

Date of Meeting: August 13, 2009

Kind of Meeting: Business

Place of Meeting: Village Hall

Members Present: Robert Murphy, Chairman
Beth Coursen
Tracy Durkin
Robert Liffland

Members Absent: Wayne Osborn
Colette Zito

Consultants Present: Seth Sheridan of Environmental Consultants
Steve Mance 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 Tracy Durkin, SECONDED by Robert Liffland to approve the minutes of the July 9, 2009 meeting as presented. Chairman Robert Murphy abstained from voting because he was not present at the July 9th meeting. Therefore, because there were only three members to vote, the motion was not carried. These minutes will be on the September 10, 2009 meeting agenda for approval.

MOVED by Tracy Durkin, SECONDED by Beth Coursen to approve the Treasurer's Report of July 1, 2009 through July 31, 2009 as presented. All were in favor and motion carried.

MOVED by Beth Coursen, SECONDED by Robert Liffland to approve payment of the July, 2009 vouchers as presented and the August, 2009 prepaid vouchers. All were in favor and motion carried.

MOVED by Tracy Durkin, SECONDED by Robert Liffland to approve the Correspondence Log of August 6, 2009 as presented. All were in favor and motion carried.

Consultants: Business/Reports

Attorney Report

There was no attorney present. Chairman Robert Murphy said Dave was contacted by Stew about the Baxter Green pump station to see what was going on and Dave said it's in the Village's attorney's hands now. Other than that it's been pretty quiet.

Chairman Robert Murphy said Dave put together a resolution to accept the lowest bidder for the bids that they will take care of down under the new business on the agenda.

Engineering Report

There was no engineer present. Chairman Robert Murphy said he spoke to Jim Fitzsimmons yesterday. Jim told him that he's completing some information that he needs to send along to DEC for the SPDES Permit increase. Chairman Robert Murphy said Jim anticipates that once the DEC gets this information they'll basically have enough information to make a determination for the increase.

Sewer Operator Report

Seth said that the general operations at the plant were all normal. He said they just made it on the flows, which is good considering how much rainfall we had this past month. Seth said they had a high level alarm for the main pump station and found that when they turned the pumps to the off position it wouldn't recognize it internally. He said it would have to come up and hit the next float in order to turn on the next pump in the process and this creates a higher level in the system. Seth said while Mark Giovaniello was out there to repair it Seth discussed this with him. They were able to change the programming on that. Seth said there was a bill generated for that, but it was not relayed to him that it would be so much money. He said Mark Giovaniello did take \$400.00 off the bill. Seth went over the rest of his monthly report.

New Business

MOVED by Tracy Durkin, SECONDED by Beth Coursen to approve transfer of \$555.00 from ESP Wexford Escrow Acct. #15004217179503 to O&M MMA #15004219514608 for legal fees paid. All were in favor and motion carried.

Chairman Robert Murphy said they have a resolution that Dave did to accept the lowest bidder for the TV investigation of the sewer mains and manhole inspection. He said Jim Fitzsimmons sent over a memo of recommendation. Chairman Robert Murphy said he spoke with Jim about the company's references and things like. Chairman Robert Murphy asked Tracy if she could read the resolution. Tracy read the resolution and it went as follows:

Discussions:

Chairman Robert Murphy said there are a couple of things to talk about. He said that one of the things is the pamphlet that Bart Clark sent over. Chairman Robert Murphy said they are ten cents a piece and he thought it would be good to purchase maybe 500 or 1,000 for the next billing.

Beth asked if there would be some room for the Commission to personalize it and add something saying to the customers that their willingness to follow the recommendations would help with lowering their sewer bills. Chairman Robert Murphy said if they can't add some verbiage to it maybe Linda can do some labels or something to put on the pamphlets. Tracy said she will help Linda with it if Linda needs. Tracy asked if there are some rate costs. Chairman Robert Murphy said he didn't think so but he will double check. Beth said this will also help with the MS4.

MOVED by Robert Liffland, SECONDED by Beth Coursen to purchase one thousand pamphlets for ten cents a piece. All were in favor and motion carried.

Chairman Robert Murphy said the next thing to discuss is plant expansion but there are a couple of board members absent tonight. He said he is hoping for a full board next month so they could start to move forward with this.

Chairman Robert Murphy said the third thing is that he feels it would be a good idea for the Sewer Commission to hire Ron Gainer as a consultant. He said they will keep Stantec for all of their engineering but that Ron has always been a tremendous asset to the Sewer Commission. He said he is great at negotiations and will be great with negotiating with new developers and the DEC. Chairman Robert Murphy said he works well with Jim Fitzsimmons. He said he spoke with Ron about it and Ron said he's willing to do it. Chairman Robert Murphy said he also spoke with Jim about it and he said he's OK with it. Chairman Robert Murphy said he spoke to Dave about what the process would be to do this and Dave told him that if the Commission decides formally to move forward with it then the Commission will want to make a motion to enter into contract negotiations to hire Ron, which is the next item on the agenda.

Rob asked what the cost would be. Chairman Robert Murphy said it would be \$115.00 per hour. He said it is very reasonable. Rob asked if the Commission would still keep Stantec. Chairman Robert Murphy said yes, they would keep doing what they are doing now which is the engineering for the Commission. He said he feels Ron has a lot of contacts and knows the plant and the Commission. Beth said she spoke with one of the principals at Stantec, she apologizes she doesn't remember the name, but he told her that it was an amicable divorce, for lack of a better term, that they are still in good relations and that Stantec had no problem with Ron being consultant for the town. Beth said she agrees with Chairman Robert Murphy that Ron's contacts with the various agencies are long standing and many times that makes a difference between whether or not your permit is going to happen in three weeks or three years. She said she also feels that Ron's knowledge of the plant will assist in negotiations.

Rob asked if Ron has insurance. Chairman Robert Murphy said a contract has to be drawn up and he imagines that is one of the things that will be on it. Rob said he feels they should make sure there is insurance. Tracy said she agrees and that every consultant should have insurance.

MOVED by Robert Liffland, SECONDED by Beth Coursen to enter into contract negotiations to hire Ron Gainer as a consultant to the Sewer Commission. All were in favor and motion carried.

Commission Member Comments:

Chairman Robert Murphy said he just wanted to let the Commission know that he'll be away for a couple of days and while he's away Tracy will be in charge. He said he'll have his cell phone if someone needs to get in touch with him.

Beth said the application for stimulus funding has not been awarded. She said there were 2,000 applications and 32 awarded. Beth said the priority was given not based on jobs created but on whether or not your existing plant is failing. She said she'll give credit not only to the sewer plant operator but also to her fellow Commissioners. She said clearly they've done a good job all along making sure that they are in compliance with the SPDES permit and they've been doing everything proactively. Beth said that in her view, the reason priority was given to the plants that are failing is because it keeps the EPA off New York States back. Beth said she appreciates the support that the members of the Commission gave the application.

Beth said she continues to work with Congressman Halls office. She said they have pointed her in the direction of another potential funding source known as WQIP. She said there are costs involved in submitting an application for that. She said she spoke with Mr. Gutleber and informed him that the town is not in a position where they could underwrite this cost. Beth said Mr. Gutleber has given her his word that if the town pursues the application he will pay the full cost of the application. She said because they've been in business with Mr. Gutleber for many years she can trust him at his word. Beth said there was a meeting earlier this week where Ron Gainer met with Jerry Schwalbe and they did some initial exploration of this WQIP application. She said they have not reached a decision as to whether or not they'll pursue that. Beth said in her view there will be no grant funding for the next twenty years for wastewater treatment. She said if they collectively want to pursue upgrading the plant to increase capacity, fixing the trunk line and the Route 22 line, they will need to talk about bonding and part of that conversation will need to be how to fairly distribute the cost to all those who are benefitting from it. Beth said she forwarded a letter to the Commission that she received from Jennifer Van Tuyl, who represents Elm St. She said Jennifer posed a host of questions to Beth and the Town Board. Beth said she can not answer Jennifer's questions, they are not questions for the Town Board, they are questions for the Pawling Joint Sewer Commission. Beth said Elm St. can certainly come in front of the Sewer Commission even though they have no application in front of any board.

She said her feelings are, as a Commission member, would not vote in favor of that because the possibility exists that the Commission will have committed X number of gallons to a specific piece of property and in the future if another developer comes along and they need that space and the Commission won't be in the position to offer it to them. Chairman Robert Murphy said there is a meeting scheduled for Wednesday at 5:00. He said the place of the meeting hasn't been set yet and since Beth can't make it he asked Rob and Tracy if they want to be there. Beth said to call Ron and he'll set it up.

MOVED by Robert Liffland, SECONDED by Tracy Durkin to close the meeting and adjourn. Time: 7:30 p.m. All were in favor and motion carried.

Colette Zito, Secretary

