

**CATSKILL WATERSHED CORPORATION**

**Board of Directors Meeting**

**MINUTES**

**August 3, 2021**

**I. Call to Order at 11:27 pm at the Catskill Watershed Corporation**

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

**III. Roll Call of Directors**

**Members Present:** Tina Molé, Joseph Cetta, Christopher Mathews, Mark Tuthill, Allen Hinkley, James Eisel, Jim Sofranko, Jeff Senterman, Arthur Merrill, Richard Parete, Thomas Hoyt, Alicia Terry, and Thomas Snow,

**Members Present Via Zoom:**

**Members Excused:** Innes Kasanof and David Warne

**Staff Members Present:** Jason Merwin, Tim Cox, Jim Martin, Cambria Tallman, Samantha Costa, Sonia Martinez, and Barbara Puglisi.

**Others Present:** Mike Maloney (*NYSDOH*), and John Schwartz (*NYCDEP*).

**Others Present Via Zoom:** Matt Gianetta (*NYCDEP*), Mike Meyer (*NYCDEP*), Nicolas Sadler (*NYCDEP*), Aaron Bennett (*Ulster County Dept. of the Environment*), Nick Carbone (*Delaware County Watershed Affairs*), Thomas Stalter (*NYCDEP*), and Jessica Fiedler (*CWC*).

**IV. Review and Approval of July 7, 2021 Board Minutes.**

A motion to approve the minutes of July 7, 2021 Board Minutes was made without objection.

**Voice Vote** *carried unanimously.*

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**V. Presentation of Communication**

**Finance Report**

A motion to approve the financial reports as of May 31, 2021 was made by James Eisel and seconded by Arthur Merrill.

**Voice Vote**, *carried unanimously.*

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**Executive Director's Report**

**Committee Schedule**

**Committee Meeting Minutes**

Committee minutes were received.

**VI. Public Discussion**

## VII. Presentation of Resolutions

A Motion to Approve Tab 6 through 8 made by Mark Tuthill and James Sofranko.

### **Septic Over \$25,000 – Dorothy Atkinson – Tab 6**

A motion to approve Resolution No. 4153 was made by Mark Tuthill and was second by James Sofranko.

August 3, 2021

### **RESOLUTION NO. 4153**

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

**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 has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Seven Thousand Dollars (\$27,000.00); 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 Twenty-Seven Thousand Dollars (\$27,000.00) 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 Twenty-Seven Thousand Dollars (\$27,000.00) 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 Twenty-Seven Thousand Dollars (\$27,000.00).

### **Dorothy Atkinson Backup**

Address: 1490 Betty Brook Rd., South Kortright, NY 13842

Town: Kortright

Bedrooms: 2

Engineer: Sander Engineering

Contractor: Pawlikowski’s Excavating & Logging

Homeowner and CWC staff received a quote from a contractor in the amount of \$27,000.00. Major components of this system will include a 1,000-gallon septic tank, 64 linear feet of gravity pipe, 110 cubic yards of absorption fill material, four cubic yards of C-33 sand, 120 square feet of Eljen units, one effluent filter, a distribution box, 93 linear feet of curtain drain, 140 linear feet of access road, remove 12 trees, bucket material 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 exceed \$27,000.00.

*Voice Vote, carried unanimously*

**Septic Over \$25,000 – Noah Ennis – Tab 7**

A motion to approve Resolution No. 4154 was made by Mark Tuthill and was seconded by James Sofranko.

August 3, 2021

**RESOLUTION NO. 4154**

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

**NOAH ENNIS**

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

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

**WHEREAS**, CWC staff has reviewed three construction quotes, including the lowest quote for the septic system repair in the amount of Thirty-Eight Thousand Nine Hundred Fifty Dollars (\$38,950.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Thirty-Eight Thousand Nine Hundred Fifty Dollars (\$38,950.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the reimbursement of Thirty-Eight Thousand Nine Hundred Fifty Dollars (\$38,950.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement for a total not-to-exceed amount of Thirty-Eight Thousand Nine Hundred Fifty Dollars (\$38,950.00).

**Noah Ennis - Backup**

Address: 1855 Davis Hollow Rd., Andes, NY 13731

Town: Andes

Bedrooms: 2

Engineer: Jarrett Engineers

Contractor: Delaware Bulldozing Corp.

Homeowner and CWC staff received three quotes from unrelated contractors for \$38,950.00, \$45,500.00, and \$47,000.00. Major components of this system include a 1,000 gallon septic tank, one siphon chamber, 165 linear feet of 4” gravity pipe, 575 linear feet of 2” gravity pipe, 367 cubic yards of absorption fill material, one effluent filter, one distribution box, 144 linear feet of absorption trench, 695 linear feet of silt fence, and extensive site restoration. The lowest quote is well below the estimated cost for construction. The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to exceed \$38,950.00.

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**Voice Vote, carried unanimously**

**Septic Over \$25,000 – Margaux Knee – Tab 8**

A motion to approve Resolution No. 4155 was made by Mark Tuthill and was seconded by James Sofranko.

August 3, 2021

**RESOLUTION NO. 4155**

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

**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 has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Nine Thousand Nine Hundred Sixty-Four Dollars and Forty-Two Cents (\$29,964.42); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Nine Thousand Nine Hundred Sixty-Four Dollars and Forty-Two Cents (\$29,964.42) 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-Nine Thousand Nine Hundred Sixty-Four Dollars and Forty-Two Cents (\$29,964.42) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Nine Thousand Nine Hundred Sixty-Four Dollars and Forty-Two Cents (\$29,964.42).

**Margaux Knee Backup**

Address: 1591 Odell Lake Rd., Stamford, NY 12167

Town: Harpersfield

Bedrooms: 3

Engineer: Sander Engineering

Contractor: Ted’s Grading and Landscaping

Homeowner and CWC staff received a quote from a contractor in the amount of \$29,964.42. Major components of this system will include a 1,000 gallon septic tank, 80 linear feet of gravity pipe, 323 cubic yards of absorption fill material, 216 square feet of Eljen units, 7 cubic yards of C-33 sand, an effluent filter, one distribution box, 250 linear feet of access road 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 exceed \$29,964.42.

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**Voice Vote, carried unanimously**

**Septic Over \$25,000 – Janice Lanzarotta – Tab 9**

A motion to approve Resolution No. 4156 was made by James Eisel and was seconded by Thomas Hoyt.

August 3, 2021

**RESOLUTION NO. 4156**

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

**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 has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Five Thousand Six Hundred Thirty-Seven Dollars and Eighty-Nine Cents (\$25,637.89); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Five Thousand Six Hundred Thirty-Seven Dollars and Eighty-Nine Cents (\$25,637.89) 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-Five Thousand Six Hundred Thirty-Seven Dollars and Eighty-Nine Cents (\$25,637.89) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Five Thousand Six Hundred Thirty-Seven Dollars and Eighty-Nine Cents (\$25,637.89).

**Janice Lanzarotta Backup**

Address: 27 Deseo Drive, Shokan, NY 12481

Town: Olive

Bedrooms: 3

Engineer: Rex Sanford

Contractor: Chad Davis Contracting

Homeowner and CWC staff received a quote from a contractor in the amount of \$25,637.89. Major components of this system will include a 1,000 gallon septic tank, 80 linear feet of gravity pipe, 180 cubic yards of absorption fill material, one effluent filter, one distribution box, 250 linear feet of conventional

absorption trench, 100 linear feet of access road, 8 trees to be removed, 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 exceed \$25,637.89.

***Voice Vote, carried unanimously - Jim Sofranko Abstained***



A Motion to Approve Tab 10 through 11 made by Allen Hinkley and James Sofranko.

**Septic Over \$25,000 –Keith Mckee - Tab 10**

A motion to approve Resolution No. 4157 was made by Allen Hinkley and was seconded by James Sofranko.

August 3, 2021

**RESOLUTION NO. 4157**

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

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

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

**WHEREAS**, CWC staff has reviewed three construction quotes, including the lowest quote for the septic system repair in the amount of Fifty Thousand Five Hundred Seventy-Five Dollars (\$50,575.00); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Fifty Thousand Five Hundred Seventy-Five Dollars (\$50,575.00) 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 Thousand Five Hundred Seventy-Five Dollars (\$50,575.00) 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 for a total not-to-exceed amount of Fifty Thousand Five Hundred Seventy-Five Dollars (\$50,575.00).

**Keith Mckee Backup**

Address: 130 Beech Ridge Rd. North Westkill, NY 12493

Town: Lexington

Bedrooms: 4

Engineer: Praetorius & Conrad

Contractor: Van Etten Trucking

Homeowner and CWC staff received three quotes from unrelated contractors for \$50,575.00, \$52,500.00 and \$55,000.00. Major components of this system will include a 1,250 gallon septic tank, 126 linear feet of gravity pipe, 152 linear feet of force main, 121 cubic yards of absorption fill material, 210 cubic yards of random fill material, an effluent filter, four peat modules, 170 linear feet of access road, remove 17 trees and extensive site restoration. The lowest quote is within 10% of the estimated cost for construction. The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to exceed \$50,575.00.

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**Voice Vote, carried unanimously**

**Septic Over \$25,000 – Edwin Rivera – Tab 11**

A motion to approve Resolution No. 4158 was made by Allen Hinkley and was seconded by James Sofranko.

August 3, 2021

**RESOLUTION NO. 4158**

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

**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 has reviewed a construction quote submitted by a contractor for the septic system repair in the amount of Twenty-Seven Thousand Five Hundred Fifty Dollars (\$27,550.00); and

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

**WHEREAS**, the CWC staff have determined the contractor’s quote of Twenty-Seven Thousand Five Hundred Fifty Dollars (\$27,550.00) 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 Twenty-Seven Thousand Five Hundred Fifty Dollars (\$27,550.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Seven Thousand Five Hundred Fifty Dollars (\$27,550.00).

**Edwin Rivera Backup**

Address: 99 Janke Rd., Delhi, NY 13753

Town: Delhi

Bedrooms: 3

Engineer: Benjamin Dates

Contractor: LaFever Excavating

Homeowner and CWC staff received a quote from a contractor in the amount of \$27,550.00. Major components of this system will include a 1,000 gallon septic tank, one pump chamber, 30 linear feet of gravity pipe, 120 linear feet of force main, one effluent filter, one distribution box, 164 cubic yards of absorption fill material, 9 cubic yards of C-33 sand, 252 square feet of Eljen Units, 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 exceed \$27,550.00.

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**Voice Vote, carried unanimously**

**Expanded Septic Program – FSH Lodge at Neversink - Tab 12**

A motion to approve Resolution No. 4159 was made by Christopher Mathews and was seconded by Arthur Merrill.

August 3, 2021

**RESOLUTION NO. 4159**

**BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000:  
FSH LODGE AT NEVERSINK**

**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 13:01:09 of the CWC Expanded Septic Program Rules Article 13, if the total amount requested for reimbursement exceeds Thirty Thousand Dollars (\$30,000), the applicant must solicit and provide copies to CWC of proposals from at least three (3) unrelated prospective contractors selected by such applicant to perform the proposed work; and

**WHEREAS**, the applicant solicited four detailed bids from unrelated contractors for the work and following receipt of such bids and review by the CWC Septic Committee the lowest bidder withdrew their bid; and

**WHEREAS**, CWC staff has reviewed a construction quote submitted by a contractor who was the second lowest bidder for the septic system repair in the amount of Three Hundred Thirty-Seven Thousand Two Hundred Four Dollars and Sixty-Nine Cents (\$337,204.69); and

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

**WHEREAS**, the CWC staff have determined the contractor's quote of Three Hundred Thirty-Seven Thousand Two Hundred Four Dollars and Sixty-Nine Cents (\$337,204.69) 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 Three Hundred Twelve Thousand Two Hundred Four Dollars and Sixty-Nine Cents (\$312,204.69) 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 Twelve Thousand Two Hundred Four Dollars and Sixty-Nine Cents (\$312,204.69).

**FSH Lodge at Neversink Backup**  
**Expanded Septic Program: Health Spa**



Reimbursement: 75% up to & \$100,000.00, 100% after \$100,000.00.

Address: 7491 State Rt.55, Neversink NY 12705

Town: Neversink

Engineer: Delaware Engineering

Contractor: Reeves Excavation

The FSH Lodge at Neversink has more than 20, but less than 100 employees. The business is eligible for 75% reimbursement up to \$100,000.00. It is eligible for 100% of costs above \$100,000.00. Major components of the proposed septic system will include a 6,000 gallon septic tank, two 4,000 gallon septic tanks, one 2,000 gallon septic tank, one 2,000 grease trap, one 1,500 gallon septic tank, one 1,000 gallon septic tank, one pump chamber, two dual alternating siphon chambers, 2,771 linear feet of gravity pipe, 340 linear feet of force main, five effluent filters, four distribution boxes, one flow splitter, 9,600 square feet of Eljen units, 321 cubic yards of C-33 sand, 38 clean outs, 21 risers, remove two trees and extensive site restoration.

Following CWC Septic Committee review of the reimbursement request, the lowest quote of \$325,000.00 submitted by Osterhout, LLC, was withdrawn. CWC staff reviewed the three remaining quotes from unrelated contractors for \$337,204.69, \$373,000.00, and \$374,850.00. The lowest quote remaining, submitted by Reeves Excavation, is below the CWC estimated cost of construction. The eligible cost is \$75,000.00 + \$237,204.69 for a total of \$312,204.69. The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to \$312,204.69

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**Voice Vote, carried unanimously**

A Motion to Approve Tab 13 through 20 made by James Sofranko and Joseph Cetta.

**Septic Over \$25,000 – Additional – James Barnhart – Tab 13**

A motion to approve Resolution No. 4160 was made by James Sofranko and was seconded by Joseph Cetta.

August 3, 2021

**RESOLUTION NO. 4160**

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

**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 January 3, 2017, by Resolution Number 2988, the CWC Board approved reimbursement to James Barnhart in an amount not to exceed Twenty-Seven Thousand Three Hundred Twenty-Six Dollars and Eighty-Five Cents (\$27,326.85); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of Three Thousand Three Hundred Nineteen Dollars (\$3,319.00); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Three Thousand Three Hundred Nineteen Dollars (\$3,319.00); and

**WHEREAS**, CWC staff have determined that Thirty Thousand Six Hundred Forty-Five Dollars and Eighty-Five Cents (\$30,645.85) 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 that Thirty Thousand Six Hundred Forty-Five Dollars and Eighty-Five Cents (\$30,645.85) 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 that Thirty Thousand Six Hundred Forty-Five Dollars and Eighty-Five Cents (\$30,645.85).

**James Barnhart Backup**

Address: 371 Russell Rd., Walton, NY 13856

Town: Walton

Engineer: Steele Brook Engineering

Contractor: Catskill Underground Services

CWC Board of Directors previously approved reimbursement for this project at \$27,326.85. When installing the septic tank and pump chamber a high water table was encountered. The engineer instructed the contractor to install a 100 foot long x 75 inch deep curtain drain to alleviate the constant water pressure against the new septic tanks and to help protect the new leach field. The contractor submitted a quote to complete this work for \$3,319.00. The Septic Committee recommends that the CWC Board approves an additional reimbursement of \$3,319.00, for total reimbursement not to exceed \$30,645.85.



*Voice Vote, carried unanimously*

**Septic Over \$25,000 – Additional – David Cunningham- Tab 14**

A motion to approve Resolution No. 4161 was made by James Sofranko and was seconded by Joseph Cetta.

August 3, 2021

**RESOLUTION NO. 4161**

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

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

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

**WHEREAS**, on November 3, 2020, by Resolution Number 3918, the CWC Board approved reimbursement to David Cunningham in an amount not to exceed Twenty-Nine Thousand Two Hundred Twenty-Nine Dollars and Ninety-Eight Cents (\$29, 229.98); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of Two Hundred Seventy-Five Dollars and Fifty Cents (\$275.50); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Two Hundred Seventy-Five Dollars and Fifty Cents (\$275.50); and

**WHEREAS**, CWC staff have determined that Twenty-Nine Thousand Five Hundred Five Dollars and Forty-Eight Cents (\$29,505.48) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Twenty-Nine Thousand Five Hundred Five Dollars and Forty-Eight Cents (\$29,505.48) 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 Five Hundred Five Dollars and Forty-Eight Cents (\$29,505.48).

**David Cunningham Backup  
Managed Repair: Shokan**

Address: 60 Longyear Rd, Shokan, NY 12481  
Town: Olive  
Engineer: Lamont Engineers  
Contractor: Chad Davis Contracting

CWC Board of Directors previously approved reimbursement for this project at \$29,229.98. The septic tank and pump chamber had to be moved 25 linear feet downhill because the location on the plan was too difficult for the tank delivery truck to reach. An added 25 linear feet of force main was needed. The contractor submitted a quote to complete this work for \$275.50. The Septic Committee recommends that the CWC Board approves an additional reimbursement of \$275.50, for total reimbursement not to exceed \$29,505.48.

*Voice Vote, carried unanimously*

**Septic Over \$25,000 – Additional – Donna Elberg – Tab 15**

A motion to approve Resolution No. 4162 was made by James Sofranko and was seconded by Joseph Cetta.

August 3, 2021

**RESOLUTION NO. 4162**

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

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

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

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

**WHEREAS**, on October 6, 2020, by Resolution Number 3900, the CWC Board approved reimbursement to Donna Elberg in an amount not to exceed Forty-Three Thousand Eight Hundred Thirteen Dollars and Twenty Cents (\$43,813.20); 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 Eight Hundred Seventy-Eight Dollars (\$1,878.00); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be One Thousand Eight Hundred Seventy-Eight Dollars (\$1,878.00); and

**WHEREAS**, CWC staff have determined that Forty-Five Thousand Six Hundred Ninety-One Dollars and Twenty Cents (\$45,691.20) 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 that Forty-Five Thousand Six Hundred Ninety-One Dollars and Twenty Cents (\$45,691.20) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of that Forty-Five Thousand Six Hundred Ninety-One Dollars and Twenty Cents (\$45,691.20).

**Donna Elberg Backup**

Address: 72 High Point Mountain Rd., West Shokan, NY 12494

Town: Olive

Engineer: Rex Sandford

Contractor: Donald Van Kleek

CWC Board of Directors previously approved reimbursement for this project at \$43,813.20. When excavating for the absorption bed, the contractor encountered 4” perforated pipes in the area of the system. These pipes had to be removed and discharged across the driveway. Due to the slight variation in topography 15 cubic yards of additional gravelly sand fill was needed to complete the septic system. The contractor submitted a quote to complete this work for \$1,878.00. The Septic Committee recommends that the CWC Board approves an additional reimbursement of \$1,878.00, for total reimbursement not to exceed \$45,691.20.

***Voice Vote, carried unanimously***



**Septic Over \$25,000 – Additional –Robert Fehring – Tab 16**

A motion to approve Resolution No. 4163 was made by James Sofranko and was seconded by Joseph Cetta.

**RESOLUTION NO. 4163****BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION OVER  
\$25,000: ROBERT FEHRING**

**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 April 6, 2021, by Resolution Number 4022, the CWC Board approved reimbursement to Robert Fehring in an amount not to exceed Twenty-Nine Thousand Nine Hundred Nine Dollars and Twenty-Nine Cents (\$29,909.29); 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 Nine Hundred Fifty-Nine Dollars and Four Cents (\$1,959.04); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be One Thousand Nine Hundred Fifty-Nine Dollars and Four Cents (\$1,959.04); and

**WHEREAS**, CWC staff have determined that Thirty-One Thousand Eight Hundred Sixty-Eight Dollars and Thirty-Three Cents (\$31,868.33) is a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Thirty-One Thousand Eight Hundred Sixty-Eight Dollars and Thirty-Three Cents (\$31,868.33) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-One Thousand Eight Hundred Sixty-Eight Dollars and Thirty-Three Cents (\$31,868.33).

**Robert Fehring Backup****Managed Repair: Shokan**

Address: 176 Ridge Rd., Shokan, NY 12481

Town: Olive

Engineer: Lamont Engineers

Contractor: Chad Davis Contracting

CWC Board of Directors previously approved reimbursement for this project at \$29,909.29. Due to variations in the topography the contractor was required to bring in an additional 64 cubic yards of absorption fill to complete the septic system. The contractor submitted a quote to complete this work for \$1,959.04. The Septic Committee recommends that the CWC Board approves an additional reimbursement of \$1,959.04, for total reimbursement not to exceed \$31,868.33.

Voice Vote, *carried unanimously*



**Septic Over \$25,000 – Additional – Jaqueline Ferraro – Tab 17**

A motion to approve Resolution No. 4164 was made by James Sofranko and was seconded by Joseph Cetta.

August 3, 2021

**RESOLUTION NO. 4164**

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

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

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

**WHEREAS**, CWC staff previously approved Septic Program reimbursement to Jaqueline Ferraro in the amount of Twenty-One Thousand Six Hundred Forty-One Dollars and Twenty-One Cents (\$21,641.21); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the contractor for the septic system repair in the amount of Four Thousand Eight Hundred Fourteen Dollars and Eighty-Five Cents (\$4,814.85); and

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

**WHEREAS**, the CWC staff have determined the contractor’s total invoices of Twenty-Six Thousand Four Hundred Fifty-Six Dollars and Six Cents (\$26,456.06) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the total reimbursement of Twenty-Six Thousand Four Hundred Fifty-Six Dollars and Six Cents (\$26,456.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Six Thousand Four Hundred Fifty-Six Dollars and Six Cents (\$26,456.06).

**Jaqueline Ferraro Backup**

Address: 421 Wittenberg Rd., Bearsville, NY 12409

Town: Woodstock

Engineer: Rex Sanford

Contractor: Eberhardt Excavation

CWC staff previously approved reimbursement at \$21,641.21. Upon pumping and inspecting the septic tank it was determined that the tank was leaking and would have to be replaced with a new 1000 gallon septic tank. Steel plates were utilized while installing the septic tank to prevent damage to the homeowners black top driveway with questionable integrity. The contractor also had to repair an underground electric line that was encountered and damaged. The contractor has requested an additional \$4,814.85 for the added work. The cost appears to be reasonable and justified. The Septic Committee recommends that the Board approves an additional reimbursement of \$4,814.85, for total reimbursement not to exceed \$26,456.06.

**Voice Vote, carried unanimously**



**Septic Over \$25,000 – Additional Cost - Dimitre Gueorguiev – Tab 18**

A motion to approve Resolution No. 4165 was made by James Sofranko and was seconded by Joseph Cetta.

August 3, 2021

**RESOLUTION NO. 4165**

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

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

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

**WHEREAS**, CWC staff previously approved Septic Program reimbursement to Dimitre Gueorguiev in the amount of Twenty Four Thousand Two Hundred Eighty-Nine Dollars and Fifty-Four Cents (\$24,289.54); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the contractor for the septic system repair in the amount of Two Thousand One Hundred Ten Dollars and Thirty-Six Cents (\$2,110.36); and

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

**WHEREAS**, the CWC staff have determined the contractor’s total invoices of Twenty-Six Thousand Three Hundred Ninety-Nine Dollars and Ninety Cents (\$26,399.90) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the total reimbursement of Twenty-Six Thousand Three Hundred Ninety-Nine Dollars and Ninety Cents (\$26,399.90) 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 Ninety-Nine Dollars and Ninety Cents (\$26,399.90).

**Dimitre Gueorguiev Backup**

Address: 495 Oak Ridge Rd., Fleischmanns, NY 12430

Town: Middletown

Engineer: Rex Sanford

Contractor: Josh Construction

CWC staff previously approved reimbursement at \$24,289.54. During construction several large rocks and boulders were encountered. Two loads of fill material were required to provide necessary bedding and cover for the line leading to the distribution box. Roots of a large tree were encountered and compromised. This tree was close to the house and in poor condition. It was 24-26” in diameter. The contractor also repaired an underground electric line that was damaged during construction. The contractor has requested an additional \$2,110.36 for this addition. The cost appears to be reasonable and justified. The Septic Committee recommends that the Board approves an additional reimbursement of \$2,110.36, for total reimbursement not to exceed \$26,399.90.

***Voice Vote, carried unanimously***



**Septic Over \$25,000 – Additional – Richard Samuelson - Tab 19**

A motion to approve Resolution No. 4166 was made by James Sofranko and was seconded by Joseph Cetta.

August 3, 2021

**RESOLUTION NO. 4166**

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

**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 December 1, 2020, by Resolution Number 3940, the CWC Board approved reimbursement to Richard Samuelson in an amount not to exceed Twenty-Nine Thousand Five Hundred Dollars (\$29,500.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of Two Thousand Sixteen Dollars (\$2,016.00); and

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

**WHEREAS**, CWC staff have determined the total reasonable cost of the additional work according to CWC Schedule of Values to be Two Thousand Sixteen Dollars (\$2,016.00); and

**WHEREAS**, CWC staff have determined that Thirty-One Thousand Five hundred and Sixteen Dollars (\$31,516.00) is a reasonable cost for this system in accordance with our schedule of values; and



**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving total reimbursement of Thirty-One Thousand Five hundred and Sixteen Dollars (\$31,516.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Thirty-One Thousand Five hundred and Sixteen Dollars (\$31,516.00).

**Richard Samuelsen Backup**

Address: 10929 Route 23A Hunter, NY 12442

Town: Lexington

Engineer: John Bolger

Contractor: Ryan Martin

CWC Board of Directors previously approved reimbursement for this project at \$29,500.00. Due to a low spot in the middle of the leach field, the contractor had to bring in an additional 6 loads of fill material. The contractor submitted a quote to complete this work for \$2,016.00. The Septic Committee recommends that the CWC Board approves an additional reimbursement of \$2,016.00, for total reimbursement not to exceed \$31,516.00.

**Voice Vote, carried unanimously**



**Septic Over \$25,000 – Additional – Elaine Quigley – Tab 20**

A motion to approve Resolution No. 4167 was made by Arthur Merrill and was seconded by Christopher Mathews.

August 3, 2021

**RESOLUTION NO. 4167**

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

**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 January 6, 2021, by Resolution Number 3965, the CWC Board approved reimbursement to Elaine Quigley in an amount not to exceed Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00); and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the homeowner for the septic system repair in the amount of One Hundred Sixty-Three Dollars and Twenty Cents (\$163.20); 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 Eighty Dollars and Forty Cents (\$80.40); and

**WHEREAS**, CWC staff have determined that Twenty-Seven Thousand Five Hundred Eighty Dollars and Forty Cents (\$27,580.40) 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-Seven Thousand Five Hundred Eighty Dollars and Forty Cents (\$27,580.40) 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-Seven Thousand Five Hundred Eighty Dollars and Forty Cents (\$27,580.40).

**Elaine Quigley Backup**

Address: 118 Meehan Rd., Margaretville NY 12455

Town: Middletown

Engineer: John Bolger

Contractor: Jim Peters Excavating

CWC Board of Directors previously approved reimbursement for this project at \$27,500.00. The contractor has requested an additional \$163.20 for material price increase for 240 linear feet of 4” SDR 35 pipe. Based on what the contractor paid for pipe and the Schedule of Values, staff believes the reimbursable amount is \$80.40. This amount will bring the total project construction cost to \$27,580.40. The Septic Committee recommends that the CWC Board approves an additional reimbursement of \$80.40, for total reimbursement not to exceed \$27,580.40.

**Voice Vote, carried unanimously**



**Septic Second Time Repair – Melvin Howe – Tab 21**

A motion to approve Resolution No. 4168 was made by Christopher Mathews and was seconded by James Eisel.

August 3, 2021

**RESOLUTION NO. 4168**

**BOARD APPROVAL OF MOA SEPTIC PROGRAM SECOND TIME REPAIR ELIGIBILITY**  
**MELVIN HOWE**

**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 2:01:05 of the CWC Septic Rehabilitation and Replacement Program Rules (MOA Septic Program) Article 2A, CWC Board of Directors in consultation with the Executive Director may find a property eligible for funding of a septic or component thereof previously paid for by the CWC MOA Septic Program if ten (10) years has elapsed from date of construction completion and absent misuse by the Property owner; and

**WHEREAS**, the Applicant, Melvin Howe, requested eligibility under the MOA Septic Program for a second time repair funding for his septic system; and

**WHEREAS**, CWC staff have confirmed that the Applicant’s septic system is currently failing or reasonably likely to fail in the near future, that more than ten years has elapsed from date of construction approval, and that the Applicant has not misused the septic system following the prior construction approval; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend the CWC Board approve the Applicant’s eligibility for a second time repair funding from MOA Septic Program.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors in consultation with the CWC Executive Director approves Applicant’s request for eligibility for second time repair funding from the MOA Septic Program.

**Melvin Howe Backup**

Mr. Howe’s property is located in the Town of Neversink, Sullivan County. MOA Septic Program previously reimbursed the property owner for replacement of his septic system in 2001 under the Coordinator Program. Since 2001, the property owner has done routine septic pump-outs of his septic system in 2015 and in 2020 the system was inspected. The system is in failure, sewage is surfacing on the ground in multiple spots. CWC Septic Committee recommend the CWC Board of Directors approve Mr. Howe’s eligibility for a second time repair funded by the MOA Septic Program.

***Voice Vote, carried unanimously***



**Septic Property Purchase – Todd Banks - Tab 22**

A motion to approve Resolution No. 4169 was made by Richard Parete and was seconded by Allen Hinkley.

August 3, 2021

**RESOLUTION NO. 4169**

**BOARD APPROVAL OF PROPERTY PURCHASE NECESSARY FOR SEPTIC CONSTRUCTION: TODD BANKS**

**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 2:01:03 of the CWC Septic Rehabilitation and Replacement Program Rules Article 2A, provides that the cost of land purchase, easements and/or maintenance agreements may be considered eligible cost for reimbursement on a case by case basis if needed for installation of an adequate septic system. Such costs must be pre-approved by CWC in writing; and

**WHEREAS**, CWC staff reviewed a reimbursement request submitted by the property owner for purchase of an easement for a replacement absorption field in an amount not to exceed Four Thousand Dollars (\$4,000.00) for purchase of property necessary for construction of a replacement septic system; and

**WHEREAS**, the costs of land purchase or easements must be pre-approved in writing by CWC; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the property purchase reimbursement in an amount not to exceed Four Thousand Dollars (\$4,000.00).

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the property purchase reimbursement application for property necessary for construction of a replacement septic system in an amount not to exceed Four Thousand Dollars (\$4,000.00).

**Todd Banks Backup**

Address: 663 State Rt. 990V, Gilboa, NY 12076

Town: Gilboa

Engineer: Steele Brook Engineering

Due to the small size of the lot, additional property is needed to complete a septic system. The engineer needs another 12,000 square feet. Mr. Banks’ neighbor has requested \$4,000.00 for purchase of that amount of property. The Septic Committee recommends that the CWC Board approve reimbursement for purchase of an easement in an amount not to exceed \$4,000.00.

*Voice Vote, carried unanimously*



**MOA and Expanded Septic Program Rule Change – Tab 23**

A motion to approve Resolution No. 4170 was made by Arthur Merrill and was seconded by James Eisel.

August 3, 2021

**RESOLUTION NO. 4170**

**MOA AND EXPANDED SEPTIC PROGRAM RULE CHANGE  
EXPIRATION OF PROGRAM PARTICIPATION AGREEMENTS**

**WHEREAS**, pursuant to the 1997 Watershed Memorandum of Agreement (Paragraph 124) and the Septic System Rehabilitations and Replacements Program Contract (the “MOA Septic Program”) with NYCDEP, the CWC shall act as program manager for the MOA Septic Program to reimburse property owners to repair or replace failing or likely to fail residential septic systems; and

**WHEREAS**, pursuant to to the 2017 Filtration Avoidance Determine, CWC acts as program manager for the Expanded Septic Program to reimburse property owners to repair or replace failing or likely to fail septic systems serving small businesses, not for profits, or public entities;

**WHEREAS**, pursuant to the CWC MOA Septic and Expanded Septic Program Rules, all participating property owners must execute a participation agreement to be eligible for reimbursement; and

**WHEREAS**, in August, 2018 CWC staff modified the form participation agreement to provide that all work must be completed within two years from date of execution; and

**WHEREAS**, CWC staff anticipates that a small number of property owners will not have all work done within two years of the date they signed the participation agreement; and

**WHEREAS**, the CWC Septic Committee recommends the attached program rule amendments for the CWC MOA Septic and Expanded Septic Programs to provide that all work must be completed within two years, that the CWC Executive Director may grant extensions for good cause; and that property owners who do not complete a repair or replacement within two years or by the end of an approved extension shall not be eligible to reapply to the CWC Septic Programs for a period of six months.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board approves the attached amendment of Article 2A of the CWC MOA Septic Program Rules and the CWC Expanded Septic as described in Attachment A to provide for the reasonable and necessary reimbursement to individuals who repaired or

replaced failed septic systems between July 21, 2008 and December 31, 2020 in areas within the West of Hudson Watershed but outside the CWC Septic Program priority areas.

## ATTACHMENT A

Proposed changes are **underlined**.  
Proposed deletions are **~~struck out~~**.

### CWC MOA SEPTIC PROGRAM RULES

#### **2:00:02:01 Reimbursement for Past Completed Repairs**

1. The property owner of an eligible septic system within or outside current priority areas can be reimbursed under applicable program rules for eligible costs for repairs/replacement completed on or before December 31, 2020 and as provided below. For reimbursements under this section only, CWC staff need not determine if the system was in failure or reasonably likely to fail prior to the repair/replacement.
  - a. For reimbursement requests received on or after March 2, 2010, an eligible system must have been repaired or replaced between July 21, 2008 and December 31, 2020. To be eligible for reimbursement, all homeowners must either:
    - i. Provide copy of NYCDEP Final Construction Approval; or
    - ii. For repairs/replacement that under the Watershed Regulations do not require NYCDEP Construction approval, such as in-kind septic tank replacements, either:
      1. Notify CWC within a reasonable time prior to such repair/replacement. CWC must witness the installation of repairs/replacements for which reimbursement is requested; or
      2. Submit the following to the CWC Board for approval:
        - a. Sufficient documentation, including invoices and canceled checks, demonstrating that such repair/replacement was completed and paid for; and
        - b. Affidavits signed by the homeowner and contractor, notarized by a notary public, attesting that:
          - i. The work for which reimbursement is requested was completed as described; and
          - ii. Payment was provided to the contractor as described in the documentation.

Upon receipt of all necessary documentation, and any required CWC Board approval, the CWC may pay a portion of reasonable and necessary costs of improvements made to such eligible septic system.

2. An eligible system repaired or replaced after December 31, 2020 will follow Section 2:00:02:03.
- ~~3. Every property owner requesting reimbursement under the Septic Program must execute a program participation agreement.~~

#### **2:00:02:02 – PROGRAM PARTICIPATION AGREEMENT**

~~This section left intentionally blank~~

1. **Every property owner requesting reimbursement under the Septic Program must execute a program participation agreement.**
2. **The form program participation agreement will be approved by CWC and DEP and will provide that:**
  - a. **That the septic system remains the property of the owner**
  - b. **That the owner consents to exterior inspection by CWC**

- c. That the owner consents to DEP entry upon their property for the purposes of DEP regulatory design and construction approval
  - d. That CWC only provides reimbursement only for work required to achieve appropriate sewage treatment.
  - e. That CWC is not responsible for any federal or state taxes or tax consequences due to CWC funding.
  - f. That the owner is responsible to hire a design professional and contractor of their choice and that CWC does not warranty the work of those individuals
  - g. That the repair or replacement must be completed within two (2) years of the execution date of the program participation agreement
3. The Executive Director, in her/his sole discretion, may grant extensions to the term of the Program Participation Agreement for good cause shown.
  4. Participating Property Owners who do not complete a repair or replacement within two (2) years of date of execution of the program participation agreement or by the last day of any approved extension shall not be eligible to reapply for the CWC Septic Program for a period of 6 months following termination of the program participation agreement.

*13:01:08. Application for Reimbursement*

- 1) To apply for reimbursement, an Owner shall fill out an application form supplied by CWC. In filling out the form, the Owner shall supply information requested regarding the design approval, costs incurred, costs paid and any other information and supporting documents requested by CWC to determine eligibility of the costs. The following documentation is required to verify cost incurred, and to process reimbursements.
  - a) True copy of contractor Invoice(s), AND
  - b) any one of the following:
    - i) Canceled check(s),
    - ii) Money order receipt(s),
    - iii) Contractor / design professional receipt(s)
- 2) The availability of funds for individual reimbursement of owners is not intended to establish an entitlement for any person and the CWC reserves the right to limit the ultimate reimbursement in order to avoid excessive charges and to preserve the fiscal integrity of the Expanded Septic Program.
- ~~3) All Owners requesting reimbursement from the Expanded Septic Program must execute a program participation agreement prior to reimbursement.~~

**13:01:08:01**

1. Every property owner requesting reimbursement under the Expanded Septic Program must execute a program participation agreement.
2. The form program participation agreement will be approved by CWC and DEP and will provide that:
  - a. That the septic system remains the property of the owner;
  - b. That the owner consents to exterior inspection by CWC;
  - c. That the owner consents to DEP entry upon their property for the purposes of DEP regulatory design and construction approval;
  - d. That for public works, the owner agrees to maintain records evidencing compliance with Section 220 of the New York State Labor Law;
  - e. That CWC only provides reimbursement only for work required to achieve appropriate sewage treatment;
  - f. That CWC is not responsible for any federal or state taxes or tax consequences due to CWC funding;

- g. That the owner is responsible to hire a design professional and contractor of their choice and that CWC does not warranty the work of those individuals;
  - h. That the repair, replacement, or alteration must be completed within two (2) years of the execution date of the program participation agreement.
3. The Executive Director, in her/his sole discretion, may grant extensions to the term of the Program Participation Agreement for good cause shown.
  4. Participating Property Owners who do not complete a repair, replacement, or alteration within two (2) years of date of execution of the program participation agreement or by the last day of any extension shall not be eligible to reapply for the CWC Expanded Septic Program for a period of 6 months following termination of the program participation agreement.

Voice Vote, carried unanimously



**FHMIP– PMH Properties, LLC – Design Phase - Tab 24**

A motion to approve Resolution No. 4171 was made by Richard Parete and was seconded by Thomas Snow.

August 3, 2021

**RESOLUTION NO. 4171**  
**CWC REVIEW OF FLOOD HAZARD MITIGATION PROGRAM APPLICATION**  
**PMH PROPERTIES LLC – DESIGN OF PROPERTY PROTECTION MEASURES**

**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 Walton completed a local flood analysis for the hamlet of Walton which recommended flood proofing or elevating of structures within the 100 year floodplain; and

**WHEREAS**, On May 1, 2018, by Resolution No. 3283, the CWC Board of Directors approved Five Thousand Dollars (\$5,000.00) to PMH Properties LLC for a feasibility study of property protection measures

identified by a local flood analysis and the completed feasibility study recommended elevation the structure two and a half feet above base flood elevation; and

**WHEREAS**, the CWC FHMIP Rules provide that CWC may fund design costs for property protection measures at a cost not to exceed ten percent of the costs of construction; and

**WHEREAS**, PMH Properties LLC submitted an application to CWC for the cost of design of Forty-Six Thousand Nine Hundred Fifty-Two Dollars (\$46,952.00) to implement the recommendations of the completed feasibility study, based upon estimated construction costs of Four Hundred Sixty-Nine Thousand Five Hundred Twenty-Four Dollars (\$469,524.00) for elevating the structure; and

**WHEREAS**, the CWC Wastewater Committee recommended that the CWC Board of Directors approve PMH Properties LLC's application in an amount not to exceed Forty-Six Thousand Nine Hundred Fifty-Two Dollars (\$46,952.00) for the cost of design of wet floodproofing, but not elevating, a structure in the hamlet of Walton.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the application, staff recommendation and supporting documentation and approves funding to PMH Properties LLC in an amount not to exceed Forty-Six Thousand Nine Hundred Fifty-Two Dollars (\$46,952.00) for the cost of design of wet floodproofing a structure in the hamlet of Walton.

**Flood Hazard Mitigation Implementation Program**

**PMH Properties LLC – Design of Property Protection Measures**

PMH Properties LLC were previously approved by the CWC Board on May 1, 2018 for \$5,000.00 for a feasibility study to floodproof a structure in the Town of Walton. PMH Properties LLC, Phillip Hanley is requesting funding in the amount of \$46,952.00 to complete construction design of flood protection measures to building 137 Delaware Street. The estimated cost of construction for this structure is \$469,524.00. The CWC Program Rules allow for a grant at a maximum of 10% of construction costs for design of property protection measures. Wet floodproofing the structure will be more cost effective because the only a hotwater heater and water filtration system are located in the basement, which is the only part of the structure that has a history of flood damage.

The CWC Wastewater Committee recommends the CWC Board of Directors approve the application of PMH Properties LLC in an amount not to exceed \$46,952.00 for design of wet floodproofing the structure 137 Delaware Street in the Village of Walton.

*Voice Vote, carried unanimously*



**FHMIP – Ann Jones – Construction Cost – Additional Cost – Tab 25**

A motion to approve Resolution No. 4172 was made by Joseph Cetta and was seconded by James Eisel.

August 3, 2021

**RESOLUTION NO. 4172**

**FLOOD HAZARD MITIGATION IMPLEMENTATION PROGRAM**  
**PROPERTY PROTECTION MEASURES – CONSTRUCTION PHASE ADDITIONAL COSTS**  
**ANN JONES HAIR SALON**



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

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

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

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

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

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

**WHEREAS**, on May 6, 2014, by Resolution Number 2460, the CWC Board of Directors approved program rules for the CWC Flood Hazard Mitigation Program (the “Program Rules”) and such Program Rules provide that applicants may apply for 75% of the costs of construction of flood mitigation measures; and

**WHEREAS**, the West Branch of the Delaware River completed a local flood analysis for the Town of Walton and such analysis recommended structures within the 100 year floodplain be floodproofed where feasible; and

**WHEREAS**, on February 5, 2019, by Resolution Number 3465, The CWC Board of Directors approved the application of Ann Jones for a feasibility study to examine flood proofing of 162 Delaware Street in the Town of Walton in an amount not to exceed Five Thousand Dollars (\$5,000.00).

**WHEREAS**, on December 3, 2019, by Resolution 3659, the CWC Board of Directors approved the grant application by Ann Jones in the amount of Three Thousand Seven Hundred and Fifty Dollars (\$3,750.00) for design of flood proofing measures recommended in the previously funded feasibility study of 162 Delaware Street in the Town of Walton; and

**WHEREAS**, on September 1, 2020, by Resolution 3867, the CWC Board of Directors approved a grant application by Ann Jones in the amount of Thirty-Five Thousand Four Hundred Eleven Dollars and Four Cents (\$35,411.04) for 75% of costs for construction of recommended flood mitigation measures; and

**WHEREAS**, Ann Jones submitted an application for additional construction costs as a Phase 2 to her project in an amount not to exceed Forty-Three Thousand Seven Hundred Ninety-One Dollars (\$43,791.00) for 75% of costs of construction of additional recommended flood mitigation measures; and

**WHEREAS**, CWC Wastewater Committee reviewed the application and recommends the CWC Board of Directors approves additional funding for Ann Jones for construction of flood proofing measures recommended in the previously funded feasibility study of 162 Delaware Street in the Town of Walton in an amount not to exceed Forty-Three Thousand Seven Hundred Ninety-One Dollars (\$43,791.00) for 75% of the costs of such construction,.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approve the application of Ann Jones for 75% of the costs of construction of additional flood proofing measures recommended in the previously funded feasibility study of 162 Delaware Street in the Town of Walton in an amount not to exceed Forty-Three Thousand Seven Hundred Ninety-One Dollars (\$43,791.00).

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

**Backup Summary – Phase 2 Construction**

Applicant: Ann Jones

Address: 162 Delaware Street, Walton

Town: Walton

Ms. Jones previously received two flood mitigation grants from CWC for her property at 162 Delaware Street, in the Village of Walton. She utilizes the property as a commercial hair salon. CWC Board previously approved funding for feasibility study for mitigation of flood damage of that building. The study recommended eliminating a crawlspace and elevating the floors to 2 feet above base flood elevation. CWC Board thereafter and at Ms. Jones' request, approved design funding of \$3,750.00. The design includes demolishing and removing existing wood framed floors, removing any fiberglass insulation or non-resilient materials that are located in the base flood elevation, and replacing it all by filling in existing crawl space, installing a new concrete floor, spray foam insulation, and other resilient materials. The goal is to make the building easy to clean up after a flood event and minimize damage.

CWC Program Rules provide that CWC can reimburse up to 75% of construction costs of flood mitigation measures for structures.

CWC Board previously approved \$35,441.04 for foundation work

The first application for construction did not include costs related to mechanical, electrical, and plumbing, as well as spray foam installation and metal exterior doors. These costs are included in Phase II which Ms. Jones is now applying for. The CWC Wastewater Committee recommends CWC Board of Directors approve Ms. Jones' application in an amount not to exceed \$43,791.00, 75% of eligible construction costs.

***Voice Vote, carried unanimously***



**FHMIP -Olive Fire Department – relocation Construction – Additional Cost – Tab 26**

A motion to approve Resolution No. 4173 was made by James Sofranko and was seconded by Richard Parete.

August 3, 2021

**RESOLUTION NO. 4173**

**FLOOD HAZARD MITIGATION IMPLEMENTATION PROGRAM**  
**PROPERTY PROTECTION MEASURES – CRITICAL COMMUNITY FACILITY**  
**RELOCATION CONSTRUCTION- OLIVE FIRE DISTRICT NUMBER 1, INC.**

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

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

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

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

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

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

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

**WHEREAS**, CWC Flood Hazard Mitigation Program Rules provide that a critical community facility may apply to CWC for funds to assist in a relocation, including funding for property purchase relocation, seventy-five percent of the cost of wastewater infrastructure, and local match funds required under applicable federal or state programs for other costs, including construction;

**WHEREAS**, the Town of Olive completed a local flood analysis for the hamlet of Boiceville which recommended that the Boiceville Firehouse structures occupied by Olive Fire District Number 1 be relocated outside of the floodplain; and

**WHEREAS**, on January 3, 2019, by Resolution Number 3448, the CWC Board approved the application of Olive Fire District Number 1, Inc. for purchase of land to relocate Boiceville Firehouse operations for an amount not to exceed One Hundred Fifty-Five Thousand Dollars (\$155,000.00) and further notes that the new lot is one acre larger than the existing lot, the additional acre of land is necessary to accommodate an adequately sized fire house, parking, and on-site septic system; and

**WHEREAS**, Olive Fire District Number 1, Inc. purchased vacant property on State Route 28 in the Town of Olive with the aforementioned CWC grant to relocate the Boiceville Firehouse; and

**WHEREAS**, on December 3, 2019, by Resolution No. 3661, the CWC Board of Directors approved additional funding to Olive Fire District Number 1, Inc. for construction costs associated with constructing a new Boiceville Firehouse on property acquired with CWC funds for relocating operations out of the floodplain for an amount not to exceed Five Hundred Seventy-Seven Thousand Four Hundred Dollars (\$577,400.00) contingent upon acquiring matching funds towards construction costs; and

**WHEREAS**, Olive Fire District Number 1, Inc. requested additional construction funding of Two Hundred Fifty Thousand Dollars (\$250,000.00) for total CWC funding of Eight Hundred Twenty-Seven Thousand Four Hundred Dollars (\$827,400.00) noting that their architect estimated total construction costs to be approximately One Million Seven Hundred Fifty-Two Thousand Dollars (\$1,752,000.00); and

**WHEREAS**, CWC Wastewater Committee has reviewed documentation and recommends approving additional funding in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) for total CWC construction funding of Eight Hundred Twenty-Seven Thousand Four Hundred Dollars (\$827,400.00) for construction costs associated with constructing a new Boiceville Firehouse on property acquired with CWC funds for relocating operations out of the floodplain. Contingent upon acquiring matching funds towards construction costs; and

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors approves Olive Fire District Number 1, Inc.'s application for an additional Two Hundred Fifty Thousand Dollars (\$250,000.00) for total funding of Eight Hundred Twenty-Seven Thousand Four Hundred Dollars (\$827,400.00) for construction costs associated with a new Boiceville Firehouse on property acquired with CWC funds, contingent upon acquiring matching funds towards construction costs.

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

**OLIVE FIRE DEPT NO. 1, INC- RELOCATION CONSTRUCTION  
ADDITIONAL FUNDING**

The Olive Fire Department #1 is requesting additional relocation assistance for the Boiceville Fire Company #5 for construction of a new firehouse outside of the floodplain. The relocation of the Boiceville firehouse was a top recommendation in the Local Flood Analysis (LFA) and is supported by the Town of Olive.

CWC Board previously approved funding for both relocation property purchase and separately for construction costs. Property on State Route 28 has been purchased and that grant agreement between CWC and the District is closed out. Design for the new structure is underway.

The amount of funding being requested is an additional \$250,000.00. CWC Board previously approved \$577,400.00 for construction costs, representing fifty percent of the total estimated cost of the construction of the new facility. Consistent with CWC Program Rules, funding was conditioned upon it serving as a match for other funding. The District applied to the NYSDEC Office of Climate Change for the matching funds to construct the new facility. However, this grant funding has been denied because the structure will not be owned by the Town. The districts architect now estimates construction costs to be approximately \$1,752,000.00 The District's current request of \$827,400.00 is just under one half of the revised estimated construction costs.

The CWC Wastewater Committee recommended that the CWC Board of Directors approve the request of funding in the amount of \$827,400.00. Consistent with CWC Program Rules and prior Board approval for this project, funding will remain contingent on the Olive Fire Department securing matching funds.

**Voice Vote, carried unanimously**



**FHMIP – Brinnier and Larios – Mt Tremper bridge – Additional Engineering Costs – Tab 27**

A motion to approve Resolution No. 4174 was made by Thomas Hoyt and was seconded by Joseph Cetta.

August 3, 2021

**RESOLUTION NO. 4174**

**BOARD APPROVAL OF AMENDMENT TO ENGINEERING AGREEMENT  
FOR MT. PLEASANT BRIDGE REMOVAL**

**WHEREAS**, the Catskill Watershed Corporation (CWC) is a non-profit local development program established in part to administer Watershed protections and partnership programs in the West of Hudson Watershed; and

**WHEREAS**, the “Mt. Pleasant Bridge” is a Parker pony truss bridge built in 1934 over the Esopus Creek on Mount Pleasant Road in the Mount Tremper area of the Town of Shandaken, located in Ulster County, New York (the “Property”); and

**WHEREAS**, over time the Mt. Pleasant Bridge (the “Bridge”) became dilapidated and dangerous to cross and was eventually closed off from traffic by its owner, Ulster County, and is no longer in use; and

**WHEREAS**, the removal of the Bridge is recommended in a completed flood analysis for the Mount Tremper Area; and

**WHEREAS**, on May 2, 2017, by Resolution Number 3048, the CWC Board of Directors approved a Flood Hazard Mitigation Implementation Program application by Ulster County in an amount not to exceed Nine Hundred Thousand Dollars (\$900,000.00) for the removal of the Bridge; and

**WHEREAS**, on August 1, 2017 by Resolution 3126, the CWC Board of Directors, at Ulster County’s request, approved the execution of a license agreement with Ulster County to allow CWC to serve as the project sponsor for the removal of the Bridge; and

**WHEREAS**, by Resolution 3219, on January 2, 2018 and after review of proposals, the CWC Board of Directors entering into an agreement with Brinnier and Larios, P.C. in an amount not to exceed Forty-Four Thousand Five Hundred Dollars (\$44,500.00) for engineering services for proposed removal of the Mount Pleasant Bridge (BIN 3347070) in the Town of Shandaken; and

**WHEREAS**, by Resolution 3662, on January 3, 2019, the CWC Board of Directors accepted a bid of Eight Hundred Sixty-Six Thousand Three Hundred Eighty Dollars (\$866,380) for the demolition of the Bridge and also approved an additional Forty Thousand Dollars (\$40,000.00) to Brinner and Larios, P.C. for on-site construction inspection and observation, and project closeout; and

**WHEREAS**, demolition is complete and Brinner and Larios, PC requested an additional Six Thousand One Hundred Sixty-Two Dollars and Fifty Cents (\$6,162.50) for additional engineering services including assisting the contractor and their engineer with drafting of a demolition plan, multiple additional meetings with the contractor, and additional construction observation; and

**WHEREAS**, the CWC Wastewater Committee recommends the CWC Board of Directors approve an amendment with Brinnier and Larios, PC for additional engineering services of Six Thousand One Hundred Sixty-Two Dollars and Fifty Cents (\$6,162.50) for a total agreement not to exceed Ninety Thousand Six Hundred Sixty-Two Dollars and Fifty Cents (\$90,662.50).

**NOW THEREFORE BE IT RESOLVED**, that the CWC Board of Directors authorizes the President or Executive Director an amendment to the agreement with Brinnier and Larios, P.C. for an additional Six Thousand One Hundred Sixty-Two Dollars and Fifty Cents (\$6,162.50) for a total agreement not to exceed Ninety Thousand Six Hundred Sixty-Two Dollars and Fifty Cents (\$90,662.50) for engineering services for removal of the Mount Pleasant Bridge (BIN 3347070) in the Town of Shandaken.

*Voice Vote, carried unanimously*



**CWC Insurance Premium – Tab 28**

A motion to approve Resolution No. 4175 was made by James Eisel and was seconded by Arthur Merrill.

August 3, 2021

**RESOLUTION NO. 4175**

**CWC INSURANCE PREMIUMS**

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

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

**NOW, THEREFORE BE IT RESOLVED**, the Board of Director’s approves the Executive Director to pay the insurance premiums not to exceed One Hundred Seventeen Thousand Dollars (\$117,000.00).

*Voice Vote, carried unanimously*



**CWC Headquarters Building – Emergency Propane Repairs – Tab 29**

A motion to approve Resolution No. 4176 was made by James Eisel and was seconded by Joseph Cetta.

August 3, 2021

**RESOLUTION NO. 4176**

**EMERGENCY REPAIRS FOR CWC HEADQUARTERS BUILDING**

**WHEREAS**, in 2020 the Catskill Watershed Corporation (CWC) completed construction of a new headquarters building in the Town of Middletown, Delaware County; and

**WHEREAS**, on June 16, 2021 the propane storage for heating and cooling units was not functioning and propane needed to be removed from the underground storage tank to immediately repair and correct the internal valve, liquid level gauge, spitter valve, and install a Ashcroft gauge; and

**WHEREAS**, the Executive Director of CWC has determined that the above referenced repairs and work constitute an emergency requiring immediate action and could not await competitive bidding; and

**WHEREAS**, CWC Executive Director in consultation with CWC Board officers authorized work to immediately repair and correct the internal valve, liquid level gauge, spitter valve, and install a Ashcroft gauge; and

**WHEREAS**, the repair is now complete and AMPtech Distribution Corporation who CWC requested to immediately undertake the repair because of their familiarity with the CWC headquarters propane system, submitted two invoices in the amount of Twelve Thousand Six Hundred Forty-Seven Dollars and Fifty Cents (\$12,647.50) and Four Thousand Two Hundred Seventy-Five Dollars (\$4,275.00); and

**WHEREAS**, CWC Fiscal Policies and Procedures § 3-10.02-5 provides that CWC Board may waive competitive bidding requirements where the it is unforeseen, safety of property is affected, the situation required immediate action that could not await competitive bidding, and the Board confirms the foregoing that an emergency situation exists; and

**WHEREAS**, CWC requests Board confirmation of same and approve total payment to AMPtech Distribution Corporation in the amount of Sixteen Thousand Nine Hundred Twenty-Two Dollars and Fifty Cents (\$16,922.50) for emergency repairs for the CWC Headquarters Propane System; and

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors consistent with CWC Fiscal Policies § 3-10.02-5 finds that the repair of the CWC headquarters propane system constituted an emergency requiring immediate repair and waiver of competitive bidding requirements, and authorizes total payment to AMPtech Distribution Corporation in the amount of Sixteen Thousand Nine Hundred Twenty-Two Dollars and Fifty Cents (\$16,922.50) for the emergency repairs for the CWC Headquarters Propane System.

**Voice Vote, carried unanimously**



*Tina Mole waived rule 14*

**Handout Resolution - Listing for Sale of Property in Town of Windham– Tab 30**

A motion to approve Resolution No. 4177 was made by Richard Parete and was seconded by James Eisel.

August 3, 2021

**RESOLUTION NO. 4177**

**LISTING FOR SALE OF PROPERTY IN THE TOWN OF WINDHAM**

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

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

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

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

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

**WHEREAS**, on February 2, 2016, by Resolution 2813, the CWC Board of Directors approved an application by the Town of Windham for funding for the Relocation Feasibility Study for the GNH Lumber Relocation Project; and

**WHEREAS**, by Resolutions 2892, the CWC Board of Directors approved an application by GNH Lumber for funding in the not to exceed Two Hundred Thirty-Five Thousand Dollars (\$235,000.00) for purchase of real property within the Town of Windham to relocate out of the floodplain; and

**WHEREAS**, CWC purchased such vacant property in the Town of Windham, designated as SBL 79.00-6-6 containing approximately 6.82 acres adjoining State Route 23 (the Windham Property) for possible relocation of GNH Lumber; and

**WHEREAS**, after review of the completed relocation feasibility study, GNH Lumber declined to relocate to the purchased property; and

**WHEREAS**, CWC has no use for property and CWC Executive Director recommends the property be listed for sale

**WHEREAS**, by Resolution 3959 the CWC Board of Directors authorized the Executive Director to contract with a real estate agent to list the Windham Property for sale for a period of six months and proceeds of the sale shall be returned to the CWC Flood Hazard Mitigation Implementation Program; and

**WHEREAS**, the six month contract with a real estate agent has expired without an accepted offer for the property; and

**WHEREAS**, the CWC Executive Director continues to recommend having the property continue to be listed for sale;

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors authorize the Executive Director to extend the contract with a real estate agent to list the Windham Property for sale for an additional period of six months and proceeds of the sale shall be returned to the CWC Flood Hazard Mitigation Implementation Program.

**CFF – Business Loan – KDR Self Storage, Inc – Tab 30**

A motion to approve Resolution No. 4178 was made by James Eisel and was seconded by Arthur Merrill.

August 3, 2021



**RESOLUTION NO. 4178**

**APPROVAL OF KDR SELF STORAGE INC.**

**BUSINESS LOAN**

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

**WHEREAS**, on December 6, 2011 the Board of Directors, by Resolution number 2024, approved a loan to Hidden Waters Holdings, Inc., in the amount of One Hundred Twenty-Five Thousand Dollar (\$125,000.00) to relocate its storage units and other businesses currently in a flood plain to a location outside of a flood plain to the property know as 44401 NYS Route 30, Margaretville, NY; and

**WHEREAS**, on April 2, 2013 the Board of Directors, by Resolution number 2273, approved a loan to Hidden Waters Holdings, Inc., in the amount of Fifty-Five Thousand Dollars (\$55,000.00) to expand their storage business located at the property know as 44401 NYS Route 30, Margaretville, NY; and

**WHEREAS**, on January 6, 2015 the Board of Directors, by Resolution number 2616, approved a loan modification to Hidden Waters Holdings, Inc. by approximately Fifty Thousand Dollars (\$50,000.00) for a total loan amount not to exceed Two Hundred Sixteen Thousand (\$216,000.00) to further expand their storage business located at the property know as 44401 NYS Route 30, Margaretville, NY; and

**WHEREAS**, on April 4, 2017 the Board of Directors, by Resolution number 3036, approved the removal of the 1,800 square foot building that housed the office and shop and replace it with a 4,000 square foot building that will house the office and provide additional storage units; and

**WHEREAS**, KDR Self Storage Inc. has applied for a Five Hundred Fifty-Five Thousand Five Hundred Fifty-Five Dollars (\$555,555.00) loan for a term of fifteen (15) years, with an amortization of twenty (20) years, at a rate of four percent (4.0%), adjustable every five (5) years to the CWC rate in effect at that time, such that the outstanding principal is fully paid on the last payment date, for the purpose of, refinancing existing debt, real estate improvements, purchase storage units, purchase furniture, fixtures and equipment and for soft costs associated with the property known as, 520 County Route 3, Margaretville, NY; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for KDR Self Storage Inc.; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for KDR Self Storage Inc.; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from KDR Self Storage Inc.; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from KDR Self Storage Inc.; waiving Rule 1:05:02 Participating Lender requirement; and

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines KDR Self Storage Inc. application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of a Five Hundred Fifty-Five Thousand Five Hundred Fifty-Five Dollars (\$555,555.00) for a term of fifteen (15) years, with an amortization of twenty (20) years, at a rate of four percent (4.0%), adjustable every five (5) years to the CWC rate in effect at that time, such that the outstanding principal is fully paid on the last payment date, for the purpose of, refinancing existing debt, real estate improvements, purchase storage units, purchase furniture, fixtures and equipment and for soft costs associated with the property known as, 520 County Route 3, Margaretville, NY; and

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

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

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

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

**Purpose: To review the CWC Loan Application of KDR Self Storage Inc.**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to KDR Self Storage Inc. located in the Town Of Middletown. Evaluation is based on the Evaluation Criteria established in the Catskill Fund for the Future Program Rules, approved on August 22, 2001 by the CWC Board of Directors.

1. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 520 County Route 3, Margaretville, NY owned by KDR Self Storage Inc., is presently in compliance with all applicable environmental statutes and regulations.
2. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property referenced above, 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) KDR Self Storage Inc. will refinance existing debt, complete real estate improvements, purchase storage unite, furniture, fixtures and equipment and use soft costs associated with the property known as, 520 County Route 3, Margaretville, NY.

- (ii) The project is located in the Town of Middletown.
  - (iii) Not applicable
  - (iv) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (v) 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 Middletown.
- (i) The project is consistent with current zoning.
  - (ii) The project is compatible with surrounding land uses.
  - (iii) The project will not generate excessive traffic.
  - (iv) The project as described is of such magnitude that it does not appear likely to promote secondary growth and therefore requires not additional review of land use plans or infrastructure.
4. The project is consistent with the West of Hudson Economic Development Study, which has been completed.
5. Not applicable.

**Voice Vote, carried unanimously**



**CFF Business Loan – Maneates Enterprises, LLC – Tab 31**

A motion to table Resolution No. 4179 was made by James Sofranko and was second by James Eisel.

August 3, 2021

**RESOLUTION NO. 4179**

**APPROVAL OF MANEATES ENTERPRISES, LLC.**

**BUSINESS LOAN**

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

**WHEREAS**, Maneates Enterprises, LLC. has applied for a Three Hundred Eighty-Five Thousand Dollar (\$385,000.00) loan for a term of fifteen (15) years, with an amortization of twenty (20) years, at a rate of four percent (4.0%), adjustable every five (5) years to the CWC rate in effect at that time, such that the outstanding principal is fully paid on the last payment date, for the purpose of, real estate improvements, furniture, fixture, equipment, real estate taxes, advertising, working capital and soft costs associated with the property known as 1807 Federal Hill Road, Delhi, NY; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Maneates Enterprises, LLC.; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Maneates Enterprises, LLC.; and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Maneates Enterprises, LLC. and

**WHEREAS**, the CWC Loan Committee has recommended approval of the CWC Loan application from Maneates Enterprises, LLC.; waiving Rule 1:05:02 Participating Lender requirement; and

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board determines Maneates Enterprises, LLC. application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of a Three Hundred Eighty-Five Thousand Dollars (\$385,000.00) for a term of fifteen (15) years, with an amortization of twenty (20) years, at a rate of four percent (4.0%), adjustable every five (5) years to the CWC rate in effect at that time, such that the outstanding principal is fully paid on the last payment date, for the purpose of, real estate improvements, furniture, fixture, equipment, real estate taxes, advertising, working capital and soft costs associated with the property known as 1807 Federal Hill Road, Delhi, NY; and

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

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

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

**QEDP Evaluation and CWC Staff Recommendation**

**Purpose: To review the CWC Loan Application of Maneates Enterprises, LLC.**

The Executive Director of the CWC makes the following evaluation concerning a REDI Fund Loan to Maneates Enterprises, LLC. located in the Town of Delhi. 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 property at 1807 Federal Hill Road, Delhi, NY owned by Maneates Enterprises, LLC., is 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 property referenced above, is 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) Maneates Enterprises, LLC. will complete real estate improvements, purchase furniture, fixtures and equipment, pay real estate taxes, advertising and use working capital and soft costs associated with the property known as, 1807 Federal Hill Road, Delhi, NY.
  - (vii) The project is located in the Town of Delhi.
  - (viii) The project will utilize a septic system.
  - (ix) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (x) 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.
  - (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.

**The Board unanimously voted to table the Resolution until the status of approvals is confirmed with the Town of Delhi, including zoning and building code approvals for the change of use.**



**VIII. Announcements from the Chair:**

**IX. Board Member Discussion:**

**X. Adjourned 12:28**