

DATE OF MEETING: March 12, 2015

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

KIND OF MEETING: Business

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

TOWN MEMBERS PRESENT: Supervisor David P. Kelly
Councilman Phil DeRosa

MEMBERS ABSENT: Commissioner Brian Griffin

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

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

MOVED by Commissioner Kelly to accept the meeting minutes of January 8, 2015 and February 12, 2015 as presented. **SECONDED** by Commissioner Mersand.

MOVED by Commissioner Mersand to approve the Treasurer's Report of February 1 through February 28, 2015 as presented. **SECONDED** by Commissioner Burweger.

MOVED by Commissioner Kelly to approve payment of the February 2015 vouchers as presented and the March prepaid vouchers. **SECONDED** by Commissioner Burweger.

MOVED by Commissioner Mersand to approve transfer of \$4,888.75 from Capital Fund #0811000000 to O&M MMA#0811000030 for legal fees for plant expansion. **SECONDED** by John Burweger.

MOVED by Commissioner Mersand to approve transfer of \$32.50 from Castagna Escrow Account #0811000160 to O&M MMA#0811000030 for engineering fees. **SECONDED** by Commissioner Liffland.

MOVED by Commissioner Kelly. **SECONDED** by Commissioner Mersand to move all motions above. All were in favor and all motions carried.

Jeff Smith of Municipal Solutions, Inc.

Jeff Smith introduced himself and told the board about his experience and his company and what his company can do for the Sewer Commission. There was discussion among the Commission members.

MOVED by Chairman Daniel Peters, **SECONDED** by Commissioner Burweger to accept Engagement Letter for professional assistance with the closing of short term and long term financing for the WWTP Expansion Project and accepting additional services to be subcontracted through Chazen Engineering for sewer exclusion order, sewer rate analysis, and general financial services, as presented in proposal. The 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 12th day of March, 2015, at 7:00 PM

RESOLUTION OF THE PAWLING JOINT SEWER COMMISSION

Identifier: Resolution Accepting Engagement Letter for Professional Assistance with the Closing of Short Term and Long Term Financing for the WWTP Expansion Project and Accepting Additional Services to be Subcontracted Through Chazen Engineering for Sewer Exclusion Order, Sewer Rate Analysis, and General Financial Services

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 Stan Mersand
- √ Commissioner David P. Kelly

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

WHEREAS, the Pawling Joint Sewer Commission (“Commission”) is proceeding with applications for financing and regulatory permit approval for the expansion and modernization of the Wastewater Treatment Plant (“WWTP Upgrades Project”) located at 37 Corbin Road in the Town of Pawling (“Town”); and

WHEREAS, short term and long term financing of the WWTP Upgrades through the New York State Environmental Facilities Corporation (“EFC”) and the Clean Water State Revolving Fund (“CWSRF”) will require specialized professional assistance for the Commission to comply with state and federal financial and tax regulations, and for the administration of the use of CWSRF funds for the WWTP Upgrades Project; and

WHEREAS, Municipal Solutions, Inc., municipal financial advisors, have provided services regarding the WWTP Upgrades Project for compliance with Minority and Women Business Enterprise regulations, and have shown their facility with the coming requirements of law when the WWTP Upgrades Project financing is approved and the construction phase of the project commences; and

WHEREAS, Municipal Solutions, Inc. is a certified Minority and Women Owned Business Enterprise law provider, the engagement of which by the Commission or the engineering firms working on the WWTP Upgrades Project for the Commission will satisfy all or part of the Commission’s legal duty to hire certified Minority and Women Owned Business Enterprises for projects financed by CWSRF funds; and

WHEREAS, Municipal Solutions, Inc., has submitted two engagement letter proposals for the Commission’s approval: a) a proposal to provide services related to the Short Term Clean Water State Revolving Fund BAN closing for a “not to exceed” cost of \$5,400.00 (plus disbursements) and Long Term Closing with CWSRF for a “not to exceed” cost of \$8,000.00 (plus disbursements) (Exhibit “A” annexed hereto); and b) a proposal for services to be provided by subcontract with the Chazen Companies, which cost would be passed through the engineers working on the WWTP Upgrades Project for the Commission including application to the Office of the State Comptroller for a Sewer Exclusion Order (to exclude from the constitutional debt limit the proposed sewer debt of this WWTP Upgrades Project at a cost of \$3,500.00, including disbursements, analysis of sewer rate structure and the revenues necessary to support the debt service of the WWTP Upgrades Project at a rate of \$135/hr. plus expenses for an estimated 60

hours (~\$8,100.00), and general financial services in relation to the administration of the CWSRF funds to comply with the processes and methods that will be imposed by EFC on the Commission in the project funding agreement, at a cost projected to be \$13,500.00 for 100 hours at \$135/hr. (Exhibit "B"). The total estimated fee for the services in Exhibit "B", including reimbursable disbursements, is \$30,000.00. This is separate and apart from the services that Municipal Solutions, Inc was already subcontracted to provide to Chazen that is estimated to be \$34,000.00;

NOW, THEREFORE, BE IT RESOLVED that the Pawling Joint Sewer Commission accept the proposed engagement proposals annexed as Exhibits "A" and "B", subject to the requirement that the chairman and Linda Murray are authorized to coordinate what specific activities will be provided by Municipal Solutions, to avoid duplication of efforts by staff and consultants, and Municipal Solutions will report to the Commission on their work at various times as requested by 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	<u>√</u>	—	—
Commissioner Robert Liffland	<u>√</u>	—	—
Commissioner John Burweger	<u>√</u>	—	—
Commissioner Stan Mersand	<u>√</u>	—	—
Commissioner Brian Griffin	—	Absent	—
Commissioner David P. Kelly	<u>√</u>	—	—
TOTAL	<u>5</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 12th day of March 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 12th day of March 2015.

LINDA MURRAY, SECRETARY TO THE COMMISSION

Commissioner Liffland said that he is pleased that Jeff is on the team now, that he comes highly recommended from Chazen Company.

Pawling Town Board

Chairman Dan Peters said the Commission invited the Town Board and members of the Chamber of Commerce to discuss about the completion of the WWTP and its effect on economic development.

He said first of all the plant is in need of an upgrade. It is slowly falling apart one piece at a time. But also in the conceptual idea, during the feasibility process they looked at what a bigger plant could be used for and they derived at the figure of 750,000 gallons of treatment. They feel that this would serve to create economic development within the village and also the town. He said the Castagna development started the line down Route 22.

Commissioner Kelly said the Town advertised this as a Joint Meeting so he wants to call the roll. Commissioner Kelly called to order the meeting of the Town Board and roll call was taken:

PRESENT

Councilman DeRosa
Supervisor David P. Kelly

ABSENT

Councilman Johnson
Councilman Upham
Councilman Montamerano

The Town Board does not have a quorum.

Joe Zarecki gave a brief summary on the I/I repairs that the Sewer Commission is doing, the expansion of the sewer plant and the prospective expansion going down Route 22 down to the Putnam County line.

He explained the yearly 12 month average of flow at the sewer plant, averages 243,000 gpd.

He said if all things go as projected, by December 2016 the plant should be up and running with the new expansion to 750,000.

Joe had concept maps of the proposed sewer line expansion going down Route 22 to the Putnam County border, TR-One, Umscheid Property and the Meadows of Pawling.

He said he put the plans together because there has been a lot of discussion on what, where, how and why pertaining to developers connecting to the sewer system.

He hopes that with this presentation, they can all have a better understanding of the Master Plan parcels and the Route 22 corridor and get an idea on which way they are going and how everything will happen in the future. He said currently, the plant capacity now, in excess of what is required to be reserved by the DEC as part of this is about 34,000 gpd. As per the SPDES permit 16,000 gallons have to be reserved. With the monthly average at 243,000 and a commitment to the existing project at 26,000, it comes to 34,000 gpd that could be used for potential customers within the village, within the district. Based on that, there are some properties that have interest in using some of that flow.

Some of the points that Zarecki made during his presentation and was discussed:

- Joe showed how they can go to the WWTP from the Umscheid Property and the property's that would benefit by the sewer line being there.
- Joe showed how the line can come from The Meadows and what would be saved if the line were there from the Umscheid Property.
- Joe showed where the TR-ONE property is and that they are looking to develop 96 units of senior housing and connect to the sewer system which would access onto West Main Street.
- Joe showed where the Castagna line is going to go and where other properties will be able to tie in if the line is brought all the way down to the county line.

Commissioner Kelly said, representing the town on the Commission, they've had the potential owner of the Stage Door property and he has been working with Mr. Lois, trying to get him to connect and looking at other potential users from his potential property to the connection at Castagna. He said there is one barrier and that is, is the Village willing to change the IMA to allow a different percentage of usable capacity. This is something they need to discuss. He asked

if there is a new consensus from the village where they're willing to change that. He said if that happens and that's allowable then it allows more conversation with Mr. Lois and the town to potentially increase a district further, and then to look at getting the line down to the county line. He talked about expanding the lines in phases. He said he is not in favor of putting in a district and forcing people to hook up to it. He said he's in favor of putting the line there and having it if they want to hook up.

Chairman Peters said that there are a number of people that are interested in the sewer.

Commissioner Liffland thanked everyone that came out tonight and that he feels the only way to get moving on this, is to get all of the property owners together around the table and bring in the banks. Find out how much they are willing to invest and get moving on it. He doesn't want to just sit on this and let the opportunity pass them by.

Commissioner Kelly asked if the village is ready to connect the rest of the homes that are in the village. Lakeside Dr., the rest of Charles Colman Blvd.

Commissioner Liffland said when the developers come in, which their action is being taken right now; then the sewer line will be brought up that way. He said the real balance will be the commercial property, Route 22.

Commissioner Kelly said he is in agreement but that there is a lot of property in the village that can be hooked up to the sewer to gather debt and O&M cost's. The more people on the system, the lower the cost. He asked if the village is planning on connecting the village residence that aren't connected.

Commissioner Mersand said Commissioner Kelly mentioned changing the IMA based on potential increase in the town usage with this plan to go down Route 22 but the village's usage will also be changed with the development of TR-ONE and Umscheid that will create a larger percentage than what they have now. He said they will have to look at those numbers as they develop.

Commissioner Kelly said that discussion is key moving forward in any direction.

Chairman Kelly asked Brian Morgan if the IMA changes automatically.

Brian said the IMA doesn't change automatically, it needs to be changed. It has a fixed amount of allocation.

Chairman Peters asked if there is a change in allocation then the IMA has to be changed.

Brian said in order to get a new district into the jurisdiction of the IMA and this Commission they would need to adjust the IMA on that count any way so it would be changed

Commissioner Mersand asked Commissioner Kelly if the town is committed to creating a new district south.

Commissioner Kelly said no, they are not committed to creating a new district south of Castagna. He said they have not voted on that and there has been no motion to approve it.

Commissioner Mersand asked if the town is willing to have discussion on it.

Commissioner Kelly said there is a lot of discussions to be had and he is willing to take it to the town board, that is why he called the meeting of the town board for tonight, to discuss it.

Councilman DeRosa said there has always been a discussion on it.

Commissioner Liffland asked who is going to get these people together to this table. He feels that they really have to reach out to them, get their thoughts and opinions on this. He said he would be happy to do it if nobody else is going to do it.

There was discussion on how and who will contact the property owners down on Route 22.

Chairman Peters and Commissioner Kelly will do it together.

Joe Zarecki said the first thing he thinks the Commission should do is find out what kind of interest there is down on Route 22 to see if they even want it.

Commissioner Kelly said there are a lot of funding opportunities available out there that they can look in to.

Chairman Peters said he's glad the conversation started. It's all positive and hopefully will benefit the community. He would like to see it keep going.

Commissioner Kelly asked Chairman Peters if he will be available on Monday afternoon so they can get together and start working on this right away.

Councilman DeRosa said that he has a map in the planning office, that was developed a few years ago that shows all of the parcels and shows which is developed and not developed.

Peter Cris – Comments

Peter Cris, President of the Pawling Chamber of Commerce said he's been working here in Pawling and has been the president of the Chamber of Commerce for 10 years.

He said as the result of the development now starting with the Castagna project, senior housing, the need for infrastructure is something they have talked about through the years. It's come to the forefront as a result of Castagna and now he is pleased to see that the village, town and the Sewer Commission talk about maps being developed as part of the approach with the property owners and businesses to develop. He said their role as the Chamber of Commerce is really business retention, business attraction. A basic infrastructure already exists here in Pawling and Castagna is initiating that. He said that is a perfect example of what the benefits will be because upon its completion they're talking about five million dollars annually in taxes. He said that shouldn't be the limit in growth because there is so much potential.

He said tonight is another starting point which he is pleased to say the Chamber is happy to participate in, in any way they can.

He thanked the Chairman for allowing him to come tonight and speak.

Current Projects

- Plant Expansion – Joe said nothing has changed.
- Generator Project
- Cedar Valley
- Route 22 Sewer line update
- I/I – Video, cleaning, repairs

Consultant Reports

- Attorney – Brian Morgan did not have anything to discuss.
- Engineer – Joe Zarecki said they have done some investigation on the contents of the barrels at the plant. He said Clean Harbors came to the plant to look at the barrels and submitted a proposal. Joe received three different quotes from companies and he recommends Clean Harbors. He said depending on what they find in each barrel the price can be between \$7,500 all the way up to \$13,000.
Chairman Peters would like to accept the proposals from Clean Harbors.
MOVED by Chairman Peters to authorize the spending of \$8,000 to have Clean Harbors remove and dispose of the barrels at the WWTP. **SECONDED** by Commissioner Liffland. All were in favor and motion carried.

Joe said he sent out a memo regarding Cedar Valley and the status of the I/I work.

He said Severn Trent gave him some reports on the work they did at Cedar Valley with smoke testing and repairs. However, there is no way to verify whether Cedar Valley has taken care of all of the problems they've had there and they haven't had a meter in the manhole to measure the flow that has come out of Cedar Valley. He said the meter has been purchased and received and they can put it in as soon as the weather permits.

Joe said he has to hold his opinion on whether Cedar Valley solved all of the I/I issues.

- Sewer Plant Operator – Michael Batz said the RBC drive, back in 2012, there were two RBC drives sent out that were combined to make one workable drive. The main manufacturer explained the whole scenario. He said the drives that the Commission has is obsolete, parts not available, that's why they used the two to make one. He said they didn't know that and the other drive was sitting in storage, the assumption was that it was good. He said when the

drive went down, that one was installed and it lasted 2 to 3 weeks. He said with help from the company that did the rebuilding, they found a used one. So they will have two used ones delivered to the plant. He said the \$3,800 for two used compared to a new one is \$40,000. The used one should get them by for 2 years. He said manufacturer also made the offer of buying the drives back when the Commission is done with it when they do the upgrade. He said in the long run it's a good deal.

Michael said another thing for his report is, the EQ pump that the Commission purchased last June, it was miss designed. The pump does not do the flow rate that it is needed to do. He said he contacted the pump manufacturer and got all of the information. He said it turns out that the motor on the pump that is actually too small to do what it's actually needed for. He said the good news is it's just a matter of changing the motor, the bad news is it's probably another \$400 to \$600 each. Mike said he has been working with Joe Zarecki on the motor and this motor will be reused in the plant upgrade so it is good to do it correctly now so it won't have to be done again.

Mike said he is working with Joe to make sure it's sized correctly. He said the next size motor will literally bolt right up with no modification needed. He said if they have to go two sizes up there would have to be some modifications made. He said he feels that the next size up should be good.

Michael suggested that the Commission get a pair of composite samplers for the plant. He said that it is required by permit to collect two samples per month, one of the effluent and one of the influent and it has to be taken over a minimum of a six hour period. So it grabs those samples. When the guys do the test it is done manually every fifteen minutes. He said speaking with their technical service people and Chazen Co. it will be extremely beneficial with the design of the new SBR plant.

Chairman Peters asked Michael what the cost is.

Michael said they run roughly \$1,800 each. Michael said the Commission will be required with the new plant regardless. So it's up to the Commission if they want to do it proactively or its going to be included in the expansion. He said this will also monitor the plant for process control and compliance and is more critical in the operation with decanting the water from the sludge holding tanks back into the system.

Michael had gotten three quotes included with his monthly report.

Michael said they will be less than \$2,000 each.

MOVED by Commissioner Mersand to approve the purchase of two Composite Samplers up to \$2,000 each. **SECONDED** by Commissioner Kelly. All were in favor and motion carried.

Michael went back to the topic of the EQ Pump. He said it's a nominal amount but that he wants to make sure they can work with the engineer to make sure it's designed correctly.

MOVED by Commissioner Kelly to approve Severn Trent work with Zarecki Associates on getting the proper specifications for the pump and then report back to the Commission on their findings. **SECONDED** by Commissioner Mersand. All were in favor and motion carried.

Commission Member Comments

Commissioner Liffland asked Mike when they will be able to get the meter in the manhole to measure Cedar Valley flows.

Michael said probably next week.

Commissioner Liffland asked Mike if he sees anything major happening because they've really been taking quite a hit lately with things breaking down.

Mike said that working with the engineers has been very helpful and that they now have a clearer understanding of what will be used and not used in the expansion.

He said there is a secondary clarifier that will be pulled tomorrow and hopefully that will be ok. There are some blowers and stuff that have some age on them so it's hard to say.

MOVED by Commissioner Mersand to close the regular session and go into public comment. **SECONDED** by Commissioner Burweger. All were in favor and motion carried. Time: 7:30 p.m.

MOVED by Commissioner Kelly to close the town board session. **SECONDED** by Councilman DeRosa. All were in favor and motion carried. Time: 7:30 p.m.

MOVED by Commissioner Kelly to enter into the regular order of business of the Sewer Commission. **SECONDED** by Commissioner Mersand. All were in favor and motion carried. Time: 7:31 p.m.

Dino Toscani, developer for TR-ONE, handed out a concept map for TR-ONE property. Dino did a presentation to the Commission about what he would like to do with this property and how they can connect to the sewer system. He wants to put in 96 senior housing units.

He thanked the Commission for letting him come in and speak tonight.

Commissioner Liffland said he is all for this project as long as it stays in line with what Roger Ackley had in mind.

Chairman Peters said that it's a great idea and the engineers tell them that there is enough capacity for phase one of the plan and he would like to see it happen.

Commissioner Mersand said that he likes the project.

Chairman Kelly had a question for the engineer. He asked about the Metro North line being near or at capacity. What would this do to that line? Where would this line connect to?

Joe Zarecki said just for capacity issues, they have 25,000 reserved capacity, they would have to look at the Sheridan Pump station and verify that all of the lines can handle additional flow. He said right now there is no formal application, they are just asking about capacity at the plant.

Commissioner Kelly said the works that the Commission has been doing on the I/I, as they decrease the I/I they will increase the capacity in the Metro North line.

Joe Zarecki said that he can say today that they have 25,000 gallons capacity but if someone else comes first then he can't promise that capacity will be there still.

Dino said he needs a letter from the Commission saying they have the capacity for his development and that it's a go for him to connect to the system.

Brian said the only letter he would get is the cover letter that would go with the statistics and data.

Dino thanked the Commission for letting him come tonight.

MOVED by Commissioner Mersand to close the meeting and adjourn. **SECONDED** by Commissioner Kelly. All were in favor and motion carried.

Brian Griffin, Secretary