

**CATSKILL WATERSHED CORPORATION**

**Board of Directors Meeting**

**MINUTES**

**April 5, 2022**

**I. Call to Order at 2:20pm at the Catskill Watershed Corporation**

**II. Pledge of Allegiance:** Led by Tina Molé

**III. Roll Call of Directors**

**Members Present:** Tina Molé, Alicia Terry, James Eisel, Richard Parete, Innes Kasanof, Joseph Cetta, Jim Sofranko, Christopher Mathews, Allen Hinkley, Arthur Merrill, Jeff Senterman, Mark Tuthill, David Warne (DEP), and Thomas Snow (NYSDEC)

**Members Excused:**

**Staff Members Present:** Jason Merwin, Tim Cox, Jim Martin, Sonia Martinez, Samantha Costa, Lynn Kavanagh, Barbara Puglisi

**Others Present:** Michael Maloney (NYSDOH), Patrick Palmer (NYSDOH), Aaron Bennett (NYCDEP) Matthew Gienatta (*New York City DEP*), Nicolas Sadler (*New York City DEP*), and John Schwartz (*New York City DEP*).

**Others Present Via Zoom:** Mike Meyer (NYCDEP), Mary Crisafulli (The Walton Reporter), Camille O'Brien (Senator Martucci), Emma Cohen (Representative for Senator Michelle Hinchey), Katie Lynch (EPA), Kelly Turturro (DEC Region 3 Director), Morgan Tarbell (NYS DOH), and Heidi Emrich (Ulster Co. Dept of Environment)

**IV. Review and Approval of March 1, 2022 Board Minutes.**

A motion to approve the minutes of March 1, 2022 Board Minutes stand as submitted.

**Voice Vote *carried unanimously.***

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of January 31, 2022 was made by James Eisel and seconded by Joseph Cetta.

**Voice Vote, *carried unanimously***

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**Executive Director's Report**

**Committee Schedule**

**Committee Meeting Minutes**

Committee minutes were received.

**VI. Public Discussion**

Samantha Costa announced there will be a Board photo next month.

**VII. Presentation of Resolutions**

**Septic Over \$25,000 – Rebecca Degondea – Tab 6**

A motion to approve Resolution No. 4339 was made by Jim Sofranko and seconded by Innes Kasanof.

April 5, 2022

**RESOLUTION NO.4339**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Fifty-Three Thousand Five Hundred Dollars (\$53,500.00); and

**WHEREAS**, the CWC staff have determined the contractor’s quote of Fifty-Three Thousand Five Hundred Dollars (\$53,500.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the reimbursement of Fifty-Three Thousand Five Hundred Dollars (\$53,500.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Fifty-Three Thousand Five Hundred Dollars (\$53,500.00).

**Rebecca Degondea Backup**

Address: 121 West Shokan Heights, West Shokan, NY 12494

Town: Olive

Bedrooms: 3

Engineer: Rex Sanford

Contractor: Chad Davis Contracting

2 year deadline: 6/11/23

Homeowner and CWC staff received a quote from a contractor in the amount of \$53,500.00. CWC received three quotes for \$53,500.00, \$54,280.00 and \$55,132.00. Major components of the proposed system will include a 1,000 gallon septic tank, one pump chamber, 20 linear feet of gravity pipe, 125 linear feet of force main, one distribution box, an effluent filter, 465 cubic yards of absorption fill material, 800 square feet of absorption bed, 120 linear feet of curtain drain, 65 linear feet of curtain drain outlet pipe, 215 linear feet of access road, excavate and spread a cut and fill area and site restoration. The quote is within 10% of the estimated cost of construction. The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to exceed \$53,500.00.

***Voice Vote, carried unanimously***

**Septic Over \$25,000 – Peter Kelaher – Tab 7**

A motion to approve Resolution No. 4340 was made by Jim Sofranko and seconded by Innes Kasanof.

April 5, 2022

**RESOLUTION NO.4340**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Forty-Nine Thousand One Hundred Dollars (\$49,100.00); and

**WHEREAS**, the CWC staff have determined the contractor’s quote of Forty-Nine Thousand One Hundred Dollars (\$49,100.00) 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 reimbursement of Forty-Nine Thousand One Hundred Dollars (\$49,100.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Forty-Nine Thousand One Hundred Dollars (\$49,100.00).

**Peter Kelaher Backup**

Address: 24 Dutav’s Way, Bearsville, NY 12409

Town: Woodstock

Bedrooms: 2

Engineer: Christopher DiChiaro

Contractor: Chad Davis Contracting

2 year deadline: 7/13/22

Homeowner and CWC staff received a quote from a contractor in the amount of \$49,100.00. CWC received three quotes for \$49,100.00, \$49,923.17 and \$50,250.00. The lowest quote, submitted by Chad Davis Contracting. The major components if this system will include a 1,000 gallon H2O septic tank, one H2O pump chamber, 140 linear feet of gravity pipe, 57 linear feet of force main, one distribution box, an effluent filter, 290 cubic yards of absorption fill material, 200 linear feet of absorption trench, 105 linear feet of improved swale, remove 15 very large trees and stumps and site restoration. The low quote is within 10% of the estimated cost of construction. The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to exceed \$49,100.00.

Voice Vote, *carried unanimously*

**Septic Over \$25,000 – David Lalonde – Tab 8**

A motion to approve Resolution No. 4341 was made by Jim Sofranko and seconded by Innes Kasanof.

April 5, 2022

**RESOLUTION NO.4341**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Seventy-Eight Thousand Three Hundred Dollars (\$78,300.00); and

**WHEREAS**, the CWC staff have determined the eligible portion of the contractor’s quote is Sixty Thousand Ninety-One Dollars and Seventeen Cents (\$60,091.17); and

**WHEREAS**, Sixty Thousand Ninety-One Dollars and Seventeen Cents (\$60,091.17) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the reimbursement of Thirty-Six Thousand Fifty-Four Dollars and Seventy Cents (\$36,054.70) as the property is a part time residence and it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-Six Thousand Fifty-Four Dollars and Seventy Cents (\$36,054.70).

**David Lalonde Backup**

Address: 95 Stewart Drive, Maplecrest, NY 12496

Town: Windham

Bedrooms: Designed for 6, CWC paying for 4 bedroom

Engineer: Kaaterskill Associates

Contractor: Ryan Martin

2 year deadline: 9/15/23

Homeowner and CWC staff received a quote from a contractor in the amount of \$78,300.00. CWC received three quotes for \$78,300.00, \$81,590.0 and \$86,627.00. His proposed septic system is designed for six bedroom house. The homeowner is building a new two-bedroom house on the property. Only the existing four-

bedroom house is eligible for Septic Program funding. The low quote is within 10% of the estimated cost for construction. Major components of this system include one 1,000 gallon septic tank, one 1,250 gallon septic tank, one pump chamber, 137 linear feet of gravity pipe, 260 linear feet of force main, one distribution box, two effluent filters, 819 cubic yards of absorption fill material, 500 linear feet of absorption trench, 125 linear feet of curtain drain, 30 linear feet of curtain drain outlet pipe, two cleanouts, five risers, three check dams, 155 linear feet of access road and site restoration.

The homeowner is responsible for the portion of the system serving the new two-bedroom house, the cost of this part of the system according to the Schedule of Values is \$18,208.83. Bring the total cost for the 4 bedroom portion down to \$60,091.17. This house is a nonprimary residence, eligible for 60% reimbursement.  $\$60,091.17 \times 60\% = \$36,054.70$ . The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to exceed \$36,054.70.

**Voice Vote, carried unanimously**

**Septic Over \$25,000 – Ann Schlosser – Tab 9**

A motion to approve Resolution No. 4342 was made by Jim Sofranko and seconded by Innes Kasanof.

April 5, 2022

**RESOLUTION NO.4342**

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

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

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Thirty-Eight Thousand Two Hundred Dollars (\$38,200.00); and

**WHEREAS**, the CWC staff have determined the contractor’s quote of Thirty-Eight Thousand Two Hundred Dollars (\$38,200.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the reimbursement of Thirty-Eight Thousand Two Hundred Dollars (\$38,200.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-Eight Thousand Two Hundred Dollars (\$38,200.00).

**Ann Schlosser Backup**

Address: 446 Smith Rd, Walton, NY 13856

Town: Walton

Bedrooms: 2

Engineer: Steele Brook Engineering  
Contractor: Ben Reynolds Construction  
2 year deadline: 5/13/23

Homeowner and CWC staff received a quote from a contractor in the amount of \$38,200.00. CWC received three quotes for \$38,200.00, \$40,490.00 and \$41,873.00. The lowest quote, submitted by Ben Reynolds Construction. Major components of this system will include a 1,000 gallon septic tank, a siphon chamber, 192 linear feet of gravity pipe, one distribution box, an effluent filter, 261 cubic yards of absorption fill material, 160 linear feet of absorption trench, 105 linear feet of curtain drain, 75 linear feet of curtain drain outlet pipe, remove three trees and site restoration. The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to exceed \$38,200.00.

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**Voice Vote, carried unanimously**

**Septic Over \$25,000 – Expanded Septic Program – Ticetenevck LLC - Tab 10**

A motion to approve Resolution No. 4343 was made by Mark Tuthill and seconded by Allen Hinkley.

April 5, 2022

**RESOLUTION NO. 4343**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:**  
**TICETENEYCK LLC**  
**EXPANDED SEPTIC PROGRAM**

**WHEREAS**, pursuant to the 2017 Filtration Avoidance Determination, the Catskill Watershed Corporation (“CWC”) is the program manager for the CWC Expanded Septic Program and implements the Expanded Septic Program consistent per the terms of the Septic V Program Agreement; and

**WHEREAS**, pursuant to section 13:00:02:01 of the CWC Expanded Septic Program Rules Article 13, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Six Thousand Two Hundred Eighty Dollars and Fifty Cents (\$26,280.50); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Six Thousand Two Hundred Eighty Dollars and Fifty Cents (\$26,280.50) 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 reimbursement of Twenty-Six Thousand Two Hundred Eighty Dollars and Fifty Cents (\$26,280.50) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Six Thousand Two Hundred Eighty Dollars and Fifty Cents (\$26,280.50).

**Ticetenevck LLC/Apartments Backup**  
**Sherret Chase**  
**Expanded Septic Program**



Address: 187 Chase Rd, Shokan NY 12481  
Town: Olive  
Bedrooms: 4  
Design Flow: 440  
Engineer: Joe Boek  
Contractor: Chase Construction Management, Inc.  
2 year deadline: 8/13/23

Property owner and CWC staff received a quote from a contractor in the amount of \$26,280.50. The proposed septic system will serve a four-bedroom house. The design flow is 440 gallons per day. Major components of this system will include a 1,250 gallon septic tank, a pump chamber, 47 linear feet of gravity pipe, 105 linear feet of force main, one distribution box, an effluent filter, 121 cubic yards of absorption fill material, 275 linear feet of absorption trench and site restoration. The quote is within 10% of CWC's estimated cost of construction. The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to \$26,280.50.

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**Voice Vote, carried unanimously**

**Septic Over \$25,000 – Expanded Septic Program – Thankful Acres LLC - Tab 11**

A motion to approve Resolution No. 4344 was made by Mark Tuthill and seconded by Allen Hinkley.

April 5, 2022

**RESOLUTION NO. 4344**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:**  
**THANKFUL ACRES LLC**  
**EXPANDED SEPTIC PROGRAM**

**WHEREAS**, pursuant to the 2017 Filtration Avoidance Determination, the Catskill Watershed Corporation (“CWC”) is the program manager for the CWC Expanded Septic Program and implements the Expanded Septic Program consistent per the terms of the Septic V Program Agreement; and

**WHEREAS**, pursuant to section 13:00:02:01 of the CWC Expanded Septic Program Rules Article 13, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Thirty-Nine Thousand Twenty-Four Dollars (\$39,024.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Thirty-Nine Thousand Twenty-Four Dollars (\$39,024.00) 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 reimbursement of Thirty-Nine Thousand Twenty-Four Dollars (\$39,024.00) 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-Nine Thousand Twenty-Four Dollars (\$39,024.00).

**Thankful Acres LLC /Apartments Backup**

**David Osherow**

**Expanded Septic Program**

Address: 40-44 Bonnie Brae Lane, Shokan, NY 12481

Town: Olive

Bedrooms: 4

Design Flow: 440 GPD

Engineer: Christopher DiChiaro

Contractor: Chad Davis Contracting

2 year deadline: 6/17/22

Property owner and CWC staff received a quote from a contractor in the amount of \$39,024.00. The proposed septic system will serve a two-bedroom house and two one-bedroom apartments. It is eligible for Expanded Septic Program funding. The design flow is 440 gallons per day. Major components of this system will include two 1,000 gallon septic tanks, one pump chamber, 144 linear feet of gravity pipe, 108 linear feet of force main, one distribution box, 38 cubic yards of absorption fill material, 300 linear feet of Presby pipe, 29 cubic yards of C-33 sand, 60 linear feet of curtain drain, 50 linear feet of curtain drain outlet pipe, 20 linear feet of four-inch sleeve, four clean outs and site restoration. Three quotes were received for this project: \$39,024.00, \$39,134.57 and \$39,325.00. The low quote is within 10% of CWC’s estimated cost of construction. The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to \$39,024.00.

*Voice Vote, carried unanimously*

**Septic Over \$25,000 – Expanded Septic Program – Mountainside Farms - Tab 12**

A motion to approve Resolution No. 4345 was made by Mark Tuthill and seconded by Allen Hinkley.

April 5, 2022

**RESOLUTION NO. 4345**

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

**MSF GRAND GORGE, LLC**  
**EXPANDED SEPTIC PROGRAM**

**WHEREAS**, pursuant to the 2017 Filtration Avoidance Determination, the Catskill Watershed Corporation (“CWC”) is the program manager for the CWC Expanded Septic Program and implements the Expanded Septic Program consistent per the terms of the Septic V Program Agreement; and

**WHEREAS**, pursuant to section 13:00:02:01 of the CWC Expanded Septic Program Rules Article 13, if the total amount requested for reimbursement is more than Twenty-Five Thousand Dollars (\$25,000.00) CWC staff shall forward the design with recommendation to the CWC Board for approval; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Sixty- Four Thousand Dollars (\$64,000.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Sixty- Four Thousand Dollars (\$64,000.00) 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 reimbursement of Forty-Eight Thousand Dollars (\$48,000.00) as it is in substantial agreement with our schedule of values.



**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Forty-Eight Thousand Dollars (\$48,000.00).

**MSF Grand Gorge, LLC Backup  
(Worcester Creameries Corporation)**

**Expanded Septic Program**

Address: 40470 State Route 23, Grand Gorge, NY 12434

Town: Roxbury

Design Flow: 180 GPD

Engineer: Kaaterskill Associates

Contractor: Green Acres Construction

2 year deadline: 9/21/23

Property owner and CWC staff received a quote from a contractor in the amount of \$68,000.00. Major components of this system will include one 1,000 H2O septic tank, one H2O pump chamber, H2O pump chamber, 130 linear feet of four-inch Schedule 80 pipe, 240 linear feet of one and one-half inch Schedule 80 force main, 288 square feet of Eljen Units, 529 cubic yards of absorption fill material, 10 cubic yards of C-33 sand, 165 linear feet of improved swale, two cast-iron clean units, three cast iron risers, 50 linear feet of access road and site restoration. H2O tanks are heavy duty, for installation in traffic areas. Three quotes were received for this project: \$64,000.000, \$64,550.00 and \$65,000.00. The low quote is within 10% of CWC's estimated cost of construction. Worcester Creameries Corporation has more than 21 employees, this project is eligible for 75% of the first \$100,000.00 of construction costs, \$64,000.00 X 75% = \$48,000.00. Therefore the Septic Committee recommends that the CWC Board approve reimbursement in an amount not to \$48,000.00.

***Voice Vote, carried unanimously***

**Septic Over \$25,000 – Additional Cost – Michael Boushee – Tab 13**

A motion to approve Resolution No. 4346 was made by Thomas Hoyt and seconded by Joseph Cetta.

April 5, 2022

**RESOLUTION NO. 4346**

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

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

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

**WHEREAS**, on March 1, 2022, by Resolution Number 4328, the CWC Board approved reimbursement to Michael Boushee in an amount not to exceed Twenty-Five Thousand Eight Hundred Ninety-Three Dollars and Ninety-Four Cents (\$25,893.94); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of Four Hundred Ninety-One Dollars and Fifty-Eight Cents (\$491.58); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Four Hundred Ninety-One Dollars and Fifty-Eight Cents (\$491.58); and

**WHEREAS**, CWC staff have determined that Twenty-Six Thousand Three Hundred Eighty-Five Dollars and Fifty-Two Cents (\$26,385.52) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Twenty-Six Thousand Three Hundred Eighty-Five Dollars and Fifty-Two Cents (\$26,385.52) 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 Three Hundred Eighty-Five Dollars and Fifty-Two Cents (\$26,385.52).

**Michael Boushee Backup**

Address: 49 Grandview Acres, Phoenicia, NY 12464

Town: Shandaken

Engineer: Rex Sanford

Contractor: Paraco

CWC Board of Directors previously approved reimbursement for this project at \$25,893.94. After Mr. Boushee’s contractor repaired the damaged gas line during the septic system construction, Paraco had to reconnect it. The contractor submitted a quote to complete this work for \$491.58. The Septic Committee recommends that the CWC Board approves an additional reimbursement of \$491.58, for total reimbursement not to exceed \$26,385.52.

*Voice Vote, carried unanimously*

**Septic Over \$25,000 – Additional Cost – Joann Goodrich – Tab 14**

A motion to approve Resolution No. 4347 was made by Thomas Hoyt and seconded by Joseph Cetta.

April 5, 2022

**RESOLUTION NO. 4347**

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

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

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

**WHEREAS**, on February 2, 2021, by Resolution Number 3983, the CWC Board approved reimbursement to JoAnn Goodrich in an amount not to exceed Twenty-Nine Thousand Four Hundred Fifty Dollars (\$29,450.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of One Thousand Dollars (\$1,000.00); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Eight Hundred Forty-Four Dollars and Sixty-Eight Cents (\$844.68); and

**WHEREAS**, CWC staff have determined that Thirty Thousand Two Hundred Ninety-Four Dollars and Sixty-Eight Cents (\$30,294.68) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Thirty Thousand Two Hundred Ninety-Four Dollars and Sixty-Eight Cents (\$30,294.68) 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 Thousand Two Hundred Ninety-Four Dollars and Sixty-Eight Cents (\$30,294.68).

**JoAnn Goodrich Backup**

Address: 46 Brook Street, Hunter, NY 12442

Town: Hunter

Engineer: Kaaterskill Associates

Contractor: Sunshine Valley Landscaping & Construction

CWC Board of Directors previously approved reimbursement for this project at \$29,450.00. The contractor has requested an additional \$1,000.00 for material price increases. He has supplied documentation of what he paid. Staff believes that a reasonable and justified amount is \$844.68. The Septic Committee recommends that the CWC Board approves an additional reimbursement of \$844.68, for total reimbursement not to exceed \$30,294.68.

<b><u>Material</u></b>	<b><u>Amount</u></b>	<b><u>Schedule of values</u></b>	<b><u>Invoiced Cost</u></b>	<b><u>Difference</u></b>	<b><u>Total</u></b>
4” Sewer + Drain	60LF	\$1.17	\$1.60LF	\$ .43	60x.43= \$25.8
Eljen Units	192SF	\$7.83SF	\$10.67 SF	\$2.84	192x2.84=\$545.28
4” SDR 35	80LF	\$1.26	\$4.68	\$3.42	80x\$3.42=\$273.60
Total					\$844.68

*Voice Vote, carried unanimously*

**Septic Over \$25,000 – Additional Cost – Evan Korth – Tab 15**

A motion to approve Resolution No. 4348 was made by Thomas Hoyt and seconded by Joseph Cetta.

April 4, 2022

**RESOLUTION NO. 4348**

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

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

Catskill Watershed Corporation (“CWC”) shall act as program manager for the Septic Program and implement the Septic Program consistent with the terms of said contracts; and

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

**WHEREAS**, CWC staff previously approved Septic Program reimbursement for Evan Korth in the amount of Eight Thousand Eight Hundred Thirty-Eight Dollars and Thirty-Three Cents (\$8,838.33); and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty Thousand Nine Hundred Forty Dollars and Ninety-Six Cents (\$20,940.96); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty Thousand Nine Hundred Forty Dollars and Ninety-Six Cents (\$20,940.96) 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 Thousand Nine Hundred Forty Dollars and Ninety-Six Cents (\$20,940.96) 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 Seven Hundred Seventy-Nine Dollars and Twenty-Nine Cents (\$29,779.29).

**Evan Korth Backup**

Address: 20 Sheman Rd. Woodstock, NY 12498

Town: Woodstock

Bedrooms: 2

Engineer: Rex Sanford

Contractor: Chad Davis Contracting

2 year deadline: 4/15/23

A 1,000 gallon septic tank was previously installed on an emergency basis at a cost of \$8,838.33. The Major components of the system include 150 linear feet of gravity pipe, one distribution box, an effluent filter, 120 cubic yards of absorption fill material, 225 linear feet of absorption trench, 70 linear feet of access road, remove 12 trees and site restoration. The quote is within 10% of the estimated cost for construction. The Septic Committee recommends that the Board approve additional reimbursement of \$20,940.96 for a total project cost not to exceed \$29,779.29.

***Voice Vote, carried unanimously***



**Septic Over \$25,000 – Additional Cost – Expanded Septic Program – FSH Lodge at Neversink**

A motion to approve Resolution No. 4349 was made by Chris Mathews seconded by Joseph Cetta.

April 5, 2022

**RESOLUTION NO. 4349**

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

**FSH LODGE AT NEVERSINK**  
**EXPANDED SEPTIC PROGRAM**

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

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

**WHEREAS**, on August 3, 2021, by Resolution Number 4159, the CWC Board approved reimbursement to FSH Lodge at Neversink in an amount not to exceed Three Hundred Twelve Thousand Two Hundred and Four Dollars and Sixty-Nine Cents (\$312,204.69); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of Seven Thousand Eight Hundred Sixty-Six Dollars and Eight Cents (\$7,866.08); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Seven Thousand Seven Hundred Ninety-Six Dollars and Eight Cents (\$7,796.08); and

**WHEREAS**, CWC staff have determined that Three Hundred Twenty Thousand Dollars and Seventy-Seven Cents (\$320,000.77) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Three Hundred Twenty Thousand Dollars and Seventy-Seven Cents (\$320,000.77) 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 Three Hundred Twenty Thousand Dollars and Seventy-Seven Cents (\$320,000.77).

**FSH Lodge at Neversink Backup**

**Sims Foster**

**Expanded Septic Program – Additional Cost**

Address: 7491 State Route 55, Neversink, NY 12705

Town: Neversink

Design Flow: 11,221 GPD

Engineer: Delaware Engineering

Contractor: Reeves Excavation

CWC Board of Directors previously approved reimbursement for this project at \$312,204.69. Large boulders were encountered while digging for the leach field. Some were too large to move. A hammer was used to achieve necessary depth. Additional fill material was required to fill voids left from removed rocks. High groundwater exposed when digging trenches for piping made it necessary to use stone for bedding instead of sand. Three unknown old septic tanks had to be decommissioned. The contractor submitted a quote to complete this work for \$7,866.08. Staff believes a reasonable cost for the added work to be \$7,796.08. The Septic

Committee recommends that the CWC Board approves an additional reimbursement of \$7,796.08, for total reimbursement not to exceed \$320,000.77.

**Voice Vote, carried unanimously**



**Septic Appeal – Hanne Vorkapich - Tab 17**

A motion to deny the appeal by Resolution No. 4350 was made by Richard Parete and was seconded Mark Tuthill.

April 5, 2022

**RESOLUTION NO. 4350**

**MOA SEPTIC PROGRAM APPEAL – HANNE VORKAPICH**

**WHEREAS**, pursuant to 1997 New York City Watershed Memorandum of Agreement (“MOA”) paragraph 124 and Program Contracts with the New York City Department of Environmental Protection (“NYCDEP”), the Catskill Watershed Corporation (“CWC”) established a Septic System Rehabilitation and Replacement Program (“CWC MOA Septic Program”) to replace or repair eligible septic systems, serving one or two family residences with less than 1000 gallons per day flow in the New York City Watershed West of the Hudson River; and

**WHEREAS**, the CWC staff reviewed a request for eligibility from Hanne Vorkapich for septic system reimbursement, in the Town of Lexington, Greene County, under the CWC MOA Septic Program; and

**WHEREAS**, CWC staff reviewed the application and determined the application for reimbursement was only partially approved and granted as a result of CWC Staff determinations that additional soil material was used that was not considered eligible; and

**WHEREAS**, the CWC MOA Septic Program rules established an appeals process that permits an applicant to appeal to the CWC Board of Directors when the applicant disputes the CWC staff determination; and

**WHEREAS**, Hanne Vorkapich timely submitted a letter appealing the determination of partial reimbursement; and

**WHEREAS**, the MOA Septic Program rules provides that the CWC Board of Directors may reverse the decision to deny reimbursement in whole or in part in the following instances:

- a) The applicant was wrongly deemed ineligible;
- b) The applicant was wrongly denied reimbursement, in whole or in part, based upon an incorrect determination that the work for which reimbursement is sought was not necessary.
- c) The applicant was wrongly denied reimbursement, in whole or in part, based upon an incorrect determination that the cost of the work for which reimbursement is sought is not reasonable.
- d) There are special circumstances involved which warrant eligibility to the program or that warrant reimbursement; and

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the MOA Septic Reimbursement Program Appeal and makes the following determination:

Denies the Appeal



**Hanne Vorkapich Backup**

Address: 6838 County Route 23C  
Town: Prattsville  
Bedrooms: 3  
Engineer: Steven Schildhorn  
Contractor: Blue Mountain Excavating, LLC

Ms. Vorkapich owns a 3 bedroom house in the Town of Prattsville, Greene County. She contacted CWC for the replacement of a septic system and associated costs. Ms. Vorkapich was signed into the MOA Septic Program on May 28, 2020.

Under CWC’s Septic Program, Ms. Vorkapich’s application was approved December 1, 2020 by CWC’s Board of Directors for an amount not to exceed \$29,970.79. At the time of project completion, Ms. Vorkapich’s contractor submitted additional costs for reimbursement totaling \$9,276.00 for an additional 500 gallon septic tank, moved material, moved existing septic fill, and top soil, seed, and hay mulch. CWC issued a reimbursement check totaling \$3,318.00. CWC did not reimburse for the costs of additional soil.

A letter dated August 19, 2021 sent by Ms. Vorkapich’s engineer stated that the contractor had switched suppliers and had been sent poor soil by this other supplier. The engineer instructed the contractor to purchase additional soil from the supplier who originally should have provided the fill material. The engineer informed the contractor that the poor soil was to be mixed with the new soil, however it was the engineer’s conclusion that this was not done on one section of the property. As a result, the decision was made “to remove the poor soil from the berm area... and replace it with new sandy loam material which was gotten from the first supplier.”

CWC did not reimburse for the replacement of the new soil that was brought in to replace the poor soil that was originally purchased by the contractor. Under CWC Septic Program rules, CWC is only able to reimburse for each necessary component once. In the agreement that Ms. Vorkapich signed on May 12, 2020, it is explicitly stated that CWC would not warranty the work of Ms. Vorkapich’s engineers or contractors.

Given correspondence from the engineer, CWC reimbursed Ms. Vorkapich a total of \$3,318.00 for the additional costs of the 500 gallon septic tank, filter, and top soil, seed, and hay mulch. After receipt of the reimbursement check, Ms. Vorkapich subsequently filed this appeal and returned the check. Her appeal was received on February 22, 2022.

*A motion to deny the appeal by Resolution No. 4350 was made by Thomas Hoyt and seconded by Mark Tuthill.*

**Voice Vote, carried unanimously**



**FHMIP - Feasibility Study – Michael & Patricia Vaia – Tab 18**

A motion to approve Resolution No. 4351 was made by Innes Kasanof and was seconded by Thomas Snow.

April 5, 2022

**RESOLUTION NO. 4351**

**CWC REVIEW OF FLOOD HAZARD MITIGATION PROGRAM APPLICATION**  
**MICHAEL AND PATRICIA VAIA – FLOODPROOFING FEASIBILITY STUDY**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a not-for-profit corporation established to administer Watershed Protection and Partnership Programs in the West of Hudson Watershed; and

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

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

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

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

**WHEREAS**, the Town of Denning accepted a local flood analysis and such analysis recommended flood mitigation of structures in the one hundred year floodplain; and

**WHEREAS**, CWC FHMIP Program Rules, adopted by the CWC Board, provide that eligible projects include feasibility study of property protection measures identified by a local flood analysis up to Five Thousand Dollars (\$5,000.00) per property; and

**WHEREAS**, by Resolution 4292, the CWC Board approved the retention of Labella Associates to complete FHMIP property protection feasibility studies as the CWC Feasibility Studies Consultant for property owners who did not desire to hire their own consultant; and

**WHEREAS**, Michael and Patricia Vaia submitted an application to CWC for funding of feasibility study for flood mitigation of a structure in the Town of Denning in an amount not to exceed Five Thousand Dollars (\$5,000.00) utilizing CWC’s FHMIP consultant; and

**WHEREAS**, the CWC Wastewater Committee recommended that the CWC Board of Directors approve Michael and Patricia Vaia application in an amount not to exceed Five Thousand Dollars (\$5,000.00) for feasibility study to flood mitigation of a building in the Town of Denning.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the application, staff recommendation and supporting documentation and approves funding for the Flood Mitigation Feasibility Study for a building owned by Michael and Patricia Vaia in an amount not to exceed Five Thousand Dollars (\$5,000.00) through CWC’s Feasibility Studies Consultant.

**Flood Hazard Mitigation Implementation Program**  
**Michael and Patricia Vaia - Feasibility Study for Property Protection**

Michael and Patricia Vaia owns a residence located at 47 Peekamoose Rd in the Town of Denning. It is located within the FEMA regulated floodplain and has had past flood damages to their basement. They are requesting funding in the amount of \$5,000.00 to complete a Feasibility Study to evaluate possible flood mitigation measures that can be done to the structure. He also desires to use CWC's consultant, Labella Associates to complete the study.

The property is within the LFA study area of Sundown and the LFA was completed and accepted by the Town of Denning in February of 2017. Property Protection Measures are recommended in the LFA in section IV.A.

*Voice Vote, carried unanimously*



**President's Compensation – Tab 19**

A motion to approve Resolution No. 4352 was made by James Eisel and was seconded by Joseph Cetta.

April 5, 2022

**RESOLUTION NO. 4352**  
**PRESIDENT'S COMPENSATION**

**WHEREAS**, pursuant to the Board Policies and Procedures, the Board of Directors shall act upon the joint Finance and Policy Committee recommendation regarding the compensation of the President at the next regularly scheduled Board meeting following the Annual Board meeting; and

**WHEREAS**, by Resolution Number 4031, CWC Board of Directors directed that the President receive an annual salary of Nineteen Thousand One Dollars and Ninety-Seven Cents (\$19,001.97) plus out of pocket expenses including mileage; and

**WHEREAS**, the joint CWC Finance and Policy Committee recommend that the President's salary be increased to Twenty Thousand One Hundred Forty-Two Dollars (\$20,142.00) plus out of pocket expenses, including mileage, effective April 5, 2022.

**NOW, THEREFORE BE IT RESOLVED**, that the Board directs that the President receive an annual salary of Twenty Thousand One Hundred Forty-Two Dollars (\$20,142.00) plus out of pocket expenses, including mileage, effective April 5, 2022.

*Voice Vote, carried unanimously*



**Handout Resolution – Consultant Approval Two Bay Garage**

A motion to approve Resolution No. 4353 was made by James Eisel and was seconded by Jim Sofranko.

April 5, 2022

**RESOLUTION NO. 4353**

**CWC NEW TWO BAY GARAGE BUILDING AND DESIGN CONSULTANT**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a not for profit local development corporation located in Arkville, in the Town of Middletown, Delaware County; and

**WHEREAS**, CWC's Certificate of Incorporation requires that CWC's office be located in the Town of Middletown, the geographic center of the West of Hudson Watershed; and

**WHEREAS**, CWC completed construction on a new headquarters building in 2019; and

**WHEREAS**, CWC is reviewing the possibility of constructing a new two bay garage building in at CWC headquarters to be shared with staff from New York City Department of Environmental Protection (NYCDEP); and

**WHEREAS**, CWC issued a request for proposal for architectural, engineering services with the scope of work to include the provision of services related to design, municipal approvals, required studies and evaluations, and construction observation for a two bay garage, and a stormwater pollution prevention plan for the design; and

**WHEREAS**, responses to the request for proposal were due on March 30, 2022 at 3:00 pm; and

**WHEREAS**, CWC staff reviewed proposals from three firms that submitted timely responses; and

**WHEREAS**, CWC Board President and CWC staff recommend CWC retain LaBella Associates in an amount not to exceed Forty Thousand Dollars (\$40,000.00) for architectural, engineering, and space planning services for the proposed new two bay garage; and

**WHEREAS**, the CWC Policy Committee recommends CWC retain LaBella Associates in an amount not to exceed Forty Thousand Dollars (\$40,000.00) for architectural, engineering, and space planning services for the proposed new two bay garage; and

**WHEREAS**, payment for the two bay garage will be received by DEP as a part of their lease payment to the CWC; and

**NOW THEREFORE LET IT BE RESOLVED**, that CWC Board of Directors authorize the President and/or Executive Director to execute an agreement with LaBella Associates in an amount not to exceed Forty Thousand Dollars (\$40,000.00) for architectural, engineering, and space planning services for the proposed new two bay garage.

**Voice Vote, carried unanimously**



*By motion of Mark Tuthill and second by James Sofranko, the Board approved entering execution session with Jason Merwin, Timothy Cox, CWC Economic staff, to discuss loan applications.*

*By motion of James Eisel and second by James Sofranko, the Board resumed regular session.*

**CFF – 2022 Port-a-lets Bid Approval**

A motion to approve Resolution No. 4354 was made by Richard Parete and was seconded by Jeff Senterman.

**RESOLUTION NO. 4354**

**APPROVAL OF PORT-A-LETS BID**  
**FOR THE 2022 NYC RESERVIOR RECREATIONAL BOATING PROGRAM**

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

**WHEREAS**, the New York City Department of Environmental Protection (NYCDEP) has collaborated with local municipal governments, environmental organizations, Chambers of Commerce and others and developed recreational boating program for four reservoirs in order to improve regional recreational opportunities for watershed residents and visitors and promote environmentally sound economic development by allowing certain types of reservoir recreational boating that is compatible with water quality protection; and

**WHEREAS**, by Resolution Number 1486, the CWC Board of Directors approved funding of up to One Hundred Fifty Thousand Dollars (\$150,000.00) over three (3) years to fund the Cannonsville Reservoir Expanded Boating Pilot Program in collaboration with NYCDEP, Delaware County Economic Development and the Delaware County Chamber of Commerce; and

**WHEREAS**, the three (3) year Cannonsville Reservoir Boating Pilot Program was completed and NYCDEP expanded the Boating Program to non-terminal reservoirs in the West of Hudson Watershed, including the Pepacton, Neversink, and Schoharie Reservoirs; and

**WHEREAS**, by Resolution Number 2046 and 2271 the CWC Board of Directors approved funding of up to Sixty-Five Thousand Dollars (\$65,000.00) for costs for the first year of the Boating Program at non-terminal reservoirs, including steam cleaning equipment, kiosk and flag pole materials, portable restrooms, program brochures, and road; and

**WHEREAS**, by Resolution Numbers 2437, 2631, and 2818, 3008 and 3439 the CWC Board of Directors approved annual funding for costs of the Boating Program at non-terminal reservoirs, including steam cleaning equipment, kiosk and flag pole materials, portable restrooms, program brochures, and road signs; and

**WHEREAS**, by Resolution Number 4033 the CWC Board of Directors approved funding for, the 2021 boating season, 15 portable toilets to be delivered to certain parking areas and boat launches at four reservoirs in the West of Hudson Watershed; and

**WHEREAS**, for the 2022 boating season, CWC issued a request for proposal dated February 9, 2022 for 15 portable toilets to be delivered to certain parking areas and boat launches at four reservoirs in the West of Hudson Watershed; and

**WHEREAS**, the CWC Finance Committee recommends that CWC Board of Directors approve the bid of Oneonta Rent a Jon for an amount of Sixteen Thousand Nine Hundred Eighty Dollars (\$16,980.00), plus additional fees for extra cleanings and fuel charges if requested by CWC, for 15 portable toilets to be delivered to certain parking areas and boat launches at four reservoirs in the West of Hudson Watershed; and

**WHEREAS**, CWC Fiscal Policies require the CWC Board of Directors requires the CWC Board of Directors to approve any expenditures greater than Ten Thousand Dollars (\$10,000.00); and

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board approves the award of the bid and authorizes the President and/or the Executive Director to execute contract with Oneonta Rent a Jon in an amount of Sixteen Thousand Nine Hundred Eighty Dollars (\$16,980.00), plus additional fees for extra cleanings and fuel charges if requested by CWC not exceeding Nine Hundred Ninety Dollars (990.00) for 15 portable toilets, including five ADA portable toilets, to be delivered to certain parking areas and boat launches at four reservoirs in the West of Hudson Watershed and serviced weekly for the 2021 boating season.

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

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

#### **Purpose: to review the Funding for the NYC Reservoir Recreational Boating Program**

The Executive Director of the CWC makes the following evaluation concerning funding for the NYC Reservoir Recreational Boating Program. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 and revised on May 24, 2005 by the CWC Board of Directors.

1. Based on due inquiry to the NYS DEC, the NYC DEP and to the best of CWC's knowledge, the Boating Program for the Cannonsville, Neversink, Pepacton and Schoharie Reservoir is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYS DEC and to the best of CWC's knowledge, the Oneonta Rent a Jon 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) CWC will use the funds to pay for porta-johns.
  - (ii) The project is located in the Towns of Andes, Colchester, Deposit, Gilboa, Middletown, Neversink, Prattsville, Tompkins and Walton.
  - (iii) The project appears to present no threat to water quality.
  - (iv) The project appears to generate no materials with the potential to degrade water quality that are not pre-treated prior to release.
  - (v) Based upon NYC DEP, a portion of the project is in the 60-day travel time zone.
  - (vii) There is no impact on Federal or New York State Wetlands.
- (b) The project maintains the character of the Towns of Andes, Colchester, Deposit, Gilboa, Middletown, Neversink, Prattsville, Tompkins and Walton
  - (i) The project is consistent with current zoning in the Towns of Andes, Colchester, Deposit, Gilboa, Middletown, Neversink, Prattsville, Tompkins and Walton.
  - (ii) The project is compatible with surrounding land uses.
  - (iii) The project will not generate excessive traffic.
  - (iv) The project as described is of such magnitude, that it does not appear likely to promote secondary growth and therefore requires no additional review of land use plans or infrastructure.
4. The project is consistent with the West-of-Hudson Economic Development Study.

**Voice Vote, carried unanimously**

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**CFF Collateral Change – Catskill Revitalization Corporation – Tab 21**

A motion to approve Resolution No. 4355 was made by Art Merrill and was seconded by Jim Sofranko contingent upon CWC maintaining and continuing security and liens for the life of this loan on rail cars equipment currently secured under a prior CFF loan.

April 5, 2022

**RESOLUTION NO. 4355**

**COLLATERAL CHANGE OF CATSKILL REVITALIZATION CORPORATION**

**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**, the Catskill Watershed Corporation Board of Directors, by Resolution No. 3324, approved a loan to the Catskill Revitalization Corporation for Five Hundred Thousand (\$500,000.00) Dollars for a term of fifteen (15) years, at a rate of four percent (4.0%), adjustable every five years, such that the outstanding principal is fully paid on the one hundred eightieth (180<sup>th</sup>) payment date, for the purchase of railroad cars and equipment; and



**WHEREAS**, said loan was provided on December 1, 2018, and Two Hundred Seven Thousand Three Hundred Seventy-Eight (\$207,378.00) Dollars has been drawn to date, with Two Hundred Ninety Two Thousand Six Hundred Twenty-Two (\$292,622.00) Dollars available to be drawn; and

**WHEREAS**, the Catskill Revitalization Corporation has requested to draw Two Hundred Thousand Dollars (\$200,000.00) of the available funds for track repair materials and labor instead of purchase of railroad cars and equipment; and

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

**WHEREAS**, the change of purpose of CWC loan funds will reduce the collateral coverage of this loan since the remaining loan funds will not be secured by additional equipment; and

**WHEREAS**, the CWC staff has reviewed and processed this request, and submitted a collateral change request to the Board of Directors, attached hereto; and

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board approves Catskill Revitalization Corporation's request to reallocate approved loan funds to be used for track repair.

*Allen Hinkley and James Eisel recused themselves.*

**Voice Vote, carried unanimously**

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**CFF – Collateral Change – McKenley Hollow LLC**

A motion to approve Resolution No. 4356 was made by Richard Parete and was seconded by James Sofranko.

April 5, 2022

**RESOLUTION NO. 4356**

**APPROVAL OF COLLATERAL CHANGE FOR**

**MCKENLEY HOLLOW, LLC.**

**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 January 7, 2020 the Board of Directors, by Resolution No. 3693 approved a loan to McKenley Hollow, LLC. in the amount of Eight Hundred Eighty Three Thousand Dollars (\$883,000.00) 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 and eightieth (180<sup>th</sup>) payment date, for leasehold improvements, closing costs, interest reserve, soft costs, and working capital associated with the real property known as 212 McKenley Hollow Road Shandaken, NY 12410; and

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

**WHEREAS**, said loan will be secured by a shared first mortgage position with Walden Savings Bank on 212 McKenley Hollow Road Shandaken, NY 12410; and

**WHEREAS**, Walden Savings Bank proposes lending McKenley Hollow, LLC an additional Five Hundred Thousand Dollars (\$500,000.00) due to rising material and shipping costs, through their mortgage that shares first position with CWC loan, increasing the total project cost from Four Million One Hundred Fifty Thousand Dollars (\$4,150,000.00) to Four Million Six Hundred Fifty Thousand Dollars (\$4,650,000.00); and

**WHEREAS**, CWC staff has reviewed and processed this request, and submitted a collateral change request to the Board of Directors, attached hereto; and

**WHEREAS**, pursuant to the CFF Program rules only the CWC Board of Directors may approve a collateral change to an existing loan.

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board of Directors approves the request and the reissuance of an amended Commitment Letter for McKenley Hollow, acknowledging the increase of funding in the amount of Five Hundred Thousand Dollars (\$500,000.00), for a total contribution of One Million Six Hundred Ninety Two Thousand Dollars (\$1,692,000.00) by Walden Savings Bank, who CWC will share a pro-rated first mortgage with for a project located at 212 McKenley Hollow Road.

**Voice Vote, carried unanimously**



**CFF – Business Loan – Mark Project Inc. – Tab 23**

A motion to approve Resolution No. 4357 was made by James Eisel and was seconded by Innes Kasanof.

April 5, 2022

**RESOLUTION NO. 4357**

**APPROVAL OF CFF LOAN TO M-ARK PROJECT, INC.**

**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 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**, the CWC Board of Directors by Resolution No. 2965, approved a loan to the M-ARK Project Inc. in the amount of Three Hundred Forty-Nine Thousand Five Hundred Eighty-Eight Dollars (\$349,588.00), to be used as working capital and paid back by grants approved by the New York Consolidated Funding program as follows: Three Hundred Thousand Dollars (\$300,000.00) from the New York State Homes and Community Renewal (HCR) for projects in the Arkville, Margaretville and Pine Hill, and Forty-Nine Thousand Five Hundred Eighty-Eight Dollars (\$49,588.00) from the New York State Department of State (DOS) for a Fleischmanns Main Street Strategy Plan; and

**WHEREAS**, the CWC Board of Directors by Resolution No. 3472, approved a loan to the M-ARK Project Inc. in the amount of Four Hundred Ninety-Six Thousand Six Hundred Ninety-Three Dollars (\$496,693.00) to

be used as working capital, and repaid by an approved grant from the New York Consolidated Funding, NY Main Street Program in the amount of Four Hundred Ninety Six Thousand Six Hundred Ninety-Three Dollars (\$496,693.00) for the Town of Andes; and

**WHEREAS**, the M-ARK Project Inc. submitted grant applications to US Department of Economic Development, and NY Empire State Development, for the renovations and operation of the Inn at Kirkside, in the Town of Roxbury, Delaware County, NY; and

**WHEREAS**, if approved the grants would reimburse the M-ARK Project for expenses already utilized; and

**WHEREAS**, the M-ARK Project Inc. does not have sufficient resources to front funds that would later be eligible for reimbursement under the grant; and

**WHEREAS**, M-ARK Project Inc. requests, that CWC Board consider providing funds for services and expenses within the scope of the grant in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) to allow M-ARK Project to incur costs that would be eligible for reimbursement and pay back CWC once grant funds are received by them; and

**WHEREAS**, the CWC Economic Development Committee recommends that the CWC Board of Directors approve a loan to M-ARK Project Inc. at a rate of four percent (4.0%), to be paid upon receipt of reimbursement from the Federal Government and State of New York and that the outstanding principal is fully paid on the fifth (5<sup>th</sup>) anniversary date of the closing, for costs eligible for reimbursement under grants with the Federal Government and New York State.

**NOW THEREFORE BE IT RESOLVED**, that contingent upon approval of Federal and State grants, the CWC Board of Directors approve a loan to M-ARK Project Inc. at a rate of four percent (4.0%), in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00), to be paid upon receipt of reimbursement from the Federal Government and State of New York and that the outstanding principal is fully paid on the fifth (5<sup>th</sup>) anniversary date of the closing, for costs eligible for reimbursement under a grant with New York State for support of services and expenses eligible for reimbursement under grants with New York State and the United States.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that 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, and 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 to disburse proceeds thereof in accordance with the loan documents.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that 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 MARK Project Inc.**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to MARK Project Inc. located in the Town of Middletown, 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.

4. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the properties listed below are presently in compliance with all applicable environmental statutes and regulations.
5. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the properties listed below, are not subject to any enforcement actions by any regulatory agency.
6. (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.
  - (vi) M-ARK Project Inc. will utilize the funds for services and expenses associated with rehabilitation of a structure and reimbursement under the grant contracts.
  - (vii) The projects are located in the Towns of Roxbury.
  - (viii) The project will utilize a municipal sewage system.
  - (ix) The project appears to present no threat to water quality.
  - (x) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (xi) 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 Towns 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**



**CFF – Restricted Allocation – Bramley Mountain Fire Tower – Tab 24**

A motion to approve Resolution No. 4358 was made by Innes Kasanof and was seconded by Mark Tuthill.

April 5, 2022

**RESOLUTION NO. 4358**

**APPROVAL OF FRIENDS OF BRAMLEY MOUNTAIN FIRE TOWER**

**CFF GRANT: RESTRICTED ALLOCATION**

**WHEREAS**, the Catskill Watershed Corporation (CWC) established the Grant Programs for the purpose of providing funding 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**, Friends of Bramley Mountain Fire Tower have requested CWC allocate Thirty Thousand Dollar (\$30,000.00) from CFF for the purpose of decommissioning and deconstructing the to-be-constructed Bramley Mountain Fire Tower, located in the Town of Delhi, once it eventually falls into disrepair or at the end of 99 year lease; and

**WHEREAS**, pursuant to the CFF Program Rules the CWC Economic Development Committee has reviewed an application by Friends of Bramley Mountain Firetower and recommend its approval; and

**WHEREAS**, the Executive Director, pursuant to the CFF Program rules, has evaluated and determined that this request and determined that it 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 funding 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 execution of a funding agreement, 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 Friends of Bramley Fire Tower's application meets the CWC CFF qualified economic development criteria and approves of the grant application in the amount of Thirty Thousand Dollars (\$30,000.00) to be held by CWC as a restricted allocation for a period not to exceed One Hundred (100) years until such funds become necessary for the deconstruction and demolition of the Bramley Mountain Fire Tower.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, the CWC staff is authorized and directed to issue a commitment letter informing the grantee of its intention to allocate funds 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 agreement and other documentation necessary to effectuate this funding in a form agreed upon by CWC.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that upon said approval of funding documentation CWC is authorized restrict funds held by CWC in accordance with this resolution and funding 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 Grant Application of Friends of Bramley Mountain Fire Tower**

The Executive Director of the CWC makes the following evaluation concerning a Restricted Allocation to Bramley Mountain Firetower located in the Town of Delhi, 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.

7. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property with a trailhead on Glen Bernie Road, Delhi, NY, is presently in compliance with all applicable environmental statutes and regulations.
8. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property with a trailhead on Glen Bernie Road, Delhi, NY, is not subject to any enforcement actions by any regulatory agency.
9. (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.
  - (xii) Friends of Bramley Mountain Fire Tower will deconstruct the to-be-constructed Bramley Mountain Fire Tower when it eventually falls into disrepair or at the end of the lease.
  - (xiii) The project is located in the Town of Delhi.
  - (xiv) The project will not require a connection to an existing wastewater treatment plant.

- (xv) The project appears to present no threat to water quality.
  - (xvi) Prior to the release of grant funds from the restricted allocation, the grantee's will be required to submit any documentation in accordance with CFF Program Rules
  - (xvii) 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 Delhi.
- (ix) The project is consistent with current zoning.
  - (x) The project is compatible with surrounding land uses.
  - (xi) The project will not generate excessive traffic.
  - (xii) 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**



*Jeff Senterman recused himself.*  
*Mark Tuthill opposed.*

**VIII. Announcement from the Chair:** Next Board Meeting May 3, 2022.

**IX. Board Member Discussion**

**X. Adjournment – 3:24 pm**