

Date of Meeting: March 13, 2008
Kind of Meeting: Business
Place of Meeting: Village Hall
Members Present: Chairman Robert Murphy
Beth Coursen
Tracy Durkin
Robert Liffland
Wayne Osborn

Members Absent: Allen Rundall

Consultants Present: Seth Sheridan of Environmental Consultants
Rich Kane of Environmental Consultants

Others Present: Jeff Jones of Wind Rose

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 Wayne Osborn, SECONDED by Robert Liffland to approve the minutes of February 4, 2008 as presented. All were in favor and motion carried.

MOVED by Tracy Durkin, SECONDED by Beth Coursen to approve the treasurer's report of February 1, 2008 through February 29, 2008 as presented. All were in favor and motion carried.

MOVED by Tracy Durkin, SECONDED by Wayne Osborn to approve the February, 2008 vouchers and bills and the March, 2008 prepaid vouchers. All were in favor and motion carried.

MOVED by Robert Liffland, SECONDED by Tracy Durkin to approve the Correspondence Log of March 6, 2008 as presented. All were in favor and motion carried.

Old Business

Attorney Report

Chairman Robert Murphy said there is no attorney present and there is no report other than Dave has been trying to get a meeting scheduled with Stew for the Baxter Green pump. Chairman Robert Murphy said he did speak with Environmental Consultants and they are very interested in trying to work these things out.

Engineers Report

Chairman Robert Murphy said there are no engineers present and no report. Chairman Robert Murphy said there was a preconstruction meeting that Seth will talk about during his report. He said the bid opening will be on March 31st.

Sewer Operator Report

Seth said the general operations at the plant went well, though there was a lot of precipitation, about 10" overall. He said it kept the flows high.

Seth said 2 people showed up for the preconstruction meeting down at the pump station. Seth said there were a couple of small issues down at the main pump station. He said they needed to replace the packing and while Rich was down there checking it out he found a couple problems with the floats. Seth said Rich called Automatic Alarm and the floats have been taken care of.

Seth said they had a problem with one of the secondary clarifiers. He said the sludge coming out was getting slower and slower. He said they were trying everything to resolve the issue and finally they had to remove the valve and found the blockage there. He said it is working fine now. He said also, they found small snails in the RBC. He said the high flows do cause some operational issues.

Seth said the power to the pump station at 21 Allison Dr. was shut down due to the house burned down.

Seth said one of the EQ blowers blew out and Rich is getting some prices on that now.

Seth said there was an alarm over at 13 Summit Ave. He said the wiring burnt up and Mark from Electrical Maintenance will repair that. Seth said while they were in there they found an incredible amount of grease. Chairman Robert Murphy asked Seth if there is any way these stations can be inspected from time to time. He said these people have to be notified that they are causing damage. Seth said sending fliers might help. Rich said it might help if when they have to pull a pump out, they call the customer out and show them that they can't dump the grease because of this problem. Chairman Robert Murphy said it would help to notify the homeowner that they need to take just a little bit more responsibility for what they are doing. Tracy asked if they could spray the chemicals that they are going to put in to the lines. Tracy said maybe even if it's just once a year while they are doing their inspections if they could just put a squirt in.

Rob Liffland said educating the customer on how bad it is can be helpful. He said if it is explained to them that they could be damaging their own lines and the sewage can start backing up into their own house.

Chairman Robert Murphy said he'll see about how many pamphlets about grease are left. He said he'll talk to Linda about ordering some more.

Seth said they will work on identifying the next area that they think would be a good idea to look at inflow and infiltration, (I&I). He said he thinks a lot of it is not going to go over too well with some customers because he believes a lot of the flow is coming from sump pumps and roof leaders. Chairman Robert Murphy asked if something like that can be identified from the road. Seth said they can smoke test the system then decide what to do with it. Chairman Robert Murphy said the homeowner would have to be notified that they can't do it anymore because it is in the ordinance.

Seth said it might be a good idea to maybe send out a flier letting the homeowners know that the Commission will be doing smoke tests.

Rob asked how the smoke testing works. Seth said you drop a special smoke bomb into the sewer main and the smoke goes up and you see where it comes out. Rob said he doesn't see how it could come out of a sump pump because the pumps have check valves on them. Beth asked what other option the homeowner has. Seth said again that's why it becomes an issue because for somebody it might be as simple as taking the pipe they have going into the system via the washer line or something, they'd put a whole in the foundation and put in a dry well. But for some it will be harder and it's not a lot of people that will be inconvenienced. Beth said she believes it's more than just an inconvenience if there is not enough land for the homeowner to put a dry well in. Seth said they have to do what they have to do. He said he doesn't think the Commission can just pick and choose who has to do it and who doesn't out of convenience. Seth said maybe what they can do is to really look at it and see what they really have here and go from there. Tracy said Seth is rite; they need to know what they are dealing with. Seth said they can research on how to do the smoke testing or if there are other things they can do to identify sump pumps. Beth asked Seth if anybody has ever asked for self reporting. She said that when the quarterly bill is sent they can ask a homeowner to fill out a questionnaire about sump pumps and gutters. Seth said he hasn't seen that. Tracy said it's an interesting idea. Chairman Robert Murphy said it would be worth a shot. Beth said that it can be blind reporting where the homeowner doesn't have to say who they are if they choose not to.

Seth said they have been talking with Stantec regarding the weir for the flow equalization. Rich said he has three weirs, they did some measuring and the engineer will come back with which one they will use.

New Business

MOVED by Tracy Durkin, SECONDED by Beth Coursen to approve rolling over principal and interest of MMA#15004217179636 to new CD for 90 days. All were in favor and motion carried.

Chairman Robert Murphy said Jeff Jones from Wind Rose is in the audience tonight. Chairman Robert Murphy said Jeff is here tonight to just kind of fill the Commission in on what they are looking to do as far as the development and such.

Jeff said they have been just gathering information so far trying to balance the goals of the project because until they have a whole lot of baseline information, they can't really make a lot of land use decisions. He said that's why there has been no plan presented yet. He said what their preliminary information is telling them is they will be in the ball park of 200 homes and they are also looking at the club amenities. Jeff said they are still working through a lot of gyrations.

Jeff said what he thought he would do is come here tonight to solicit the Commissions thoughts on where they will go from here. He said he has an office right over next to CVS so please do stop by if any questions.

Jeff said Insight Engineering is doing all of their engineering work. He said the order of magnitude that they told him is they are in the 125,000 – 150,000 gallons per day range with what they are considering, which is the 200 units plus some excess for employees and things.

Jeff said the distance from the plant is about 17,000 linear feet, which is just a little over 3 miles. He asked Chairman Robert Murphy what the fees are for a single family home. Chairman Robert Murphy said \$8,000. Jeff said strictly just by doing the units and the accessory building and all that they are in the order magnitude of two and a half million dollars just in fees to hook into the system. Jeff asked how the Commission would like them to proceed, if there is an interest they could easily proceed at a parallel process. Jeff said as mentioned before there were some infiltration issues and they would be more than happy to help with those how ever they can. Jeff said he really just wants to put the question out there if this is something the Commission would be interested in and then what would the next step be.

Chairman Robert Murphy said the Commission would certainly be interest. He said they would have to do a cost benefit analysis, package plant versus bringing the sewer line down West Dover Rd. in addition to paying the hook up fees. Jeff said they did a back of the envelope sort of analysis and it's pretty close.

Chairman Robert Murphy said he would be interested in getting some more data. He said they will probably have to refine the numbers a little bit, but that the Commission would certainly be interested.

Beth said she thought the Commission has to give careful thought to how many commitments they do make. She said the rough numbers Jeff has coupled with the rough numbers from Castagna, if they are able to double the capacity of the plant, that leaves after these two developments 75,000 gallons left. She asked if that is enough to accommodate all of the future development needs within the district. Chairman Robert Murphy said the district itself is basically built out. He said there is only one or two streets with only a few houses that aren't connected. Chairman Robert Murphy said if Beth is talking about Johnson's and Umscheid, they are not in the district. He said one of the things the Commission would have to do is look at the overall plan. He said they looked at a long range plan and looked at the means of the plant but the West Dover Rd. project is kind of the wild card because the study was done before they came into the picture.

Chairman Robert Murphy said the engineers did the study that brought the plant up to about 500,000 and if the Commission decides to entertain bringing the West Dover Rd. in, the plant would probably have to be increased a little bit more, so more research would be needed.

Beth asked Chairman Robert Murphy if he thought the possibility exists that the plant could be built up more than the study shows. Chairman Robert Murphy said that is an engineering question, that it is a question of expanding the individual components that need to be expanded.

Beth said her concern is after Wind Rose and Castagna are on, are there within the village in the DEP Watershed, properties that are currently not in the district. Chairman Robert Murphy said yes, part of Dutcher Ave., West Main St. is covered out to Dykeman. Beth said with the town, in the economic corridor is not in the district and it is in DEP Watershed. She said they have two businesses' right now that have shut down on Route 22 because of various issues with regard to onsite treatment. Beth said looking down the road, to anticipate it, others are going to have onsite systems that fail and may not be able to meet the DEP standards to upgrade. She said her concern is that if they don't provide the availability of wastewater treatment for their economic corridor, they could be looking at a ghost town. Beth said she would like the availability of future plant expansion for those because they have a responsibility in the watershed agreement to address these issues.

Chairman Robert Murphy said he doesn't know which places Beth is talking about but, could they afford to bring a line all the way up to the sewer plant. Beth said it's Burger King and the other restaurant where their onsite systems failed and they can't afford the upgrade so they obviously can't afford to run pipe up to the plant. Beth said it is responsible for the government to say it's their problem. Chairman Robert Murphy said it would be beyond what the practice has been at the Sewer Commission, to run a line down at the Commissions cost for those parcels to hook up. He said typically anybody out of district has to run the line to us, to actually pay for it. Chairman Robert Murphy said to reverse that he didn't think it would be appropriate. He said Castagna is going to pay a lot of money to bring the line up 22. Beth said she's not suggesting reversing it. She said maybe it shouldn't be done under tenancy, that they should expand the district.

Beth said the reason for that is; if an onsite system for an existing business fails they can just hook up because they would be in the district. Chairman Robert Murphy said if Castagna signs on as a tenant and they give the village the sewer line, he doesn't see what the difference is or what problems would be whether Castagna has a tenancy or if they were in the district. Beth said it's a legal question because if they've been under tenancy, do they own the line. Chairman Robert Murphy said he believes it could be either way. He said it is certainly a question to ask Dave Wise. Beth asked if we could have counsel come to a future meeting so we can get some answers. Chairman Robert Murphy said they usually have Dave come only when he's needed. He can ask him to come to the next meeting.

Beth said another question she has is, given the town only has one vote on the Commission and the Commission is looking to expand well into the town boundaries, if the expansion is done through expanding the district does that mean that the town gets more votes on the Commission. She said as much as this board is strictly a public utility, really the decisions should be based solely on public utility but the fact of the matter is, by engaging in dialog with developers they become de facto decision makers with regards to laying out policy and she doesn't know if that's appropriate. Chairman Robert Murphy said he doesn't see why it wouldn't be, there are five members of the village board and a member of the town board.

Chairman Robert Murphy said they base their decisions on what is best for the sewer district. If a developer can not afford to meet the Commissions criteria then they simply do something differently.

Beth said she understands that is the way it's always been done but her concern is that makes the village board the de facto decision makers for making decisions in the town. She said especially if they are expanding into the town boundaries under tenancy agreements. Tracy said she agrees with Chairman Robert Murphy. She said she's been on the board for 5 years and she doesn't think any of the tenancy agreements they've talked about or decided about have been questions of land use so much as questions of utility.

Chairman Robert Murphy said this could be considered a legal question because it comes down to who will actually own the line.

Beth said any decision in the town that makes changes to their zone should be made by the town, not the village. Tracy said the town should make that decision and then the hook up will be determined according to the Commission. She said decisions by the Commission are made on amount of capacity. Beth said she feels, based on what she knows on the legalities on this, that when you are going this far outside of the boundaries it should be under district expansion, not under tenancy agreement. The zoning in the town could say yes, sewer hook up is permissible, but it's still at the mercy of this Commission.

There was more discussion on the differences between tenancy and expanding the district. Chairman Robert Murphy said he'll talk to Dave Wise.

Tracy said with the possibility of new technology, who knows what they will be able to do with the plant because they are a little constrained with the foot print now. Chairman Robert Murphy said the new RBC will take up quite a bit of space but maybe they won't have to change the actual footprint of the plant with some new technologies. Beth said another thing to consider is that the land there is owned by the Commission, not the village. Chairman Robert Murphy said no, it's owned by the village. Beth said the towns counsel said it is owned by the Commission and she has been reading in the paper that the village board is in dialog with the cell tower for that site and that discussion really should be taking place here and not at the village board because that real estate and everything on it is owned by the Commission, not the village.

Chairman Robert Murphy asked Jeff Jones how they arrived at the calculation of 115,000. Jeff said it was about 100,000 to 150,000. He said they went through some historic uses, cart cleaning facilities, employee levels, number of housing units, number of bedrooms, just ballpark. Jeff said they wanted to assume higher than lower.

Jeff asked if the expansion study the Commission had done for Toll Brother is the most recent. Chairman Robert Murphy said the engineers did a memo because some of the calculations in the study were wrong. Jeff asked if he could get a copy of it. Chairman Robert Murphy said he'll tell Linda. Jeff said it would be great to have the members come by his office and said good night.

Commission member comments:

Rob said it would be a good idea to make a list of all the questions for the attorney. Chairman Robert Murphy asked Beth if she would like to write up a list of questions. Beth said she would prefer to have dialog with the attorney.

Rob said if she makes a list first to just kind of prepare Dave that would be good. Chairman Robert Murphy asked Beth to get a list together because Dave will be at the next meeting any way because it is the reorganization meeting. Beth said she will email it.

MOVED by Rob Liffland, SECONDED by Tracy Durkin to close the meeting and adjourn. Time: 8:00 p.m. All were in favor and motion carried.

Tracy Durkin, Secretary