Catskill Watershed Corporation

669 County Hwy 38 · Suite 1 · Arkville, NY 12406

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EMAIL COVER SHEET

To: **SEPTIC COMMITTEE**

ATTN:

Tina Molé	Karen Stainbrook	Jim Ellis
Richard Parete	George Hayne, Jr.	
Alicia Terry	Thomas Hoyt	
Allen Hinkley	Shilo Williams	

CC: CWC Staff, John Schwartz, Michael Meyer, Matthew Giannetta, Thomas Stalter, Gerson Tavarez and Aaron Bennett

SUBJECT: SEPTIC COMMITTEE MEETING NOTICE
DATE: Tuesday, December 1, 2026
TIME: START: Immediately Following Wastewater
LOCATION: Catskill Watershed Corporation Building

Additional Instructions:

Please be advised that the Septic Committee meeting has been scheduled. Below please find the agenda and minutes from the previous meeting. If you have any questions or concerns, please contact Mitchell Hull.

NOTICE OF PRIVILEGE AND CONFIDENTIALITY

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AGENDA

CATSKILL WATERSHED COPRPORATION
SEPTIC COMMITTEE MEETING
December 1, 2026 Following Wastewater

I. Call to Order
II. Review of Last Meeting's Minutes
III. Septic Programs: Take Offs Attached

a. Arthur Purdy Over $30,000
b. Elizabeth Andemicael additional cost
c. Piotr Maceczek additional cost
d. Phyllis Parrish additional cost
e. Ashley Tick additional cost
f. Diana Tsingopoulos additional cost
g. Bruce Thomas additional cost
h. Hard Capital Management, LLC additional cost
i. Roxanne Mattice second time repair eligibility
j. JoAnne McEntee second time repair eligibility
k. Carol O'Shaughnessy second time repair eligibility
l. Diane Duerr septic maintenance over $1,000
m. Judith Van Etten septic appeal
n. Program Rule Change- Contingency
o. Program Rule Change- Second time repairs under $5,000
p. Program Rule Change- Septic Maintenance over $2,000
q. Septic Maintenance
r. Septic Cluster
s. Septic Update
t. Other
u. Schedule for the next meeting January 5, 2027
v. Adjournment

Catskill Watershed Corporation
Septic Committee Meeting
November 3, 2026
Draft Minutes

Attendance:

Committee Members: Tina Molé (Director), Richard Parete (Director), Alicia Terry (Director), James Ellis (Director), George Haynes (Director), Allen Hinkley (Director), Thomas Hoyt (Director), Jason Merwin (CWC), Karen Stainbrook (NYSDEC), Shilo Williams (NYCDEP)

Others: Renee Alexander (CWC), Renee Antonette (CWC), Zach Baldwin-Way (CWC), Rena Baker (CWC by Zoom), Lindsay Ballard (CWC), Donald Brown (CWC), Patrick Burlingham (CWC), Nick Carbone (Delaware County Watershed Affairs Coordinator by Zoom), Joseph Cetta (Director), Timothy Cox (CWC), Lindsay Drew (NYSDOS), Kyle Faraci (CWC), Jessica Fiedler (CWC), Kristina Gutchess (NYSDEC), Matthew Holbrook (CWC), Mitchell Hull (CWC), John Jacobson (CWC), Innes Kasanof (Director), Lynn Kavanagh (CWC), Ken Kosinski (CWC by Zoom), John Kosier (Director), David Lane (CWC), Joan Lawrence-Bauer (The Walton Reporter), Michael Maloney (NYSDOH), James Martin (CWC), Christopher Matthews (Director), Pat Palmer (NYSDOH), Barbara Puglisi (CWC), John Schwartz (NYCDEP), Jeff Senterman (Director), James Sofranko (Director), Brian Sullivan (CWC), Morgan Tarbell (NYSDOH by Zoom), Pauline Wanjugi (NYSDOH by Zoom), Gemma Young (CWC)

I. Alicia Terry called the meeting to order at 9:43 AM.

II. Minutes from the October 2026 Committee Meeting were reviewed and approved as written.

III. Septic Program:

A. Jeffrey Breigle Appeal:

Jeffrey and Switlana Breigle thanked members of the Septic Committee for allowing them time to explain issues with their septic system. Ms. Breigle made much of her appeal for assistance from the Septic Program to alleviate water problems with their septic system by reading from a letter attached here.

DRAFT

September 20, 2026

Catskill Watershed Corporation
Attn: President and Board of Directors
669 County Highway 38, Suite 1
Arkville, NY 12406

Re: Formal Appeal Under Article 2-A §2:01:10
CWC Project ID: 58617
Property: 588 Cozy Hollow Rd., Prattsville, NY 12468

Dear President Tina Mole and Members of the CWC Board of Directors:

I am writing to formally appeal the determination that my septic system is not eligible for a second CWC-funded repair and that the circumstances do not qualify as "unique circumstances."

I respectfully request that the CWC Board review this determination pursuant to **§2:01:10, Appeals Process, of the CWC Septic System Rehabilitation and Replacement Program Rules (Article 2-A)** and reconsider the decision in light of the documented condition of the system, its unusual history, and the specific provisions of Article 2-A concerning site-specific repairs and special circumstances.

1. The current system is demonstrably failing

The CWC field inspection conducted on September 10, 2026, documented significant evidence that the existing system is not functioning properly.

The field report identifies the system as a two-pod peat system installed in 2020. It specifically documents that the area around the top of the pods was wet, including a large wet spot on the driveway side of the mound. More importantly, the inspection chamber was approximately three-quarters full of water, which the report states indicated that water was not leaching out properly.

The inspection was attended by CWC staff, the engineer, DEP, the applicant, and the contractor, providing a substantial opportunity to evaluate the actual condition of the system.

Accordingly, this is not a request based on a speculative or anticipated problem. The current inspection documents an actual hydraulic problem with the system.

2. The system has had an unusual history from the beginning

The peat pod system was installed in August 2020 at a CWC-funded cost of **$29,699.53**.

Only a few months later, in December 2020, the system flooded following snowmelt and heavy rainfall. Because of the site's water conditions, a curtain drain was subsequently installed in August 2021 at an additional CWC-funded cost of **$6,556.66**.

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The total CWC-funded investment in the system and subsequent corrective work therefore amounts to **$36,256.19**.

The property also had a failed percolation test before the original installation, demonstrating that the site presented significant soil and drainage limitations from the outset.

This history is important because the current problem cannot reasonably be viewed as an ordinary situation involving a relatively new septic system that simply requires routine maintenance. The system experienced serious water-related problems shortly after installation, required an additional engineered drainage measure, and is now exhibiting documented evidence that water is not leaving the peat pods properly.

During the September 10, 2026 inspection, CWC Septic Program Specialist **Kyle Faraci** also stated that **"we have never had to deal with this before."** That statement is consistent with the unusual history and circumstances surrounding this system.

3. Article 2-A expressly provides for site-specific engineering solutions

The Article 2-A rules do not appear to contemplate that the age of a system should automatically end the analysis where an existing system is experiencing documented failure.

Section **2:02:01, System Standards,** provides that the Septic Program is intended to determine whether a system should be rehabilitated, upgraded, or replaced and what repair, upgrade, or replacement is appropriate. Where full compliance is not feasible or practicable, the rules call for the system to be upgraded based upon **"best professional judgment"** to the extent feasible, while protecting public health, safety, and the environment.

The Article 2-A **Site Analysis and Repair Guidelines** likewise address circumstances involving high groundwater and hydraulic problems. Where high groundwater is the reason for an inadequate system, the guidelines specifically contemplate installation of a curtain drain to lower the water table sufficiently to achieve the required groundwater separation. The guidelines also address situations involving partial hydraulic failure by calling for evaluation of the cause and consideration of site-specific corrective measures, including evaluation of the soils and absorption area and possible reconfiguration or relocation where appropriate.

This is particularly significant here because a curtain drain was, in fact, installed at this property following the system's early flooding problems, yet the system is now again exhibiting evidence of inadequate drainage.

4. The "unique circumstances" determination warrants Board review

The September 10, 2026 field report states:

"System does not meet standards for second time repair by CWC, system is not 10 years old and does not constitute unique circumstances as per executive director. Homeowners are welcome to appeal the ruling."

I respectfully request that the Board identify the specific Article 2-A provision or technical standard upon which the determination that this system does not qualify for a second repair is based.

The field report does not identify the specific provision establishing the applicable "second time repair" standard, nor does it explain why the documented circumstances do not qualify as unique or special circumstances.

That distinction is important because **§2:01:10 expressly provides an appeal mechanism under which the Board may reverse a denial where special circumstances warrant eligibility or reimbursement.**

The circumstances here are extraordinary:

- The original septic system was installed in 2020.
- The property had previously failed a percolation test.
- The system flooded within months of installation.
- A curtain drain was subsequently installed as additional corrective work.
- The current system is again experiencing significant water-related problems.
- The September 10, 2026 inspection documented wet conditions around the pods.
- The inspection chamber was approximately three-quarters full of water.
- The field report states that the water was not leaching out properly.
- The CWC-funded investment in the original system and curtain drain totals $36,256.19.
- Multiple parties, including CWC staff, an engineer, DEP, the applicant, and the contractor, participated in the current inspection.
- CWC's own Septic Program Specialist indicated during the inspection that this was a situation CWC had never previously had to deal with.

Taken together, these facts provide substantial grounds for the Board to reconsider whether this situation falls within the "unique circumstances" or "special circumstances" provisions of Article 2-A.

5. I am not asking CWC to disregard its standards

I am not requesting that CWC waive applicable health, environmental, engineering, or NYCDEP requirements.

Rather, I am requesting that CWC apply its own rules to determine what **site-specific corrective measure** is appropriate for this unusual failure.

If the existing peat pod configuration cannot be effectively repaired, I ask that CWC, its engineer, and the appropriate agencies evaluate whether an alternative rehabilitation, upgrade, reconfiguration, or replacement can be designed that satisfies the applicable standards.

The Article 2-A rules specifically recognize that repair decisions should be tailored to the particular site and based upon professional judgment. This property presents precisely the type of

unusual site history that warrants such an evaluation rather than an automatic denial based solely on the age of the system.

6. Requested relief

For these reasons, I respectfully request that the CWC Board:

1. **Accept this letter as a formal appeal under Article 2-A §2:01:10;**
2. **Reverse or reconsider the determination that the property is categorically ineligible for a second CWC-funded repair;**
3. **Determine that the documented history and present condition constitute unique and/or special circumstances warranting further consideration under Article 2-A;**
4. **Identify the specific Article 2-A provision or technical standard relied upon in determining that a second repair is not permitted;**
5. **Direct that the current hydraulic failure be evaluated on a site-specific engineering basis, including the cause of the water accumulation and the failure of the system to properly leach; and**
6. **Consider funding an appropriate engineered rehabilitation, upgrade, reconfiguration, or replacement to the extent permitted by the CWC program and applicable NYCDEP requirements.**

I respectfully ask the Board not to treat the age of the system as dispositive without considering the extraordinary circumstances surrounding this particular property and the documented evidence that the current system is not functioning properly.

The purpose of the CWC Septic Program is to address failing or likely-to-fail septic systems and to protect public health and water quality. The current inspection establishes that this system has a significant functional problem. I therefore believe the appropriate response is to determine what feasible, professionally engineered solution can correct that problem—not simply to conclude that no further assistance is possible because the system is less than ten years old.

I appreciate the Board's consideration of this appeal and respectfully request a written determination explaining the basis for its decision.

Sincerely,

Jeffrey Breigle
588 Cozy Hollow Rd.
Prattsville, NY 12468

CWC Project ID: 58617

Original construction costs totaling $29,699.53 were approved in November 2020. In December 2020, the system flooded following snowmelt and heavy rainfall. A curtain drain was added on the upper side of the system in June 2021 at a cost of $6,556.66. Bruce Utter of Praetorius & Conrad, P.C., the engineer believes problems the Breigles continue to experience with their septic system are a result of "perched mounding," or a perched water table, caused when vertical movement of water is obstructed.

The Breigle's septic system has two peat modules with two feet of absorption fill material beneath them. Ms. Breigle noted that the site "failed" a perc test at the beginning of design. On September 10, 2026, CWC staff, the engineer, DEP and the contractor conducted a field inspection. A large wet area on the driveway side of the mound was noted. The inspection port was found to be approximately three-quarters full of water, indicating that water was not draining from the peat modules properly. Ms. Breigle said that during the inspection, Kyle Faraci, Septic Program Specialist I, stated, "We have never had to deal with this before."

Ms. Breigle argued that their circumstances are unique. She supported her argument by reading bullet points in her letter:

- The original septic system was installed in 2020.
- The property had previously failed a percolation test.
- The system flooded within months of installation.
- A curtain drain was subsequently installed as additional corrective work.
- The current system is again experiencing significant water-related problems.
- The September 10, 2026, inspection documented wet conditions around the pods.
- The inspection chamber was approximately three-quarters full of water.
- The field report states that the water was not leaching out properly.
- The CWC-funded investment in the original system and curtain drain totals $36,256.19.
- Multiple parties, including CWC staff, an engineer, DEP, the applicant, and the contractor, participated in the current inspection.
- CWC's own Septic Program Specialist indicated during the inspection that this was a situation CWC had never previously had to deal with.

Ms. Breigle said that she did not receive a formal written denial. She requested a copy.

Tim explained that Program Rules prohibit second time repairs, absent unique circumstances unless the system is at least 10 years old. Program Rules state, "After ten (10) years from date of construction completion, CWC may fund a component or system an additional time, absent misuse be the property owner and in the sole discretion of the CWC Board of Directors in consultation with the Executive Director." The Breigle's septic system is six years old.

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Rich Parete asked if this system were 10 years old, would we do a second time repair? Mitch said we would, more than likely, yes. Rich made a motion to approve the Breigles for a second times repair.

Jason asked if the motion was for eligibility for a second time repair or for repairs.

Mitch pointed out that the engineer proposed a curtain drain on the lower side of the system to lower the water level beneath the peat modules. We do not know if DEP will allow a curtain drain there. Tim said that a motion could be made to allow for a second time repair now. What DEP will approve is a different matter.

Rich Parete amended his motion to recommend approving Jeffrey Breigle's eligibility for a second time repair.

Shilo Williams said that this seems to be a surface failure that needs to be resolved.

The Committee recommended that a resolution be brought before the Board of Directors to approve Jeffrey Breigle for a second time repair.

B. **Sarah Bronilla Over $30,000.00:** Ms. Bronilla's residence is located at 7047 County Highway 2, Delancey, New York 13752 in the Town of Andes. CWC staff determined that her septic system is failing. The engineer is Steele Brook Engineering, PLLC. The contractor is J. Mondore Excavating. Ms. Bronilla signed into the program on January 13, 2025. Her Design Application was received by NYCDEP on May 23, 2025, and deemed complete on June 12, 2025. Her septic system design was recommended for NYCDEP Design Approval on July 23, 2025. A Modified Approval was issued September 16, 2026. The two-year project deadline is January 13, 2027. The proposed septic system will serve a four-bedroom house. Major components of this system include one 1,250-gallon septic tank, a siphon chamber, 357 linear feet of gravity pipe, an effluent filter, one distribution box, 428 cubic yards of absorption fill material, 300 linear feet of absorption trench, 155 linear feet of curtain drain, 105 linear feet of curtain drain outlet pipe, 155 linear feet of swale, 95 linear feet of 6-inch boring, 15 linear feet of 6-inch sleeve and site restoration. The owner received three quotes. They were $53,814.97, $69,301.40 and $90,220.00. The lowest quote, submitted by J. Mondore Excavating, is below the staff estimated cost of construction based on the Schedule of Values. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Sarah Bronilla, in the amount not to exceed $53,814.97. to build her septic system.

C. **David Honig Over $30,000.00:** Mr. Honig's residence is located at 340 Crow Road, Fleischmanns, New York 12430 in the Town of Middletown. CWC staff determined that his septic system is likely to fail. The engineer is Rex Sanford, P.E. The contractor is Sam I Am Excavation & Tree Service. Mr. Honig signed into the program on July 6, 2026. His Design Application was received by NYCDEP on September 16, 2026, and deemed complete on October 9, 2026. His septic system design was recommended for NYCDEP Design Approval on October 9, 2026. Mr. Honig's two-year deadline is July 6, 2028. His proposed septic system will serve a four-bedroom house. Major components of this system include a 1,250-gallon septic

tank, 251 linear feet of gravity pipe, one effluent filter, one distribution box, 240 cubic yards of absorption fill material, a two-hour haul time for materials, 315 linear feet of absorption trench, 105 linear feet of curtain drain, 15 linear feet of curtain drain outlet pipe, 250 linear feet of swale, two cleanouts, 173 linear feet of access road, remove five trees, set the septic tank with a large excavator, shuttle materials, 10 linear feet of six-inch sleeve and site restoration. Three quotes were submitted to the homeowner. They were $62,261.01, $64,211.66 and $65,061.12. The lowest quote, submitted by Sam I Am Excavation & Tree Service, is within 10% of the staff estimated cost of construction based on the Schedule of Values. This is a secondary residence eligible for 60% reimbursement. $62,261.01 X 60% = $37,356.61. The Committee recommended that a resolution be brought before the Board of Directors to reimburse David Honig in the amount not to exceed $37,356.61 to build his septic system.

D. **Carolyn Lazard Over $30,000.00:** Ms. Lazard's residence is located at 2088 Upper Birch Creek Road, Pine Hill, New York 12465 in the Town of Shandaken. CWC staff determined that her septic system is failing. The engineer is Steele Brook Engineering PLLC. The contractor is LaFever Excavating Inc. Ms. Lazard signed into the program on September 21, 2026. Her Design Application was received by NYCDEP on June 6, 2025, and deemed complete on June 23, 2025. Her septic system design was recommended for NYCDEP Design Approval on July 8, 2025. Ms. Lazard's two-year deadline is September 21, 2028. Her proposed septic system will serve a two-bedroom house. Major components of this system include a 1,000-gallon septic tank, 176 linear feet of gravity pipe, an effluent filter, one distribution box, 135 cubic yards of absorption fill material, 160 linear feet of absorption trench, 55 linear feet of curtain drain, 76 linear feet of curtain drain outlet pipe, 55 linear feet of swale, two cleanouts, 155 linear feet of access road, remove eight trees, set the septic tank with a large excavator and site restoration. LaFever Excavating Inc. submitted a quote of $34,460.00 to the homeowner. This amount is within 10% pf the staff estimated cost of construction based on the Schedule of Values. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Carolyn Lazard in the amount not to exceed $34,460.00 to build her septic system.

A. **Lost Clove Ventures, LLC (Val D'isere) Over $30,000.00:** The Val D'isere is located at 8 Church Road, Big Indian, New York 12410 in the Town of Shandaken. This project is eligible for 100% reimbursement under the Expanded Septic Program. CWC staff determined that the septic system is likely to fail. The engineer is Brinnier & Larios, P.C. The contractor is Evergreen Mountain Contracting. Bryan Murphy, Representative of Lost Clove Ventures, LLC, signed into the program on August 27, 2026. His septic system design was recommended for NYCDEP Design Approval on August 4, 2026. The two-year project deadline is August 27, 2028. The proposed septic system will serve a restaurant and market with seven bedrooms of workforce housing. The design flow is 3,825 gallons per day. Major components of this system include one 6,000-gallon septic tank, one 2,000-gallon H20 grease trap, one duplex pump chamber, 91 linear feet of six-inch Schedule 89 pipe, 152 linear feet of force main, two distribution boxes, two effluent filters, 6,480 square feet of conventional absorption beds, two six-inch cleanouts, six cast iron risers, five riser sections, two H20 clean out risers, spread and reclaim excess material and site restoration. Three quotes were submitted to the owner for this project. They were

$150,419.62, $153,145.14 and $159,250.56. The lowest quote, submitted by Evergreen Mountain Contracting, is within 10% of the staff estimated cost of construction based on the Schedule of Values. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Lost Clove Ventures, LLC in the amount not to exceed $150,419.62 to build their septic system.

B. **Sead Celic Additional Cost:** Mr. Celic's residence is located at 53 Sunrise Drive, Woodbourne, New York 12788 in the Town of Neversink. The engineer is Peak Engineering, PLLC. The contractor is D&S General Contractor. This project was previously approved for $34,800.00. Bedrock was encountered during installation of the tanks and effluent line. The contractor had to hammer for 20.7 hours to attain necessary depth. He is also asking for costs of an additional 443.48 tons of absorption fill material, which converts to 591 cubic yards. The engineer says that costs for rock hammering are reasonable but extra absorption fill material was not necessary. The contractor has requested $21.187.00 for the added work. $13,800.00 for extra absorption fill material is being disallowed. $7,387.00 for rock hammering appears to be a reasonable cost. The total project cost will be $42,187.00. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Sead Celic in the amount not to exceed $7,387.00 for additional costs to build his septic system.

C. **Ashley Domers Additional Cost:** Ms. Domers' residence is located at 36 Nyari Drive, Woodstock New York 12498 in the Town of Woodstock. The engineer is Rex Sanford, P.E. The contractor is Chad Davis Contracting Inc. This project was previously approved for $39,160.26. Rock was encountered during excavation for the sewer line, septic tank and curtain drain. Three days of hammering were required to attain necessary depths. Three loads of random fill were needed for backfill. Excavated rock was spread and reclaimed on site. The contractor has requested $13,229.00 for the added work. This amount appears to be reasonable and justified. The total project cost will be $52,389.26. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Ashley Domers in the amount not to exceed $13,229.00 for additional costs to build her septic system.

D. **Kevin Mead Additional Cost:** Mr. Mead's residence is located at 13712 NY 23-A, Prattsville, New York 12468 in the Town of Prattsville. The engineer is Praetorius & Conrad, P.C. The contractor is G.R. Excavation, Inc. This project was previously approved for $85,386.58. A curtain drain was not included on the original plan. During construction it became apparent that one was needed. The engineer directed the contractor to install 50 linear feet of curtain drain. The contractor has requested $1,055.00 for the added work. This amount appears to be reasonable and justified. The total project cost will be $86,441.58. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Kevin Mead in the amount not to exceed $1,055.00 for additional costs to build his septic system.

E. **Christopher Miller Additional Cost:** Mr. Miller's residence is located at 51 Porcupine Lane, Tannersville, New York 12485 in the Town of Hunter. The engineer is David Rider, P.E. The contractor is Blue Mountain Excavation, LLC. This project was previously approved for $64,089.10. Ledge rock was encountered in

septic tank, pump chamber and curtain drain areas. The contractor had to hammer for 10 hours to attain necessary depths necessary depths for the septic tank and pump chamber and another five hours to install the curtain drain. The contractor has requested $5,343.75 for the added work. This amount appears to be reasonable and justified. This is a secondary residence eligible for 60% reimbursement. $5,343.75 X 60% = $3,206.25. The total project cost will be $67,295.35. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Christopher Miller in the amount not to exceed $3,206.25 for additional costs to build his septic system.

F. **Audrey Morales Additional Cost:** Ms. Morales' residence is located at 134 Meehan Road, Margaretville, New York 12455 in the Town of Middletown. The engineer is Rex Sanford, P.E. The contractor is Halcott Center Excavation & Landscaping LLC. This project was previously approved for $75,497.75. Rock was encountered while excavating for the septic tank and siphon chamber. The contractor had to hammer for 35 hours to attain necessary depths. Excavated rock was spread and reclaimed on site. The contractor has requested $12,918.75 for the added work. This amount appears to be reasonable and justified. The total project cost will be $88,416.50. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Audrey Morales in the amount not to exceed $12,918.75 for additional costs to build her septic system.

G. **Tara Smalls Additional Cost:** Ms. Smalls' residence is located at 22 Lake Cecil Road, Sidney Center, New York 13839 in the Town of Tompkins. The engineer is Headwaters Engineering, PLLC. The contractor is Dutcher Construction. This project was previously approved for $52,591.44. Drainage work on the upper side of the absorption field was not included in the original design. Following a storm even, erosion was found in tapers of the field. The engineer directed the contractor to install 175 linear feet of curtain drain and 20 linear feet of curtain drain outlet pipe. The contractor has requested $4,009.40 for the added work. This amount appears to be reasonable and justified. The total project cost will be $56,600.84. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Tara Smalls in the amount not to exceed $4,009.40 for additional costs to build her septic system.

H. **Mark VanGorden Additional Cost:** Mr. VanGorden's residence is located at 5 Beecchford Drive, Boiceville, New York 12412 in the Town of Olive. The engineer is Christopher DiChiaro, P.E. The contractor is Eberhardt Excavation, LLC. This project was previously approved for $33,962.61. A drainage leader line that was not visible during previous site visits was encountered during construction. The leader had to be re-routed around the new absorption area. Groundwater was encountered while excavating for the septic tank and pump chamber. Saturated material had to be removed, and suitable material was imported for backfill. The contractor has requested $4,983.92 for the added work. This amount appears to be reasonable and justified. The total project cost will be $38,946.53. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Mark VanGorden in the amount not to exceed $4,983.92 for additional costs to build his septic system.

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I. **Roberta M. Warfield Irrevocable Trust Additional Cost:** This residence is located at 424 Mohegan Trail, Margaretville, New York 12455 in the Town of Middletown. The engineer is Brinnier & Larios, P.C. The contractor is G.C. Landscaping & Excavation, Inc. This project was previously approved for $29,986.25. The existing grade dropped off considerably, requiring a larger footprint. The contractor had to bring an additional 235 cubic yards of absorption fill material, remove one tree and provide topsoil, seed and mulch over a larger area. The site has a minimal buildable area. There was not sufficient area for material staging. Additional materials were dumped off-site and brought to the absorption field area with smaller trucks. The contractor has requested $18,200.00 for the added work. This amount appears to be reasonable and justified. The total project cost will be $48,186.25. The Committee recommended that a resolution be brought before the Board of Directors to reimburse the Roberta M. Warfield Irrevocable Trust in the amount not to exceed $18,200.00 for additional costs to build their septic system.

J. **Steven Zerega Additional Cost:** Mr. Zerega's apartment building is located at 60 Bell Hill Road, Windham, New York 12496 in the Town of Windham. The engineer is Christopher DiChiaro, P.E. The contractor is L&L Earthworx, LLC. This project is eligible for 100% reimbursement under the Expanded Septic Program. It was previously approved for $91,222.53. The contractor encountered bedrock at all three tank locations. To save cost, they were able to raise tank elevations. 48 cubic yards of random fill material with two hours of extra haul time were utilized to cover the tanks. An additional sewer line from an apartment was discovered during excavation. Twenty-seven linear feet of four-inch pipe, fittings and an additional cleanout were necessary to make the connection. The contractor has requested $3,117.10 for the added work. This amount appears to be reasonable and justified. The total project cost will be $94,339.63. The Committee recommended that a resolution be brought before the Board of Directors to reimburse Steven Zerega in the amount not to exceed $3,117.10 for additional costs to build his septic system.

K. **Jennifer Healey Second Time Repair:** Ms. Healey's residence is in the Town of Walton, Section, Block and Lot number 296-1-11. This project was paid for in 2016 under the Priority 9 Program. Sewage is surfacing in the absorption field area. Exploratory work needs to be done to determine the extent of repairs. The absorption field may need replacement. The owner had maintenance pump outs done in 2022 and 2026. The Committee recommended that a resolution be brought before the Board of Directors to approve Jennifer Healey for a second time repair.

L. **Peg Merrill Second Time Repair:** Ms. Merrill's residence is in the Town of Hamden, Section, Block and Lot number 211-1-10.11. This project was paid for in 2010 under the Priority 7 Program. A second time repair was approved in 2024 for a pump replacement. A new pump was installed at that time. There are issues with the system again. Part of the pipe from the house to the septic tank runs above ground beneath a deck. It is unevenly pitched and causes slow drains. It froze last winter. The pipe needs to be replaced and buried. The pump alarm rings intermittently. It needs to be diagnosed and necessary components replaced. The owner had a maintenance pump out in 2024. The Committee recommended that a resolution be brought before the Board of Directors to approve Peg Merrill for a second time repair.

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M. **John Rolland Second Time Repair:** Mr. Rolland's residence is in the Town of Delhi, Section, Block and Lot number 172-1-22. This project was paid for in 2016 under the Priority 9 Program under. The pipe from the house to the septic tank had to be replaced. A cleanout and riser were installed. The owner claims to have had two maintenance pump outs. We have none on record. The Committee recommended that a resolution be brought before the Board of Directors to approve John Rolland for a second time repair.

N. **Septic Maintenance:** Mitch reported that 79 pump out costs were reimbursed to property owners last month. A total of 620 pump out costs have been reimbursed this year.

O. **Septic Cluster:** Nothing to report.

P. **Septic Update:** Mitch reported that 29 septic system repair costs were reimbursed to property owners last month. Property owners have been reimbursed for 187 septic system repair costs in 2026.

Q. **Other:**

10% Contingency

Additional cost requests are brought before the Septic Committee and Board regardless of how small they are. Jason proposed a 10% contingency allowance so owners can move forward with added costs without waiting for Committee and Board approvals. Mitch added that this would be for projects approved for construction costs over $35,000.00.

John Schwartz noted that we are working through rising costs. Will this be in septic reserve funding? We are trying to keep our average replacement cost from rising as best we can.

Inness Kasanof said she has questioned a lot of additional costs in the past. Some additional costs are large. Two were on this agenda. One required a large amount of additional fill. It was a difficult site. It was hard for the contractor to give an accurate quote from the plan. The other one was with a contractor we have never worked with before. Much of the additional cost requested was disallowed after talking with the engineer. Staff review plans carefully but cannot make it to every site. Mitch noted that plans for these two projects had DEP approval.

The Committee recommended that Tim Cox draft a red-lined Program Rules amendment allowing a 10% contingency for projects with construction costs exceeding $35,000.00 for next month's Septic Committee meeting.

Pump Repairs

Every second time repair request is brought before the Septic Committee and Board of Directors. Many requests are for pump replacements, associated electrical repairs and other repairs costing under $5,000.00. To help property owners make

DRAFT

these repairs faster, it was recommended that staff determine eligibility and components for second time repairs up to $5,000.00.

The Committee recommended that Tim Cox draft a red-lined Program Rules amendment to allow staff to determine second time repair eligibility and repairs costing up to $5,000.00.

Breigle Appeal:

Jason said that the Breigles were initially denied because it was more a warranty question. CWC does not warranty work done under the Septic Program. He raised the question of whether approval for a second time repair for this project might set a precedent. Program funding is for septic related issues. The Breigles' issue appears to be groundwater.

Appeal Coming Next Month

Tim informed the Committee that another appeal is coming next month. There was originally a well on the property. When municipal water became available, the owner abandoned the well and connected the house to the public water main. DEP requires decommissioning the well for full Construction Approval. The well is close to the new septic system. CWC has paid for the completed septic system components based on a Partial Construction Approval from DEP. Costs for decommissioning the well have been denied because they have nothing to do with sewage treatment.

IV. The next Septic Committee Meeting was scheduled for December 1, 2026.

V. The meeting was adjourned at 10:48 AM.

DRAFT

Arthur Purdy Over $30,000:
Address: 781 Bear Kill Rd., Gilboa, NY 12076
Town: Conesville
Bedrooms: 3
Engineer: Steele Brook Engineering
Contractor: SM Young Construction
Sign In Date: 9/24/25
Design Application Received By DEP:12/12/25
Design Application Deemed Complete: 2/17/26
Date Recommended for DEP Design Approval: 6/3/26
2-Year Deadline: 9/24/27

The major components will include one 1,000-gallon septic tank, one pump chamber, 113 l.f. of gravity pipe, 58 l.f. of force main, one effluent filter, one distribution box, 359 c.y. of absorption fill material, 225 l.f. of absorption trench, 86 l.f. of curtain drain, 97 l.f. of curtain drain outlet pipe, 86 l.f. of swale, 22 trees to be removed, and site restoration. The homeowner received three quotes. They were $50,275.22, $51,110.00 and $51,214.90. The low quote is below our estimated cost for construction. Therefore, we are requesting that the Septic Committee recommend to the Board of Directors that they accept this reimbursement request of $50,275.22.

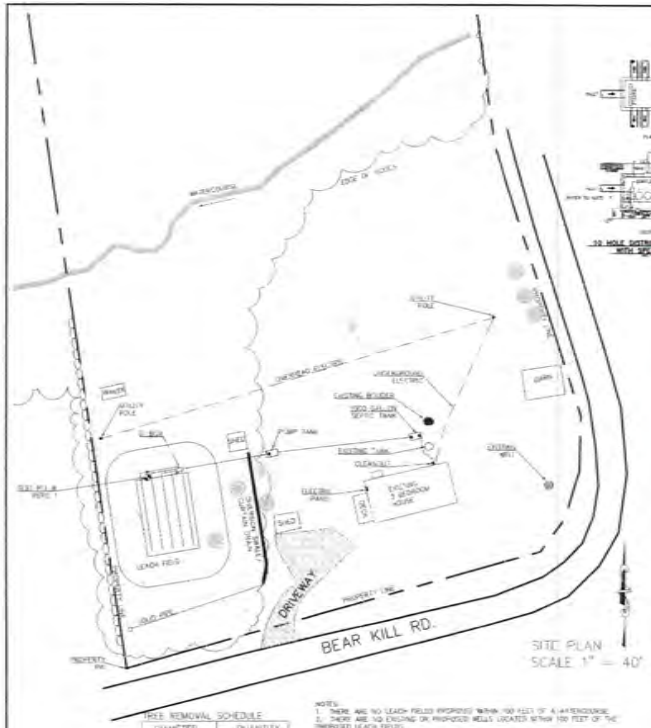
Cost Estimate

Homeowner: Arthur Purdy
SBL #: 203-2-4
Designer: Steele Brook Engineering
Completed By: Mitch Hull
Date: 7/21/2026

2026 Schedule of Values

Enter Values in Blue Shaded Cells

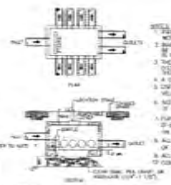
Item #		Units	Quantity	Unit Cost	Cost
1	Septic Tank				
	1,000 Gallon Tank With System	EA	1	$4,917.79	$4,917.79
	1,250 Gallon Tank With System	EA	0	$5,371.95	$0.00
	1/500 Gallon Tank With System	EA	0	$5,822.91	$0.00
2	Pump Chamber	EA	1	$10,657.61	$10,657.61
3	Syphon Chamber	EA	0	$4,837.05	$0.00
4	Gravity Piping 4" PVC	LF	113	$13.36	$1,509.68
5	Force Main 2"PVC	LF	58	$11.36	$658.88
6	D-Box	EA	1	$879.97	$879.97
7	Absorption Fill Material	CY	359	$28.85	$10,357.15
8	Random Fill Material	CY	0	$24.10	$0.00
9	1 Hr. Haul Time	CY	359	$10.50	$3,769.50
10	Effluent Filter	EA	1	$100.00	$100.00
11	Conventional Absorption Bed	SF	0	$6.25	$0.00
12	Absorption Trench	LF	225	$15.76	$3,546.00
13	Eljen Units (Trench Systems)	SF	0	$24.44	$0.00
14	NYSDOT C-33 Sand (Trench)	CY	0	$48.23	$0.00
15	Eljen Units (Bed Systems)	SF	0	$24.44	$0.00
16	NYSDOT C-33 Sand (Bed)	CY	0	$48.23	$0.00
17	Presby Systems Pipe	LF	0	$30.77	$0.00
18	NYSDOT C-33 Sand (Presby)	CY	0	$48.23	$0.00
19	Vent Pipe	LF	0	$11.52	$0.00
19	Curtain Drain (36" Avg. Depth)	LF	86	$21.10	$1,814.60
20	Curtain Drain Outlet Pipe	LF	97	$11.52	$1,117.44
21	Swale	LF	86	$7.39	$635.54
22	Topsoil, Seed & Mulch	SF	11910	$1.04	$12,386.40
23	4" Clean Out	EA	1	$185.00	$185.00
24	Silt Fence	LF	0	$3.73	$0.00
25	Riser, First Foot & Lid	EA	3	$184.00	$552.00
26	Additional Riser Section	EA	0	$98.00	$0.00
27	Access Road	LF	0	$20.70	$0.00
29	22 trees to be removed		1	$7,000.00	$7,000.00
30			0	$0.00	$0.00
31			0	$0.00	$0.00
32			0	$0.00	$0.00
33			0	$0.00	$0.00
				TOTAL	$60,087.56
				ADD 10%	$66,096.32



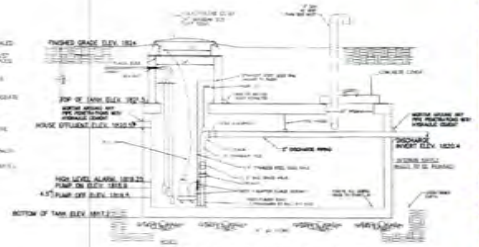
SITE PLAN
SCALE 1" = 40'

TREE REMOVAL SCHEDULE	
DIAMETER	QUANTITY
10 INCH	12
20 INCH	10

NOTES:
1. THERE ARE NO LEACH FIELDS PROPOSED WITHIN 100 FEET OF A WATERCOURSE.
2. THERE ARE NO EXISTING OR PROPOSED WELLS LOCATED WITHIN 100 FEET OF THE PROPOSED LEACH FIELDS.
3. EXISTING TANKS SHALL BE PUMPED AND FILLED WITH CLEAN FILL.
4. CONTRACTOR SHALL USE INVERT ELEVATION OF EFFLUENT LINE PRIOR TO INSTALLATION OF THE SEPTIC TANK TO CONFIRM ADEQUATE PITCH.
5. PROVIDE GRADING AS REQUIRED SO THAT PONDING DOES NOT OCCUR ADJACENT THE FIELD



10 HOLE DISTRIBUTION BOX DETAIL
WITH SPLIT LEVELLERS

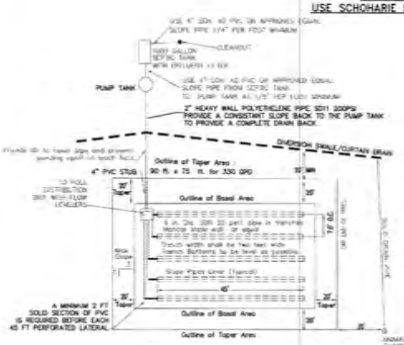


CITY OF NEW YORK
DEPT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER SUPPLY
REGULATORY AND ENGINEERING PROGRAMS
APPROVED
SUBJECT TO SPECIFIED CONDITIONS IN
DETERMINATION DATED 6/4/26
TO: Kelly
FOR: Jennifer Rand
APPLICATION DATE: 4/16/26
4 YEARS FROM APPROVAL DATE UNLESS CONSTRUCTION IS COMPLETED

1000 GALLON ONE PIECE PUMP STATION "SCHOHARIE TANK"
112" X 58" INSIDE DIMENSION TYPICAL SECTION
28 GALLONS PER INCH DROP PER TANK
USE SCHOHARIE PUMP TANK LID WITH SINGLE CAST RISER



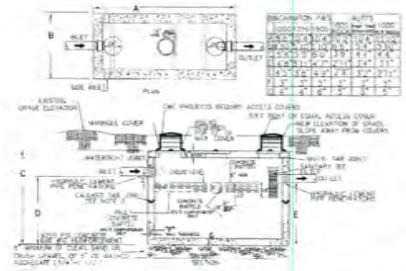
SITE MAP:
SCALE: 1" = 2000'



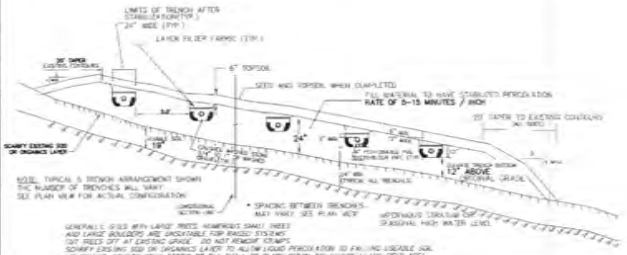
For An Existing 3 Bedroom House: (330 GPD) With Low Flow Fixtures
Use (5) trenches – each 45 ft. long.
Create Outline of Bead Area 50 ft. x 35 ft.
by extending the bead area beyond trenches
3.5 ft. front and rear and on ends.

PIPING LAYOUT PLAN VIEW

CLEANOUT DETAIL



DUAL COMPARTMENT SIDE INLET
ONE PIECE 1000 GAL. "NEW MOUDY" SEPTIC TANK
WITH EFFLUENT FILTER



NOTE: TYPICAL 5 TRENCH ARRANGEMENT SHOWN. THE NUMBER OF TRENCHES WILL VARY. SEE PLAN VIEW FOR ACTUAL CONFIGURATION.

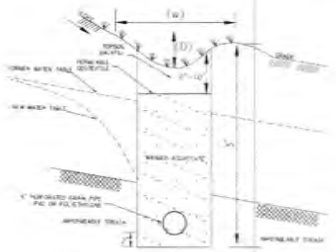
GENERALLY, SITES WITH LARGE TREES, HOMEROOTS, SMALL TREES AND LARGE BOULDERS ARE UNSUITABLE FOR RAISED SYSTEMS.
OLD TREES OFF AT EXISTING GRADE. DO NOT REMOVE STUMPS.
SCARIFY EXISTING SOD OR ORGANICS LAYER TO ALLOW LIQUID PERCOLATION TO EXISTING USEABLE SOIL
NO HEAVY CONSTRUCTION DEBRIS OR FILL SHALL BE PLACE WITHIN THE FUTURE LEACH FIELD AREA
BRUSH AND GRASS UNDER WITHIN THE ENTIRE PROPOSED LEACH PERIMETER PRIOR TO CLASSIFICATION
FILL MATERIAL CAN BE DEPOSITED ON THE SITE WITH A FRONT END LOADER OR PUSHED ON FROM THE SIDE, PREFERABLY THE DOWNHILL SIDE.
AT NO TIME SHALL UNITS BE MIXED IN THE LEACH FIELD AREA.
FILL SHALL BE PLACED ON THE SITE IMMEDIATELY AFTER IT IS PREPARED.
LOCAL DEPRESSIONS SHALL BE FILLED SHALL NOT EXCEED THE STATED FILL DEPTH ABOVE ORIGINAL GRADE
FILL SHALL BE STABILIZED AND MEET THE PERCOLATION RATES NOTED ON THE PLANS.
DO NOT USE CLARK'S MARSH STONE FOR THE TRENCHES IT IS TOO DENSE
AFTER THE ABSORPTION TRENCHES HAVE BEEN CONSTRUCTED IN THE STABILIZED FILL
THE ENTIRE SURFACE SHALL BE COVERED WITH A MINIMUM OF 6" OF TOPSOIL

DEPTH OF USABLE SOIL – 19"

SECTION VIEW DETAIL



LONGITUDINAL VIEW DETAIL



SWALE SIZING SCHEDULE					
GRADE	BOTTOM WIDTH (W)	DEPTH (D)	MAX. SLOPE	EROSION PROTECTION	
1	4'±	1'±	5.0%	7.0%	TYPE LINER SEED AND MULCH

DIVERSION SWALE
CURTAIN DRAIN DETAIL

PERC SAND SPECIFICATION:

PERC SAND BETWEEN THE TRENCHES AND THAT MADE UP THE RAISED AREA AND SLOPES SHALL BE THE STANDARD SILT WASHED PERC SAND PROVIDED BY WESTFIELD WIRE (OF LEAPOC GREAVES WIRE OR EQUAL WITH A PSOC OF 5-10 MIN/IN)

GENERAL NOTES:

1. GRAVEL OR BROKEN STONE, 3/4" TO 1 1/2", SHALL BE PLACED 6" BELOW THE PERFORATED PIPE, AROUND THE PIPE AND 2" ABOVE THE PIPE.
2. NO BODY, BASEMENT OR PERIPHERAL DRAINS SHALL BE DISCHARGED INTO THE SEWAGE DISPOSAL SYSTEM. ALL VALVES SHALL BE CUT DRAIN REMOVED FROM THE PROPOSED SEWAGE DISPOSAL AREA.
3. ROOT STRUCTURE BELOW GRADE SHALL NOT BE REMOVED TO PREVENT DISTURBING SOILS.
4. NO DRIVEWAYS, ROADS OR PARKING AREAS SHALL BE CONSTRUCTED OVER ANY PORTION OF THE SEWAGE DISPOSAL SYSTEM.
5. SEPTIC TANKS AND DOSING TANKS ARE TO BE SET ON TOP OF 6" OF CRUSHED STONE.
6. NO BASEMENT FIXTURES ARE PERMITTED WITHOUT SPECIAL SEWAGE DESIGN.
7. SEPTIC TANK AND DOSING TANK ARE TO BE PRECAST CONCRETE STRUCTURES. TANKS SHALL BE INSTALLED LEVEL.
8. THE LOCATION OF ALL PROPOSED SEPTIC SYSTEM COMPONENTS MUST BE AS SHOWN ON THESE PLANS. INSTALLATION AND MAINTENANCE OF SEPTIC SYSTEMS SHALL FOLLOW THE NEW YORK STATE DEPARTMENT OF HEALTH "WASTEWATER TREATMENT STANDARDS: INDIVIDUAL HOUSEHOLD SYSTEMS, APPENDIX 75-A EFFECTIVE FEBRUARY 2, 2010"
9. BUILDING SEWER TO SEPTIC TANK SHALL BE 4" SCH. 40 PVC AND INSTALLED AT A SLOPE OF 1/4" PER FOOT MIN. FROM THE SEPTIC TANK TO THE DISTRIBUTION BOX. THE SLOPE SHALL BE 1/8" PER FOOT MIN.
10. ALL SEWAGE SYSTEMS SHALL BE APPROVED AND INSPECTED BY THE HYDROLOGIST.
11. CONTRACTOR SHALL ENSURE THE LEACH FIELD DOES NOT CAUSE DRAINAGE PONDAGE IN FRONT OF THE HOUSE. CONTRACTOR SHALL PROVIDE DRAINAGE AS DETAILED.
12. THE FILL MATERIAL MUST BE ALLOWED TO SETTLE NATURALLY FOR A PERIOD OF AT LEAST SIX MONTHS (INCLUDING FREEZE THAW CYCLES), OR WITH SUPERVISING ENGINEER'S APPROVAL THE FILL MAY BE PLACED IN 6 INCH LIFTS AND MECHANICALLY COMPACTED PRIOR TO THE STABILIZED PERCOLATION TEST. AFTER THE FILL MATERIAL STABILIZED PERCOLATION RATE IS CONFIRMED THE ABSORPTION TRENCHES SHALL BE CONSTRUCTED AS SPECIFIED.
13. PERCOLATION TESTS SHALL BE CONDUCTED IN THE SITU FILL MATERIAL AT THE BORROW PIT AND IN THE STABILIZED FILL MATERIAL AT THE CONSTRUCTION SITE.
14. THE INTERIOR PLUMBING OF THE PROPOSED HOUSE MUST BE PLUMBED TO ACCOMMODATE THE DIRECTION OF THE HOUSE LATERAL FOR THE SEWAGE DISPOSAL SYSTEM.
15. ALL DISTURBED AREAS SHALL BE STABILIZED WITH HAY & SEED.
16. DISTURBED AREA SHALL BE HAND RAKED. STONES GREATER THAN 2" DIAMETER SHALL BE REMOVED.
17. DEC PARTICIPANT HAS 2 YEARS TO COMPLETE CONSTRUCTION TO ACCEPTABLE STANDARDS.
18. EFFLUENT FILTERS SHALL BE CLEANED ONCE PER YEAR OR AS REQUIRED.

SOILS TESTS PERFORMED ON 10/15/25 BY E. MCCARTHY, PE
WITNESSED BY NYDOEP INSPECTOR MIKE SERRA
EXISTING 3 BEDROOM HOUSE
EXISTING 3 BEDROOM HOUSE (330 GPD) WITH LOW FLOW FIXTURES
THIS IS A CWC SPONSORED SEPTIC REPLACEMENT PROJECT
ANY STANDARD FIXTURES SHALL BE CONVERTED TO LOW FLOW FIXTURES

SPECIFICATIONS FOR
TRENCH ABSORPTION TRENCH SYSTEMS
(Reference: Appendix 75-A, Section 9 "Raised Trench")

Fill Material percolation rate – 5 to 15 min./in.
Application Rate for Basal Area – 0.2 GPD/Sq.Ft.
Extension of Basal Area beyond trenches: 2.5 ft., all sides
Taper Zone: Max. slope 1:3 in all directions.
Perc rate used: 5-15 min/in
Trench Length Required: 207 ft
Trench Length Provided: 225 ft

Test Hole 1:

Depth	Soil Description
0-19"	Silty Loam, Roots to 19"
19"-28"	Hardpan & Mottling

Slope: Approximately 2%
Percolation Test depth: 12"
Stabilized Percolation Rate 8.0 Min/In

ENGINEER & NYDEP SHALL BE CONTACTED 48 HOURS PRIOR TO THE FOLLOWING:
PERC FILL OF LEACH FIELD PRIOR TO TRENCH INSTALLATION
SETTING OF CONCRETE TANKS
TRENCH INSPECTION (LEAVE ENDS AND MIDDLE EXPOSED)
DOSING /PUMP TANK
UPON TOP SOIL AND MAT/SEEDING

ENGINEER TELEPHONE # 607.746.2400
NYDOEP TELEPHONE # 607.386.7453

NO	DATE	REVISION
1	5/26/26	PER NYDEP REVIEW

FOR STEELE BROOK ENGINEERING

FIELDBOOK NO.	SURV. CHIEF:
DATA COLLECTION	
DESIGN BY: EM	DRAWN BY: EM
DRAWING REFERENCE	CHKD BY: EM

MANAGER: EM

CLIENT
ARTHUR & PATRICIA PURDY
781 BEAR KILL RD
GILBOA, NY 12076
518.610.1847

SCALE
0 20 40 80 120
1IN=40FT

STEELE BROOK ENGINEERING
21 Main St., PO Box 306, Delhi, NY 13753
Phone 1.607.746.2400 Fax 845.688.1535
Email: info@steelebrook.net
Website: www.steelebrook.net

PROPOSED SUB-SURFACE SEWAGE SYSTEM
FOR
ARTHUR & PATRICIA PURDY
TAX MAP SBL# 203.-2-4
TOWN OF ANDES DELAWARE COUNTY, NY

DATE: NOVEMBER 25, 2025
SHEET NO. 1 OF 1
DWG. NO.

Elisabeth Andemicael Additional Cost:
Address: 305 Bostock Rd., Shokan, NY 12481
Town: Olive
Engineer: Joe Boek P.E.
Contractor: Eberhardt Excavation, LLC

This project was previously approved for $43,560.42. While installing the system it was determined that due to the elevation of the pipe leaving the house the contractor would be unable to get gravity to the leach field. As a result, the engineer instructed the contractor to slide the system further down the hill to the location of the second test pit. This area required the removal of 23 trees, an additional 60 c.y. of fill material and additional restoration. The contractor has requested $18,196.51 for the added work. This amount appears to be reasonable and justified. Therefore, we are requesting that the Septic Committee recommend to the Board of Directors that they accept this reimbursement request of $18,196.51 for a total project cost of $61,756.93.







Piotr Maceczek Additional Cost:
Address: 213 Route 52, Prattsville, NY 12468
Town: Prattsville
Engineer: Lamont Engineers
Contractor: Blue Mountain Excavation, LLC

This project was previously approved for $52,139.33. At the time of soils and design the homeowner never mentioned to the engineer that his driveway could not be utilized for access to the absorption field area. Apparently, some soft spots had developed in his driveway since soils were done and the homeowner was concerned that his driveway would be torn up and ruin some drainage that he has. The engineer proposed adding in an access rd. to alleviate the homeowner's concerns. The contractor installed 125 l.f. of access rd., a temporary culvert, and had to remove two trees in order to complete the access rd. The contractor has requested $4,648.75 for the added work. This amount appears to be reasonable and justified. Therefore, we are requesting that the Septic Committee recommend to the Board of Directors that they accept this reimbursement request of $4,648.75 for a total project cost of $56,788.08.

Phyllis Parrish Additional Cost:

Address: 17 Hilltop Drive Extension, Maplecrest, NY 12455
Town: Windham
Engineer: Praetorius & Conrad, P.C.
Contractor: James Rion

This project was previously approved for $94,028.00. During construction the contractor encountered an unknown cesspool. The cesspool had to be pumped out and decommissioned. The contractor has requested $1,182.00 for the added work. This amount appears to be reasonable and justified. Therefore, we are requesting that the Septic Committee recommend to the Board of Directors that they accept this reimbursement request of $1,182.00 for a total project cost of $95,210.00.

Ashley Tick Additional Cost:

Address: 137 Gulf Brook Rd., Roscoe, NY 12776
Town: Andes
Engineer: Steele Brook Engineering
Contractor: VanDusen Construction Service, LLC

This project was previously approved for $52,000.00. During the installation of the septic system the contractor encountered a spring line near the proposed septic tank. As a result, the spring line had to be rerouted. An Orangeburg footing drain from the house was also damaged during construction and had to be replaced. The contractor has requested $904.80 the added work. This amount appears to be reasonable and justified. Therefore, we are requesting that the Septic Committee recommend to the Board of Directors that they accept this reimbursement request of $904.80 for a total project cost of $52,904.80.

Diana Tsingopoulos Additional Cost:

Address: 1539 Wittenberg Rd., Mt. Tremper, NY 12457
Town: Shandaken
Engineer: Rex Sanford P.E.
Contractor: Sam I Am Excavation & Tree Service

This project was previously approved for $33,836.37. While installing the septic system, a large pine tree became compromised while accessing the property and had to be removed. The contractor has requested $3,000.00 the added work. This amount appears to be reasonable and justified. Therefore, we are requesting that the Septic Committee recommend to the Board of Directors that they accept this reimbursement request of $3,000.00 for a total project cost of $36,836.37.

Bruce Thomas Additional Cost:

Address: 17 Hilltop Drive Extension, Maplecrest, NY 12455
Town: Windham
Engineer: Praetorius & Conrad, P.C.
Contractor: James Rion

This project was previously approved for $42,065.04. During construction the contractor encountered rock while excavating for the septic tank and pump chamber. As a result, the contractor had to hammer for 12 hours to achieve the appropriate depth. The contractor has requested $5,325.00 for the added work. This amount appears to be reasonable and justified. Therefore, we are requesting that the Septic Committee recommend to the Board of Directors that they accept this reimbursement request of $5,325.00 for a total project cost of $47,390.04.

Hard Capital Management, LLC Additional Cost:

Expanded Septic Program: Gateway Lodge
Address: 11 Highlands Rd., Highmount, NY 12441
Town: Shandaken
Engineer: Brinnier & Larios P.C.
Contractor: Harley Jenkins

This project was previously approved for $82,515.00. During construction the contractor encountered an enormous amount of buried material (building rubble, boulders, etc.) in the area of the septic tanks, dosing chamber and leach field. As a result, this unsuitable material had to be excavated out and new material brought in. The area of the tanks and backfilling the pipes required an additional 345 c.y. of random fill material. The presby pipes required an additional 15 c.y. of C-33 sand. The leach field required an additional 23 loads of absorption fill material. During the design phase, incomplete information was available on the buildings internal plumbing connection. A total of 3 building sewers were eventually determined to exist during construction. The 3 building sewers had to be rerouted to exit the building to the west. This required the tank and dosing chamber location to be shifted which required additional 6" pvc to make all the connections. The contractor has requested $34,306.83 for the added work. We believe the reasonable cost is $34,123.95. Therefore, we are requesting that the Septic Committee recommend to the Board of Directors that they accept this reimbursement request of $34,123.95 for a total project cost of $116,638.95.



Roxanne Mattice Second Time Repair: The property is in the Town of Prattsville, SBL: 43.00-1-7. This project was paid for in 1999 under our Coordinator Program. The pump has failed and has since been replaced. The homeowner claims to have had 10 pump outs since the system was replaced. CWC has record of one pump out in 2025. Discussion:

Joanne McEntee Second Time Repair: The property is in the Town of Hamden, SBL: 233-1-24. This project was paid for in 2010 under our Priority 7 Program. The pump and other components have failed and have since been replaced. The homeowner has had maintenance pump outs in 2014, 2022, and 2025. Discussion:

Carol O'Shaughnessy Second Time Repair: The property is in the Town of Conesville, SBL: 195.3-2-16. This project was paid for in 2014 under our Priority 6 Program. It was approved in 2024 for a second time repair to replace the pump. The pump was replaced. The contractor noted at the time that there was infiltration from both the septic tank and pump chamber. The pump alarm has continued to ring intermittently. The pump is running too frequently. Both the septic tank and pump chamber need to be excavated. Pipes, seams, and risers need to be sealed. The pump chamber may possibly need replacement. The homeowner had a maintenance pump out done in 2022. Discussion:

Diane Duerr Septic Maintenance Over $1,000.00:
Address: 1900 County Highway 1, Andes, NY 13731
Town: Andes
Contractor: Titan Drilling Corp.

Diane Duerr has submitted a receipt for the following costs to pump out, locate, uncover, and install risers on their two septic tanks. $330.00 to locate, $880.00 to pump out, $650.00 to uncover, and $232.50 to add a riser for a total of $2,092.50 X 50% = $1,046.25. Therefore, we are requesting that the Septic Committee recommend to the Board of Directors that they accept this reimbursement request of $1,046.25.

Judith VanEtten – Septic Appeal

Ms. Van Etten, the property owner, is appealing to the CWC's denial of reimbursement of 60% of the costs to decommission an unused well. The property is connected to municipal water. NYCDEP conditioned their Regulatory Construction Approval for septic construction upon decommissioning of a well that per the owner has never been used for potable water. CWC denied the costs of decommissioning because the costs are not related to the adequate treatment of septic, per CWC Program Rules. NYCDEP did issue a partial construction approval for the system as construction, allowing CWC to provide reimbursement for work done to date, not including the well. The homeowner filed the attached appeal.

Septic Maintenance: Mitchell Hull will update the committee.

Septic Cluster: No Report

Septic Update: Mitchell Hull will address the latest Septic Update.

Other:

CWC
669 County Highway 38, Suite 1
Arkville, NY 12406
(845) 586-1400, Fax (845) 586-1401

CWC SEPTIC PROGRAM
REIMBURSEMENT APPEAL

An applicant who believes that all or part of his / her application for reimbursement under this program was wrongly denied may request a review of the disputed claim(s) by the CWC Board of Directors. The applicant shall submit a written appeal to the President of the CWC, by certified mail, return receipt requested. The CWC Board shall address each appeal no later than the next regularly scheduled CWC Board meeting occurring at least fifteen (15) days after CWC's receipt of the written appeal.

The decision of the CWC Board of Directors after appeals is final and is not subject to further review.

Type of Appeal being Requested *(check one box that applies)*:

☐ Reimbursement Application was Partially Approved

☒ Reimbursement Application was Disapproved

1) A. NAME OF APPLICANT (*OWNER*): Van Etten (*Last*) Judith (*First*)

B. TAX IDENTIFIATION NUMBER OF PROPERTY: 96.14-2-25

2) MAILING ADDRESS: 11 Van Etten Lane Lake Katrine, NY 12449

3) TELEPHONE: Day (845) 416-7489 Fax ( )

3) STREET ADDRESS of SEPTIC SYSTEM (*if different than mailing address*):
3 High Ridge Road, Hensonville, NY 12439

4) REASON FOR APPEAL:
The CWC Board may wholly or partly reverse the decision to deny reimbursement in four instances. Check each reason that applies to this appeal. Attach any documentation that supports this appeal.

1. _____ The applicant was wrongly deemed ineligible.

2. _____ 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.

3. _____ 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.

4. ✓ There are special circumstances involved that warrant reimbursement of costs which otherwise would be deemed unreasonable. Describe: see attached letter

THIS SECTION TO BE COMPLETED BY CWC:
[ ] APPROVED SIGNATURE _____ DATE _____
[ ] DISAPPROVED TITLE _____
[ ] PARTIALLY APPROVED, SEE ATTACHED

11 Van Etten Lane

Lake Katrine, New York 12449

October 31, 2026

Timothy Cox, Corporate Council

Catskill Watershed Corporation

669 County Highway 38, Suite 1

Arkville, NY 12406

RE: Septic Appeal

Dear Mr. Cox,

We spoke on the telephone recently and you heard my woes about the costs for abandoning a well on my property. That is the reason for this letter.

I am an 80 year old widow living on a fixed income. I purchased the house in Hensonville for my son and his family to live in. They do not pay me any rent and I do not make any income from that property.

We recently completed a new septic system at the behest of the CWC. It was a process fraught with delays beyond my control. I had to opt out of the program at one point and rejoin the following year. Even though the CWC shared costs with me the overall expenditure was quite substantial. My retirement budget was not prepared to install a new septic system.

The house has an existing well that has never been utilized. When my son moved in we immediately connected to town water and that has been used ever since.

I understand the NYSDEC requires the well to be decommissioned. The expense to me for that will be a struggle financially.

It seems logical to me that the agency (CWC) concerned with protecting the watershed and ground waters should share some responsibility in helping me do just that by abandoning that well.

I would be extremely grateful if you reconsidered my appeal for some financial assistance.

Thank you for your attention to this matter.

Sincerely,

Judith A. Van Etten

RECEIVED
2026

SEPTIC SYSTEM REHABILITATION AND REPLACEMENT PROGRAM RULES
(ARTICLE 2-A)

Catskill Watershed Corporation
669 County Highway 38, Suite 1
Arkville, NY 12406

(845) 586-1400

Approved by the Board of Directors
June 22, 1999

Revised April 2, 2024

Equal Opportunity Employer

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CHAPTER 2:00 – SEPTIC PROGRAM OVERVIEW

2:00:01. Definitions

Nothing herein shall be construed to conflict with applicable laws, rules, and regulations. Words used in this article mean:

1. "75-A" – 10 NYCRR Appendix 75-A.
2. "CWC Board" – the Board of Directors of the CWC.
3. "CWC" – the Catskill Watershed Corporation.
4. "Absorption area" – an area to which wastewater is distributed for infiltration to the soil, including tile fields, trenches, seepage pits, cesspools, and sanitary privies. (Reference 10 NYCRR Appendix 75-A).
5. "Best available technology (BAT)" – methods, measures or practices determined to be the most practical and effective, given site constraints, to develop a system for on-site treatment and disposal of human waste.
6. "Cesspool" – a covered hole or pit for receiving raw sewage that has not received primary treatment for solids separation through use of a septic tank or other acceptable method.
7. CWC Engineering Checklist – a list of items to be completed by a design professional as part of the design of a septic repair or replacement, and may include but not be limited to verification of interior plumbing exits, amount of fill estimate, all existing underground utilities and drainage systems to be shown on the plan, trees within the vicinity of the eligible system to be shown on the plan, etc.
8. "Design flow" – For residential units, the minimum design flow as shown on Table 1 of 75-A, in section 75-A.3, or in Table 1 of the NYSDOH manual entitled Individual Residential Wastewater Treatment System Design Handbook, 1996 (75-A Handbook). For commercial units, the minimum design flow as shown in the NYSDEC publication entitled Design Standards for Wastewater Treatment Works, 1988, Table 3.
9. "Eligible systems" – Septic systems serving existing single family or two-family residences (as defined herein) in the West of Hudson River Watershed and with an existing design sewage flow of less than 1000 gallons per day (GPD) at the date of enrollment are eligible for funding under the Septic Program. Any component of a septic system that has previously received funding for completed repair or replacement under any part of the Septic Program will not be eligible to participate in the Septic Program until the Septic Program has been completed in all areas, unless specifically approved pursuant to Section 2:01:05 of these Program Rules.
10. "Leach field" – an absorption area, typically consisting of a field or trench formation.
11. "MOA" – New York City Watershed Memorandum of Agreement.
12. "NOF" – Letter from NYCDEP to the owner of a septic system, which provides a notice of confirmed failure of the septic system.
13. "NOV" – Notice of Violation from NYCDEP to the owner of a septic system, which states that the septic system is violating Watershed regulations.
14. "NYCDEP" – New York City Department of Environmental Protection.
15. "Property Owner" or "Owner" or "Homeowner" – An individual whose name is on the title to the property or an individual that, upon review by the Executive Director, possesses an indication of ownership such as beneficiary or remainder of a trust which has title to the property, holder or remainder of life estate, or member or shareholder of a limited liability company or homeowner's association which has title to the property.
16. "Full Time Residence" – a residence occupied by the property owner, based on presentation of two or more of the following: driver's license address, income tax return information, School Tax Relief (STAR) Program enrollment, Watershed County issued pistol permit, primary residence mortgage, and/or other proof dated at least 30 days prior to property owner's enrollment in the Program.

17. "Reasonably likely to fail system" – as judged by CWC staff, includes but is not limited to a septic system which is improperly located, improperly loaded, or has components that are improperly installed, deteriorated or otherwise not functioning, and which system can be expected to fail in the near future.
18. "Reservoir" – any natural or artificial impoundment of water owned or controlled by New York City that is tributary to the New York City water supply system. (Reference Watershed regulations)
19. "Reservoir stem" – any watercourse segment which is tributary to a reservoir and lies within 500 feet or less of a reservoir. (Reference Watershed regulations)
20. "Residence" – a building, including a mixed commercial/residential use building constructed on or before November 2, 1995, and wholly or partially used for living or sleeping by human occupants. Residence does not include a building that was constructed within the last twenty years or a structure that was not used as a residence for a period of at least five or more years prior to application.
21. "Sanitary privy" – pit, watertight vault or removable watertight receptacle for direct disposal of non-waterborne human waste. (Reference 75-A handbook)
22. "Seepage pit" – a covered pit with an open-jointed or perforated lining through which septic tank effluent seeps into the surrounding soil, sometimes called a leaching pit or leaching pool. (Reference 75-A.8(h))
23. "Septic Program" – the CWC Septic System Rehabilitation and Replacement Program per the MOA and the contracts between CWC and NYCDEP, including individual reimbursements.
24. "Septic system" – a system for on-site treatment and disposal of human waste, including both waterborne and non-waterborne systems.
25. "Sewage" – the combination of human and household waste with water which is discharged to the home plumbing system including the waste from a flush toilet, bath, sink, lavatory, dishwashing or laundry machine, or the water-carried waste from any other fixture, equipment, or machine. (Reference 75-A)
26. "Sewer Connection" means the connection between a building, residence, or other structure and a sewer system except that any connection designed and intended to convey 2,500 gallons per day or more of sewage. Sewer connections designed to facilitate additional sewer connections, which are proposed on or after November 2019, shall be considered sewer extensions. (Reference Watershed Regulations)
27. "Sewer Extension" means newly constructed sewer pipelines or conduits, and pumping stations and other constructions appurtenant thereto, designed to serve one or more sewer connections and to convey sewage, to a sewer system.
28. "Substandard system" – a sewage disposal system that does not meet the standards of Appendix 75-A or of the 75-A Handbook and which is failing or identified as reasonably likely to fail in the near future.
29. "Subsurface sewage treatment system" – any underground system used for collecting, treating, and disposing of sewage into the ground including, but not limited to, individual and intermediate sized sewage treatment systems. (Reference Watershed regulations)
30. "Ulster County fill system" – A subsurface sewage treatment system commonly used in Ulster County that has been approved by the New York State Dept. of Health (NYSDOH) for use in Ulster County and that is built upon two (2) feet of situ soil, having a percolation rate from 3 to 10 inches per minute. Ulster County fill system shall include the Ulster County fill system when used in a county other than Ulster if the NYSDOH has approved the system for use in such other county. (Reference Watershed regulations)
31. "Water supply" – the New York City public water supply system, including all watercourses, wetlands, reservoirs, reservoir stems and controlled lakes tributary thereto. (Reference Watershed regulations)
32. "Watercourse" – a visible path through which surface water travels on a regular basis, including an intermittent stream, which is tributary to the New York City water supply. A drainage ditch, swale

or surface feature that contains water only during and immediately after a rainstorm or a snowmelt shall not be considered to be a watercourse. (Reference Watershed regulations)

33. "Watershed regulations" – Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources.
34. "Wetland" – any area mapped as a wetland by the New York State Department of Environmental Conservation pursuant to the Environmental Conservation Law, which is at least 12.4 acres in size or has been designated as a wetland of unusual local importance. (Reference Watershed regulations)

2:00:02. Septic Program Description

1. The CWC provides funding to rehabilitate and replace septic systems serving single family or two-family residences (including mixed use/commercial use buildings), in the West of Hudson River Watershed, with an existing design sewage flow of less than 1000 gallons per day (GPD) as of the date of an inspection. Mixed use commercial buildings shall have no more than two (2) residential units and have a total existing design flow of no more than 1000 gallons per day. The owner of the building must have their primary residence in the building to qualify for primary residence funding levels. New residences or additions constructed less than twenty (20) years from date of application for enrollment in the Septic Program are not eligible for funding.

2. Septic Program funding shall be allocated as set forth below. The priority criteria are based on the issues of public health protection and water quality considerations and on the agreement between the NYCDEP and the CWC.

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, 2025~~3~~,** 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 **February 14, 2017,** and **DECEMBER 31, 2025~~3~~**. 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 ***DE*CEMBER 31, 2025~~3~~,** 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

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.

2:00:02:03 Inspection and Repair in Priority Areas

1. Overview: CWC will address inspection of septic systems in areas identified by priority criteria, and completion of any needed improvements to these systems. Such inspections will be conducted in order of CWC's Priority Criteria, discussed in section 2:01:01. Under this portion of the Septic Program, the CWC or its agents will inspect eligible septic systems within specific priority areas to identify systems in need of repair or replacement and will provide reimbursement to complete the design and construction of such improvements. This program includes identifying septic systems for inspection, collecting background data, inspecting the septic system as needed to determine failure/likely to fail conditions, and reimbursing for design and completion of improvements if needed.

2. Inspection and Repair Priorities

a. The majority of program funds will be dedicated to a program for inspection and repair of septic systems within high priority areas. Such allocation will be based on the need to implement inspection and repair of septic systems within areas identified in the following priority criteria in descending order of importance:
    i. Residential septic systems with the 60-day travel time as identified in the NYC Land Acquisition Program.
    ii. Residential septic systems located:
        1. Within 50 feet of a watercourse; and/or
        2. Within 500 feet of a reservoir or reservoir stem.
    iii. Residential septic systems located between 50 feet and 100 feet of a watercourse.
    iv. Residential septic systems located between 100 feet and 150 feet of a watercourse.
    v. Residential septic systems located between 150 feet and 200 feet of a watercourse.
    vi. Residential septic systems located between 200 feet and 250 feet of a watercourse.
    vii. Residential septic systems located between 250 feet and 300 feet of a watercourse.
    viii. Residential septic systems located between 300 feet and 350 feet of a watercourse.
    ix. Residential septic systems located between 350 feet and 700 feet from a watercourse.
    x. Residential septic systems located more than 700 feet from a watercourse.
b. Within the above priority steps, the following factors will be given due consideration by the CWC and its authorized agents to further prioritize systems on an individual basis:
    i. Soil characteristics
    ii. Depth to seasonal high groundwater table
    iii. Slope of site
    iv. Flood plains
    v. Age of system
    vi. Incidence of maintenance on system
    vii. Specific distances from watercourse, reservoir, or reservoir stem in a. above.
    viii. Occupancy/Usage
    ix. Flow rate/design flow
    x. Signs of failure

3. Reimbursement for repairs/replacements of inspected systems will be as follows:

a. If CWC determines during the inspection that the septic system should be repaired or replaced, the Homeowner shall sign a program participation agreement, hire a design professional to prepare the design of such repair or replacement as well as the submission to NYCDEP for approval.
b. After the Homeowner has obtained design approval from NYCDEP and the engineer has completed and provided a CWC Engineering Checklist, the Homeowner shall obtain a quote from a contractor selected by the homeowner either on a CWC bid form or contractor's bid quote form. Prior to the start of construction, the Homeowner must submit the quote to CWC for funding approval. Homeowners who do not submit a quote to CWC for funding approval are proceeding at their own risk for reimbursement from CWC. The Homeowner is also responsible to obtain any necessary permits from

local municipalities and the County or State Department of Health, whichever is applicable, before proceeding with construction. In the event that a request for reimbursement exceeds $30,000, the Board of Directors shall approve the scope of work and the cost of the system before construction may begin. In the event the quote exceeds $35,000, the Homeowner shall supply to CWC detailed quotes from at least three unrelated contractors, and the Board of Directors must approve the scope of work and the cost of the system before construction may begin. The CWC Board may waive the requirement for three detailed bids from unrelated contractors based upon unique circumstances.

c. After construction is complete, and a NYCDEP Construction Approval has been issued, the Homeowner shall submit an application for reimbursement to CWC.

2:00:03 Prattsville – Washington Street Priority Area

1. Overview: CWC may transfer funds from the Future Stormwater Program to the Septic Program funds, to be allocated for the design, construction and implementation of the Prattsville – Washington Street Priority Area. These funds shall be used solely for a cost-effective sewer extension from the Prattsville Sewer Collection System to the residences located on the properties identified below, including service lines (laterals) from each individual property to the sewer extension system, and hook-up residences within the Priority Area to the Prattsville Wastewater Treatment Plant.
2. The "Prattsville – Washington Street Priority Area" shall include, and is limited to, the following four residential properties as identified on the Greene County Property Tax maps as of the effective date of these Program Rules (September 3, 2013):
    a. 74.14-3-27, 74.10-2-10, 74.10-2-11, and 74.10-2-12.
3. CWC shall enter into a contract with the Town of Prattsville to implement the project in the Prattsville – Washington Street Priority Area for an amount not to exceed $300,000 and such contract shall provide, but not be limited to, the following provisions: the design plans and specifications for the project shall be approved by NYCDEP before the commencement of construction; the sole and limited structures to be connected to the Prattsville WWTP as part of the Prattsville – Washington Street Priority Area are the existing residences located on the properties identified above.

2:00:04 Public Education and Outreach

The CWC shall engage in Public Education and Outreach to disseminate information on the availability of the individual septic reimbursements and information about how to maintain a septic system. Such education and outreach may include the following activities:

a. Public Notice
b. Direct Public Mailings
c. CWC Newsletter
d. Contact with other Watershed Based Agencies
e. Informational Workshops
f. Distribution of Brochures
g. Social Media

Following repair or replacement of each septic system, CWC may supply the system owner with information about how to maintain the system. The information shall provide the owner with a summary of how the system works, how to care for the system, who to contact with questions or problems with the system, and a schedule of maintenance activities. A CWC representative or its agent

may review the information and maintenance schedule with the owner. CWC or its agents shall keep records of each transaction of such information.

CHAPTER 2:01 – SEPTIC PROGRAM RULES

2:01:01. CWC Schedule of Values

1. CWC shall determine reasonable cost for each component of the work based on the cost of similar work within the Watershed Area.

2. The CWC Executive Director may approve a payment of an additional 100% over the schedule of values upon submission of appropriate demonstration/documentation that the cost is reasonable and justified.

3. Work by engineers is limited to only what is necessary to produce an approved plan.

4. The CWC shall establish a construction schedule of values based on the cost of similar work within the Watershed Area.

5. The CWC shall make payments according to the established schedule of values after receipt of a completed application form with attachments, including documentation of the date that NYCDEP and CWC were notified, the date of the inspection and a description of subcontractor work completed (i.e., tank pump-out, test pits), NYCDEP approval of design and of construction, a description of work completed, and subcontractors' invoices.

2:01:02. Homeowner Portion of Cost

1. For non-primary residents, (*e.g. second home, rental property - both short term and long term)* the CWC shall reimburse 60% of the eligible cost of needed repairs or replacements. Initial pump-outs completed at time of inspection shall be reimbursed at 100% of eligible costs, regardless of residency status of property owner.

2. For primary residents, the CWC shall reimburse 100% of the eligible cost of needed repairs or replacements. Solely for the purposes of this Program, Full-time residence status shall be determined as provided in Section 2:00:01 (15) The property owner(s) must be the primary resident(s) for full-time residence status to apply.

3. The percentage of cost eligibility shall be set when the property owner first applies to the Program. The homeowner portion of cost shall not change for a period of two years, even if the residency status of a subsequent owner is different than that of the prior owner who first participated in the Programs.

4. Homeowner is responsible for 100% of pro-rata costs for design and construction costs attributable to additional bedrooms constructed within twenty (20) years of date of application.

2:01:03. Eligible Costs

1. Before any payments are made under this program a system must be determined an eligible system.

2. In order to be eligible to apply for reimbursement, the cost incurred needs to be reasonable and necessary for work done to a septic system if it is determined by CWC that such septic system be failing or reasonably likely to fail prior to any repairs, or such system has received an NOV or NOF prior to any repairs, or has unique circumstances approved by the Executive Director. For reimbursement requests received after March 1, 2010, the rehabilitation or replacement of such septic system must have occurred on or after July 21, 2008. The applicant must submit a completed reimbursement application form provided by CWC.

3. The inspection, design, repair or replacement of the system must be in accordance with the following:
    a. Inspection shall include no more than one pump-out of each treatment unit.
    b. Design costs are eligible, limited only to work needed to complete an approved design, including needed site investigation.
    c. CWC may deem ineligible costs incurred for oversized systems or work that CWC determines to be outside the requirements of 75-A and Chapter 18-38 of the Watershed regulations, not otherwise required as a condition of NYCDEP approval and superfluous to the achievement of adequate sewage treatment. Administrative work done by the engineer or construction observation by the engineer, if the engineer, or an entity owned, controlled by or employing the engineer, is also constructing the repair or replacement, shall also be ineligible, unless the contractor constructing the repair or replacement is also the participating homeowner seeking reimbursement.
    d. Both design and construction of any rehabilitation or replacement must have been approved by NYCDEP, if applicable.

4. CWC must determine the cost of work performed to be reasonable. CWC staff shall determine costs to be reasonable based upon the established schedule of values.

5. A homeowner seeking reimbursement for necessary incidental costs that were required for installation of an adequate septic system might be eligible for reimbursement at reasonable costs. Potential necessary incidental costs shall include but not be limited to the following:
    a. Purchase of land/easements: The cost of land purchase, easements and/or maintenance agreements may be considered eligible 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.
    b. Legal costs required solely for installation of the septic system. Such costs must be pre-approved by CWC in writing.
    c. Survey costs used for topography studies needed for the design of the septic system. Such costs must be pre-approved by CWC in writing.
    d. Reduced flow fixtures: Reduced flow fixtures shall be installed no later than the date of NYCDEP construction approval if cost savings to the program are demonstrated. The allowance for reduced flow toilets will be limited to basic white fixtures based on the established schedule of values. If the homeowner desires fixtures that are above the approved standard they shall pay the additional cost of such fixtures. If the homeowner refuses to install the fixtures, they will be responsible for the additional cost incurred to construct the larger leach-field that will be required. Time of use and total flow for faucets and showerheads are not controlled by flow rate standards, and as such are not an eligible cost. The CWC offers a water saving kit that converts fixtures to low flow standards as part of this program. The homeowner is urged to install these items.
    e. Septic structures, such as gas baffles or effluent filters in septic tanks and speed levelers in distribution boxes, shall be installed on all systems if practical. When outlet filters are installed, they must be designed and installed so that they can be

removed without harming the integrity of the septic tank baffles or sanitary tee.

6. In all cases, the least expensive, technologically appropriate alternative needed to upgrade a system as close as is reasonable to Appendix 75-A will be eligible.

7. In the event that costs to repair a septic system eligible for reimbursement, as set forth in Paragraph 2, may also be eligible for reimbursement through public or private insurance or a governmental agency (including, but not limited to, the Federal Emergency Management Agency), a homeowner shall complete and submit a claim to such insurance or government agency for the costs of the septic system repair or remediation prior to seeking payment from CWC for these costs. Any eligible cost for such repair or remediation that is not covered by said insurance, government agency, or grant program may be eligible for payment by CWC. The homeowner shall provide to CWC a copy of each such claim, including all correspondence, as well as approval or denial of such claim.

8. Where a property with an eligible system is in relative proximity to an existing sewer line, the Sewer Connection to such wastewater facility may be an eligible cost in the sole discretion of the CWC Board if it is the technologically preferred and/or least costly alternative to repairing or replacing an eligible Septic System(s). All Sewer Extensions must also be approved jointly by both CWC Board and NYCDEP.

2:01:04. Disallowed Costs

1. Any expenses that are not appropriately documented shall be disallowed.

2. Government permit fees, including but not limited to fees assessed for building permits, zoning permits, and floodplain disturbance permits are disallowed.

3. Expenditures that do not follow the prior approval and notification procedures, as required by CWC and/or NYCDEP, are disallowed.

4. Interest and late fees are disallowed.

5. Fines and penalties are disallowed.

6. The payment of sales tax is disallowed.

7. Eligible construction services shall not include non-essential site beautification or non-essential interior plumbing changes.

8. Administrative work conducted by the engineer is disallowed.

9. Construction observation by the engineer if the engineer, or an entity owned, controlled by or employing the engineer, is also conducting the repair or replacement is disallowed.

2:01:05. CWC Duplication of Payment Prohibited

1. Except as provided herein, CWC will pay only once for the rehabilitation and replacement of a component of an eligible system. Any component of a septic system that has previously received funding for completed repair or replacement under any part of the Septic Program will not be eligible for participation in the Septic Program for a period of ten (10) years from the date of

construction completion, unless specifically approved by the Executive Director, due to unique circumstances. Unique circumstances may include documentation that the previous funding addressed only part of the component, that a managed repair was installed, or that a provisional repair was installed.

2. CWC shall reduce the eligible reimbursement under this Program by the amount a homeowner received from, or is approved to be provided by, private or public insurance, a governmental agency (including Federal Emergency Management Agency), and/or grant for the repair or replacement of an eligible septic system as defined in these Program Rules. In order to be eligible for such partial payment by CWC the eligible septic system repair or replacement must be performed in accordance with the Watershed Regulations.

3. **Second Time Repairs – 10 Years or More After Construction Completion**

1. After ten (10) years from date of construction completion, CWC may fund a component or system an additional time, absent misuse by the property owner and in the sole discretion of the CWC Board of Directors in consultation with the Executive Director. Misuse includes but is not limited to failure to maintain the system, failure to maintain the integrity of an absorption field (including but not limited to driving across the absorption field, storage of materials or debris atop of the absorption field) overuse of the system, including through use beyond the design capacity of the system/component. As part of consideration of such an application, CWC may require an applicant to submit additional documentation, including but not limited to records of prior maintenance and metered water usage for a period of not less than six months.

2. For limited repairs or replacements, listed below, CWC staff may recommend to CWC Executive Director, and the Executive Director is authorized to approve reimbursement provided the total amount being requested for reimbursement of component(s) repairs that are necessary to maintain the proper operation of the existing septic system is less than or equal to $5,000. CWC staff must determine that the repair and associated costs are reasonable and necessary. The property owner must also provide documentation demonstrating that the septic tank has been pumped at intervals consistent with the CWC-established pump-out schedule applicable to the size of the septic tank and has not been misused. Lastly, the repair must be limited to one or more of the eight eligible items identified below. If a property owner's request cannot meet any of these requirements, any repair or replacement must be approved by the CWC Board of Directors pursuant to paragraph A of this subsection.

1. **Replace Pumps**
2. **Replace Fuses/Wiring/Control Panels/Junction Boxes/Floats/Float Brackets/etc.**
3. **Wiring from Junction Box to Pump**
4. **Replace Corroded Junction Box**
5. **Other Minor Electrical Repairs**
6. **Float Rack**
7. **Replace Post for Pump Control Box**
8. **Labor for Any of the Foregoing**

~~3. After ten (10) years from date of construction completion, CWC may fund a component or system an additional time, absent misuse by the property owner and in the sole discretion of the CWC Board of Directors in consultation with the Executive Director. Misuse includes but is not limited~~

~~to failure to maintain the system, failure to maintain the integrity of an absorption field (including but not limited to driving across the absorption field, storage of materials or debris atop of the absorption field) overuse of the system, including through use beyond the design capacity of the system/component. As part of consideration of such an application, CWC may require an applicant to submit additional documentation, including but not limited to records of prior maintenance and metered water usage for a period of not less than six months.~~

4. CWC shall maintain records of the status of all septic systems addressed under this program, based on property owner, tax identification number and location. CWC shall compare such records against program records for previous repairs and Alternate Design Program payments to prevent duplicate payments.

2:01:06. Areas with Limited Eligibility

1. Some residences within the Watershed have limited eligibility to be included in the Septic Program because another MOA program will potentially alleviate the need for a functioning septic system at that residence. All homeowners in receipt of an NOV/NOF should contact CWC to confirm eligibility under the Septic Program before assuming full program eligibility.

2. Properties located in the following areas may have limited eligibility to be included in this program:
    a. Residences scheduled to be included in the sewer extension programs in the vicinity of NYC owned wastewater treatment facilities:
        1. Village of Tannersville/Town of Hunter
        2. Hamlet of Grand Gorge
        3. Village of Margaretville/Town of Middletown
        4. Hamlet of Grahamsville
        5. Hamlet of Pine Hill
    b. The portions of the following 22 communities that are participating in the New Sewage Treatment Infrastructure Program: [Listed as Community, Town (County)]
        1. Village of Hunter, Town of Hunter (Greene Co.)
        2. Village of Fleischmanns, Town of Middletown (Delaware Co.)
        3. Hamlet of Windham/Hensonville, Town of Windham (Greene Co.)
        4. Village of Andes, Town of Andes (Delaware Co.)
        5. Hamlet of Roxbury, Town of Roxbury (Delaware Co.)
        6. Hamlet of Phoenicia, Town of Shandaken (Ulster Co.)
        7. Hamlet of Prattsville, Town of Prattsville (Greene Co.)
        8. Hamlet of Bloomville, Towns of Kortright/Stamford (Delaware Co.)
        9. Hamlet of Boiceville, Town of Olive (Ulster Co.)
        10. Hamlet of Hamden, Town of Hamden (Delaware Co.)
        11. Hamlet of Delancey, Town of Hamden (Delaware Co.)
        12. Hamlet of Bovina Center, Town of Bovina (Delaware Co.)
        13. Hamlet of Ashland, Town of Ashland (Greene Co.)
        14. Hamlet of Haines Falls, Town of Hunter (Greene Co.)
        15. Hamlet of Trout Creek, Town of Tompkins (Delaware Co.)
        16. Hamlet of Lexington, Town of Lexington (Greene Co.)
        17. Hamlet of S. Kortright, Towns of Kortright/Stamford (Delaware Co.)
        18. Hamlet of Shandaken, Town of Shandaken (Ulster Co.)
        19. Hamlet of West Conesville, Town of Conesville (Schoharie Co.)
        20. Hamlet of Claryville, Towns of Denning/Neversink (Ulster & Sullivan Co.)
        21. Hamlet of Halcottsville, Town of Middletown (Delaware Co.)

22. Hamlet of New Kingston, Town of Middletown (Delaware Co.)
23. Hamlet of Shokan, Town of Olive (Ulster Co.)

3. Except as provided herein, properties listed in 2 above will be excluded from participating in the Septic Program. When a failure confirmed by NYCDEP at a property located within one of the areas listed in 2 above regardless of whether or not such property is in a priority area as identified in Section 2:00:02:03, requires a temporary repair to manage failure, the property may be eligible for Septic Program for a managed repair. The Executive Director of CWC must approve such managed repair, and shall base approval on the severity of the threat to water quality and the timing of the anticipated alternate program. This section does not apply to communities that do not participate in the alternate program.

4. Upon approval by the Executive Director to proceed with a managed repair, CWC staff and/or the property owner shall consult with NYCDEP staff to discuss scope of the needed repair. The homeowner is responsible for procuring a design professional to obtain an approved design. The homeowner will also obtain a quote for the work. The quote for the work will be submitted to CWC for funding approval. The homeowner shall complete the repair and submit the costs for reimbursement. For each system that receives a managed repair and is subsequently not included in an alternate program, CWC may review the managed repair and implement design if any upgrade is needed, as determined by CWC Executive Director.

5. A property owner who is eligible to participate in the alternate program listed above, but elects not to, shall not be eligible to participate in the Septic Program until all other systems within the Watershed have been inspected under the program, unless specifically approved by the Executive Director, due to unique circumstances.

6. If any of the communities listed above do not participate in the alternate program, property owners in the non-participating communities shall not be eligible to participate in the Septic Program until all other systems within the Watershed have been inspected under the program, except as provided in Section 2:00:02:01. This ineligibility will not apply to properties that are participating in the Septic Program either as of October 26, 2009 or prior to a community determining not to participate, either by resolution, vote of eligible property owners, or inaction, whichever is later. For the purposes of this paragraph, communities means the proposed service areas as identified in the New York State Environmental Facilities Report dated December, 2002.

7. Properties in the Prattsville – Washington Street Priority Area as defined in Section 2:00:03(2) are eligible to participate in the Septic Program to the extent that:
    a. The Septic Program Funds used shall connect these Properties via a sewer extension to the Prattsville WWTP collection system;
    b. Are funds specifically transferred from the Future Stormwater Program to the Septic Program for such defined purpose;
    c. Each Property has been determined to be unsuitable for an on-site SSTS repair due to each Property's small lot size, terrain, unsuitable soils, and short depth to ledgerock; and
    d. Each Property is included in the Prattsville Sewer District and would have been connected to the Prattsville WWTP as part of the NIP Program except that the Prattsville NIP Block Grant funding has been fully expended.

2:01:07. Coordination with NYCDEP

1. Septic waste generated under this program shall be accepted at NYCDEP owned wastewater treatment plants provided such plants are capable of handling the waste, and such acceptance is consistent with the MOA.

2. CWC will notify the NYCDEP on a regular basis of approved reimbursement request in a manner that is consistent with the MOA.

2:01:08. Application for Reimbursement

1. To apply for reimbursement, a homeowner shall fill out an application form supplied by CWC. In filling out the form, the homeowner 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); or
        iii. Contractor/design professional receipt(s).

2. Except as provided in Section 2:00:02:01, an application for reimbursement must be submitted to CWC no later than 3 months after issuance of NYCDEP Construction Approval (or completion of work if no NYCDEP Construction Approval is required) except in the sole discretion of the Executive Director for good cause shown.

3. The availability of funds for individual reimbursement of homeowners is not intended to establish an entitlement for any person. CWC reserves the right to limit the ultimate reimbursement in order to avoid excessive charges and to preserve the fiscal integrity of the Septic Program.

2:01:09. Review of Applications

1. Where the total amount requested for reimbursement of construction costs is less than or equal to $30,000, the CWC Executive Director shall be authorized to approve, modify or deny the reimbursement request. Where the total amount requested for reimbursement of construction costs is more than $30,000, the staff recommendation shall be forwarded to the CWC Board of Directors who shall review the application and recommendation and approve, modify or deny the reimbursement request. In the event that a request for reimbursement of construction costs is more than $35,000, the homeowner shall supply to CWC detailed quotes from at least three unrelated contractors. The staff recommendation shall be forwarded to the CWC Board of Directors, who shall review the application and recommendation and approve, modify or deny the reimbursement request. The CWC Board may waive the requirement for three detailed bids from unrelated contractors based upon unique circumstances. For requests over $35,000, CWC staff will also recommend a 10% contingency up to $10,000, for unforeseen costs of the repair of the system, to be included in the CWC Board of Directors approval. Upon approval by the CWC Board of Directors, any such contingency may only be reimbursed to the Homeowner upon recommendation of CWC staff and approval of the Executive Director.

2. Approval of a request for reimbursement shall be conditioned upon the owner's agreement to have his/her septic system pumped out and/or inspected, if so requested by NYCDEP. Any such pump-out will be paid for by CWC.

2:01:10. Appeals Process

1. An applicant who believes that his or her application for reimbursement under the Reimbursement Program was wrongly denied, in whole or in part, may request a review of the disputed claim(s) by the CWC Board of Directors. The applicant shall submit such request for appeal in writing to the President of CWC by certified mail, return receipt requested. In the request for appeal, the applicant shall identify the reason for the appeal, and shall include a completed CWC appeal form. The CWC Board shall act upon each written request no later than the next regularly scheduled CWC Board meeting occurring at least fifteen (15) days after CWC's receipt of the completed written request for appeal.

2. The CWC Board may also reverse the decision to deny reimbursement, in whole or in part, in four 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. That 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; or
    d. That there are special circumstances involved that warrant eligibility to the program or that warrant reimbursement.

3. The decision of the CWC Board of Directors after appeals is not subject to further review or revision by CWC.

2:01:11. Method of Payment

1. CWC shall pay the approved amount to the applicant within 30 days of receipt of a completed application.

2. Reimbursements shall be paid as discussed in Chapter 2:00 and 2:01:
    a. When the homeowner has paid the contractor in full, a check will be issued directly to the homeowner and mailed to homeowner's full-time residence, unless an alternate address is approved by the Executive Director;
    b. In the case of an estate seeking reimbursement, a check will be issued to the estate; or
    c. If the homeowner cannot or does not wish to pay the contractor, the CWC will issue a two-party check payable to the homeowner and the contractor for the approved cost.
3. At an applicant's written request and upon approval by the Executive Director, CWC may also provide one party check directly to applicant's engineer or contractor.

CHAPTER 2:02 – CWC INSPECTION AND REPAIR PROTOCOLS

2:02:01. System Standards

1. The Septic Program includes standards for determining whether a system will be rehabilitated, upgraded or replaced, and for determining the appropriate rehabilitation, upgrade or replacement of an existing system. This chapter identifies under what conditions a septic system should be repaired, upgraded or replaced (including the specific issue of cesspools), and sets forth guidelines for site analysis to identify the needed repairs, upgrades and replacements.

2. These rules do not require that existing non-complying sewage disposal systems that do not meet the standards of Appendix 75-A but are not failing or reasonably likely to fail in the near future be upgraded or replaced to 75-A standards.
3. The Standards for the Septic Program are consistent with New York City Watershed Rules and Regulations governing existing subsurface sewage treatment systems. The governing provisions are from Paragraph 9 of Section 18-38 of the Watershed Rules and Regulations. The design and construction of the septic system repairs must be approved by NYCDEP through the NYCDEP permit process.
4. Wherever feasible, a failed or reasonably likely to fail substandard system shall be brought into full compliance with Appendix 75-A. When full compliance with the standards of Appendix 75-A is not feasible or practicable, the system should be upgraded based upon best professional judgment to the extent feasible to maximize protection of public health and safety. Departure from the parameters of Appendix 75-A shall be minimized to allow for the best feasible upgrade within the borders of the lot, while preserving public health, safety and the environment.
5. The Septic Program may allocate funds for voluntary inspection and repair of septic systems in specific priority areas. Such inspections and repairs shall be conducted in accordance with these inspection protocols. These inspection protocols may also be used in the Reimbursement Program.

2:02:02. Inspection Protocols

1. The inspection should begin with an initial discussion with the homeowner(s) to describe the overall program. CWC staff should highlight that the work consists of the following primary parts:
    a. An owner interview to obtain voluntary participation in the Septic Program. During the owner interview, the CWC staff shall inform the homeowner of all cost sharing provisions, the schedule of value limits, program eligibility criteria and that all CWC information is subject to the Freedom of Information Act;
    b. An initial inspection of the septic system and adjacent areas (including a dye test if needed);
    c. A detailed inspection of any problems identified in the initial inspection, if needed;
    d. Determination of repairs needed; and
    e. Implementation of such repairs (design and construction).

2. During the initial contact, CWC staff should inform the owner(s) of the specific tasks that they will be doing during the inspection of the septic system and adjacent areas, including but not limited to:
    a. Examining internal plumbing configuration and connections;
    b. Recording general layout of the septic system components;
    c. Assessment of external site features, including observation of conditions which may indicate septic problems;
    d. Dye test if needed to identify failing systems, which may require one or more brief revisits to check for dye on the property; and
    e. Collection of data which could indicate that the system is “likely to fail” in the near future.

3. Failure is defined as evidence of dye on the ground surface or in a watercourse, evidence of sewage effluent on the ground surface or in a watercourse, or other obvious failure of system components (i.e. collapse of a septic tank) in the judgment of CWC staff. Observed effluent may need to be confirmed as a “failure” by the introduction of dye into the treatment system and subsequent field observation for dye. Should a system be found to be failing, “reasonably likely to fail” or a substandard disposal system (such as cesspools in priority criteria areas

2:01:01(2)(B)(1)(a, b)), as specified in the Watershed Agreement, appropriate staff from NYCDEP, in accordance with NYCDEP's Rules and Regulations, will have the opportunity to review and approve proposed changes to the system.

4. If the initial inspection identifies failure or "reasonably likely to fail" conditions, CWC staff will proceed with detailed inspection of identified problems, which may include inspection of the septic tank (including pump-out if needed for inspection).To the extent practicable, CWC shall notify, require its contractors to notify, or require property owners to notify NYCDEP at least five (5) business days in advance of the date, time and location at which to participate in and witness System inspections and/or pump-outs, the in-kind replacement or upgrading of a septic tank, or other work related to the remediation of a failed component are scheduled to be performed so that NYCDEP may be present.

5. The pump-out will be conducted separately by a private contractor(s), who will be responsible to uncover the septic tank and if necessary, the D-box, provide the pump-out and restore the property. CWC staff will inspect the tank at the time of or shortly after the pump-out.

6. CWC staff shall record inspection information and shall make every effort to complete as much information on the form as possible to accurately describe the site and septic system to ensure that the inspection is valid and useful.

2:02:03. Septic System Conditions Warranting Repair, Upgrade or Replacement

1. If any of the following conditions are identified during a Septic Program Inspection, these are indications the septic system is failing or reasonably likely to fail. The process of repair and replacement may require additional inspections and an additional pump-out.

2. Indicators of an overloaded and/or clogged absorption area, including seepage pit, leach field or cesspool:
    a. There is back-up of sewage into the facility served by the system or any component of the system as a result of an overloaded and/or clogged leach field, seepage pit or cesspool.
    b. There is a discharge of effluent directly or indirectly to the surface of the ground (through ponding or surface breakout) or to surface water.
    c. The system contains a cesspool without a separate tank component for primary solids separation and storage, (i.e., no septic tank).
    d. The septic tank requires pumping four times a year or more (this may be due solely to the presence of a garbage grinder or may indicate a problem with the septic tank or absorption system).
    e. Other indicator in the judgment of CWC staff.

3. Component Deficiencies:
    a. The septic tank is made of metal and does not comply with the UL-70 standard, or is made of metal, masonry block or other material and show signs of deterioration or is cracked or otherwise structurally unsound, indicating that significant infiltration or exfiltration is occurring or is imminent.
    b. Distribution box is not level.
    c. Services line(s) are cracked/opened.
    d. Any pretreatment unit is not functioning properly.

    e.

4. Location Deficiencies:
    a. Any portion of the absorption area extends to within 2 feet of the seasonal high groundwater level.
    b. Any portion of the absorption area is located within 300 feet of a reservoir or reservoir stem or within 100 feet of a watercourse or New York State regulated freshwater wetland.
    c. Any portion of the absorption area is located within 100 feet of an individual well, or 200 feet of a public water supply or 200 feet from an individual well that is located downhill and in direct line of drainage from the absorption facility.

5. Sanitary privies must be of the pit, watertight vault, or removable watertight receptacle type. All sanitary privies should be constructed in accordance with the NYSDOH handbook entitled Individual Residential Wastewater Treatment Systems Design Manual. Sanitary privies should be evaluated as to performance and location and, where appropriate, brought up to current standards for non-waterborne systems. If a determination is made that a sanitary privy is an inadequate sewage disposal method based on its location and/or the volume of disposed waste, a composting toilet or subsurface sewage treatment system should be installed. CWC will bring up to standards a substandard and reasonably likely to fail sanitary privy if this is the only sewage disposal method for the residence. Otherwise, such sanitary privy should be abandoned.

2:02:04. Site Analysis and Repair Guidelines

These guidelines are presented as a platform to begin assessing repair, upgrade and replacement options needed to address septic system failures. Final repair, upgrade or replacement decisions should, as always, be tailored to the specific site and based upon the best professional judgment.

1. The problem is caused by an inadequate septic tank:
    a. If there is no septic tank, a new, complete septic system may be required. At minimum, a tank should be installed. Evaluate the site and site soils. Design and install a new septic system if needed. (Note: seamless septic tanks are a standard item now, if desired).
    b. Leaking septic tank:
        i. Repair or replace.
        ii. Evaluate the site and site soils. Design and install a new septic system if needed. (Note: seamless septic tanks are a standard item now, if desired).
    c. Corroded tank or cover:
        i. replace, upgrading to current standards.
    d. Baffle or Sanitary Tee is missing or damaged:
        i. Repair or replace. Sanitary tees and gas deflection baffles are required for all CWC repairs and replacements.
        ii. If repair that includes sanitary tee or baffles is impractical, consider tank replacement.
    e. Tank is undersized for dwelling:
        i. replace tank or install a second tank.
    f. Access/inspection ports are buried too deep, or no access port exists:
        i. Install watertight extension collars to bring ports within 12” depth from surface; or
        ii. Install a new septic tank cover which has ports (septic tank access still needs to be 12” below grade).
    g. Septic tank is not level:

i. level if tank is malfunctioning. Determine the cause of the tank being out of level (i.e.: erosion) and address it to avoid further problems.

2. Distribution box (D-box) is inadequate:
    a. D-box is out of level:
        i. determine *why* the D-box is out of level, level the D-box, and address the cause of the D-box being out of level.
        ii. Add speed-levelers to the outlet ports on gravity systems if they are missing.
    b. D-box cracked or broken:
        i. replace the D-box and, on gravity systems, add speed-levelers to the new D-box.

3. A plugged leach field or seepage pit causes the problem:
    a. Leach field or seepage pit is completely nonfunctional (i.e., Effluent is diverted to a road ditch or stream).
        i. Evaluate site and site soils.
        ii. Design and install a new subsurface treatment system.
    b. If high groundwater is the reason for inadequacy:
        i. Install a curtain drain to lower the water table to a depth that will ensure proper groundwater separation in accordance with current standards. (A raised system or Ulster County Fill System may be necessary and should be installed in accordance with current standards.)
        ii. If the site will not support an absorption area see section 4(c) below.
    c. Septage effluent is ponded in some trenches (i.e., partial hydraulic failure):
        i. Determine the likely cause (e.g.: out-of-level D-box – is it really a plugged leach field, or could it be due to water overuse, surface water diversions, etc.);
        ii. Check leach field performance with a dye test;
        iii. Evaluate site and site soils;
        iv. Recommend installation of water-saving fixtures, or redirect surface/sump water discharge if storm water is improperly being sent to the septic system;
        v. Replace the failed lateral(s), close off the flow to these laterals and replace and properly size lateral(s) parallel along other side of field, reconfigure D-box; or
        vi. Relocate the absorption area.
    d. Inadequate area is available for leach field expansion or replacement:
        i. Consider pumping effluent to a suitable area;
        ii. Install the Best Available Technology (BAT);
        iii. Consider joining with a neighbor's leach field, if possible (this option requires a maintenance agreement between homeowners.); or
        iv. Consider non-waterborne septic system options.

4. The problem is caused by poor siting of the leach field/seepage pit:
    a. Expansion is possible: evaluate site and expand absorption area as necessary.
    b. Expansion is not possible (due to site or soil constraints):
        i. Evaluate soils.
        ii. Design and install a *replacement*, if possible.
        iii. If impossible, then see 3(c) above.
    c. There is insufficient setback distance (from watercourse, well, property line, etc.):
        i. Consider performing a dye test.
            1. If dye is detected, then replace or repair the system with the Best Available Technology (BAT).

2. If no dye is detected, expand the absorption area if appropriate and/or add a second septic tank in series.

5. Improperly functioning or located sanitary privy:
    a. Evaluate site/use.
    b. Relocate sanitary privy if necessary.
    c. Rehabilitate to current standards for non-waterborne systems or abandon.

SEPTIC MAINTENANCE PROGRAM RULES
(ARTICLE 10)

Catskill Watershed Corporation
669 County Highway 38
Arkville , NY 12406

(845) 586-1400

Approved by the Board of Directors

October 3, 2023

Revised

Equal Opportunity Employer

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Chapter 10:00 Septic Maintenance Program Overview

10:00:01 Definitions
Words used in this article mean:

1. "Applicant" means the property owner or other party responsible for the Eligible System.
2. "Contract" means the "Agreement between the New York City Department of Environmental Protection and the Catskill Watershed Corporation Concerning the Septic Maintenance Program".
3. "CWC," means the Catskill Watershed Corporation.
4. "Cluster System" means a wastewater collection and treatment system under some form of common ownership that collects wastewater from two or more residences and/or small business buildings and conveys it to a treatment and disposal system located on a suitable site near the dwellings or buildings. A small business for the purposes of this Program shall be defined in accordance with the Septic III Contract.
5. "DEP" means the New York City Department of Environmental Protection.
6. "Eligible Costs" are the costs of the Eligible System tank pump-out and other costs associated with the Septic Maintenance.
7. "Eligible System" means a subsurface sewage treatment system that either:
    a. serves a residence, small business, not-for-profit corporation, or governmental entity and was inspected, remediated, upgraded or installed pursuant to the MOA Septic Program or Expanded Septic Program, or
    b. serves a residence, small business, not-for-profit corporation, or governmental entity and was constructed in accordance with the Watershed Regulations, or
    c. is an existing Substandard Subsurface Sewage Treatment System serving a residence, small business, not for profit, or governmental entity .
    d. is individually approved for inclusion in the Septic Maintenance Program by the DEP and CWC in writing, based upon a showing of compelling environmental justification and financial need, including Cluster Systems constructed pursuant to the Septic III Program.
8. Expanded Septic Program – the CWC Expanded Septic Program funded pursuant to the 2017 Filtration Avoidance Determination issued by New York State Department of Health.
9. Governmental Entity –a county, city, town, village, school district, or other local municipal entity, including a fire district and other firefighting organization regardless of how such district or organization is incorporated, located within the boundaries of the West of Hudson watershed as defined in the Watershed Regulations, excluding the City of New York, State of New York, and the United States government, and each of their agencies and authorities, except that a government entity may not use funding provided under this Amended Program Agreement to fund maintenance of a community septic system funded under the Community Wastewater Management Program established pursuant to paragraph 122 of the Watershed MOA.
10. MOA Septic Program – the CWC Septic Program established pursuant to Paragraph 124 of the 1997 New York City Watershed Memorandum of Agreement to repair or replace failing or reasonably likely to fail septic systems serving existing residence.
11. Not-for-Profit Corporation – an entity formed exclusively for a purpose or purposes, not for pecuniary profit or financial gain, for which a corporation may be formed pursuant to

the New York Not-For-Profit Corporation Law or similar law of another state, where no part of the assets, income, or profit of such entity is distributable to, or inures to the benefit of its members, directors, or officers except to the extent permitted by the New York Not-For-Profit Corporation Law.

12. "Pilot Program Area," means the areas of implementation for the first two years of the program.
13. "Priority Area" means areas as defined in the Water Supply permit for New York City Watershed Land Acquisition Program issued by New York State Department of Environmental Conservation. (DEC Permit #0-999-00051/00001)
14. "Residence" means a building, including a mixed commercial/residential use building,
    a. that has no more than two residential units and is served by a subsurface sewage treatment system with a design flow of less than 1000 gallons per day.
15. "Septic Maintenance," means minor maintenance and pump-out of an Eligible System.
16. "Septic Maintenance Program" or "Program" means the Septic Maintenance Program as described in the Contract
17. "Septic Maintenance Program Funds" or "Program Funds" means funds allocated pursuant to the Contract intended to reduce the occurrence of subsurface sewage treatment system failures through regular pump-outs and maintenance.
18. Small Business - a business, that at the time of its enrollment in the Program, is resident in New York State, independently owned and operated, and employs one hundred or less individuals and, as applied under MOA Paragraph 145(ii). The number of employees shall include the employees of each affiliated business. Affiliated business shall be defined in accordance with the federal Small Business Act regulations 13 C.F.R. Section 121.103 *et seq.* Small Business may include an unincorporated entity, a sole proprietorship, a building or project with three or more residences that are rented, or a mobile home park consisting of three or more mobile homes rented/owned as residences
19. "Watershed Regulations" means the Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources (the "Watershed Regulations"), 10 New York Codes, Rules and Regulations ("NYCRR") §§128-3.8 et seq.;15 Rules of the City of New York ("RCNY") §§18-38 et seq.

10:00:02 Septic Maintenance Program Description

1. In accordance with the Contract, the CWC provides funding for Septic Maintenance of Eligible Systems in the New York City Watershed west of the Hudson River.
2. In accordance with the Contract, the CWC also provides funding for examination of a wastewater treatment plant located in the West of Hudson Watershed and owned by a Government Entity to determine the changes, if any, that would be required to allow the wastewater treatment plant to accept septage generated by properties in the West of Hudson Watershed.
3. Program Funds may be used only to pay costs incurred by CWC pursuant to written agreements with contractors to perform the Program work and/or pursuant to completion of CWC Reimbursement Application Form to reimburse property owners for Septic Maintenance; fees and expenses of consultants or contractors engaged by CWC to assist in fulfilling its duties and responsibilities; CWC costs for technical and professional employees

to perform the Program work; and CWC reasonable administrative costs to manage and administer the Program, including necessary education and outreach.

10:00:02:01 Program Area

1. An Eligible System may be funded under applicable program rules if it is located within the West of Hudson Watershed and either
    a. received construction approval from NYCDEP pursuant to the Watershed Regulations on or after November 1, 1995; and/or
    b. was remediated, upgraded or installed pursuant to the MOA Septic Program or CWC Expanded Septic Program; and/or
    c. is an existing substandard subsurface sewage treatment system serving a residence, small business, not-for-profit, or government entity that does not meet current applicable standards for a subsurface sewage treatment system.
2. Eligible Systems will be prioritized by year of construction completion and/or reservoir basin in the following order:
    1. Rondout/Neversink
    2. Ashokan
    3. Pepacton
    4. Cannonsville
    5. Schoharie

CHAPTER 10:01 Septic Maintenance Program Rules

10:01:01 Septic Maintenance - Applicant Reimbursable Costs

1. The Applicant must submit a completed reimbursement application form provided by CWC.
2. Upon application and approval by CWC staff, CWC shall pay 50% of Eligible Costs to the applicant for Septic Maintenance. No reimbursement shall be made for disallowed costs. Disallowed costs are expenses not appropriately documented; interest and late fees; fines penalties or payment of sales tax. No costs of enzymes or system additives are permitted.
3. Any reasonable avoided cost documented by the Applicant through in-kind services related to septic maintenance will be directly discounted from the Applicant's match cost. CWC shall determine a value to such in-kind services.
4. Inspection, maintenance and pump-out of the Eligible System must have been conducted after July 15, 2003 in order for an Applicant to be reimbursed for Eligible Costs.
5. An Applicant seeking reimbursement for necessary Septic Maintenance costs that were required for adequate operation of a septic system may be eligible for reimbursement at reasonable costs, per the CWC schedule of values. Potential necessary incidental costs shall include, but not be limited to, the following:
    1. Septic structures, such as gas baffles or effluent filters in septic tanks
    2. Flow speed leveling devices in distribution boxes.
    3. Risers
6. Eligible Costs for septic tank pump-out, inspection and minor maintenance of the septic system is detailed in the CWC Schedule of Values.

7. The CWC Executive Director may approve a payment of an additional 100% over the schedule of values upon submission of appropriate demonstration/documentation that the cost is reasonable and justified.

10:01:02 Septic Maintenance Application for Reimbursement

1. To apply for reimbursement, an Applicant shall fill out a Reimbursement Application Form supplied by CWC. In filling out the form, the Applicant shall supply the completed Inspection Checklist, information requested regarding the costs incurred, costs paid and any other information and supporting documents requested by CWC to determine eligibility of the costs, including any in-kind services. The following documentation is required to verify cost incurred, and to process reimbursements.
    a. True copy of contractor invoice(s), AND any one of the following: canceled check(s), money order receipt(s), or contractor receipt(s)
2. The availability of funds for reimbursement of individual Applicants is not intended to and does not establish an entitlement for any person and the CWC reserves the sole right to determine the amount of Eligible Costs to be approved for reimbursement of each applicant in order to avoid excessive charges and to preserve the fiscal integrity of the Septic Maintenance Program.

10:01:03 Reimbursement Approval Authority

1. Where the total amount requested for reimbursement is less than or equal to $2~~1~~,000, the CWC Executive Director shall be authorized to approve, modify or deny the reimbursement request.
2. Where the total amount requested for reimbursement is more than $2,~~1~~000, the staff recommendation shall be forwarded to the CWC Board of Directors who shall review the application and recommendation and appr1ve, modify or deny the reimbursement request.

10:01:04 Coordination with DEP

1. CWC will provide quarterly progress reports to DEP including, but not limited to, approved reimbursement requests in a manner that is consistent with the contract.
2. Based on DEP procedures for septic waste disposal at its wastewater treatment plants in the West of Hudson Watershed, septic waste from the Program may be disposed at City WWTP's at no charge and at a time and at such intervals acceptable to DEP , subject to the following terms and conditions:
    a. The WWTP has adequate capacity to handle such waste;
    b. The WWTP is permitted to accept such waste;
    c. The design of the WWTP allows for the practical acceptance of septic waste by truck; and
    d. The acceptance of waste will not cause or contribute to an upset of the treatment processes or violation of the plant's SPDES permit.

10:01:05 Persons authorized by CWC to perform pump-out and maintenance

1. Only a New York State Department of Environmental Conservation-licensed septage hauler is permitted to pump septage for reimbursement through this program.

10:01:06 Pump-out and Inspection Protocols

1. Funding of pump-outs for an eligible system cannot exceed once every three years.
2. The Septic Inspection will include the completion of an Inspection Checklist. It will require the inspector to uncover and inspect the septic tank through the manholes and to visually inspect the influent and effluent pipes, and clean the effluent filter in the tank as well as uncover and inspect inside the distribution box.

10:01:07 Duty to Maintain

1. The Program does not relieve any property owner of any duty to properly maintain a subsurface sewage treatment system.

10:02 WWTP Examination

10:02:01 Application

1. A Governmental Entity may apply to CWC for funding for the examination of a wastewater treatment plant located in the West of Hudson Watershed and owned by such Government Entity to determine the changes, if any, that would be required to allow the wastewater treatment plant to accept septage generated by properties in the West of Hudson Watershed.
2. Applications may be submitted for:
    a. Feasibility Study

10:02:02 Feasibility Studies

1. Eligible feasibility study funding may be available for Government Entities to provide an examination of current WWTP conditions and evaluation of proposed upgrades.
2. The examination shall consist of:
    a. Review of current wastewater treatment plant including schematic of current facility and treatment process
    b. Whether such facility could accept septage without significant disruption to its operation
    c. Volume in gallons per week of the amount of septage the facility could accept
    d. Proposed upgrades and additional equipment required to allow the wastewater treatment plant to accept septage
    e. Ability of facility to receive proper permitting from NYCDEP and NYSDEC
    f. Estimated cost of design, construction, and operation and maintenance of proposed upgrades and/or equipment.
3. All funding applications for a feasibility study require approval of the CWC Board of Directors