

Date of Meeting: April 12, 2007

Kind of Meeting: Organizational

Place of Meeting: Village Hall

Members Present: Robert Murphy, Chairman
Allen Rundall
Robert Liffland
Tracy Durkin
Wayne Osborn
Michael Montemarano

Others Present: David Wise of Gellert & Klein, P.C.
Seth Sheraden of Environmental Consultants
Steve Mance of Environmental Consultants
Rich Kane of Environmental Consultants

MOVED by Mike Montemarano, SECONDED by Tracy Durkin to open the Organizational meeting at 7:00 p.m. All were in favor and motion carried.

The organizational meeting was called to order by Chairman Robert Murphy with the Pledge of Allegiance.

Chairman Robert Murphy turned the meeting over to David Wise for the election of Chairman.

David Wise opened up the floor to accept nominations for the position of Chairman of the Pawling Joint Sewer Commission.

MOVED by Robert Liffland, SECONDED by Allen Rundall to nominate Robert Murphy to be Chairman of the Pawling Joint Sewer Commission. Hearing no other nominations for Chairman the motion was put to a vote. All were in favor and motion carried.

David turned the meeting over to Chairman Robert Murphy.

Chairman Robert Murphy opened up the floor for nominations for Vice Chairman.

MOVED by Robert Liffland, SECONDED by Mike Montemarano to nominate Allen Rundall as Vice Chairman to the Pawling Joint Sewer Commission. Hearing no other nominations for Vice Chairman the motion was put to a vote. All were in favor and motion carried.

MOVED by Mike Montemarano, SECONDED by Allen Rundall to approve Tracy Durkin to be secretary of the Pawling Joint Sewer Commission. Hearing no other nominations for secretary the motion was put to a vote. All were in favor and motion carried.

MOVED by Tracy Durkin, SECONDED by Mike Montemarano to approve Wayne Osborn to be treasurer of the Pawling Joint Sewer Commission. Hearing no other nominations for treasurer the motion was put to a vote. All were in favor and motion carried.

MOVED by Tracy Durkin, SECONDED by Mike Montemarano to appoint David Wise of Gellert & Klein P.C. as attorney for the Pawling Joint Sewer Commission. All were in favor and motion carried.

MOVED by Mike Montemarano, SECONDED by Tracy Durkin to appoint Stantec Engineering as engineers for the Pawling Joint Sewer Commission. Robert Liffland wanted to discuss this nomination. He said he doesn't know where it stands because there are two municipalities involved, but he is wondering if there is some rule where the Commission has to use the same engineers that the Village uses. David Wise said no there is not. He said this Commission is created under article 5G of the general municipal law, and under that article Commissions can be empowered to choose their own employees and consultants. Dave said under the inter-municipal agreement which created the Commission, the Commission has been granted that power by the two municipalities which created this body.

Robert Liffland said he is not in favor of the choice. He said he feels it's not a good choice. Chairman Robert Murphy asked him if he can say why. Rob said he doesn't think Stantec gets the work done in a timely fashion and he feels their prices are high. Chairman Robert Murphy asked if its Pawling Joint Sewer Commission work. Rob said yes. Chairman Robert Murphy said he will talk to Stantec. Chairman Robert Murphy said if there are no other nominations he needs a vote.

The vote was:	Chairman Robert Murphy	Aye
	Tracy Durkin	Aye
	Mike Montemarano	Aye
	Robert Liffland	Nay
	Allen Rundall	Nay
	Wayne Osborn	Nay

Motion is tabled.

David Wise said he wants to point out that the current engineer, Stantec, will continue under the prior appointment, unless and until a new engineer is appointed.

Allen Rundall said the village does have an engineer that was appointed at the last regular meeting and to keep things running in a very smooth fashion, between the village, town and the Sewer Commission, it probably would be to the Commission's best interest to appoint Joe Zarecki to represent the Sewer Commission. Chairman Robert Murphy asked if the board has any comments. Rob asked Allen if that is a motion. Allen said yes. MOVED by Allen Rundall, SECONDED by Robert Liffland to appoint Joe Zarecki the engineer for the Pawling Joint Sewer Commission.

Chairman Robert Murphy said Zarecki, as far as he knows, hasn't had a lot of experience with municipal wastewater, at least none that he knows of and they've never really expressed an interest in the job, that he knows of, and given the fact that the Commission is headed toward some sort of plant expansion dealing with some possible large developments that may want to hook up to the sewer, he thinks changing engineers in midstream like this would be counter productive.

Allen said that is a good point, but it took Stantec 6 to 9 months to do the report for Toll Brothers and he feels that was too long. Rob said Stantec left a broad range for the Commission to decide on, \$6,000 to \$9,000. He said that should have been pin pointed down to be much more accurate. Chairman Robert Murphy said the engineers did that because it's not up to them to make the final decision, it is up to the Commission. Rob feels that is too big of a swing there. Chairman Robert Murphy explained how these things all need to be negotiated and that there really are a lot of variables.

Allen said any developer that hooks up to the plant supplies their own line to the plant and the fees the Commission gets is for plant expansion only. Chairman Robert Murphy said there is a value to a developer hooking into the existing facility. He said it's not just about expansion. Allen said the Commission doesn't even know how much it's going to cost them to do the expansion they need to at this point. Chairman Robert Murphy said the figures are in the study. Allen said it only gives a range. Chairman Robert Murphy said it is conceptual, a conceptual estimate. He said it's not going to have a bid estimate in it because construction prices change. Chairman Robert Murphy said hook up fees are not only necessarily for expansion only. He said they may actually wind up taking in more money than necessary for the expansion but that is because the plant is worth that much more and costs keep going up. Allen said where do they draw the line as to the cost and the money they'll put in escrow for future expansion of the plant and the cost of expanding the plant and still have it affordable for a developer to come in and put houses in. He said you can put a \$9,000 per unit hook up fee and then the Commission will go ahead and build the sewer plant accordingly, the developer may not be able to put the house on the market and sell it because the hook up fee is so high. Allen said the developer will just walk away from it. Chairman Robert Murphy said the developer will know before he sticks a shovel in the ground if he can afford to build a house or not. Allen said they will walk away from it because it is too high. Chairman Robert Murphy said that it has always been the Sewer Commission philosophy that the current tax payers should never have to pay for any expansion of the plant in relation to any new development going in. He said if the plant is valued at X amount of dollars, plus what ever it needs to be expanded than that's basically the dollar amount. Chairman Robert Murphy said it is obviously a negotiated price which the board has to decide on somewhere between \$6,000 and \$9,000.

Chairman Robert Murphy said that quite frankly the plant is extremely valuable to a developer and he doesn't think that some of the current board members really understand how valuable the plant is. He said there are a couple of commercial developers on Route 22 that are being taken through the ringer by the DEP and the DEC because they are in the New York City watershed. The plant is not in the New York City water shed and they will probably be willing to pay just about anything to be able to hook in to the plant, and to get anything less than what the Sewer Commission can get just simply because you want a developer to be able to hook up, you are not really acting in the best interest of the tax payers. Robert Liffland said maybe they should look at it differently, put the value price up and the hook up fee separately. He said there is a value to hooking into the sewer but don't incur that into the hook up fee, have a flat price instead. Chairman Robert Murphy said that is how the fee has always been determined. Rob said he doesn't agree with it and he doesn't agree with the report and he doesn't think it's a good report. Chairman Robert Murphy said this is the first he's heard of this. He said the report has been sitting up stairs for almost 2 years and nobody complained about it until now. Chairman Robert Murphy said there has been discussion about the report for the past couple of months and all of a sudden it's coming out that Rob and Allen are unhappy with Stantec. He said this is the first time he's heard any complaints about it and that if Toll Brothers thought that the \$6,000 to \$9,000 range was too high they would have been gone a long time ago. Chairman Robert Murphy said there are also two other very large developers that know the range and are still very interested in hooking in. Chairman Robert Murphy said the Commission does have to decide on a number.

Tracy said as far as the motion on the floor; she said she is a little concerned on a couple of levels. She said the first is since the last vote ended in a tie and the Commission is not without an engineer because the appointment carries over until the vacancy is filled there's no emergent need to make a decision tonight. She said she is also concerned based on the exchange she just heard. She said there is this zealously to replace the engineers. Tracy said they had conversations in the past about the engineers and the ethics of those engineers, the possibility of expanding the professional services in the engineering sector to include at least one other engineering firm. She said she doesn't think that is a bad thing but it is something that needs some more conversation. Tracy said she is a little concerned with this need to replace the current engineers with little conversation about it.

MOVED by Tracy Durkin to postpone this vote until the next regular meeting next month. Allen said there is a motion on the floor that needs to be acted on before the next motion. Tracy said no it doesn't because this one supersedes. David Wise said Tracy is correct; this is basically a motion to table the pending motion which is an appropriate motion to make.

SECONDED by Mike Montemarano to postpone the vote until the next regular business meeting. He said the town uses both engineers. They find it useful to use two and it seems to have worked out over the years. He said he was not aware of any pressing problems here until he walked in here tonight.

The vote was: Chairman Robert Murphy Aye
Tracy Durkin Aye
Mike Montemarano Aye
Robert Liffland Nay
Allen Rundall Nay
Wayne Osborn Aye

Motion carried.

Chairman Robert Murphy said he will be free any time that any of the Commission members want to talk to him on this situation.

MOVED by Mike Montemarano, SECONDED by Wayne Osborn to hold the regular business meetings of the Pawling Joint Sewer Commission on the second Thursday of each month at 7:00 p.m. All were in favor and motion carried.

MOVED by Mike Montemarano, SECONDED by Robert Liffland to schedule the next organizational meeting to be held on April 10, 2008 at 7:00 p.m. All were in favor and motion carried.

MOVED by Allen Rundall, SECONDED by Tracy Durkin to close the organizational meeting of the Pawling Joint Sewer Commission. All were in favor and motion carried.
Time: 7:25 p.m.