

Minutes
CATSKILL WATERSHED CORPORATION
Wastewater/Stormwater Committee Tuesday, November 2, 2021 @ 9:00 AM

Attendees: James Sofranko (Director), Tina Mole (Director), James Eisel (Director), Jeff Senterman (Director), Joseph Cetta (Director), Chris Mathews (Director), Allen Hinkley (Director), David Warne (DEP), Thomas Snow Jr.(DEC).

Others: John Mathiesen (CWC), Timothy Cox (CWC), Jason Merwin (CWC), Cambria Tullman (CWC), James Martin (CWC), Sam Costa (CWC), Rachel Burger (CWC), Eric Lane (CWC), Barbara Puglisi (CWC), Lynn Kavanagh (CWC), Arthur Merrill (Director), Rich Parete (Director), Tom Hoyt (Director), Alicia Terry (Director), Innes Kasanof (Director), Mark Tuthill (Director), Michael Maloney (DOH), Pat Palmer (DOH), Via Zoom; Nicholas Carbone (Delaware County), Skylic Roberts (CWC), Jessica Fiedler (CWC).

The meeting was called to order by James Sofranko at 9:02 AM.

I. Review minutes from October 5, 2021 meeting. Minutes approved as written by a motion from Joseph Cetta and seconded by James Eisel. Motion carried.

1. Community Wastewater Management Program

General Project Updates:

CWMP III

West Conesville - On 7/25/2017 a Block Grant in the amount of \$8,411,000.00 was approved by the NYCDEP. This will fund the hookup of 54 systems to a Community Septic System. The bid was awarded to Evergreen Construction in the amount of \$6,483,725.00.

All underground piping and STEP stations was completed the week of 5/14/21.

Mock startup was completed the week of 1/18/21. Contractor completed the clean water startup on 5/5/2021.

The week of June 14th, 2021 final testing was completed on all lines and pump stations.

Evergreen Construction has remobilized on site and has completed all on site tank installations.

Substantial Completion date of June 30, 2021 has been met. NYCDEP has issued Functional Completion on August 6, 2021. Final Completion date is September 30, 2021. However, this will be delayed into the Spring of 2022 since the Town's Supervisor would not allow any hookups to the system until the O&M funding was put into place. All final restoration work including lawn restoration, tree planting and all paving will be completed at that time.

New Kingston – On 11/28/2018, the NYCDEP forwarded the Block Grant approval to the CWC in the amount of \$5.2 million for 28 hookups. At the May 8, 2019 Town Board meeting they approved the creation of the Sewer District and the Sewer Use Law and included the adoption of SEQR.

On June 29, 2019 a vote of the residents of New Kingston was completed with the vote being 27-4 in favor of doing the project.

The land needed for the project on the Moriarity property has been secured and is now in the ownership of the Town of Middletown.

Kevin Young's office is in the process of finalizing all 12 remaining easements for the force main and lateral lines are currently being obtained. John Mathiesen is also working on getting these easements finalized as well.

Lamont Engineers has submitted the 95% Design drawings to the regulatory agencies March 31, 2021. Comments from the DEP were received back on July 1, 2021. Lamont has provided answers on the DEP's comments to the 95% drawings.

Bidding for Construction of the project is anticipated to be done in February 2022.

Halcottsville- On 9/29/2017, the NYCDEP approved the Block Grant for Halcottsville for a total of \$8,954,000.00. The project will be a large diameter gravity sewer with pump station and force main connecting to the NYCDEP

Margaretville WWTP. O&M costs are estimated at \$69,000.00 per year. There will be 53 hookups being tied into the system.

There are 3 outstanding lateral access agreements that are still needed to be obtained. Kevin Young's office is working on getting these finalized.

The project was put out to bid on 6/18/2021 and the bid opening was held on 7/15/2021 with 3 contractors submitting bids for the project. All bids were well above the Block Grant amount. Low bid was \$8,703,000.00 by F.P. Kane. There is a shortfall in the Block Grant funding of \$2,800,000.00. CWC will be seeking additional funding from the NYCDEP to complete a required FAD project. Re-bidding the project is anticipated to be in January 2022 providing the adequate funding for the project is put into place.

Jason Merwin talked to the Committee about the draft letter that was requested and he has received regarding the City's commitment of refunding the CFF fund if needed with additional Block Grant funding. Jason also asked Pat Palmer of the NYSDOH if he would be able to provide a letter supporting the CWC's request from the City for reimbursement of the CFF funds. Pat Palmer agreed that he would produce this letter laying out the City's obligations to the MOA and FAD for funding these projects.

A motion was made by Joseph Cetta and seconded by James Sofranko to accept these letters and move to the Boards December meeting for using CFF funds with the City's commitment to refund the CFF account with any funds used from it. Also to reschedule the bid for January for the Halcottsville project.

Shokan- On August 10, 2020, the NYCDEP approved the Block Grant for the Shokan project for a total not to exceed \$48,715,000.00. This will provide funding of a wastewater project for the hamlet of Shokan and making modifications to the Boiceville WWTP. Program Agreement was approved by the CWC Wastewater Committee and the CWC Board of Directors at their 2/6/2018 meeting. The Town of Olive signed the contract and resolution to proceed with the Study Phase on August 14, 2018. Lamont Engineers has completed the PER and delivered the document to CWC on 8/29/19. There are 470+ connections being projected for the hamlet of Shokan. The current estimated flow for Shokan is 166,000 gpd. On 4/30/20 Amendment #2 of the Shokan draft PER was submitted to CWC and the DEP with the recommendation of the Shokan WWTP and modifications to the Boiceville WWTP. Per the amended program agreement with the DEP, design has to be completed within two years of CWC receipt of the Block Grant.

At the 10/1/2020 Town of Olive Board meeting, the board passed a resolution to proceed with the Shokan WWTP Preconstruction Phase. At the 11/2/2020 Wastewater/Stormwater Committee meeting, the Committee forwarded the request of \$4,399,000.00 in funding of the Pre-Construction Phase Engineering and Legal services for Lamont Engineers to the CWC Board of Directors to approve at their December 1, 2020 board meeting.

The aerial survey and mapping has been completed for the proposed Shokan Sewer District.

DEP has provided the first of two payments of the Block Grant in the amount of \$23,250,000.00 on May 7, 2021. CWC Board of Directors approved a change order for the remainder on April 6, 2021. The balance of the Block Grant must be received from the DEP prior to the project going out to bid, anticipated to be after May, 2023.

The Town of Olive Town Board passed a resolution at their May 11, 2021 Board meeting to move forward with the purchase of the Friedman property for the Wastewater Treatment Facility location.

A letter was sent by the Town in July, 2021 to the residents in the proposed service area for information and locations of existing septic systems. Lamont Engineers has a team in the field following up with landowners that did not respond to the survey questionnaire. Lamont is now going to send out a new letter certified mail to the remaining residents that have not been contacted.

56% of the data has now been collected on the occupied properties. Lamont Engineers has begun field layouts of the collection system and 50% of the collection system has been preliminarily laid out.

Initial design is ongoing for the WWTP and Boiceville Retrofit.

Lamont is looking to have a public hearing in December 2021 for adoption of SEQR and the creation of the Sewer District and Sewer Use Law.

2. Future Stormwater Program

DMK DEVELOPMENT – STAMFORD LLC (TRACTOR SUPPLY)

Program: Future Stormwater

Entity Classification: Commercial Large Business

Address: 65376 State Hwy 10, Harpersfield, NY 12167

Engineer: MNTM – Mercurio-Norton-Tarolli-Marshall

Project Description:

On March 2, 2021 DEP approved the Stormwater Pollution Prevention Plan (SWPPP) for the construction of a proposed 19,097 square-foot commercial retail store on an 8.2 acre lot in Harpersfield. The building will be occupied by Tractor Supply Company and disturbed approximately 4.9 acres, some of which was within 100' of a watercourse therefore requiring stormwater controls for both NYS DEC and NYC DEP. The development also includes a 15,000 square-foot fenced outdoor area adjacent to the building, a 3,000 square-foot display area near the public roadway, and parking. The post construction stormwater controls included a pre-treatment hydrodynamic separator, a bioretention basin, and a sand filter.

On September 17, 2021 DMK Development – Stamford LLC applied to the CWC Future Stormwater program for the reimbursement of 50% of all stormwater design and construction costs of the SWPPP.

Total engineering and construction costs were \$218,953.57. The total eligible reimbursement amount is \$109,476.79. Construction Acceptance has not been issued as the site has not reached 80% stabilization despite being hydro-seeded. A 10% retainage of the construction reimbursement will be held until the site reaches stabilization.

Recommended Future Stormwater Funding not-to-exceed: \$109,476.79

A motion was made by James Eisel to approve the request for funding and forward the funding request onto the CWC Board of Director's December meeting. The motion was seconded by Joseph Cetta, motion carried.

COPPERHOOD PROPERTY, LLC

Program: Future Stormwater / MOA-145

Entity Classification: Small Business

Address: 7039 Route 28, Town of Shandaken; Ulster County

Engineer: Kaaterskill Associates

Project Description:

On May 20, 2021 DEP approved the Stormwater Pollution Prevention Plan (SWPPP) for the proposed redevelopment of an existing commercial facility containing a hotel, restaurant, spa, and two residential units located at 7039 New York State Route 28 in the Town of Shandaken. The redevelopment will include existing building renovations, parking expansions (paved and un-paved), new structures for amenities, subsurface sewage treatment systems, stormwater controls, and public water supplies.

The proposed project is expected to disturb more than 2 acres, some of which will be within 100' of a watercourse and/or on slopes greater than 15%, therefore requiring Stormwater controls for both NYS DEC and NYC DEP.

The stormwater treatment practices proposed were designed to treat the runoff from the main structure and the proposed parking expansion on the site. Controls measures will be stormwater planters, Stormtech SC-310 Chambers, and treatment practices discharging to level spreaders.

CWC attended a pre-construction meeting held on site with the project owner, the engineer, and DEP on October 7, 2021. Phase 1 construction work will include septic upgrades, phase 2 work will include stormwater controls with an anticipated construction start date early next year.

On July 27, 2021 Copperhood Property, LLC applied to the CWC Future Stormwater and MOA 145 programs for 50% reimbursement of all stormwater design costs of the SWPPP. Total engineering costs were \$24,838.98. The total eligible reimbursement amount is \$12,419.49.

Funding for this small business comes 50% from the Future Stormwater Program, with the remaining 50% coming from the MOA 145 Program.

Recommended Future Stormwater Funding not-to-exceed: \$6,209.75

Recommended MOA 145 Funding not-to-exceed: \$6,209.74

A motion was made by Jim Sofranko to approve the request for funding and forward the funding request onto the CWC Board of Director's December meeting. The motion was seconded by Jeff Senterman, motion carried.

HUDSON FOREST GARDENS, LLC

Program: Future Stormwater / MOA 145

Entity Classification: Small Business - Subdivision

Address: Clum Hill Road, Elka Park Hamlet, Town of Hunter, Greene County

Engineer: Kaaterskill Engineers

Contractor: Holbrook Construction Services

Pre-Construction Meeting: September 20, 2021

Project Description:

Hudson Forest Gardens LLC submitted an application on October 14th, 2020 for \$36,000.00 representing estimated design costs. The project was proposed at the December, 2020 Wastewater Committee, however it was denied approval as an application had not been submitted to DEP.

Following denial, Kaaterskill Engineers completed design of a Stormwater Pollution Prevention Plan (SWPPP) and NYCDEP approval was issued on September 21, 2021. The project consists of two lots of 44 acres to be subdivided in to 8 single family residences between five to eight acres each. The project has been designed to utilize green infrastructure practices including bioretention areas, stormwater planters, rain gardens, and level spreaders to vegetated filter strips.

There are NYSDEC regulations on this project. The applicant has elected for 50% reimbursement for all stormwater costs associated with the design of this project. Total engineering costs were \$20,373.92. The total eligible reimbursement amount is \$10,186.96 representing half the total design costs. During review, ineligible items were removed by CWC decreasing the total eligible reimbursement amount to \$9,370.71.

Funding for this small business comes 50% from the Future Stormwater Program, with the remaining 50% coming from the MOA 145 Program.

Recommended FSW Funding: \$4,685.35

Recommended MOA 145 Funding: \$4,685.36

A motion was made by Innes Kasanof to approve the request for funding and forward the funding request onto the CWC Board of Director's December meeting. The motion was seconded by Joseph Cetta, motion carried.

NATHAN SLEEPER:

Program: Future Stormwater

Entity Classification: Single Family Residence

Address: 815 Spruceton Road Westkill, NY 12492

Engineer: Kaaterskill Associates

Project Description: Nathan Sleeper submitted an application on September 23, 2021 for an amount not to exceed \$23,554.43 representing all NYCDEP required design costs. A SWPPP was required by NYCDEP at the time the project was started. The design was completed and DEP had issued approval of the SWPPP on June 10, 2021. DEP later determined that a SWPPP had not actually been required under the 2019 Watershed Regulations. SWPPP inspections were then halted and construction of stormwater measures was not started.

Although the construction of stormwater measures will not be completed, the CWC is recommending reimbursement for the SWPPP design cost which were previously required by the DEP. An erosion and sediment control plan was created but there are no NYSDEC required post construction measures for this project. The

applicant has elected for 100% reimbursement for all stormwater costs associated with the design of post construction controls required by DEP. Ineligible cost for reimbursement have been removed for a total recommended reimbursement amount of \$23,459.43. Funding for this design comes 100% from the Future Stormwater Program.

Recommended Future Stormwater Funding not-to-exceed: \$23,459.43

Dave Warne acknowledged DEP's error in initially requiring a SWPPP for this site, and noted staff has been made aware of this for future projects.

A motion was made by Jim Sofranko to approve the request for funding and forward the funding request onto the CWC Board of Director's December meeting. The motion was seconded by Allen Hinkley, motion carried.

3. Stormwater Retrofit Program

4. Local Flood Hazard Mitigation

There were no applications for the month of October.

5. Other

The bids were received from three consultants for providing Engineering Services for Alternative 4 as specified from the 2-D modeling report for the removal of the pilings and stabilization of the streambank at the Breakey Motors property in Walton. The bids were as follows:

1. Chazen Companies-\$25,900.00 to complete the design for the piling removal, stabilize the streambank and fill in a large recessed area on the property. They estimate 4 months to complete this task.
2. Keystone Associates-\$28,870.00 to complete the same task and they have estimated 3 and a half months to complete this design work.
3. SLR-\$88,640.00 to complete the same design work and they have estimated 7 months to complete the design work.

John Mathiesen has reviewed all three proposals as well as the DEP and all three consultants have the experience to complete this project. Both Chazen and SLR are very familiar with the site since they both have had past involvement on the site. All three consultants have a strong background in designing streambank stabilization projects and flood mitigation projects.

It is the recommendation of CWC staff to go with the lowest responsible bidder that is Chazen Companies to complete the design work for the piling removal and streambank stabilization. James Eisel had questions regarding the actual removal of the pilings and what would be done with them once removed. Joseph Cetta said that the Town of Walton would be wanting to keep them. Tom Snow asked if the proposed design would show any flood reductions. John Mathiesen responded that the 2-D modeling report shows a very minimal reduction of flood elevations. However, this was the best approach and least costly of the four alternatives. The Town of Walton also liked this approach since it would make this area safer from people using the pilings to jump off and to fish off.

A motion was made by Joseph Cetta and seconded by James Eisel to forward this resolution to have Chazen complete the design of the piling removal and streambank stabilization completed. Motion carried.

III. Next meeting scheduled for Tuesday December 7, 2021

IV. Meeting was adjourned at 9:40 AM