

Coalition of Watershed Towns Meeting Minute September 17, 2012

Present: Carl Stuendel, Peter Bracci, Bill Layton, and Bruce Dolph (Delaware County); Dennis Lucas and Stephen Walker (Greene County); Tony VanGlad (Schoharie County); Bruce LaMonda and Rob Stanley (Ulster County). Jeff Baker – Counsel.

6:00 PM start

1. **August meeting minutes** – motion to accept August minutes made by Carl Stuendel, seconded by Rob Stanley with all present in favor.

2. Phoenicia Eligibility for Septic Repair & Rehabilitation Program

- Jeff Baker researched the issue involving the CWC SRR rule that residential septic systems in communities that decline participation in the New Infrastructure Program (NIP) are a lower priority and have to wait until all other systems in the Watershed have been addressed (a memorandum summarizing his follow up and resolution from the CWT to the CWC requesting this program rule be amended was sent to the executive committee).
- Jeff B. followed-up with CWC and DEP and concluded this clause in CWC's Program Rules (section 2:01:06(5)) is not consistent with the MOA in that eligible homeowners should not be penalized when a community voluntarily declines NIP participation, that those landowners should be treated the same for the sake of water quality protection and they should not lose eligibility or be processed differently.
- The resolution recommends to the CWC that that section (2:01:06(5)) be deleted from CWC's SRR program rules.
- Alan R. opined on the matter explaining in light of going through funds quickly based on the number of failed systems early in the program's history, they had to prioritize eligible landowners necessitating a change to their program rules to restrict or place as lower priority residents that could have received centralized services if the community agreed to construct under the NIP. There was no guidance early on how to handle non-participating communities in this situation.
- If an identified community opted not to participate in the NIP, they would go to the back of the list, however, if a resident had a Notice of Violation (NOV) their system was failing, they could fix the problem and apply for reimbursement from CWC, which would be determined at the end of the year if funds were available. Note: there is a distinction with residents who decide not to participate when the community constructs a wastewater treatment system; those residents understandably go the bottom of the list for assistance.
- Rob Stanley noted the program should also protect a community's business sector, that in addition to protecting water quality, there is an economic component as well. Commercial property owners were never part of the SRR so they are not included in the request to waive the program rule, it would benefit individual and two-family residences only.
- Bruce L. questioned whether someone outside an identified sewer district could be put in a position of not getting funds if the rule were changed. Whereas there's no guarantee that would not happen, Jeff B. feels the probability is low.
- Answering why the community opted not to participate in the NIP, Stanley reported the community voted it down because of misinformation with previous administrations and some business owners were not comfortable with fluctuating payments based on water

usage.

- After discussion, Carl S. made a motion to accept the resolution as drafted, seconded by Dennis Lucas with a roll call from all members, each who responded in favor of sending the resolution to the CWC board for consideration. The last paragraph of the resolution reads: *The Coalition of Watershed Towns hereby respectfully requests that the CWC amend its Septic System Program Rules to delete Section 2:01:06(5) so that the program rules are consistent with the MOA.*

3. Catskill Flood Mitigation Work Group update

- Jeff B. reported little has happened since the August conference call. The text of the program agreement is settled. The issue at hand is determining an amount to fund the FHMP. The program will be referenced in the mid-term FAD review, however, it is unclear when that will come out for public comment.
4. **Watershed Summit, January 26, 2013** – Dennis asked permission of the committee for Jeff Baker to speak before local officials about the new FHMP. Although the target audience is Schoharie Watershed communities, all west of Hudson watershed county administrators are welcome to attend to learn more about the program. The conference is held at the Hunter Elementary School in the Village of Hunter. The executive committee was fine with the request.
5. **Bill** – a motion to pay August 2012 Young and Sommer bill was made by Dennis Lucas, seconded by Rob Stanley and carried unanimously.
6. **Stamford dues and developing yearly budget** – Bruce Dolph checked with Stamford Supervisor Mike Triolo on the town's outstanding dues. The town requested a budget a few years ago, which the CWT does not have. Bruce offered to develop one as the Treasurer and suggested all communities get a copy yearly, as well as the Treasurer's Report. The CWT expenditures are primarily administrative and legal assistance, and an estimated budget on past expenses will be developed.

7. Correspondence

- Delaware County Board of Supervisors' letter on funding the new Flood Hazard Mitigation Program, dated Sept. 10, 2012. The letter was sent to DOH Commissioner Shah to impress adequate funding be allocated to the new program.

7:00 PM meeting adjourned on motion by Dennis Lucas seconded by Bruce LaMonda with all present in favor.