

Date of Meeting: June 14, 2007

Kind of Meeting: Business

Place of Meeting: Village Hall

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

Members Absent: Robert Liffland

Others Present: David Wise of Gellert & Klein
Seth Sheraden of Environmental Consultants
Rich Kane of Environmental Consultants

At 7:00 p.m. the regular business meeting of the Pawling Joint Sewer Commission was called to order by Chairman Robert Murphy with the Pledge of Allegiance.

MOVED by Mike Montemarano, SECONDED by Allen Rundall to accept the minutes of the Mary 10, 2007 meeting as presented. All were in favor and motion carried.

MOVED by Allen Rundall, SECONDED by Wayne Osborn to accept the treasurer's report of May 1, 2007 through May 31, 2007 as presented. All were in favor and motion carried.

MOVED by Wayne Osborn, SECONDED by Mike Montemarano to approve the May, 2007 vouchers and the June, 2007 prepaid vouchers as presented. Chairman Robert Murphy said two of the bills on the voucher list is for the I and I work. He said Kect Construction is \$28,900 and TAM Construction was \$16,600 and that the engineers and Rich Kane did approve the work. All were in favor and motion carried.

MOVED by Wayne Osborn, SECONDED by Mike Montemarano to accept the Correspondence Log of June 7, 2007 as presented. All were in favor and motion carried.

Chairman Robert Murphy said he will skip down the Agenda to new business because they are still waiting for Ron Gainer.

New Business

MOVED by Mike Montemarano, SECONDED by Wayne Osborn to approve roll over of principal and interest of Capital Improvement CD#31003916231473 to new CD for 90 days. All were in favor and motion carried.

MOVED by Allen Rundall, SECONDED by Wayne Osborn to approve transfer of \$80,000 from O&M CD#31003916472118 to O&M MMA at maturity. All were in favor and motion carried.

MOVED by Mike Montemarano, SECONDED by Wayne Osborn to approve balance of O&M CD#310016472118 principal and interest to be rolled over to a new CD for 30 days. Allen asked Chairman Robert Murphy why there are so many CD's. Chairman Robert Murphy said there is one for operation and maintenance and then there is a CD for Capital Improvements. He said when bills need to be paid we take money from the CD and put it in the MMA and so on.
All were in favor and motion carried.

MOVED by Allen Rundall, SECONDED by Mike Montemarano to approve transfer of \$255.00 from Lanman & DeWinter Escrow #15004214220515 to O&M MMA#15004203346918 for April legal fees paid. All were in favor and motion carried.

MOVED by Allen Rundall, SECONDED by Wayne Osborn to approve transfer of \$154.00 from Lanman & DeWinter Escrow #15004214220515 to O&M MMA#15004203346918 for May legal fees. All were in favor and motion carried.

Chairman Robert Murphy said there is just one more thing he wants to add to the new business but it's not on the agenda, and that is to approve the purchase of a new flow meter.

MOVED by Allen Rundall, SECONDED by Mike Montemarano to approve the purchase of a new flow meter for \$3,570.26. All were in favor and motion carried.

Chairman Robert Murphy said they can discuss the letter the Commission received from Mr. Capalbo. He said the essence of the letter is that Mr. Capalbo is looking for some sort of relief from his sewer bill because he uses water to top off his pool in the spring and he waters his gardens in the summer and he feels that water is not going into the sewer. Chairman Robert Murphy said the Commission has gotten letters like this over the years from different residences and typically when the Commission went to the billing for usage they basically let everybody know there would be no relief for gardening and pool filling unless they wanted to put in a sewer meter at their own expense. Chairman Robert Murphy said the Commission will send a letter to Mr. Capalbo telling him they can not give credit on the sewer bills.

Allen said he has to agree because if you take into account all of the pools and other things in the village, he said once they allow it for one person, every single pool owner that tops off their pool every week will be asking for relief. Allen said it would just be impossible to do.

Chairman Robert Murphy said if the board is in agreement he'll have Linda draft a letter and send it off to Mr. Capalbo.

Sewer Operator Report

Seth said they were a little over the permit this month but as Chairman Robert Murphy mentioned, they did get the new meter and they will have a much more accurate count next month.

Seth went over the monthly report.

He said they did have a little back up in the beginning of the month over on Townsend Blvd. but it wasn't a big deal.

Seth said Rich noticed a slight scraping sound in the RBC unit number 3. He said they removed the cover to see what it was and what it appears to be is that over the years, via settling of the tank, as the RBC was rotating it was slightly scraping up against one of the walls. Seth said what they did was tighten up the housing itself to pull it in a little bit and that seems to have helped a lot.

Seth said they did install the new pump down at the main pump station. He said they also installed the new pump at the Croton River pump station, pulled the old one and Schreck is taking a look at it for repair or replacement.

Seth said Rich did purchase a crock and pump for phosphorus and also a test kit, so they will start monitoring what the levels are, get a good base line on it, then they will start the temporary phosphorus chemical feed. Seth said the only other thing they will have to purchase for that is a 55 gallon drum of chemicals.

Chairman Robert Murphy asked if they saw any spikes in the flow with the rain storms they had. Rich said it was 202 this morning, no spikes.

Allen asked what was the report on the pump that was sent out for evaluation. Rich said the guy is on vacation and he'll be back on Monday. Allen asked if that pump goes out is there another one to replace it. Rich said that is correct. Allen said that is not a good situation. Seth said if anything happened they would be able to get another one fairly quickly.

Attorney Report

Dave said the first item he has for the Commission tonight is Baxter Green. He said Chairman Robert Murphy and he had met with Stew Berelson on June 4th and had a fairly good meeting. He said there was no final solution reached but they principally discussed two items, which was the repair and the dedication of the pump station and then the outstanding amounts owed to escrow as well as some future payments. Dave said in both counts, the ball is back in Stews court. He said with respect to the pump repair, the estimate that Stew had from Griffen Pump was 2 or 3 years old, so he had to go back to see what the status of that estimate was, then he will let the Commission know.

Dave said with respect to the escrows, he talked about wanting to negotiate the amount but did not give any specific number. Dave said he thinks that will be coming from him at some point. He said he called Stew on Monday to get an update but didn't get to speak to him, then Stew called him back today when Dave was out of the office. Chairman Robert Murphy said Stew did contact the village attorneys in regards to the language for the transfer of the sewer lines and stuff. Dave said he did speak with Mike Hayes and Mike said he told Stew that the village typically does not accept dedication piecemeal. Dave said that is good, that way the pump station won't get lost in the shuffle.

Chairman Robert Murphy asked the Commission members how they felt about any kind of negotiations on the escrow fees. He asked if they wanted to hold him at the total amount he owes. Allen said it is probably in the best interest to the Sewer Commission to resolve this problem. He said maybe the Commission will have to negotiate like Stantec did. Dave recommended the Commission wait and see what Stew proposes. Dave said they didn't give Stew any indication that they would compromise the fee but told Stew to look at it and if he had some reasonable basis for a reduction then the Commission might consider it.

Dave has with him the tenancy agreement for the Bed & Breakfast. He thanked Ron Gainer for the engineering input.

Dave gave all of the members a copy of it and said if they consider it, the next step would be for him to send it along to Bob Marvin.

Dave said the biggest change he made to this from the one he had last month is the rate they will be paying. They will be paying the same rate as the in district users but to create a capital reserve for improvements there is an additional \$100 quarterly payment they will have to make.

Allen asked if they agreed to the \$100 quarterly payment. Dave said they haven't seen it yet, he has not negotiated with them and won't unless the Commission asks him to because they are his client, not the Bed & Breakfast. He said the next step is to submit it to their attorney Bob Marvin. Allen said the only thing that was ever discussed with the women is the initial hook up fee then all of a sudden the Commission is adding the \$100. Chairman Robert Murphy said the \$100 figure is new but that they do know they have to put money into a capital reserve for the pump. They are aware of it, they just aren't aware of the number.

Chairman Robert Murphy said if all sides agree with the agreement then the Commission can approve it at next months meeting. Allen asked who determined what the cost would be. Ron Gainer said he was contacted by Dave to see how much a new pump would cost and Ron told him it's approximately \$2,000.

Chairman Robert Murphy told Dave to go ahead and send it along to Bob Marvin. Allen asked why can't the property owner be responsible for the replacement of the pump, why burden the Commission with it. Dave said because the Commission is going to own the pump station. Allen asked why does the Commission have to own it. Dave said it is a good idea for the Commission to own the pump just like they own all of the other pumps. Allen said the Commission doesn't own the other pumps, they don't own any of the pumps down on Allison Dr. Chairman Robert Murphy said the Commission owns all of the pumps. Allen said no, they don't pay the electricity on them. Chairman Robert Murphy said the Commission does pay the electric bills.

Allen said to expedite the tenancy agreement, can the Commission authorize the Chairman to sign the agreement when it's agreed on by the other parties so it doesn't hold the owners up for another month. Dave said the Commission can approve this draft but typically there is some change requested by the other party although he thinks it's pretty tight. He recommends waiting.

Engineering Report

Chairman Robert Murphy asked Ron if he wanted to just give a quick monthly report or is he all set to discuss the review of the sewer system expansion study and the history of the hook up fees. Ron said he is all set.

Ron said he made a summary document that hopefully they can speak from just to review the context of the earlier reports and handed each of the members a copy. (Attach. I)

He said what it is, is a package of materials starting with phase one; just a summery of the connection fee assessments the Commission has applied in the past, they've identified them and they were contained in the Toll Brothers report. Ron said they just identified what Cedar Valley was asked to pay as well as Baxter Green and using those assessments, they just carried them forward and used the accepted inflation factors on the period of the agreement to the Toll Brothers report, about a year old now. They came up with that range and then because of that they said anything within that range will seem to be appropriate as a point of negotiation with any developers. Ron said it's not any more involved than that. He said the understanding would be expected developments potentially seeking connection, it was felt that the numbers somewhere in the mid range would be sufficient to fund the capital improvements of the wastewater treatment plant.

Ron said on page two they summarized wastewater treatment capacities and those future developments that they are currently aware of. He said the one closest to reality is the Castagna, they obviously are the first. The report reviews what the current plant capacity is, Castagna based on the original numbers they have provided to the Town Planning Board previously requiring 80,000 gallons a day and they also carried estimates from Umpshied which is actually Toll Brothers 50 units. Ron said the Johnson property is just an estimate for the size of the parcel they have and the best estimate as to the number of units that might come out of that property. He said Flood Hatcher is a similar issue, they are on the west side of the village, and very recently Elm Street Partners came into the picture with really no definition of what that project scope is. Ron said they tried to estimate it only from some discussion they've had. He said that when you tally all of the numbers, if you start with the existing plant capacity, it comes to just under the range of 500,000 gallons a day.

Ron went on to page three and said he just wanted to summarize the wastewater treatment plant process design for capacity. He said here he has to confess to an error on his part in the original calculations in the Toll Brothers report. Ron said they tried to highlight the error and make it obvious in the report. He said it was totally a mathematical error but they caught it at the time they were discussing expansion issues with the DEC and they tried to make clear here what actual capacities exist. Ron went over the differences in the numbers on page three and explained how he highlighted the errors.

Ron said if the village address's the RBC issue they can pursue an increase in capacity of 375,000 gallons per day. He said that would be more than adequate for Castagna and would be more than adequate if Toll Brothers resurrects itself.

Ron said the next page is a summary of what the requirements are that exist to satisfy any future development and just for some understanding, they said it's a half of a million gallons a day is the ultimate development potential, so that's what they are using in their estimates on this page.

Ron said they tried to identify the changes in the process with the upgrades of the process's needed to get to a half of a million gallons a day. Ron said the number could have been 600,000 as was in the Toll Brothers report, they based it only on 500,000 only because that appears to be what is required for ultimate build out. He said that is the reason you see a different number today than what you see in the Toll Brothers report.

Ron moved onto the next page. He said that these items are based on 500,000 gallons a day. He said phase one is something the DEC is going to start requiring, there will be no need to increase the SPDES permit, this phase will need to be done regardless. Ron explained phase two is the improvements for Castagna and will increase the SPDES permit flow capacity to 375,000 gallons per day. Ron said phase three is the improvements for all known development and will increase the SPDES permit flow capacity to 500,000 gallons per day. Ron said all of the cost estimates are with contingencies and engineering.

He said the grand total is \$3,440,000 which is obviously higher than what's in the Toll Brothers report and that is essentially in the items that were not in it like the clarifier and the filters.

Moving on to the next page Ron explained that he tried to evaluate the overall improvements and identify them according to timing or priority. He said the issue of chemical addition, VFD's and the diversion chamber modifications are all minor and are estimated at a cost of \$110,000. Ron said they can proceed immediately; they are not really capacity issues, they are really operational issues. He said he presented it as the Commission can proceed with this phase independent of any consideration in change in plant capacity. Ron said phase two is trying to identify improvements that are necessary if they want to permit Castagna and Toll Brothers in, which would get an increase in SPDES permit capacity to 375,000 gallons per day and that cost estimate comes in at \$1,090,000. Ron said phase three is the other improvements they find to be necessary which is the secondary clarifier, the tertiary filters and the site improvements. Ron said phase three will add a significant cost to the upgrade at \$2,244,000. That will bring the grand total estimate of the upgrade to \$3,440,000.

Tracy asked if Ron had the capacity of the tertiary filters now or is that with an upgrade. Ron said that is now. There was discussion on the filters being 25 years old and that is basically the useful life of these filters. Seth said his opinion is that before any decision would be made as to rehabbing the existing filters or waiting and seeing if they could handle the 380,000, they have to wait to see how the phosphorus removal and the variable speed does to help the operations of the filters.

Allen said he has some general comments. He said that taking the operators report and looking at them over the past year they are constantly in violation of their SPDES permit. He said with the new administration and with things the way they are happening, it's not going to be long before DEC is going to be on the village requiring them to upgrade so that they stay within the permit. Allen said the longer they wait, the more it will cost and eventually the Commission will be in violation and fined. He said he thinks this board has to look very, very closely and very hard at taking this and getting additional input from other engineering firms so that everybody is looking at the same thing.

Allen said he is very upset and very concerned, he said he doesn't want to see the Sewer Commission slapped with big huge fines from DEC, and he said it's coming down from Albany and very, very shortly. Chairman Robert Murphy asked Ron and Jim Fitzsimmons if they heard anything about that. Ron said there is always that possibility. He said there is no question that the Commission has had ascendances. Ron said the Commission has been working on I / I improvements. Ron asked Seth if they run a twelve month average in their monthly report. Seth said it's all part of the flow meter reading high flows and now that they have a new meter, they will get much more accurate readings. Allen said another thing that bothers him is that the engineers came in and told the Commission that there is a lot of infiltration coming into the system and it needs to be repaired and the Commission repaired it, spent money on it and did what they needed to do and they are still not under the SPDES permit. Chairman Robert Murphy said they just did the repair. Allen said they are still over. Chairman Robert Murphy asked Seth when the flow meter was replaced and Seth said it was just yesterday. Chairman Robert Murphy asked if the old meter was tracking high. Rich Kane said they had to keep having the meter guy come out and adjust it over and over. Seth said to Allen that if he looks at the actual flows, just for clarification, it was from the residual from the rain storms left over from the previous month. Allen said that indicates to him that there is still infiltration out there that the engineers haven't found yet. Chairman Robert Murphy said no, it was reading off the old meter and that was reading high. Chairman Robert Murphy asked Seth if he could do a twelve month running average on the monthly report. Tracy said it would be interesting to overlay weather events also. Rich said they do that now during storms and he always lets Chairman Robert Murphy know when there is a spike. He said he hasn't been spiking the last couple of rain storms.

Allen said he would like to see the Commission put the report out and let another engineering firm take a look at and see if they come back with other ideas.

Chairman Robert Murphy asked what everybody else thought. Mike Montemarano said it would be all the same input data and then it's just simple calculations. He said with all the input data being the same the conclusions would be the same. Chairman Robert Murphy said a lot of it is just mathematics. Ron said the wastewater generation rates for new development are usually provided by the developer, it's not a rate that the engineers just come up with. Allen said he just wants someone else to look at to see if they come up with something else. Ron said it's certainly within his right to do that, he's just explaining how the figures were obtained.

Ron said he doesn't want another misunderstanding about how they came up with things, like someone said that Stantec came up with the work that was entailed in pursuing the infiltration and influent, (I/I) improvements, but in fact the Sewer Commission hired an independent contractor that does sewer system evaluations. Ron said the work that was done to remove I/I was not based on any studies Stantec did, it was based on the independent contractors report submitted to the Commission saying what needs repair. Allen said the other thing that bothers him to some degree is that when Toll Brothers came in and sat down with himself and the engineers, the engineers told them that the wastewater treatment plant can handle their flow.

Chairman Robert Murphy asked Allen what that has to do with what they are discussing. Allen said he's just saying why he feels they should get other views before they decide that this is the way to go. Allen said his point is that Toll Brothers, himself and the Chairman at that time were told that if the Commission took care of the I/I, the plant would be able to handle their flow. Ron said to Allen that he is saying things with certainty and he has to object to that. He said he doesn't believe that he ever made those representations.

Chairman Robert Murphy said that looking at all of the improvements they are looking at, they have short term improvements which the Commission can probably act on immediately, that is the chemical additions and things. He told Ron to work with the plant operators to start working on that collecting the data so they can start to move forward on that. Chairman Robert Murphy said the other issue will be the next increase in the SPDES permit and what the engineers and the plant operators need to do is to decide what needs to be done with the filters. Allen said if the Commission is going to do all of this work, why don't they just bite the bullet and do the whole thing and get it done. Chairman Robert Murphy asked Allen where is the money going to come from, borrow it and Allen said yes and then developers will come in. Chairman Robert Murphy said short term they will have to raise everybody's sewer taxes to expand the plant for developments that don't even have all of there approvals yet. Allen said he doesn't know. He asked if it would cost the Commission more to do the expansion in piecemeal. Chairman Robert Murphy said even though they will be doing it in piecemeal, they wouldn't necessarily be doing anything over. Tracy said it's very modular, the improvements. Chairman Robert Murphy said it might wind up to be more costly because of construction inflation, one of the reasons they are raising the hook up fees, but then again they need to take into account whether the Commission, rather the tax payers, can afford to do that much work and wait for developers to come in. He said it all comes down to timing and the question is even though it may cost a little bit more money in the long run, it may benefit the sewer district a little bit more if they did it in a modular sense and a phasing sense as the developers came in so they wouldn't have to raise taxes.

Allen asked if there is a way they could build a plant that will do an amount here and when a developer comes in they add a modular to it that increase it's SPDES permit. Ron said that is what they basically are doing. Allen said if they can do this in modular stages they can upgrade the system as need be by units. Ron said that is exactly what they are doing. Mike Montemarano said that Ron serves as their engineer and the input data doesn't change. Ron said it's all set by DEC standards and like he said before, the error that was made was just a terrible mistake.

Mike asked Ron if he could advise the Commission, as their engineer, if it's possible that any other engineering firm would come up with anything different.

Ron said that anything he says would be colored but he can say that they went by the DEC standards.

Mike asked Ron if the input data is all the same could he give the Commission his professional opinion if there is any likelihood of another firm coming in with something different. Ron said if people look at the process unit capacities, he doesn't believe the numbers will change. Mike asked Ron if he has any sense on if there is any reasonable likelihood that another engineering firm might look at process differently than how they are doing it. Ron said he doesn't see it as such.

Allen said he wasn't questioning the mathematical breakdown of it, but his thoughts were to have another engineering firm look at the method of doing it and the cost of other methods. He said the Commission is just looking at one engineering firm that has this one idea with one price. Chairman Robert Murphy asked Ron how they came up with the pricing. Ron said they obtained pricing from process vendors, US Filter, Siemons and alike, and then depending on what they're doing they've estimated construction cost's, concrete, ect. Allen said that is for what Stantec is proposing but what happens if there is another engineering firm has another proposal and another method. He said it could be cheaper and since they are in the exploratory stage they could get other opinions.

Chairman Robert Murphy said the Commission has existing structures and if you are going to expand the components then it is just simple calculations.

Allen said he understands and probably in essence what Ron is saying is 100% correct, there is no other way, but wouldn't they as a board feel much better if they asked another engineering firm to look at the same thing that the Commission has and ask them for their idea also. Tracy said to Allen that he's asking for a second study, not just a second opinion. Allen said yes. Tracy asked Allen if he wants another engineering firm to start fresh and re-examine everything. Allen said he's really not sure. Chairman Robert Murphy said he feels comfortable with what they have. He asked the members how they feel. All the members said they are happy with what Stantec has. Allen said he wants it on the record that he is not happy with it. Mike said it does appear that the input data and the technique is not a variable. Allen continued to talk about how he feels another firm should look at it.

Tracy asked what the next step is. Chairman Robert Murphy said the Commission has the money to move along with the first phase. Tracy said there should be a motion on the floor.

MOVED by Tracy Durkin, SECONDED by Chairman Robert Murphy to go ahead with the phase one work as described in the engineers report. Allen asked who is going to design it. Chairman Robert Murphy asked Seth to explain. Seth said they will just put a structure up really quick for the chemical addition, then for the VFD's all there is to that is sizing up the type of unit they are going to use. Allen asked if that will need to be designed by an engineer for approval from DEC. Ron said generally it would require a report just to get the authorization but he doesn't believe there is any permitting required. Four were in favor, Allen was opposed. Motion carried.

Chairman Robert Murphy said the next item on the agenda is to discuss new hook up fees. He said that Ron did a work up, a short version of what was in the Toll Brothers report. Chairman Robert Murphy said his feeling is they should try to compromise somewhere in the middle around \$7,500. He said he does feel that because of the latest report they got from Stantec that they choose a higher amount.

MOVED by Chairman Robert Murphy, SECONDED by Tracy Durkin to establish the new hook up fee at \$8,000 per unit for residential unit. Allen said at the last meeting this decision was tabled because there wasn't a full board. He said he feels it would only be fair to table it again because they don't have a full board. Chairman Robert Murphy said that will be duly noted.

MOVED by Allen Rundall to table the motion, there is no second.

Chairman Robert Murphy asked if there is any other discussion. There was none.

Chairman Robert Murphy asked the board how they felt. He said he'd like some comments.

Mike Montemarano asked Ron if he made some correlation before talking about a mid range versus the initial capital improvements cost. Ron said the original basis years ago was trying to take some estimate for what their gallons per day would be and what their typical waste treatment plant capacity would cost on a unit bases. He said this was back in the 1980's. Ron said it once was accepted to have a certain value. He said it was that basis that they came up to calculate the estimates that were used for Kings Apts., Cedar Valley and then also brought forward more recently for Baxter Green. Ron said it's not up to Stantec to tell the Commission what to charge. He said they were asked to review the history and then understand on the basis as to when that was done, but that the current value would be based on accepted construction cost estimates. That is all Stantec did. Allen asked when the Sewer Commission charges the \$8,000 are they taking into account all of the developments that can come into the system so that if every development that they know of is a capacity, will it pay for the necessary expansion or will it exceed it. Ron said they did not look at it from the point of need, they looked at it from the point of history. Mike Montemarano asked Ron if they see any increase in regulatory issues. Ron said he did have discussions with the DEC and their specific guidance to them was that the phosphorus limit be held firm. He said for the Commission it is a very modest requirement and not a big deal.

Chairman Robert Murphy asked Wayne Osborn how he felt about the \$8,000. Wayne said he's fine with it.

Chairman Robert Murphy asked Tracy Durkin how she felt. She said she thinks it's reasonable and she hopes that everyone will see that it is a benefit, to look at the sewer system as a positive thing.

Chairman Robert Murphy said this is residential rate they are setting tonight and Dave will have the resolution ready for next meeting.

The motion put to a vote and went as follows:

	<u>Aye</u>	<u>Nay</u>
Chairman Robert Murphy	X	
Tracy Durkin	X	
Robert Liffland		Absent
Wayne Osborn	X	
Allen Rundall	X	
Mike Montemarano	X	

All were in favor and motion carried.

Chairman Robert Murphy asked if they could talk about the commercial rate now. Dave said typically with a commercial rate, you would start with the residential rate, in this case it would be \$8,000 and divide the estimated average daily flow, which here would be 300 gallons. Then the commercial pays that per gallon rate times their estimated daily usage. So it is basically a per gallon rate for commercial. Allen said how is that fair if there is a restaurant that uses a lot of water and then there is a clothing store that only has one little bathroom, there is no coalition. Dave said that is why they are going to pay different amounts. Tracy said Allen brought up an interesting point because if there is a very low user, perhaps there should be some sort of floor to the rate scale. Mike Montemarano suggested using the residential rate as a minimum. The members agreed.

MOVED by Allen Rundall, SECONDED by Wayne Osborn to approve the commercial hook up fee rate to be the base hook up fee of \$8,000 divided by 300 gallons per day with a minimum hook up fee of \$8,000.

Motion put to a vote and went as follows:

	<u>Aye</u>	<u>Nay</u>
Chairman Robert Murphy	X	
Tracy Durkin	X	
Robert Liffland		Absent
Wayne Osborn	X	
Allen Rundall	X	
Mike Montemarano	X	

All were in favor and motion carried.

Chairman Robert Murphy said the next item on the agenda is the appointment of the engineer for the Sewer Commission.

MOVED by Chairman Robert Murphy to appoint Stantec as engineers to the Sewer Commission. Tracy said the motion was tabled last month so they need to pick it up off the table.

MOVED by Chairman Robert Murphy, SECONDED by Mike Montemarano to reopen the appointment of the engineer.

Allen said the motion that was tabled at the last meeting was to appoint Zarecki as the engineer. The members were deadlocked in the appointment of Stantec. Dave Wise read the minutes of the April meeting. He said the motion that was tabled was the motion to appoint Zarecki and that is what they are voting on now.

Allen said the person that seconded the motion isn't present tonight so they can't act on it. Dave said they can act on it, there is a motion to reopen it and they just need to vote on it, he doesn't need to be there to re-second his motion. Dave said it's a standing motion.

Allen said before they move on to the vote he has a couple of things he'd like to say. He said he and Ron Gainer have been friends since Ron started the business as Gainer-Wilber. He said Ron did a very professional and very, very good job. Allen said as Rons company enlarged and increased the timely completion of projects brought before the village has declined, declined drastically. He said it has declined so drastically that on one of the projects, the MS4 project, the village had to hire another engineer to do it because Stantec just didn't do it. Chairman Robert Murphy asked Allen to keep his comments to sewer issues. Allen said he has to explain his feelings.

Chairman Robert Murphy said to Allen that this is not a village issue, this is for the sewer department and he wants his comments associated with the work as far as the Sewer Commission is concerned. He said that is all he's asking. Allen said it has to do with the overall performance of an engineering firm that's going to be doing big work for the sewer department. Chairman Robert Murphy said it has to do with the overall work they've done for the Sewer Commission over the last 15 or 20 years. Allen said he has no further comments.

Chairman Robert Murphy said all in favor of appointing Zarecki Associates as engineer for the Sewer Commission. Allen voted Aye. All of the other members voted Nay.

MOVED by Chairman Robert Murphy, SECONDED by Wayne Osborn to approve Stantec as the engineer firm for the Sewer Commission. All members voted Aye except for Allen, he voted Nay.

Motion carried.

Chairman Robert Murphy said before they close the meeting and go to member comments he asked Peter and Jerry from the audience if they have anything they'd like to talk about. He said Jerry is an engineer with the Castagna group.

Jerry said he appreciates the Commission allowing him to be there tonight. He said the Castagna property is down on Route 22 in the Town of Pawling. He said there is approval for 300,000 square feet of office space. Jerry said there is also a master plan that has been approved by the Town Board which includes 22,000 square feet of retail along Route 22 and then another component of senior housing, about 100 plus units at the far end of the site. He said they currently have an active SPDES permit for a recycling plant up on the site that has been approved by the DEC, the New York City DEP; because they are in the NYC watershed area, and the Dutchess County Health Dept. as well. Jerry said they have all the other approvals necessary, including NYS DOT and so forth. He said the program has been established by the Castagna Reality Group who currently owns that property.

Jerry said they've been having discussions with Stantec for some time on the exploring opportunity to make a connection to the village plant, understanding that at the current time there are some capacity issues with that plant, but as they heard tonight, there are some plans to make some improvements. Jerry said one thing they would like to explore and begin some discussion with the Commission about is if connecting is something Castagna can even entertain considering they are out of district. He said they would like to discuss with the Commission how they might actually be able to come into play and be part of the plan. He said the numbers they saw here tonight they are not sure about. They will have to evaluate along with the annual user fees. Jerry said the next step for them would be to go back and take a look at these numbers to see what it looks like and then come back to the Commission. Jerry asked what the next step for them would be as far as the Commission is concerned. Ron said he has no objection to meeting with the developer representatives but he would want the Commission Chairman to be present. Chairman Robert Murphy asked the board members how they feel about this. They all agreed it would be fine for Ron and Chairman Robert Murphy to meet with the developer.

MOVED by Tracy Durkin, SECONDED by Allen Rundall to authorize Chairman Robert Murphy to enter into preliminary negotiations with Castagna. All were in favor and motion carried.

Chairman Robert Murphy told Jerry to take a look at the numbers and if they want to meet to contact Ron and they can set up a meeting time.

Jerry thanked the Commission members.

Chairman Robert Murphy thanked Jerry and Peter for coming tonight.

Commission Member Comments:

There were none.

MOVED by Tracy Durkin, SECONDED by Allen Rundall to close the meeting and adjourn. Time: 9:00 p.m. All were in favor and motion carried.

Tracy Durkin, Secretary