

**CATSKILL WATERSHED CORPORATION**

**Board of Directors Meeting**

**MINUTES**

**April 2, 2024**

**I. Call to Order at 2:32 PM at the Catskill Watershed Corporation**

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

**III. Roll Call of Directors**

**Members Present:** Tina Molé, George Haynes Jr., Alicia Terry, Joseph Cetta, Allen Hinkley, James Sofranko, Dave Warne, Innes Kasanof, Richard Parete, Arthur Merrill, Christopher Mathews, and Thomas Hoyt

**\*Members Present Via Zoom:**

**Members Excused:** Jeffrey Senterman

**Staff Members Present:** Timothy Cox, Jason Merwin, Jim Martin, Donald Brown, Sonia Martinez, Barbara Puglisi, Jessica Fiedler, Samantha Costa, Lynn Kavanagh, James Martin II

**Others Present:** Aaron Bennett (NYCDEP), Mike Myers (NYCDEP), Gerson Tavarez (NYCDEP), Heidi Haynes (NYCDEP), Michael Maloney (NYSDOH), Patrick Palmer (NYSDOH), Nick Sadler (NYCDEP), Matt Gianetta (NYCDEP), Heidi Emrich (Ulster County Department of Environment), Pauline Wanjugi (NYSDOH)

**Others Present Via Zoom:** Morgan Tarbell (NYSDOH), Lisa Melville (DOS)

**IV. Review and Approval of March 5, 2024, Board Minutes**

A motion to approve the Board Minutes to stand as submitted was made by Tina Molé.

*Voice Vote carried unanimously.*

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**V. Presentation of Communications**

**Finance Report**

A motion to approve the financial reports as of January 31, 2024, was made by Arthur Merrill and seconded by Joseph Cetta.

*Voice Vote, carried unanimously.*

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**Executive Director's Report**

**Committee Schedule**

**Committee Meeting Minutes**

Committee minutes were received and approved.

**VI. Public Discussion**

## VII. Presentation of Resolutions

A motion to approve Tab 6 to Tab 8, Resolution No. 5205 to Resolution No. 5207 was made by Richard Parete and seconded by Allen Hinkley.

### Septic Over \$25,000 – Carol Bovee – Tab 6

April 2, 2024

#### RESOLUTION NO. 5205

#### BOARD APPROVAL OF SEPTIC CONSTRUCTION ESTIMATE OVER \$25,000: CAROL BOVEE

**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 Three Hundred Fifty-Nine Dollars (\$27,359.00); 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 eligible amount of the system to be Twenty-Seven Thousand Three Hundred Fifty-Nine Dollars (\$27,359.00) in accordance with the schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the reimbursement of Twenty-Seven Thousand Three Hundred Fifty-Nine Dollars (\$27,359.00) 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 Three Hundred Fifty-Nine Dollars (\$27,359.00).

#### Carol Bovee Backup

Address: 3012 County Route 18, Delhi, NY 13753

Town: Delhi

Bedrooms: 3

Engineer: Benjamin Dates P.E.

Contractor: Delaware Bulldozing Corporation

Sign in date: 10/12/22

Design Application received by DEP: 11/6/23

Design Application deemed complete: 11/14/23

Date Recommended for DEP Design Approval: 12/6/23

2 year deadline: 10/12/24

Homeowner and CWC staff received a quote from a contractor in the amount of \$27,359.00. Major components of this system include a 1,000-gallon septic tank, 92 linear feet of gravity pipe, one distribution box, 250 linear feet of Presby pipe, 35 cubic yards of C-33 sand, 175 linear feet of vent pipe and site restoration. The quote is within 10% of the estimated cost of construction. The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to exceed \$27,359.00.

Voice Vote, *carried unanimously.*

**Septic Over \$25,000 – Charles Myzwinski – Tab 7**

April 2, 2024

**RESOLUTION NO. 5206**

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

**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 three construction quotes, including the lowest quote for the septic system repair in the amount of Eighty-Five Thousand Five Hundred Dollars (\$85,500.00); 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 Eighty-Five Thousand Five Hundred Dollars (\$85,500.00) to be a reasonable cost for this system in accordance with our schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the reimbursement of Eighty-Five Thousand Five Hundred Dollars (\$85,500.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement for a total not-to-exceed amount of Eighty-Five Thousand Five Hundred Dollars (\$85,500.00).

**Charles Myzwinski Backup**

Address: 250 Lower Highland Circle Road, Roxbury, NY 12474

Town: Roxbury

Bedrooms: 4

Engineer: John Bolger P.E.

Contractor: Four Season Landscaping

Sign In Date: 4/4/22

Design Application Received By DEP: 9/5/23

Design Application Deemed Complete: 9/12/23

Date Recommended For DEP Design Approval: 1/25/24

Homeowner and CWC staff received three quotes from unrelated contractors for \$85,500.00, \$86,135.00, and \$87,400.00. Major components of this system include a 1,250-gallon septic tank, a siphon chamber, 105 linear feet of gravity pipe, an effluent filter, 575 cubic yards of absorption fill material, 325 linear feet of absorption trench, 125 linear feet of curtain drain, 35 linear feet of curtain drain outlet pipe, 190 linear feet of access road, additional material for access road, remove 30 trees and brush, set tanks with a large excavator, bucket material, and site restoration. The lowest quote is within 10% of the estimated cost for construction. The Septic Committee recommends that the CWC Board of Directors approve reimbursement in an amount not to exceed \$85,500.00.

Voice Vote, *carried unanimously.*



**Septic Over \$25,000 – Tammy Tweedie – Tab 8**

April 2, 2024

**RESOLUTION NO. 5207**

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

**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-Eight Thousand Five Hundred Ninety Dollars (\$28,590.00); 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 eligible amount of the system to be Twenty-Eight Thousand Five Hundred Ninety Dollars (\$28,590.00) in accordance with the schedule of values; and

**WHEREAS**, the Septic Committee has reviewed the documentation and recommend approving the reimbursement of Twenty-Eight Thousand Five Hundred Ninety Dollars (\$28,590.00) as it is in substantial agreement with our schedule of values.

**NOW, THEREFORE LET IT BE RESOLVED**, that the CWC Board of Directors approves the eligible cost of this system for reimbursement to be the total not-to-exceed amount of Twenty-Eight Thousand Five Hundred Ninety Dollars (\$28,590.00).

**Tammy Tweedie Backup**

Address: 1678 Fish Hollow Road, Walton, NY 13856

Town: Hamden

Bedrooms: 2

Engineer: Steele Brook Engineering

Contractor: Ben Reynolds Construction Company

Sign in date: 7/29/22

Design Application received by DEP: 6/15/23

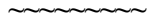
Design Application deemed complete: 7/12/23

Date Recommended for DEP Design Approval: 7/12/23

2 year deadline: 7/29/24

Homeowner and CWC staff received a quote from a contractor in the amount of \$28,590.00. Major components of this system include a 1,000-gallon septic tank, 110 linear feet of gravity pipe, an effluent filter, one distribution box, 170 cubic yards of absorption fill material, 120 linear feet of absorption trench, 85 linear feet of improved swale, set tanks with a large excavator, and site restoration. The quote is within 10% of the estimated cost of construction. The Septic Committee recommends that the CWC Board approve reimbursement in an amount not to exceed \$28,590.00.

*Voice Vote, carried unanimously.*



A motion to approve Tab 9 to Tab 10, Resolution No. 5208 to Resolution No. 5209 was made by James Sofranko and seconded by Allen Hinkley.

**Septic Over \$25,000 – Additional Cost -Fred Galuska – Tab 9**

April 2, 2024

**RESOLUTION NO. 5208**

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

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

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

**WHEREAS**, on February 6, 2024, by Resolution Number 5152, the CWC Board approved reimbursement to Fred Galuska in an amount not to exceed Twenty-Seven Thousand Seven Hundred Ninety-Five Dollars (\$27,795.00); 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 Six Hundred Thirty Dollars (\$2,630.00); 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 Six Hundred Thirty Dollars (\$2,630.00); and

**WHEREAS**, CWC staff have determined that Thirty Thousand Four Hundred Twenty-Five Dollars (\$30,425.00) 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 Thousand Four Hundred Twenty-Five Dollars (\$30,425.00) 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-Thousand Four Hundred Twenty-Five Dollars (\$30,425.00).

**Fred Galuska Backup**

Address: 70 Boyce Road, Glenford, NY 12433

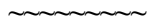
Town: Hurley

Engineer: Christopher DiChiaro P.E.

Contractor: Mammoth Excavation

This project was previously approved for \$27,795.00. More than one pipe was discovered exiting the house while excavating for the new septic tank. One pipe was under a shed and partially collapsed. The contractor took up the floor of the shed and dug by hand, back to the house foundation. A buried gutter drain had to be re-routed around the new system. The contractor has requested \$2,630.00 for the added work. This amount appears to be reasonable and justified. The total project cost will be \$30,425.00. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Fred Galuska in the amount not to exceed \$2,630.00 for additional costs to build his septic system.

*Voice Vote, carried unanimously.*



**Septic Over \$25,000 – Expanded - Additional Cost – Brothers Halal Meat Packing LLC – Tab 10**

April 2, 2024

**RESOLUTION NO. 5209**

**BOARD APPROVAL OF ADDITIONAL FUNDS FOR SEPTIC CONSTRUCTION OVER \$25,000:  
BROTHERS HALAL MEAT PACKING LLC  
EXPANDED SEPTIC PROGRAM**

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

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

**WHEREAS**, the CWC Board previously approved reimbursement to Brothers Halal Meat Packing, LLC in an amount not to exceed Twenty Thousand Forty-Two Dollars and Eighty-Three Cents (\$20,042.83);

**WHEREAS**, on October 3, 2023, by Resolution Number 5033, the CWC Board approved additional reimbursement to Brothers Halal Meat Packing, LLC in an amount not to exceed Seventy-Four Thousand Two Hundred Thirty Dollars and Ninety-Nine Cents (\$74,230.99) ; and

**WHEREAS**, CWC staff has reviewed an additional construction invoice of costs incurred submitted by the property owner for the septic system repair in the amount of Nineteen Thousand One Hundred Forty-Three Dollars and Fifty Cents (\$19,143.50); 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 Ninety-Three Thousand Three Hundred Seventy-Four Dollars and Forty-Nine Cents (\$93,374.49) 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 Ninety-Three Thousand Three Hundred Seventy-Four Dollars and Forty-Nine Cents (\$93,374.49) 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 Ninety-Three Thousand Three Hundred Seventy-Four Dollars and Forty-Nine Cents (\$93,374.49).

**Brothers Halal Meat Packing LLC Backup**

Expanded Septic Program  
Property Owner: Mohammad Abdalrahman  
Address: 56 Railroad Ave., Stamford, NY 12167  
Town: Harpersfield  
Engineer: Steele Brook Engineering  
Contractor: Lasting Impression Landscaping & Excavation

This project was previously approved for \$74,230.99. The contractor had to install 125 linear feet of access road due to wet conditions during construction. A buried culvert was discovered that had to be extended and re-routed. Drainage was extended around the new absorption field. The contractor had to excavate to a depth of 16-18 feet for the line to the distribution box. Material excavated was too rocky to use for backfill. 120 cubic yards of random fill material was brought to the site to cover the pipe. The contractor has requested \$19,143.50 for the added work. This amount appears to be reasonable and justified. The total project cost will be \$93,374.49. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Brothers Halal Meatpacking, LLC in the amount not to exceed \$19,143.50 for additional costs to build their septic system.

**Voice Vote, carried unanimously.**



A motion was made to approve Tab 11 to Tab 15, Resolution No. 5210 to Resolution No. 5214 was made by Thomas Hoyt and seconded by Innes Kasanof.



April 2, 2024

**RESOLUTION NO. 5210**

**BOARD APPROVAL OF MOA SEPTIC PROGRAM SECOND TIME REPAIR ELIGIBILITY  
RANDY HULSE**

**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, Randy Hulse, requested eligibility under the MOA Septic Program for a second time repair funding for their 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

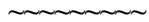
**WHEREAS**, the Septic Committee has reviewed the documentation and recommend the CWC Board approve the Applicant’s eligibility for a second time repair funding from MOA Septic Program.

**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.

**Randy Hulse Backup**

Mr. Hulse’s residence is in the Town of Walton, Section, Block and Lot number 272-2-14. His septic system was paid for in 2005 under the Priority 3 Program. Orangeburg pipe from the house to the tank has collapsed and needs replacing. The septic tank was pumped out in 2009, 2015 and 2022. The Committee recommended that a resolution be brought before the Board of Directors to approve Randy Hulse for a second time repair.

**Voice Vote, carried unanimously.**



April 2, 2024

**RESOLUTION NO. 5211**

**BOARD APPROVAL OF MOA SEPTIC PROGRAM SECOND TIME REPAIR ELIGIBILITY  
JONATHAN LICURSE**

**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, Jonathan Licurse, requested eligibility under the MOA Septic Program for a second time repair funding for their 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.

**Jonathan Licurse Backup**

The property is located in the Town of Windham SBL: 114.00-1-14. This project was paid for in 2013 under our Septic Hardship Program. The pump has stopped working causing sewage to back up into the house. The pump has since been replaced and is functioning again. The homeowner had a pump out done in 2024. The Committee recommended that a resolution be brought before the Board of Directors to approve Jonathan Licurse for a second time repair.

*Voice Vote, carried unanimously.*



**Septic Over \$25,000 – Second Time Repair – Martin Liddle – Tab 13**

April 2, 2024

**RESOLUTION NO. 5212**

**BOARD APPROVAL OF MOA SEPTIC PROGRAM SECOND TIME REPAIR ELIGIBILITY**  
**MARTIN LIDDLE**

**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, Martin Liddle, requested eligibility under the MOA Septic Program for a second time repair funding for their 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.

**Martin Liddle Backup**

The property is located in the Town of Andes SBL: 324-1-1. This project was paid for in 2001 under our Coordinator Program. The homeowner is having issues with the pump chamber, the float rack and other components are heavily corroded. The pump stops working at times causing effluent to seep into the junction box which is causing electrical issues. The homeowner had pump outs done in 2012, 2016, 2019, and 2022. The Committee recommended that a resolution be brought before the Board of Directors to approve Martin Liddle for a second time repair.

Voice Vote, *carried unanimously.*



**Septic Over \$25,000 – Second Time Repair – Gary Skidmore – Tab 14**

April 2, 2024

**RESOLUTION NO. 5213**

**BOARD APPROVAL OF MOA SEPTIC PROGRAM SECOND TIME REPAIR ELIGIBILITY**  
**GARY SKIDMORE**

**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, Gary Skidmore, requested eligibility under the MOA Septic Program for a second time repair funding for their 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.

**Gary Skidmore Backup**

The property is located in the Town of Neversink SBL: 40-1-21.38. This project was paid for in 2000 under our Coordinator Program. There are excessive amounts of water coming off the hill above the homeowner leach field, this is causing effluent to seep out of the taper of the leach field. The pump chamber also runs constantly, and you can hear water infiltrating. The homeowner had pump outs done in 2004, 2013, and 2021. The Committee recommended that a resolution be brought before the Board of Directors to approve Gary Skidmore for a second time repair.

*Voice Vote, carried unanimously.*



**Septic Over \$25,000 – Second Time Repair – Christopher Tyler – Tab 15**

April 2, 2024

**RESOLUTION NO. 5214**

**BOARD APPROVAL OF MOA SEPTIC PROGRAM SECOND TIME REPAIR ELIGIBILITY  
CHRISTOPHER TYLER**

**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, Christopher Tyler, requested eligibility under the MOA Septic Program for a second time repair funding for their 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.

**Christopher Tyler Backup**

The property is located in the Town of Olive in the managed area of Shokan SBL: 37.18-3-33. This project was paid for in 2004 under our Priority 1A Program. The pump has stopped working. It has since been replaced and everything is functioning again. The homeowner had a pump out done in 2013. The Committee recommended that a resolution be brought before the Board of Directors to approve Christopher Tyler for a second time repair.

*Voice Vote, carried unanimously.*

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A motion to approve Tab 16, Resolution No. 5215 was denied.

**Septic Appeal – Mark Pezzati – Tab 16**

April 2, 2024

**RESOLUTION NO. 5215**

**MOA SEPTIC PROGRAM APPEAL – MARK PEZZATI**

**WHEREAS**, the Catskill Watershed Corporation (“CWC”) established and administers the Septic Rehabilitation and Replacement Program (“MOA Septic Program”) to replace or repair eligible septic systems, serving residences in the New York City Watershed West of the Hudson River; and

**WHEREAS**, the CWC staff reviewed a request for reimbursement from Mark Pezzati for septic system reimbursement, in the Town of Andes, Delaware County, under the CWC MOA Septic Program; and

**WHEREAS**, CWC staff reviewed the application and determined the application and determined that costs for additional soil tests higher than the CWC Schedule of Values were ineligible; and

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

**WHEREAS**, Mark Pezzati timely submitted a letter appealing the determination of partial reimbursement; and

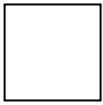
**WHEREAS**, the MOA Septic Program rules provides that the CWC Board of Directors may reverse the decision to deny reimbursement in whole or in part in the following instances:

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

**WHEREAS**, CWC Septic Committee will review and recommend action on this appeal at their next scheduled meeting on March 5, 2024.

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

Denies the Appeal



Grants the Appeal

**Mark Pezzati**

Address: 583 Rich Road

Town: Andes

Mr. Pezzati is appealing the denial of reimbursement of \$1,000.00 for soil tests for a replacement septic system on his property. The CWC Schedule of Values sets the reimbursement rate for soil tests at \$425.00. Mr. Pezzati’s contractor charged \$1,000 for soil tests. Mr. Pezzati requested the full amount be paid for three soil tests, stating he was unaware of the CWC Schedule of Values. His appeal letter is attached.

***Voice Vote, denied unanimously.***

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A motion to approve Tab 17, Resolution No. 5216 was made by Thomas Hoyt and seconded by Christopher Mathews.

**MOA Septic Program Rules Amendment – Tab 17**

April 2, 2024

**RESOLUTION NO. 5216**

**MOA SEPTIC PROGRAM RULE CHANGE**

**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 and implement the Septic Program consistent with the terms of said contract and CWC’s Septic Program Rules; and

**WHEREAS**, the MOA Septic Program is limited to existing residences and requires the property owner, and not CWC, to hire engineer and contractor to complete a repair or replacement of an eligible septic system; and

**WHEREAS**, the CWC Septic Committee recommends that the MOA Septic Program Rules be revised to provide that the definition of residence continue to be limited to structures constructed not less than twenty (20) years from the date of application, and consistent with the 2018 New York City Watershed Regulation Revisions, used as a residence within five (5) years of the date of application; and

**WHEREAS**, the CWC Septic Committee further recommends that the MOA Septic Program Rules be revised to provide that to be eligible for reimbursement, the applicant engineer must complete and submit a checklist created by CWC staff; and

**WHEREAS**, the CWC Septic Committee further recommends that the MOA Septic Program Rules be revised to require CWC Board approval for septic reimbursements over \$30,000 and to require quotes from three unrelated contractors for reimbursements over \$35,000.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board approves the attached amendment of Article 2A of the CWC Septic Program Rules as described in Attachment A to provide for revised definition of residence, checklists for engineers, and require Board approval of septic reimbursements of \$30,000 or greater.

**Voice Vote, carried unanimously.**



A motion to approve Tab 18, Resolution No. 5217 was made by Innes Kasanof and seconded by Thomas Hoyt.

**Expanded Septic Program Rules Amendment – Tab 18**

April 2, 2024

**RESOLUTION NO. 5217**

**APPROVAL OF EXPANDED SEPTIC PROGRAM RULES  
AMENDMENT REIMBURSEMENT REQUIRING CWC BOARD APPROVAL**

**WHEREAS**, pursuant to Paragraph 124 of the 1997 New York City Watershed Memorandum of Agreement, (Watershed MOA), New York City Department of Environmental Protection (DEP) provided funds for CWC’s implementation and management of a septic rehabilitation and replacement septic program (the “Septic System Rehabilitations and Replacements Program”), to repair or replace failing or reasonably likely to fail septic systems serving single family or two family residences, including mixed use commercial with no more than two residential units, and only for such septic systems with less than 1,000 gallons per day design flow in the West of Hudson Watershed (the MOA Septic Program); and

**WHEREAS**, pursuant to the 2007 EPA Filtration Avoidance Determination (2007-2012) (2007 FAD), DEP provided funds for CWC’s continued implementation of the MOA Septic Program, as well as the establishment of a program to reimburse the repair or replacement of failed septic systems serving certain small businesses (Small Business Program), in the West of Hudson Watershed; and

**WHEREAS**, pursuant to Resolution 3482 the CWC Board of Directors approved the Septic V Program Agreement that provided funding for the Expanded Septic Program for the repair or replacement of septic systems serving small businesses, not for profit organizations, or governmental entities; and

**WHEREAS**, by Resolution 3613, the CWC Board of Directors approved the Expanded Septic Program Rules for the orderly administration of that program; and

**WHEREAS**, the CWC Septic Committee recommends that the Expanded Septic Program Rules be revised to provide that to be eligible for reimbursement, the applicant engineer must complete and submit a checklist created by CWC staff; and

**WHEREAS**, the CWC Septic Committee recommends the CWC Board of Directors approve the attached amendment to the CWC Expanded Septic Program to provide for Board approval of reimbursements greater than \$30,000.

**NOW, THEREFORE, BE IT RESOLVED**, the CWC Board of Directors approves amendment to the CWC Expanded Septic Program Rules as shown in **Attachment A.**

**Voice Vote, carried unanimously.**



A motion to approve Tab 19, Resolution No. 5218 was made by Joseph Cetta and seconded by Arthur Merrill.



April 2, 2024

**RESOLUTION NO. 5218**

**BOARD REVIEW OF  
CWC FUTURE STORMWATER PROGRAM APPLICATION FOR  
CLARK COMPANIES STORMWATER CONTROLS**

**WHEREAS**, Section 128(c)(i) of the 1997 New York City Watershed Memorandum of Agreement (MOA) directs the Catskill Watershed Corporation (“CWC”) to establish a program to pay for the reasonable and proper cost to design, implement, permit, construct and maintain new stormwater measures pursuant to stormwater pollution prevention plans required by the 18-39(b)(3) and 18-39(e) of the watershed regulations; and

**WHEREAS**, the CWC in consultation with New York City Department of Environmental Protection (NYCDEP) established the Future Stormwater Program (Program) that provides for reimbursement or voucher for eligible stormwater projects; and

**WHEREAS**, the Future Stormwater Program Rules require that each application, with all documentation and staff recommendations shall be presented to the Board of Directors for approval of funding; and

**WHEREAS**, Clark Companies, has applied to the CWC Future Stormwater Program for one-half of 50% reimbursement of eligible design and construction costs for stormwater controls for a new facility in the amount of One Hundred Forty-Five Thousand Seven Hundred and Forty-Four Dollars (\$145,744.00); and

**WHEREAS**, the Future Stormwater/MOA 145 Program Rules require that the CWC Board of Directors shall review and approve each application, with attached documentation and staff recommendations; and

**WHEREAS**, CWC staff recommended reimbursement from CWC Future Stormwater Programs of eligible stormwater costs for an amount of One Hundred Forty-Five Thousand Seven Hundred and Forty-Four Dollars (\$145,744.00); and

**WHEREAS**, the CWC Wastewater/Stormwater Committee recommends that the applications be approved by the CWC Board of Directors.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the staff recommendation and supporting documentation and approves reimbursement from the Future Stormwater Program in the total not-to-exceed amount of One Hundred Forty-Five Thousand Seven Hundred and Forty-Four Dollars (\$145,744.00); for design and construction costs of stormwater controls for a new facility in Delhi.

**Clark Companies Phoebe Lane Facility**

**Program:** FSW/MOA-145

**Address:** 208 Phoebe Lane, Delhi

**Engineer:** Headwaters Engineering

**Contractor:** Clark Companies

**Project Description:**

On February 28, 2024, NYC DEP approved a Stormwater Pollution Prevention Plan (SWPPP) for



Clark Companies who is constructing a new office building, garage, and pole barn on an undisturbed land parcel located at 208 Phoebe Lane in Delhi, New York. The project will disturb over 10 acres requiring NYC DEP review and approval of a Stormwater Pollution Prevention Plan (SWPPP) to meet Watershed Regulations. In addition, a SWPPP is required for coverage under the NYS DEC General Permit for Stormwater Discharges from Construction Activities.

Of the 10 acres of disturbance, the construction of the buildings, asphalt parking and concrete walkways will add ~3.5 acres of impervious surfaces to the site. Stormwater controls include erosion and sediment controls, two bioretention basins, a dry extended detention pond, grass lined swales, numerous level spreaders to vegetated filter strips, gravel diaphragms, seven culverts, eight storm sewers and associated stormwater piping.

Clark Companies submitted an application on February 14, 2024, representing estimated design and construction costs of implementing a SWPPP which totaled to \$506,937. CWC added a 15% contingency to the estimate bringing the total to \$582,977. The applicant has elected for 50% reimbursement of the eligible amount or \$291,488. Clark Companies is a small business therefore half of 50% of the costs will come from the CWC Future Stormwater Program and half of 50% from the MOA 145 Program, or \$145,744 from each program.

The CWC recommends reimbursement of up to \$145,744 from the Future Stormwater Program and \$145,744 from the MOA-145 Program to Clark Companies for the design and construction of implementing a SWPPP required by NYC Watershed Regulations and NYS General Permit.

**Recommended Future Stormwater Funding Request not to exceed \$145,744**  
**Recommended MOA-145 Funding Request not to exceed \$145,744**

*Voice Vote, carried unanimously.*

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A motion to approve Tab 20, Resolution No. 5219 was made by Arthur Merrill and seconded by Joseph Cetta.

**MOA 145 – Design & Construction – Clark Companies – Tab 20**

April 2, 2024

**RESOLUTION NO. 5219**

**BOARD REVIEW OF**  
**CWC MOA 145 PROGRAM APPLICATION FOR**  
**CLARK COMPANIES STORMWATER CONTROLS**

**WHEREAS**, Section 128(c)(i) of the 1997 New York City Watershed Memorandum of Agreement (MOA) directs the Catskill Watershed Corporation (“CWC”) to establish a program to pay for the reasonable and proper cost to design, implement, permit, construct and maintain new stormwater measures pursuant to stormwater pollution prevention plans required by the 18-39(b)(3) and 18-39(e) of the watershed regulations; and

**WHEREAS**, Section 145(ii) of the Watershed MOA and the West of Hudson Future Stormwater Program Rules provides for payment of eligible project costs required solely by the New York City Department of Environmental Protection (“NYCDEP”) and not otherwise required by State or federal law NYCDEP will fund 50% of the incremental costs of stormwater measures required solely by the Watershed Regulations for a small businesses as defined as resident in New York State, independently owned and operated, and employ one hundred (100) or less individuals; and

**WHEREAS**, by Resolution Number 3261, the CWC Board of Directors approved an agreement with NYCDEP for funding for CWC to enable CWC to administer the MOA 145 Stormwater Program for NYCDEP; and

**WHEREAS**, Clark Companies, has applied to the CWC MOA 145 Program for one-half of 50% reimbursement of eligible design and construction costs for stormwater controls for a new facility in the amount of One Hundred Forty-Five Thousand Seven Hundred and Forty-Four Dollars (\$145,744); and

**WHEREAS**, the Future Stormwater/MOA 145 Program Rules require that the CWC Board of Directors shall review and approve each application, with attached documentation and staff recommendations; and

**WHEREAS**, CWC staff recommended reimbursement from the MOA 145 Program of eligible stormwater costs for an amount not-to-exceed One Hundred Forty-Five Thousand Seven Hundred and Forty-Four Dollars (\$145,744); and

**WHEREAS**, the CWC Wastewater/Stormwater Committee recommends that the application be approved by the CWC Board of Directors.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the CWC Board of Directors has reviewed the staff recommendation and supporting documentation and approves reimbursement from the MOA 145 Program in the total not-to-exceed amount of One Hundred Forty-Five Thousand Seven Hundred and Forty-Four Dollars (\$145,744.00); for design and construction costs of stormwater controls for a new facility in Delhi.

**Clark Companies Phoebe Lane Facility**

**Program:** FSW/MOA-145

**Address:** 208 Phoebe Lane, Delhi

**Engineer:** Headwaters Engineering

**Contractor:** Clark Companies

**Project Description:**

On February 28, 2024, NYC DEP approved a Stormwater Pollution Prevention Plan (SWPPP) for Clark Companies who is constructing a new office building, garage, and pole barn on an undisturbed land parcel located at 208 Phoebe Lane in Delhi, New York. The project will disturb over 10 acres requiring NYC DEP review and approval of a Stormwater Pollution Prevention Plan (SWPPP) to meet Watershed Regulations. In addition, a SWPPP is required for coverage under the NYS DEC General Permit for Stormwater Discharges from Construction Activities.

Of the 10 acres of disturbance, the construction of the buildings, asphalt parking and concrete walkways will add ~3.5 acres of impervious surfaces to the site. Stormwater controls include erosion and sediment controls, two bioretention basins, a dry extended detention pond, grass lined swales, numerous level spreaders to vegetated filter strips, gravel diaphragms, seven culverts, eight storm sewers and associated stormwater piping.

Clark Companies submitted an application on February 14, 2024, representing estimated design and construction costs of implementing a SWPPP which totaled to \$506,937. CWC added a 15% contingency to the estimate bringing the total to \$582,977. The applicant has elected for 50% reimbursement of the eligible amount or \$291,488. Clark Companies is a small business therefore half of 50% of the costs will come from the CWC Future Stormwater Program and half of 50% from the MOA 145 Program, or \$145,744 from each program.

The CWC recommends reimbursement of up to \$145,744 from the Future Stormwater Program and \$145,744 from the MOA-145 Program to Clark Companies for the design and construction of implementing a SWPPP required by NYC Watershed Regulations and NYS General Permit.

**Recommended Future Stormwater Funding Request not to exceed \$145,744**

*Voice Vote, carried unanimously.*



A motion to approve Tab 21, Resolution No. 5220 was made by Innes Kasanof and seconded by James Sofranko.

**FHMIP – Construction – Greene County Highway Department – Tab 21**

April 2, 2024

**RESOLUTION NO. 5220**

**CWC REVIEW OF FLOOD HAZARD MITIGATION PROGRAM APPLICATION  
BROWNELL CREEK CULVERT (HALCOTT) – CONSTRUCTION COSTS**

**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 Halcott completed a local flood analysis for the hamlet of Halcott Center which recommended replacing the Brownell Creek Culvert on County Route 1 to allow uninterrupted access to Halcott during flood events; and

**WHEREAS**, by Resolution 4450, the CWC Board of Directors approved funding for the flood mitigation design costs for the replacement of a culvert on County Rt. 1 in the Town of Halcott by Greene County Highway Department in an amount not to exceed Fifty-Seven Thousand Five Hundred Dollars (\$57,500.00).

**WHEREAS**, Greene County Highway Department submitted an application for construction funding for replacement of a Brownell Creek culvert on County Route 1 with an estimated costs of One Million Fifty-Seven Thousand Dollars (\$1,057,000.00), including contingency with a local match of Three Hundred Thousand Dollars (\$300,000.00) to be provided by Greene County; and

**WHEREAS**, the CWC Wastewater Committee recommended that the CWC Board of Directors approve Greene County Highway Department’s application in an amount not to exceed One Million Fifty-Seven Thousand Dollars (\$1,057,000.00) for the cost of construction of replacement of the Brownell Creek Culvert on County Route 1.

**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 Greene County Highway Department in an amount not to exceed One Million Fifty-Seven Thousand Dollars (\$1,057,000.00) for the cost of construction of replacement of the Brownell Creek Culvert on County Route 1.

**Flood Hazard Mitigation Implementation Program**  
**Brownell Creek Culvert Replacement**

Greene County Highway Department is requesting funding to replace the County Rt. 1 culvert on the Brownell Creek in the Town of Halcott in Greene County. The total estimated cost for this project is \$1,357,000.00 with Greene County Highway Department providing a cost share of \$300,000.00 and CWC funding being requested will be \$1,057,000.00. Under CWC’s program rules this project can be funded 100% by CWC’s FHMIP Program but after some discussions with Greene County they were able to provide this amount as a cost share to stay within the Greene County Highway Department budget for this year.

This culvert replacement is very important to the Halcott residents since there are very few ways in and out of Halcott during high water events. Most of the other ways out of Halcott are Seasonal Roads and during a storm event these roads can be impassible themselves and near impossible to have Emergency Services to respond. This culvert currently is overtopped during the 10-year flood event and the new culvert is designed to pass the 100-year flood event. This design was also completed by Creighton Manning and was funded by CWC. This project will increase the size to be a precast slab bridge with 45’2” span as well as raising the road in this area to meet all NYSDOT standards.

A letter from Greene County Superintendent Scott Templeton confirms their commitment to providing a cost share of \$300,000.00 towards this project has been provided.

In the Town of Halcott’s Local Flood Analysis (LFA) this culvert was identified as a Public Infrastructure to be replaced with a larger culvert or bridge since it is currently overtopped in a 10-year storm event. The Town of Halcott accepted their LFA in 2020.

At the March 2024 Wastewater Committee meeting, the project was tabled for one month to allow time for Delaware County SWCD and DEP to review the culvert design. It will be raised at the April Committee meeting and if recommended, presented to the Board for approval on the same day.

**Voice Vote, carried unanimously.**



A motion to approve Tab 22, Resolution No. 5221 was made by Christopher Mathews, and seconded by David Warne.

**FHMIP Program Rules Amendment – Tank Anchoring**

**RESOLUTION NO. 5221****BOARD APPROVAL OF FLOOD HAZARD MITIGATION PROGRAM RULES AMENDMENTS –  
BOARD APPROVAL OF TANK ANCHORING PROJECTS**

**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**, by Resolution 2893 and 3005, the CWC Board approved the amendments to the Program Rules to provide that CWC may be an applicant for projects, and also for the eligibility of securing of oil and propane tanks in a floodplain; and

**WHEREAS**, the CWC Wastewater Committee recommends that the CWC Board of Directors adopts the attached amendments to the Flood Hazard Mitigation Implementation Program rules to provide that projects requesting reimbursement of over \$7,500.00 must be approved by the CWC Board of Directors.

**NOW, THEREFORE BE IT RESOLVED**, that the CWC Board of Directors adopts the attached Flood Hazard Mitigation Program Rules as amended (Attachment A), as per the Committee’s recommendation.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that the Flood Hazard Mitigation Program Rules may be amended from time to time by the CWC Board of Directors, in consultation with NYCDEP.

8. Project costs to secure oil tanks (330 gallons or less) and/or propane tanks (420 gallons or less) shall not include pollution clean-up costs, and are as follows:
  - a. Eligible costs are limited to the reasonable and necessary construction costs for securing of oil or propane tank in accordance with CWC preliminary design and shall not exceed 10% of CWC FHMIP Schedule of Values. The CWC FHMIP Schedule of Values shall be annually reviewed by the Executive Director and shall represent the reasonable cost for each component of the work based on the cost of similar work within the West of Hudson Watershed.
  - b. The CWC Executive Director may approve payment of an additional 100% over the CWC FHMIP Schedule of Values upon submission of appropriate demonstration/documentation that the cost is reasonable and justified.
  - c. Total costs of over \$7,500.00 of eligible oil or propane tank(s) on an individual property must be approved by the CWC Board of Directors.

*Voice Vote, carried unanimously.*



A motion to approve Tab 23, Resolution No. 5222 was made by Innes Kasanof and seconded by Allen Hinkley.

**2024 President's Compensation – Tab 23**

April 2, 2024

**RESOLUTION NO. 5222**

**PRESIDENT'S COMPENSATION**

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

**WHEREAS**, by Resolution Number 4778, CWC Board of Directors directed that the President receive an annual salary of Twenty-Five Thousand One Hundred Fifty Dollars (\$25,150.00) plus out of pocket expenses including mileage; and

**WHEREAS**, the joint CWC Finance and Policy Committee recommend that the President's salary be increased to Twenty-Five Thousand Nine Hundred Four Dollars and Fifty Cents (\$25,904.50) plus out of pocket expenses, including mileage, effective April 2, 2024.

**NOW, THEREFORE BE IT RESOLVED**, that the Board directs that the President receive an annual salary of Twenty-Five Thousand Nine Hundred Four Dollars and Fifty Cents (\$25,904.50) plus out of pocket expenses, including mileage, effective April 2, 2024.

*Voice Vote, carried unanimously.*



A motion to approve Tab 24, Resolution No. 5223 was made by Arthur Merrill and seconded by Joseph Cetta.

**2024 Portable Toilets Bid Approval – Tab 24**



**RESOLUTION NO. 5223**

**APPROVAL OF PORT-A-LETS BID  
FOR THE 2024 NYC RESERVIOR RECREATIONAL BOATING PROGRAM**

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

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

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

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

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

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

**WHEREAS**, by Resolutions Number 4033 and 4354, 4779 the CWC Board of Directors approved funding for, the 2021, 2022, and 2023 boating season, 15 portable toilets to be delivered to certain parking areas and boat launches at four reservoirs in the West of Hudson Watershed; and

**WHEREAS**, for the 2024 boating season, CWC issued a request for proposal for 15 portable toilets to be delivered to certain parking areas and boat launches at four reservoirs in the West of Hudson Watershed; and

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

**WHEREAS**, the CWC Finance Committee recommends that CWC Board of Directors approve the bid of Oneonta Rent a John for an amount of Fourteen Thousand Five Hundred Eighty Dollars (\$14,580.00), for 15 portable toilets to be delivered to certain parking areas and boat launches at four reservoirs in the West of Hudson Watershed.

**NOW, THEREFORE BE IT RESOLVED**, the CWC Board approves the award of the bid and authorizes the President and/or the Executive Director to execute contract with Oneonta Rent a John in an amount of



Fourteen Thousand Five Hundred Eighty Dollars (\$14,580.00), for 15 portable toilets, including five ADA portable toilets, to be delivered to certain parking areas and boat launches at four reservoirs in the West of Hudson Watershed and serviced weekly for the 2024 boating season.

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

QEDP Evaluation and CWC Staff Recommendation

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

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

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

**Voice Vote, carried unanimously.**

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A motion to approve Tab 25, Resolution No. 5224 was made by Joseph Cetta and seconded by Tina Molé.

**CFF Business Loan – Catskill Revitalization Corporation Inc. – Tab 25**

April 2, 2024

**RESOLUTION NO. 5224**

**CFF BUSINESS LOAN - CATSKILL REVITALIZATION CORPORATION**

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

**WHEREAS**, the Catskill Watershed Corporation Board of Directors, by Resolution No.766 approved a loan to the Catskill Revitalization Corporation for Two Hundred Ten Thousand Dollars (\$210,000.00) for a term of fifteen (15) years, at a rate of four percent (4.0%)adjustable every five years to the CWC rate in effect at that time, to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date, for the purchase of a refurbished Budd Vista Dome railroad dining car; and

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

**WHEREAS**, the Catskill Watershed Corporation Board of Directors, by Resolution No.4355 and 5054 approved a collateral change to the loan allowing Two Hundred Ninety-Two Thousand Six Hundred Twenty-Two Dollars (\$292,622.00) of the available funds for track repair materials and labor instead of purchase of railroad cars and equipment; and

**WHEREAS**, Catskill Revitalization Corporation, Inc. has applied for a Nine Hundred Thousand Dollar (\$900,000.00) loan for a term of Twenty (20) years, at a rate of four percent (4.0%), to be amortized in equal monthly payments, such that the outstanding principal is fully paid on the last payment date, to complete the rail track improvements to Highmount; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Staff has reviewed a completed CWC Loan application for Catskill Revitalization Corporation, Inc.; and

**WHEREAS**, pursuant to the CFF Program rules the CWC Loan Committee has reviewed an underwriting report for Catskill Revitalization Corporation, Inc.; and

**WHEREAS**, the CWC Loan Committee recognizes that there is a substantial risk involved with this loan based on CWC underwriting criteria, but the Board of Directors should give strong consideration to the loan given the intent of the Catskill Fund for the Future and the recommendations of the Final Economic Study for the Catskill Fund for the Future; 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 Catskill Revitalization Corporation, Inc. application meets the CWC CFF qualified economic development criteria and approves of the loan application in the amount of Nine Hundred Thousand Dollars (\$900,000.00) for a term of twenty (20) years, at a rate of four percent (4.0%), such that the outstanding principal is fully paid on the two hundred and fortieth (240<sup>th</sup>) payment date and further waives the requirement of a participating lender pursuant to CFF Program Rule § 1:05:05 interest rates and CFF Program Rule § 1:05:06 loan maturity.

**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 Catskill Revitalization Corporation**

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

4. Based on due inquiry to the NYSDEC, the NYCDEP and to the best of CWC's knowledge, the property at 43510 State Route 28, Arkville, NY, to be used as a station by Catskill Revitalization Corporation, 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 at 43510 State Route 28, Arkville, NY to be used by Catskill Revitalization Corporation, 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) Catskill Revitalization Corporation is repairing railroad track.
  - (vii) The project is located in the Town of Middletown.
  - (viii) The project will utilize a WWTP.
  - (ix) The project appears to present no threat to water quality.
  - (x) The project appears to generate no materials with the potential to degrade water quality that are not pretreated prior to release.
  - (xi) Based on NYCDEP the project is not in the 60-day travel time.
  - (vii) There is no impact on Federal or State wetlands.
- (b) The project maintains the character of the Town of Middletown.
  - (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 no 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, 8 yeas, 4 nays, 1 abstention, 1 excused, 1 vacancy. Resolution denied.**



- VI. Announcements from the Chair – Next meeting on Tuesday, May 7, 2024.**
- VII. Board Member Discussion**
- VIII. Adjournment 3:07 PM**