,120.37 | 61%                                                                     | \$8,003.43                           | 4,001.72            |
| Plumbing Wetlands 2 & 3                                                   | \$5,000.00  | 71.5%                                                                   | \$3,575.00                           | 1,787.50            |
| Excavation and grading to center of Wetlands 1,2,3                        | \$6,000.00  | 61%                                                                     | \$3,660.00                           | 1,830.00            |
| Engineering                                                               |             | N/A                                                                     | \$6,175.77                           | 3,087.89            |
| Total                                                                     |             |                                                                         |                                      | <b>\$ 29,191.72</b> |
| CWC Funding remaining from prior approval                                 |             |                                                                         |                                      | \$ 3,396.09         |
| <b>TOTAL RECOMMENDED FUNDING</b>                                          |             |                                                                         |                                      | <b>\$ 25,795.63</b> |

\*A 10% retainage will be held pending final completion pursuant to CWC Future Stormwater Program Rules. Retainage is included in CWC share amounts.

The amount of \$3,396.09 remains from prior funding approval by CWC Board is recommended to be allocated by deducting it from the amount of additional funding requested.

Windham Mountain Retreats is eligible for 50% reimbursement of eligible costs through the CWC as they are a small business registered with the State of New York. The remaining 50% of eligible costs are potentially eligible for reimbursement for NYCDEP under the MOA 145 Program.

**Voice Vote, carried unanimously**

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Future Stormwater – Community Bank (Fleischmanns Branch) – Additional Funds – Tab 13

A motion to approve Resolution No. 3092 was made by Innes Kasanof and seconded by James Sofranko.

June 6, 2017

RESOLUTION NO. 3092

**BOARD REVIEW OF ADDITIONAL FUNDING FOR THE COMMUNITY BANK
(FLEISCHMANN'S BRANCH) FUTURE STORMWATER PROJECT**

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

WHEREAS, by Resolution Number 3015, the CWC Board of Directors approved an application by Community Bank for funding of eligible design and implementation costs in the not-to-exceed amount of Sixteen Thousand Seven Hundred Ninety-Five Dollars (\$16,795.00); and

WHEREAS, Community Bank went out to bid and has requested additional implementation funding in an amount not to exceed Four Thousand Seven Hundred Ninety Dollars (\$4,790.00); and

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

WHEREAS, upon review of the information and staff recommendation, the CWC Wastewater/Stormwater Committee recommends that the CWC Board of Directors approve an amended not-to-exceed amount of Twenty-One Thousand Five Hundred Eighty-Five Dollars (\$21,585.00) for the Community Bank Fleischmanns Branch Future Stormwater Project.

NOW, THEREFORE, LET IT BE RESOLVED, that the CWC Board of Directors has reviewed the attached application, staff recommendation and supporting documentation and approves additional funding in the amount of Four Thousand Seven Hundred Ninety Dollars (\$4,790.00) for a total not-to-exceed amount of Twenty-One Thousand Five Hundred Eighty-Five Dollars (\$21,585.00).

CWC Future Stormwater Program Application - Community Bank, Town of Middletown, Village of Fleischmanns, Delaware County, New York

The Community Bank is located on Main Street in the Village of Fleischmanns, Delaware County. The Bank desires to construct a new parking lot for employees and customers.

Under the Watershed Regulations, The bank was required prepare a stormwater pollution prevention plan (SWPPP) because of the distance of the parking lot, a new impervious surface, to a watercourse. NYCDEP approval of the SWPPP was issued on October 18, 2016. No State SWPPP was required.

CWC Board of Directors previously approved reimbursement in an amount not to exceed \$16,795.00 based upon engineer’s estimate of construction costs. The lowest bid for the work came in \$4,790.00 higher than the engineer’s estimate.

CWC staff recommend additional reimbursement of \$4,790.00 for eligible stormwater costs to the CWC Wastewater/Stormwater Committee. The CWC Wastewater/Stormwater Committee recommends additional reimbursement of \$4,790.00 for a total project cost of \$21,585.00 to Community Bank 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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**Stormwater Retrofit – South Kortright Central School – Additional Funds – Tab 14**

A motion to approve Resolution No. 3093 was made by Thomas Hynes and seconded by James Eisel.

June 6, 2017

**RESOLUTION NO. 3093**

**BOARD REVIEW OF THE  
SOUTH KORTRIGHT CENTRAL SCHOOL - ADDITIONAL FUNDS  
STORMWATER RETROFITS PROGRAM APPLICATION**

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

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

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

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

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

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

**WHEREAS**, on June 7, 2016, by Resolution Number 2891, the CWC Board of Directors approved a design funding application by South Kortright Central School in an amount not to exceed Sixty-Two Thousand Nine Hundred Forty-Four Dollars and One Cent (\$62,944.01); and

**WHEREAS**, April 4, 2017, by Resolution Number 3032, the CWC Board of Directors approved additional funding to South Kortright Central School for construction in the amount of Six Hundred Twenty Thousand Dollars (\$620,000.00); and

**WHEREAS**, South Kortright Central School has requested additional funding for construction in the amount of Forty-Eight Thousand Eight Hundred Dollars (\$48,800.00); and

**WHEREAS**, CWC and NYCDEP staff have jointly reviewed and recommend additional construction funding for South Kortright Central School for a total not-to-exceed amount of Forty-Eight Thousand Eight Hundred Dollars (\$48,800.00) and have presented their recommendations to the CWC Wastewater Committee; and

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

**WHEREAS**, South Kortright Central School requested that CWC coordinate the design and construction of the project; and

**WHEREAS**, the CWC Stormwater/Wastewater Committee recommends that the CWC Board of Directors approve entering into an agreement with South Kortright Central School for CWC to coordinate design and construction of the South Kortright Central School Stormwater Retrofit Project; and

**WHEREAS**, the CWC Stormwater/Wastewater Committee further recommends that the CWC Board of Directors approve entering into an agreement with Boland’s Excavating & Topsoil, Inc. to construct the South Kortright Central School Stormwater Retrofit Project in an amount not to exceed Forty-Eight Thousand Eight Hundred Dollars (\$48,800.00); and

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

**NOW, THEREFORE, LET IT BE RESOLVED**, the CWC Board of Directors approves additional funding for construction of the South Kortright Central School Stormwater Retrofit Project in an amount not to exceed Forty-Eight Thousand Eight Hundred Dollars (\$48,800.00), for a total not-to-exceed amount of Six Hundred Sixty-Eight Thousand Eight Hundred Dollars (\$668,800.00), and a total project amount of Seven Hundred Thirty-One Thousand Seven Hundred Forty-Four Dollars and One Cent (\$731,744.01).

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

**CWC Stormwater Retrofit Program - South Kortright Central School, Delaware County**

South Kortright had applied for Stormwater Retrofit design funding and was approved in June of 2016. A design has since been approved by NYCDEP staff and the project has gone out to bid as an ADD ALT to the school's capital improvement project. CWC approved a construction bid in the amount of \$620,000.00. An additional \$48,800.00 was requested for work done for the stormwater retrofit project during the construction of the sewer line. The school did this work during this time rather than digging this area up a second time.

CWC Wastewater Committee recommends additional funding in a not-to-exceed amount of \$48,800.00.

**Voice Vote, carried unanimously**

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FHMIP – Anchoring of Tanks Over 420 Gallons – American Legion Post 190 – Tab 15

A motion to approve Resolution No. 3094 was made by Wayne Marshfield and seconded by Thomas Snow.

June 6, 2017

RESOLUTION NO. 3094

FLOOD HAZARD MITIGATION PROGRAM RULES

AMERICAN LEGION POST 190 (DELHI) TANK REIMBURSEMENT FOR PROPANE TANK OF GREATER THAN 420 GALLONS

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

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

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

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

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

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

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

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

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

WHEREAS, CWC staff received an application from American Legion Post 190 (Delhi) for reimbursement of the costs to secure a 1,000 gallon propane tank at a cost not to exceed Three Thousand Ninety-Seven Dollars (\$3,097.00); and

WHEREAS, CWC Stormwater Committee recommends the CWC Board approve the reimbursement application of American Legion Post 190 (Delhi) for the costs to secure a 1,000 gallon propane tank at a cost not to exceed Three Thousand Ninety-Seven Dollars (\$3,097.00).

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors the CWC Board approve the reimbursement application of American Legion Post 190 (Delhi) for the costs to secure a 1,000 gallon propane tank at a cost not to exceed Three Thousand Ninety-Seven Dollars (\$3,097.00).

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

Voice Vote, carried unanimously

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**FHMIP – Anchoring of Tanks Over 420 Gallons – Tsering Gaga – Tab 16**

A motion to approve Resolution No. 3095 was made by Wayne Marshfield and seconded by Richard Parete.

June 6, 2017

**RESOLUTION NO. 3095**

**FLOOD HAZARD MITIGATION PROGRAM RULES**

**GAGA TANK REIMBURSEMENT FOR PROPANE TANK OF GREATER THAN 420 GALLONS**

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

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

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

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

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

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

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

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

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

**WHEREAS**, CWC staff received an application from Tsering Gaga for reimbursement of the costs to secure a 1,500 gallon propane tank at a cost not to exceed Two Thousand Seven Hundred Fifty Dollars (\$2,750.00); and

**WHEREAS**, CWC Stormwater Committee recommends the CWC Board approve the reimbursement application of Tsering Gaga for the costs to secure a 1,500 gallon propane tank at a cost not to exceed Two Thousand Seven Hundred Fifty Dollars (\$2,750.00)

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors the CWC Board approve the reimbursement application of Tsering Gaga for the costs to secure a 1,500 gallon propane tank at a cost not to exceed Two Thousand Seven Hundred Fifty Dollars (\$2,750.00).

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

**Voice Vote, carried unanimously**

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FHMIP – Anchoring of Tanks Over 420 Gallons – IEH Auto Parts – Tab 17

A motion to approve Resolution No. 3096 was made by Tina Molé and seconded by Anthony Van Glad.

June 6, 2017

RESOLUTION NO. 3096

FLOOD HAZARD MITIGATION PROGRAM RULES

IEH AUTO PARTS TANK REIMBURSEMENT FOR PROPANE TANK OF GREATER THAN 420 GALLONS

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

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

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

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

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

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

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

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

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

WHEREAS, CWC staff received an application from IE Auto Parts for reimbursement of the costs to secure a 500 gallon propane tank at a cost not to exceed Two Thousand Seven Hundred Fifty-Nine Dollars (\$2,759.00); and

WHEREAS, CWC Stormwater Committee recommends the CWC Board approve the reimbursement application of IEH Auto Parts for the costs to secure a 500 gallon propane tank at a cost not to exceed Two Thousand Seven Hundred Fifty-Nine Dollars (\$2,759.00).

NOW, THEREFORE BE IT RESOLVED, that the CWC Board of Directors the CWC Board approve the reimbursement application of IEH Auto Parts for the costs to secure a 500 gallon propane tank at a cost not to exceed Two Thousand Seven Hundred Fifty-Nine Dollars (\$2,759.00).

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

Voice Vote, carried unanimously

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**FHMIP – Anchoring of Tanks Over 420 Gallons – John Petschauer – Tab 18**

A motion to approve Resolution No. 3097 was made by Thomas Hynes and seconded by Wayne Marshfield.

June 6, 2017

**RESOLUTION NO. 3097**

**FLOOD HAZARD MITIGATION PROGRAM RULES**

**JOHN PETSCHAUER TANK REIMBURSEMENT FOR PROPANE TANK OF  
GREATER THAN 420 GALLONS**

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

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

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

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

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

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

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

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

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

**WHEREAS**, CWC staff received an application from John Petschauer for reimbursement of the costs to secure a 500 gallon propane tank at a cost not to exceed Three Thousand One Hundred Seventy-Five Dollars (\$3,175.00); and

**WHEREAS**, CWC Stormwater Committee recommends the CWC Board approve the reimbursement application of John Petschauer for the costs to secure a 500 gallon propane tank at a cost not to exceed Three Thousand One Hundred Seventy-Five Dollars (\$3,175.00).

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors the CWC Board approve the reimbursement application of John Petschauer for the costs to secure a 500 gallon propane tank at a cost not to exceed Three Thousand One Hundred Seventy-Five Dollars (\$3,175.00)

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

*Voice Vote, carried unanimously*

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2017 Insurance Premiums – Tab 19

A motion to approve Resolution No. 3098 was made by James Eisel and seconded by James Sofranko.

James Martin noted that the rates are approximately \$3,800 less than last year.

June 6, 2017

RESOLUTION NO. 3098

CWC INSURANCE PREMIUMS

WHEREAS, the Board of Directors must approve an expense greater than Ten Thousand Dollars (\$10,000.00); and

WHEREAS, the Finance Department has received quotes/premiums for General Liability, Automobile insurance, Workers Compensation, Forced Place, Directors & Officers, Professional Liability and Excess Liability insurance.

NOW, THEREFORE BE IT RESOLVED, the Board of Director’s approves the Executive Director to pay the insurance premiums not to exceed Fifty-Two Thousand Dollars (\$52,000.00).

Voice Vote, carried unanimously

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**Public Education Grant Appeal – NYC H2O – Tab 20**

A motion to approve Resolution No. 3099 *and deny the appeal* was made by Anthony Van Glad and seconded by Tina Molé.

**RESOLUTION NO. 3099**

**RESOLUTION FOR BOARD REVIEW OF  
PUBLIC EDUCATION GRANT APPEAL – NYC H20**

**WHEREAS**, the 1997 New York City Watershed Memorandum of Agreement established the Catskill Watershed Corporation (CWC) for a Public Information and Education Program, including funding for grants to schools and non-profit organizations for watershed educational programs and projects; and

**WHEREAS**, pursuant to the CWC Public Education Program rules, the Public Education Advisory Group (PEAG) must evaluate grant requests and issue funding recommendations to the CWC Board of Directors; and

**WHEREAS**, PEAG recommended partial funding to NYC H20 in the amount of Six Thousand Dollars (\$6,000.00); and

**WHEREAS**, on May 2, 2017, by Resolution Number 3069, the CWC Board of Directors approved funding of a Public Education grant to NYC H20 in the amount of Six Thousand Dollars (\$6,000.00) as recommended by PEAG and the CWC Public Education Committee; and

**WHEREAS**, the CWC Public Education Program Rules contain a provision allowing grant applicants who feel they have been wrongly denied funding to appeal to the CWC Board of Directors; and

**WHEREAS**, pursuant to the CWC Public Education Program Rules, the CWC Board of Directors must act upon an appeal at the next regularly scheduled Board meeting that occurs at least fifteen (15) days after CWC's receipt of an appeal; and

**WHEREAS**, NYC H20 has appealed the CWC Board's denial of full funding by letter received by CWC on May 12, 2017, and

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors makes the following determination:

- Deny Appeal
- Approve Appeal
- Refer the matter to PEAG for reconsideration

**Education Grant Appeal Background - NYC H20**

NYC H2O, a non-profit organization which provides guided programs at New York City water system sites to in-city school groups, applied for a \$10,000 Round 20 Education Grant to expand its programming in 2017-18. The Public Education Advisory Group evaluated the proposal and recommended partial funding, at \$6,000. (In 2016, NYC H2O was granted \$9,000 of its requested \$10,000.)

PEAG's rationale for the reduced award recommendation:

*This program, offering in-city field trips to reservoirs and sites related to NYC's water history, has grown significantly since it was initiated in 2014. It has a stable of enthusiastic, knowledgeable tour guides and an accomplished roster of trainers, as well as growing support among teachers and administrators.*

*A growing number of NYC applicants for a limited pool of money led to partial funding of this program. We also note that the proposal's opening paragraph expresses the need for funding to expand the trips to include sites and lessons unrelated to our focus on NYC's fresh water supply (bluebelts, stormwater and resilience).*

The CWC Board awarded funding for this project as recommended by PEAG and the CWC Public Education Committee. It should be noted that 9 out of the 17 New York City centered applications approved by the CWC Board received less funding than requested.

The applicant's explanation for the appeal is expressed in the attached letter from NYC H2O's Director, Matt Malina.

**Voice Vote, carried unanimously**

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CFF – Overlook Mountain Parking Lot Materials – Tab 21

A motion to approve Resolution No. 3100 *with revised total amounts* was made by James Eisel and seconded by Anthony Van Glad.

James Sofranko asked if these materials were to be used at the current parking site, or if additional parking was to be created. Timothy Cox answered that approximately 50 new spaces were to be created at a new site, and that it was not clear if the current parking site would remain open, but the demand would be sufficient to fill up both the new lot and the existing lot.

Alan Rosa announced that because of the delay in receiving funding, the project has already begun and the CWC will not be able to delay processing of invoices for the 15-day Right of Objection. He expressed the need to have contracts and funding in place at least two months prior to projects so that projects can be reviewed and approved by the CWC Board before anticipated start dates.

June 6, 2017

RESOLUTION NO. 3100

APPROVAL OF BIDS FOR OVERLOOK MOUNTAIN PARKING AREA MATERIALS

WHEREAS, the Catskill Watershed Corporation (CWC) is a not for profit local development corporation whose purpose is, in part, “aiding that part of the Watershed of the City of New York located West of the Hudson River (the ‘West of Hudson Watershed’) by attracting new commerce and industry to such area and by encouraging the development of, or retention of, commerce and industry in such area, and lessening the burdens of government and acting in the public interest and all other lawful functions all in a manner which seeks to protect water quality in the West of Hudson Watershed”; and

WHEREAS, CWC administers the Catskill Fund for the Future (CFF) Grant Program for the purpose of providing financial assistance to qualified economic development projects in the portion of the New York City Watershed West of the Hudson River (WOH Watershed) in accordance with the CFF Program rules; and

WHEREAS, a large portion of the WOH Watershed, including numerous CWC member towns, are located within the Catskill State Park; and

WHEREAS, the enacted 2015-2016 New York State Budget includes Five Hundred Thousand Dollars (\$500,000.00) designated to New York State Department of Environmental Conservation under Aid to Localities for the Catskill Master Plan Stewardship and Planning; and

WHEREAS, by Resolution 3048, the New York State Senate resolved that the Catskill Master Plan Stewardship and Planning funds be apportioned to the Catskill Watershed Corporation for their administration; and

WHEREAS, the budget for the Catskill Master Plan Stewardship and Planning funds includes funding for construction of a new parking area for the Overlook Mountain Trail in the Town of Woodstock, Ulster County; and

WHEREAS, the CWC staff issued a request for bids for materials necessary for completion of a new parking area including seven rolls of Tensar TrAx TX5 Geogrid or equivalent, 400 yards cubic yards of items 3 and 4 mixed crushed stone, 1,700 yards of item 1 and 2 mixed crushed stone, and 900 yards of item 4 crushed stone, with all proposed bids inclusive of delivery costs; and

WHEREAS, bids were due on May 26, 2017 for stone materials but no bids were received for Tensar TrAx TX5 Geogrid rolls and CWC staff sought quotes directly for those rolls; and

WHEREAS, based upon timely submitted bids and quotes received, CWC staff recommend the CWC Board awards bids as follows:

- a. Round Lake Cash Sales - 7 rolls of Tensar TrAX at Five Thousand Nine Hundred Sixty-Four Dollars and Twenty-Eight Cents (\$5,964.28)
- b. Callanan Industries
 1. 600 Tons of Item 3 and 4 mixed crushed stone delivered - \$18.25/ton bid price
\$10,950.00 total
 2. 2,550 tons of Item 1 and 2 mixed crushed stone delivered - \$18.25/ton bid price
\$46,537.50 total
 3. 1,620 tons of Item 4 crushed stone delivered - \$15.75/ton bid price
\$25,515.00 total

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes the Executive Director to enter into an agreement with Round Lake Cash Sales for approximately seven rolls of Tensar TrAx TX5 Geogrid (or equivalent) at a cost of \$852.04 per roll delivered for costs not to exceed Five Thousand Nine Hundred Sixty-Four Dollars and Twenty-Eight Cents (\$5,964.28).

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes the Executive Director to enter into an agreement with Callanan Industries, Inc. for approximately 400 yards cubic yards delivered of Items 3 and 4 mixed crushed stone at a cost of \$18.25 per ton at a total cost not to exceed Ten Thousand Nine Hundred Fifty Dollars (\$10,950.00).

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes the Executive Director to enter into an agreement with Callanan Industries, Inc. for approximately 1,700 yards delivered of Items 1 and 2 mixed crushed stone at a cost of \$18.25 per ton at a total cost not to exceed Forty-Six Thousand Five Hundred Thirty-Seven Dollars and Fifty Cents (\$46,537.50).

NOW THEREFORE BE IT RESOLVED, that the CWC Board of Directors authorizes the Executive Director to enter into an agreement with Callanan Industries, Inc. for approximately 900 yards delivered of Item 4 crushed stone at a cost of \$15.75 per ton at a total cost not to exceed Twenty-Five Thousand Five Hundred Fifteen Dollars (\$25,515.00).

NOW THEREFORE, BE IT FURTHER RESOLVED, that in order to provide a contingency if additional materials are required, CWC Board of Directors authorizes the Executive Director to enter into agreements with Round Lake Cash Sales and Callanan Industries, the sum of which shall not to exceed One Hundred Thousand Dollars (\$100,000.00), inclusive of the above quoted materials.

Voice Vote, carried unanimously

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A motion to waive Rule 14 was made by Thomas Snow and seconded by Thomas Hynes.

**Handout Resolution – Stormwater Retrofit – O’Connor Hospital – Additional Funds**

A motion to approve Resolution No. 3101 was made by James Eisel and seconded by Wayne Marshfield.

June 6, 2017

**RESOLUTION NO. 3101**

**BOARD REVIEW OF DELHI COMMUNITY CHURCH**

**FUTURE STORMWATER PROGRAM**

**ADDITIONAL FUNDS**

**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 December 6, 2016, by Resolution Number 2983, the CWC Board of Directors approved a reimbursement application by Delhi Community Church for funding of eligible design and construction costs in the not-to-exceed amount of Twelve Thousand Three Hundred Ninety-One Dollars and Ninety-Eight Cents (\$12,391.98) 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**, Delhi Community Church has requested additional funding of eligible construction costs in the not-to-exceed amount of One Thousand Five Hundred Ninety-Two Dollars and Twenty Cents (\$1,592.20), for total reimbursement of Thirteen Thousand Nine Hundred Eighty-Four Dollars and Eighteen Cents (\$13,984.18) 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 of additional funding of eligible construction costs in the amount of One Thousand Five Hundred Ninety-Two Dollars and Twenty Cents (\$1,592.20), for total reimbursement not to exceed Thirteen Thousand Nine Hundred Eighty-Four Dollars and Eighteen Cents (\$13,984.18).

#### **Future Stormwater Program Application – Delhi Community Church additional funds**

##### **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 stormwater controls include a constructed rain garden.

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. No State SWPPP is required. CWC Board previously approved reimbursement of \$12,391.98 for the costs of the SWPPP, including construction.

Under the original bid, the contractor estimated the plantings for the rain garden at \$2,800.00 based upon a quote he received last fall from a local nursery. The plants are now unavailable at that nursery and the contractor sought a quote from another nursery who had the plants in stock. That quote (attached) is \$4,392.20, including a \$500.00 delivery charge. The property owner and contractor therefore request an additional \$1,592.20 for the costs of the plants in the rain garden.

CWC staff recommended additional reimbursement of eligible stormwater costs to the CWC Wastewater/Stormwater Committee. The CWC Wastewater/Stormwater Committee recommends additional reimbursement of \$1,592.20 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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A motion to enter into Executive Session with Alan L. Rosa, Timothy Cox, Barbara Puglisi, Jason Merwin, and Phil Sireci to discuss CFF delinquent loans and new loan applicant financials was made by Anthony Van Glad and seconded by Tina Molé.

Voice Vote, carried unanimously

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

Voice Vote, carried unanimously

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**CFF REDI Loan – High Falls Business Park, LLC – Tab 22**

A motion to approve Resolution No. 3102 was made by Richard Parete and seconded by James Sofranko.

June 6, 2017

**RESOLUTION NO. 3102**  
**APPROVAL OF HIGH FALLS BUSINESS PARK, LLC**  
**BUSINESS LOAN**

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

**WHEREAS**, High Falls Business Park, LLC has applied for a Five Hundred Fifty-Five Thousand Dollar (\$555,000.00) loan for a term of fifteen (15) years, with an amortization of twenty (20) years, at a rate of four percent (4.0%), such that the outstanding principal is fully paid on the one hundred eightieth (180<sup>th</sup>) payment date, for the purchase of real property at 2452C Lucas Turnpike, High Falls, NY and for working capital; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for High Falls Business Park, LLC; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for High Falls Business Park, LLC; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from High Falls Business Park, LLC, waiving the participating lender requirement; and

**WHEREAS**, the CWC staff has reviewed and processed this application, and submitted a loan application report to the Board of Directors, attached hereto; and

**WHEREAS**, the Executive Director, pursuant to the CFF Program rules, has evaluated and determined that this loan meets the criteria for a qualified economic development project, said recommendation is attached hereto and made a part hereof; and

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines High Falls Business Park, LLC's application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Five Hundred Fifty-Five Thousand Dollars (\$555,000.00) for a term of fifteen (15) years, with an amortization of twenty (20) years, at a rate of four percent (4.0%), such that the outstanding principal is fully paid on the one hundred eightieth (180<sup>th</sup>) payment date, for the purchase of real property at 2452C Lucas Turnpike, High Falls, NY and for working capital, and further waives the requirement of a participating lender pursuant to CFF Program Rule § 1:05:02.

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

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

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of an application by the Board constitutes a preliminary decision under the MOA. The decision will become final without any further action by the Board unless an objection is timely filed with the Watershed Protection and Partnership Council.

**QEDP Evaluation and CWC Staff Recommendation**

**Purpose: To review the CWC Loan Application of High Falls Business Park, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to High Falls Business Park, LLC located in the Town of Marbletown, NY. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 by the CWC Board of Directors.

1. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 2452C Lucas Turnpike, High Falls, to be purchased by High Falls Business Park, LLC, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 2452C Lucas Turnpike, High Falls, to be purchased by High Falls Business Park, LLC, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
  - (i) High Falls Business Park, LLC is purchasing the property located at 2452C Lucas Turnpike, High Falls, consisting of two metal rental buildings.
  - (ii) The project is located in the Town of Marbletown.
  - (iii) The project will utilize a septic system.
  - (iv) The project appears to present no threat to water quality.
  - (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (vi) Based on NYCDEP the project is in the 60 day travel time.
  - (vii) There is no impact on Federal or State wetlands.(b) The project maintains the character of the Town of Marbletown.
  - (i) The project is consistent with current zoning.
  - (ii) The project is compatible with surrounding land uses.
  - (iii) The project will not generate excessive traffic.
  - (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**

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CFF REDI Loan – Masserson Holdings, LLC – Tab 23

A motion to approve Resolution No. 3103 was made by Thomas Hynes and seconded by Tina Molé.

Thomas Hynes noted that without the Municipal Sewer the hotel would not have been possible at its original location due to its proximity to the East Branch of the Delaware River.

June 6, 2017

RESOLUTION NO. 3103

APPROVAL OF MASSEKSON HOLDINGS, LLC

BUSINESS LOAN

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

WHEREAS, on March 25, 2003, by Resolution Number 573, the CWC Board of Directors approved a Ninety-Eight Thousand Dollar (\$98,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.00%), to be amortized in equal monthly payments such that the outstanding principal is fully paid on the last payment date, to purchase an existing apartment rental property and convert it into a lodging facility/motel; and

WHEREAS, on March 23, 2004, by Resolution Number 685, the CWC Board of Directors approved a Fifty Thousand Dollar (\$50,000.00) loan for a term of seven (7) years, at a rate of four percent (4.0%), to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date, for the furniture, fixtures and supplies related to the renovation project of the Roxbury; and

WHEREAS, on July 25, 2006, by Resolution Number 1044, the CWC Board of Directors approved a Two Hundred Thousand Three Hundred Dollar (\$200,300.00) loan for a term of fifteen (15) years, at a rate of five and one hundred twenty-five thousandth percent (5.125%) adjustable every five years to the CWC rate in effect at that time, to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date, for the purpose of construction of a seven room addition to the existing "The Roxbury" motel; and

WHEREAS, on September 26, 2006, by Resolution Number 1067, the CWC Board of Directors approved an additional Thirty-Nine Thousand Seven Hundred Dollar (\$39,700.00) loan for a term of fifteen (15) years, that will be amortized over twenty (20) years with a balloon payment at the end of fifteen (15) years, at a rate of five and one hundred twenty-five thousandth percent (5.125%) adjustable every five years to the CWC rate in effect at that time, to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date, for the purpose of additional construction costs for "The Roxbury" motel; and

WHEREAS, on July 7, 2009, by Resolution Number 1555, the CWC Board of Directors approved a One Million One Hundred Seven Thousand Seven Hundred Seventy-Two Dollar (\$1,107,772.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in two hundred forty (240) equal monthly payments, with the one hundred and eightieth (180th) being a balloon payment, such that the outstanding principal is fully paid on such payment date, for the purchase, demolition and construction of the expansion of The Roxbury, Contemporary Catskill Lodging; and

WHEREAS, on December 1, 2009, by Resolution Number 1654, the CWC Board of Directors approved an additional Eighty-Two Thousand Two Hundred Twenty-Eight Dollars (\$82,228.00) for a total loan of One Million One Hundred Ninety Thousand Dollar (\$1,190,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%) adjustable every five years to the CWC rate in effect at that time, to be amortized in two hundred forty (240) equal monthly payments, with the one hundred and eightieth (180th) payment being a balloon payment, such that the

outstanding principal is fully paid on the one hundred and eightieth (180th) payment date, for the purpose of additional construction costs for “The Roxbury” motel; and

WHEREAS, on July 2, 2013, by Resolution Number 2338, the CWC Board or Directors approved a Consolidation, Modification and Extension loan to include the above loan balances, with additional funding, in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00), for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in two hundred forty (240) equal monthly payments, with the one hundred and eightieth (180th) being a balloon a payment, such that the outstanding principal is fully paid on the one hundred eightieth (180th) payment date, for the refinance of debt with regard to The Roxbury, Contemporary Catskill Lodging; and

WHEREAS, Masserson Holdings, LLC, a division of Masserson Properties, Inc., has applied for a One Million Two Hundred Thousand Dollar (\$1,200,000.00) loan, for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in two hundred forty (240) equal monthly payments, with the one hundred and eightieth (180th) being a balloon a payment, such that the outstanding principal is fully paid on the one hundred eightieth (180th) payment date, to expand The Roxbury at Stratton Falls; and

WHEREAS, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Masserson Holdings, LLC; and

WHEREAS, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Masserson Holdings, LLC; and

WHEREAS, the CWC Loan Committee has recommended approval of the CWC Loan application from Masserson Holdings, LLC; and

WHEREAS, the CWC staff has reviewed and processed this application, and submitted a loan application report to the Board of Directors, attached hereto; and

WHEREAS, the Executive Director, pursuant to the CFF Program rules, has evaluated and determined that this loan meets the criteria for a qualified economic development project, said recommendation is attached hereto and made a part hereof; and

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

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

WHEREAS, pursuant to the CFF Program rules only the CWC Board of Directors may waive rule 1:03:25 maximum loan amount; and

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

NOW, THEREFORE BE IT RESOLVED, the CWC Board determines that the Masserson Holdings, LLC application meets the CWC CFF qualified economic development criteria and approves of the loan application to Consolidate, Modify and Extend the above loan balances, with additional funding, in an amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00), for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in two hundred forty (240) equal monthly payments, with the one hundred and eightieth (180th) being a balloon payment, such that the outstanding principal is fully paid on the one hundred eightieth (180th) payment date.

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

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

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

QEDP Evaluation and CWC Staff Recommendation

Purpose: To review the CWC Loan Application of Masserson Holdings, LLC.

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Masserson Holdings, LLC, located in the Town of Roxbury, NY. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 by the CWC Board of Directors.

1. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 48 County Highway 41, Roxbury, NY, owned by Masserson Holdings LLC, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 48 County Highway 41, Roxbury, NY, owned by Masserson Holdings LLC, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
 - (i) Masserson Holdings LLC owns the property at 48 County Highway 41, Roxbury, NY, also known as The Roxbury at Stratton Falls, Contemporary Catskill Lodging.
 - (ii) The project is located in the Town of Roxbury.
 - (iii) The project will utilize a private sewer system.
 - (iv) The project appears to present no threat to water quality.
 - (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.

- (vi) Based on NYCDEP the project is not in the 60 day travel time.
- (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Town of Roxbury.
 - (v) The project is consistent with current zoning.
 - (vi) The project is compatible with surrounding land uses.
 - (vii) The project will not generate excessive traffic.
 - (viii) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
- 4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
- 5. Not applicable.

Voice Vote, carried unanimously

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**CFF REDI Loan – Nordic House Owners, LLC – Tab 24**

A motion to approve Resolution No. 3104 was made by Innes Kasanof and seconded by James Sofranko.

*CWC Board members requested that this loan be approved with the following conditions: the maximum total loan amount for both CWC and a participating bank be no more than 75% of appraised value of the property with CWC holding a shared 1<sup>st</sup> mortgage position pari-pasu with a participating bank.*

June 6, 2017

**RESOLUTION NO. 3104**  
**APPROVAL OF NORDIC HOUSE OWNERS, LLC**  
**BUSINESS LOAN**

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

**WHEREAS**, Nordic House Owners, LLC has applied for a Four Hundred Forty Thousand Dollar (\$440,000.00) loan for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in two hundred forty (240) equal monthly payments, with the one hundred and eightieth (180<sup>th</sup>) being a balloon a payment, such that the outstanding principal is fully paid on the one hundred eightieth (180<sup>th</sup>) payment date, to purchase and renovate the real property at 5088 Route 23, Windham, NY, and for working capital; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Nordic House Owners LLC; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Nordic House Owners LLC; and

**WHEREAS**, the CWC staff has reviewed and processed this application, and submitted a loan application report to the Board of Directors, attached hereto; and

**WHEREAS**, the Executive Director, pursuant to the CFF Program rules, has evaluated and determined that this loan meets the criteria for a qualified economic development project, said recommendation is attached hereto and made a part hereof; and

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines Nordic House Owners LLC application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Four Hundred Forty Thousand Dollars (\$440,000.00) for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years to the CWC rate in effect at that time, to be amortized in two hundred forty (240) equal monthly payments, with the one hundred and eightieth (180<sup>th</sup>) being a balloon a payment, such that the outstanding principal is fully paid on the one hundred eightieth (180<sup>th</sup>) payment date.

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

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

**NOW, THEREFORE BE IT FURTHER RESOLVED**, approval of an application by the Board constitutes a preliminary decision under the MOA. The decision will become final without any further action by the Board unless an objection is timely filed with the Watershed Protection and Partnership Council.

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

**Purpose: To review the CWC Loan Application of Nordic House Owners, LLC**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Nordic House Owner LLC located in the Town of Windham, NY. Evaluation is based

on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 by the CWC Board of Directors.

1. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 5088 Route 23, Windham, NY, to be purchase by Nordic House Owners, LLC, is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 5088 Route 23, Windham, NY, to be purchased by Nordic House Owners, LLC, is not subject to any enforcement actions by any regulatory agency.
3. (a) To the best of CWC's knowledge, the project is consistent with historic land use patterns, available infrastructure and sensitivity to the need for water quality protection.
  - (i) Nordic House Owner LLC, located at 5088 Route 23, Windham, NY, will operate as a Motel/Inn.
  - (ii) The project is located in the Town of Windham.
  - (iii) The project will utilize a septic system.
  - (iv) The project appears to present no threat to water quality.
  - (v) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (vi) Based on NYCDEP the project is not in the 60 day travel time.
  - (vii) There is no impact on Federal or State wetlands.(b) The project maintains the character of the Town of Windham.
  - (i) The project is consistent with current zoning.
  - (ii) The project is compatible with surrounding land uses.
  - (iii) The project will not generate excessive traffic.
  - (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**

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VIII. Announcements from the Chair:

Alan Rosa introduced new CWC employee Mitchell Hull, hired as a Program Specialist in the Septic department. Mitch shared that he has lived in Margaretville all of his life and that he recently graduated from SUNY ESF with a bachelors in Natural Resources Management with a minor in Water Resources Management.

Anthony Van Glad made a formal recommendation to Michael Triolo that William Sharick be appointed to the Sporting Advisory Committee. Frieda Suess was instructed to prepare an appointment letter to go out June 7th.

The CWC Board members requested that Barbara Puglisi arrange for a tour of The Roxbury (Motel) for some time in August or September.

IX. Board Member Discussion:

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

Voice Vote, *carried unanimously*

X. Adjournment: @ 2:20 p.m.