

DATE OF MEETING: April 9, 2015

PLACE OF MEETING: Pawling Village Hall, 9 Memorial Ave. Pawling, NY

KIND OF MEETING: Business

MEMBERS PRESENT: Chairman Daniel Peters  
 Commissioner David Kelly  
 Commissioner Robert Liffland  
 Commissioner Stan Mersand

MEMBERS ABSENT: Commissioner John Burweger

CONSULTANTS PRESENT: Michael Batz of Severn Trent Services  
 Brian Morgan of Daniels, Porco & Lusardi  
 Joe Zarecki of Zarecki Associates

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

**MOVED** by Commissioner Mersand to accept the Minutes of the March 12, 2015 Business Meeting as presented. **SECONDED** by Commissioner Kelly. All were in favor and motion carried.

**MOVED** by Commissioner Kelly to accept the Treasurer’s Report of March 1 – 31, 2015 as presented. **SECONDED** by Commissioner Mersand. All were in favor and motion carried.

**MOVED** by Commissioner Mersand to approve the March 2015 Vouchers/Bills as presented and the April Prepaid vouchers. **SECONDED** by Commissioner Kelly. All were in favor and motion carried.

New Business

**MOVED** by Commissioner Liffland to appoint Commissioner Mersand to the position of Secretary to fill the vacancy left by Brian Griffin.

Roll call vote went as follows:

	<u>“Aye”</u>	<u>“Nay”</u>
Chairman Daniel Peters	√	
Commissioner Burweger		Absent
Commissioner Kelly	√	
Commissioner Robert Liffland	√	
Commissioner Mersand		Abstained

Lack of quorum. Revote next meeting.

**MOVED** by Commissioner Mersand to approve transfer of \$4,958.75 from Capital Fund #0811000000 to O&M MMA#0811000030 for legal fees for plant expansion. **SECONDED** by Commissioner Kelly. All were in favor and motion carried.

**MOVED** by Commissioner Kelly to approve transfer of \$150.00 from Castagna Escrow Acct. #0811000160 to O&M MMA#0811000030 for engineering fees. **SECONDED** by Commissioner Mersand. All were in favor and motion carried.

**MOVED** by Commissioner Mersand to approve penalty waiver for customer #735 as requested in letter ref. #50.15. Chairman Peters said this customer has never been late. The penalty amount is \$28.19. **SECONDED** by Commissioner Kelly. All were in favor and motion carried.

Resolution – Procedure for Reservation of Capacity

Brian Morgan said that he just wants to interject that the concept here from his point of view, has been that there hasn't been a program or rule up until now about this subject, and it might be a little useful tool too, depending on expansion system and such. But the point is, is that this board doesn't adopt laws, but the IMA does permit the PJSC to adopt rules. He said rather than going through any local law process with the Town and the Village right away, it might be a better advantage to put this in as a guideline for applicants, something that's fair and would organize the process. Work out any kinks in the process. If, after words, it's still necessary then it could be adopted by the Village and the Town. He said this also puts everybody on the same playing field and everyone is treated equal.

Resolution went as follows:

At a Meeting of the Pawling Joint Sewer Commission held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 9th day of April, 2015, at 7:00 PM

**RESOLUTION OF THE PAWLING JOINT SEWER COMMISSION**

***Identifier: Adopting the Procedure for Reservation of Sewage Treatment Capacity***

The meeting was called to order by Chairman Dan Peters and the following were:

**P R E S E N T:**

- √ Chairman Dan Peters
- √ Commissioner Rob Liffland
- Commissioner John Burweger
- √ Commissioner Stan Mersand
- √ Commissioner David Kelly
- (*vacancy*)

The following Resolution was proposed by Commissioner Mersand, who moved its adoption, and seconded by Commissioner Liffland.

**WHEREAS**, the Pawling Joint Sewer Commission (“Commission”) is undertaking the expansion of sewage treatment capacity of the wastewater treatment plant located at 37 Corbin Road in the Village of Pawling; and

**WHEREAS**, the Commission is looking forward to commencing construction and completing the construction in 2016; and

**WHEREAS**, the Commission wishes to make provision for the orderly allocation and reservation of sewage treatment capacity by owners of developable real property in the Village and Town of Pawling;

**NOW, THEREFORE, BE IT RESOLVED** that the Commission adopts the “PROCEDURE FOR RESERVATION OF SEWAGE TREATMENT CAPACITY” annexed hereto as Exhibit A, and requires permits and contracts for the allocation and reservation of sewage treatment capacity negotiated on behalf of the Commission to comply with this Rule and the annexed “Guidance for Contracts to Reserve Sewage Treatment Capacity” in the administration of this Rule, to be effective on April 9, 2015.

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The question of the foregoing Resolution was duly put to a vote, the Commissioners voting as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Chairman Dan Peters	$\frac{\surd}{1}$	—	—
Commissioner Liffland	$\frac{\surd}{1}$	—	—
Commissioner John Burweger	—	Absent	—
Commissioner Stan Mersand	$\frac{\surd}{1}$	—	—
Commissioner David Kelly	$\frac{\surd}{1}$	—	—
TOTAL	<u>4</u>	—	—

**STATE OF NEW YORK**

ss.:

**COUNTY OF DUTCHESS**

This is to certify that I, the undersigned Secretary of the Pawling Joint Sewer Commission have compared the foregoing resolution with the original resolution now on file in the office of said Commission, and which was adopted by Board of Commissioners of the Pawling Joint Sewer Commission on the 9<sup>th</sup> day of April, 2015, and that the same is a true and correct copy of said original resolution and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of said Pawling Joint Sewer Commission this 9<sup>th</sup> day of April, 2015.

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LINDA MURRAY, SECRETARY

### Resolution – Escrow Procedure

Brian Morgan said it's not unlike every other escrow procedure you've ever seen. It's just that it will be the PJSC's and hopefully it will make it easier to get an escrow set up and keep track and staying current with fund. He said the Commission's staff will have money in a segregated account and there is some due process's built in to it also. When you have an escrow situation like this it has to be audited by the Commission, approved by the Commission.

Brian said with the expansion coming, things will be busy around here and it's not a bad thing to have.

Commissioner Mersand asked if the account can be interest bearing.

Brian said if you set up a different account it would be, but the general account is not interest bearing for them.

Commissioner Kelly said that it's good for transparency reasons that they have this set up. He asked when the Commission talked about drafting this document. Did the board authorize the document be drafted? And did the Commission authorize payment?

Chairman Peters said they have been discussing drafting these procedures for the last number of months.

Commissioner Kelly said his question is about authorization. Authorization to draft and pay, just to make sure they are doing things in accordance with policies and procedures.

Commissioner Mersand thinks that if Linda looks back in the minutes she will find authorization. He said he remembered discussing this with the reservation agreement. He seems to remember it.

Commissioner Kelly said he thinks this is great, that they have a mechanism to put things in place. He said it's transparent; they have a policy they adopted as a Commission so nobody can question it. He said his question was because he doesn't remember having these conversations.

Resolution went as follows:

At a Meeting of the Pawling Joint Sewer Commission held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 9th day of April, 2015, at 7:00 PM

**RESOLUTION OF THE PAWLING JOINT SEWER COMMISSION**

***Identifier: Resolution Adopting Escrow Procedure***

The meeting was called to order by Chairman Daniel Peters and the following were:

**P R E S E N T:**

- Chairman Daniel Peters
- Commissioner Robert Liffland
- Commissioner John Burweger
- Commissioner [vacant]
- Commissioner Stan Mersand
- Commissioner David P. Kelly

The following Resolution was proposed by Commissioner Mersand, who moved its adoption, and seconded by Commissioner Kelly.

**WHEREAS**, the Pawling Joint Sewer Commission (“Commission”) wishes to formalize a policy to control the collection of funds from applicants for permits and other approvals issued by the Commission in reimbursement for costs of professional consulting services related the Commission’s evaluation of such permit applications incurred by the Commission; and

**WHEREAS**, it has been the long-standing practice of the Commission to collect such reimbursements from applicants; and

**WHEREAS**, an updated, written policy will clarify the responsibilities of applicants and the Commission, and will conserve public funds that will not be required to be spent by the Commission for essential engineering, environmental and other services; and

**WHEREAS**, adoption of this Resolution is not an “Action” that is subject to the procedures of the State Environmental Quality Review Act (“SEQRA”) regulations at 6 NYCRR §617(2) *et seq.*

**NOW, THEREFORE, BE IT RESOLVED** that the Pawling Joint Sewer Commission hereby adopts the Escrow Funding Procedure that is annexed hereto as Exhibit “A”; and directs

that this Escrow Funding Procedure will be included with application forms and instructions for distribution to applicants for permits from the Commission.

The question of the foregoing Resolution was duly put to a vote, the Commissioners voting as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Chairman Daniel Peters	√		
Commissioner Robert Liffland	√		
Commissioner John Burweger		Absent	
Commissioner Stan Mersand	√		
Commissioner ( <i>vacant</i> )			
Commissioner David P. Kelly	√		
TOTAL	<u>4</u>		

**STATE OF NEW YORK**

**ss.:**

**COUNTY OF DUTCHESS**

This is to certify that I, the undersigned Secretary of the Pawling Joint Sewer Commission have compared the foregoing resolution with the original resolution now on file in the minutes of said Commission, and which was adopted by the Pawling Joint Sewer Commission on the 9<sup>th</sup> day of April 2015, and that this resolution is a true and correct copy of said original resolution and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of said Pawling Joint Sewer Commission this 9<sup>th</sup> day of April 2015.

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LINDA MURRAY, SECRETARY TO THE COMMISSION

## Current Projects

- Plant Expansion – Joe Zarecki said they are moving forward. The design is still moving forward. He said that EFC is onboard, getting more paperwork together and things are still on track.
- Croton Pump Upgrade – Joe said the upgrades are in his office and should be ready next week to be bid. He asked for authorization for the attorney to look at the bid documents and then from there the bids can go out. The only thing they need to do is put dates in. Commissioner Mersand asked what percentage of the upgrade will be funded by JUCCA. Joe said he believes it is in the neighborhood of about \$50,000 to \$75,000. Commissioner Kelly said it is up to \$45,000. That is the estimate cost of the upgrade when the agreement with JUCCA was signed.
- Generator Project – Joe said with all of the weather problems and other problems, he's been working with Severn Trent. They had to pull some of the pumps to see what kind of power they require so they can size the generator properly. Within the next 2 or 3 months they will be doing it.
- Cedar Valley – Chairman Peters said they've been talking for a number of meetings about the discrepancies in Cedar Valley's water usage as it relates to the amount of sewage being billed. He said in the packets, ref.#60.15, it shows the readings for two quarters. In one quarter there is a difference of 276,946 gallons and in the next quarter there is a difference of 279,600 gallons of water that they are using that the Commission is not getting reimbursed for. He said the Commission has talked to them about having a discussion with them about the meters. He asked Brian Morgan to draft a letter inviting Cedar Valley representatives to the Commission's next meeting and hopefully have an amiable discussion with them about these discrepancies and if they would be willing to work with the Commission on this. They worked very nicely with the Commission on the I/I issues and he thinks it would be a good first step. He said Joe has reached out to the company that put the meters in for the Village and he has some pricing which looks pretty reasonable. He said he would like authorization to send the letter to the Cedar Valley HOA inviting them to the next Commission meeting.  
**MOVED** by Commissioner Kelly to send the letter. **SECONDED** by Commissioner Mersand. Commissioner Mersand asked if it was inviting them to the next meeting. Chairman Peters said yes.  
Commissioner Kelly said he has just one question. He said in the letter in the second paragraph, in the main part of it, right in the center the sentence starts "it has been the recent experience of the engineers for the Commission", can counsel look at that sentence again? He said it refers to the obsolete water meters they use to measure individual sewage flows has made it difficult to isolate the location of broken sewer lines that are causing I/I. He said the meters that they use there are used to calculate out a billable percentage, not just sewer flows. He asked Brian Morgan if he could please look at that and then after it's reviewed and recommendations made by Brian, he has no problem with the Chairman signing it.  
Chairman Peters said that brings up another point. He said 68 of the 150 meter readings are estimated on a regular basis.  
Commissioner Kelly said his motion is to authorize the Chairman to sign the letter upon attorney review.  
All were in favor and motion carried.



Commissioner Kelly said the engineer requested that the Commission authorize going out to bid for the Croton Pump Station.

**MOVED** by Commissioner Kelly to authorize the engineer to submit the RFP for the Croton Pump Station upgrades to the attorney for review and recommendations for any clarification. **SECONDED** by Commissioner Liffland. All were in favor and motion carried.

- Route 22 Sewer Line Update – Commissioner Kelly said he met with the town engineer. They are waiting for DOT to open up the road work and then Castagna will authorize the work to proceed on the roads. The second thing is Pete Setaro has been in contact with Linda from the Sewer Commission and also Cathy Giordano to get the benefit calculations for the district. He said Linda has had a tough time finding that calculation and Cathy hasn't found it either. He is just wondering if he could just ask the attorney and the engineer if they have anything in their files that show how it was set, how the Dept. of State through the Comptroller's office gave the authority for the benefit district, the calculation for the benefit units. He said the engineer needs that for the map, plan and report. He said the town offices do not have it. He said he's sure Jennifer, the Village Clerk, has it. He asked Linda to ask Jennifer to check her records. He said it's a benefit assessment formulation from when they formed the district. Chairman Peters asked Commissioner Kelly if there is any more discussion about meetings for the line to go further down Route 22. Commissioner Kelly said yes, in the sense that they are getting all of the information together for property owners.
- I/I – Video, Cleaning & Repairs – Joe Zarecki said TAM has been backed up with repairs and flushing lines due to winter. They should be getting a schedule together for 2015 work sometime in May.
- Sewer Collection System Mapping – Joe Zarecki said this has already been prepared. There is one down at the sewer plant hanging on the wall. It's a great tool.

#### Consultant Reports

- Attorney Report – Brian Morgan didn't have anything more to discuss.
- Engineering Report – Joe said he wanted to just quickly go back to the Cedar Valley water meter. He said he spoke with Ti-Sales to get a ballpark cost on new meters. He said the meters that would be used are compatible with the E-Coder reader that the Village uses now. He said the cost of those are around \$212.00 a piece. He said just to get a ballpark cost on installation, not to go out to bid or anything, just to get a ballpark cost, he contacted the company that did the installs in the village and that cost estimate is \$78.00. So it would be around \$43,500. He said he just reached out just to get a ballpark figure for when they sit down with Cedar Valley representatives. Commissioner Kelly asked Joe if the numbers are an actual bid or the amount the Village paid for them last time. Joe said he just called the company and asked what the meters cost and installation. It was just a phone call. Commissioner Kelly said the reason he's saying is because the Town just rejected the bids on the water meter replacement in the Water District 1. He said the cost came in at \$2,500 a meter to replace and install. He said they rejected it and are putting it back out to bid. He said if this was a current bid the Town can just piggy back on it.

Chairman Peters said that it was brought to his attention that there were some problems with Savarese Septic. He said when they were called they seemed to have problems getting here when they said they would. So Severn Trent had to find another company that can come when needed. Looking into how much the Commission pays and thinking about the sludge cost's Chairman Peters asked Joe Zarecki to draw up an RFP to put this part of the sludge hauling out to bid. He said he would like a motion to authorize Joe to do the RFP and to put them out after the attorney reviews it.

**MOVED** by Commissioner Mersand to authorize the engineer to draw up the RFP, consult with the attorney concerning it and let it out. **SECONDED** by Commissioner Kelly.

Commissioner Kelly referred back to the email from the secretary from March 25<sup>th</sup> saying that Chairman Peters had already authorized the engineer to do this on the 25<sup>th</sup>. Again, transparency, this has already been authorized to be done. Chairman Peters said that he slipped on that and nothing has been done yet. He would like the RFP's to go out before the next meeting.

Commissioner Kelly asked Commissioner Mersand to add to his motion that the engineer to set the dates.

Commissioner Mersand said he'll amend his motion to reflect the date of April 26th.

Commissioner Kelly said he's not asking for Commissioner Mersand to set the date, just that the engineer can set the dates.

**MOVED** by Commissioner Mersand to amend the original motion to add that the engineer can set the dates. **SECONDED** by Commissioner Kelly. All were in favor and motion carried.

Commissioner Liffland said he thought it was up to the sewer plant operator, that they have the authority to pick a company.

Chairman Peters said he is not aware of it. After some discussion, the RFP is the way to go.

- Sewer Operator Report – Mike Batz said they have been able to decrease the number of loads coming out. He said right now it looks like they can cut 2 truck loads a month, maybe a little more. He said they are getting a little bit of a thicker sludge. He said another note is Clean Harbors has removed all of the barrels that were left at the plant. Commissioner Mersand asked if Clean Harbors gave them some sort of certification. Joe said he has all the Manifest's in his office. Mike talked about the sand filters at the plant are going to need some attention in the near future. He said one of the drain valves on filter three isn't functioning, it doesn't shut off. They have identified a few issues like that which aren't that big, but the valve is going to be an issue. Chairman Peters asked Mike if he has a cost estimate on the valve. Mike said not yet, he'll work on that. He said one of the things he can do is get a camera down in there to see what is there. He said he hopes to have a report for the Commission by the next meeting. He said it's a big issue during high flows. Joe said the new meter that the Commission purchased has been installed. They will take another reading in about a month and by next month they should have everything operating correctly.

#### Commission Member Comments

Commissioner Liffland said he hasn't seen any paper work come across his desk for that \$500,000 first round grant from Albany that JUCCA has.

Joe said the application has been signed and sent up to the Dormitory Authority.

Commissioner Liffland said he doesn't remember signing it.

Joe said he'll check in the morning but he's sure it has been done.

Commissioner Liffland said another thing is the laundry mat; he spoke with them the other day because the storm water is still going through the sewer, about the possibility to put a pump in the

basement having the water pump out the back to a manhole for storm water. He said in this case they should look at Momma's Pizza and the Pawling Tavern.

Chairman Peters said the Taverns runs off the building and down to the street. Momma's Pizza, they're not sure about.

There was some discussion on what they can do to find out and how they can stop this I/I or have them pay an extra sewer charge.

Commissioner Liffland said to Commissioner Kelly that he talked about going north with the sewer line and he thought he was going to send a letter out to all of the property owners to get them all around the table to see what interest they have in tying into the sewer line.

Commissioner Kelly said what he said was the he and Chairman Peters met and talked about going south. They never talked about going north. He said he's polling all of the information and trying to get the labels together so they can have a mailing but he doesn't want to do a half mailing because they are talking about south and not north. He said they didn't talk about a few areas that they can include.

Commissioner Liffland asked are they going to split it to do the commercial and then maybe in the future include the residential?

Commissioner Kelly said last month they said they would stay in the highway business, commercial, and that is where the conversation has been.

Chairman Peters said it's a good place to start, to see where there is interest.

Commissioner Liffland said he thought they were going to get them to come to the table.

Commissioner Kelly said that is what they are talking about. He is working on it now, getting property grid numbers and labels and things done. He said the town is short on personnel, that the person doing the research is only part time and this all takes time.

There was discussion on how Commissioner Kelly can find the information of the property owners to get the mailing done.

Commissioner Kelly said that if anyone has the time to do it, then do it and send the information to him to get the labels done.

MOVED by Commissioner Kelly to close the meeting and adjourn. SECONDED by Commissioner Mersand. All were in favor and motion carried. Time: 7:55 p.m.

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Stan Mersand for Secretary