

DATE OF MEETING: September 8, 2015  
PLACE OF MEETING: Village Hall, Pawling, New York  
MEMBERS PRESENT: Deputy Mayor Stan Mersand  
Trustee John Burweger  
Trustee Dan Peters  
Vacancy

The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance.

### **RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PAWLING**

***Identifier: Resolution approving change order to STES Water System Operator's Agreement to add replacement of 6" water main on Memorial Avenue to end of Charles Street intersection.***

The following Resolution was proposed by Trustee Peters, who moved its adoption, and seconded by Trustee Burweger.

**WHEREAS**, the Board of Trustees ("Board") of the Village determines that a five year plan to repair and replace obsolete water system infrastructure is necessary to affordably eliminate obsolete pipes and accessory equipment and replace with new, beginning with the water main in Memorial Avenue in the Village of Pawling ("Village") as Phase 1 of the "Capital Water Works Plan of 2015-2020", which is in immediate need of replacement as are other water and sewer mains in the Village; and

**WHEREAS**, the current water system operator under contract with the Village to maintain and repair the Village's water infrastructure is Severn Trent Environmental Services ("STES"); and

**WHEREAS**, the current contract with STES provides that non-routine repair to the water system is "additional work" for which STES will be paid pursuant to the rate chart on page 10 of the contract, which is \$75 per hour for mechanic/operator and \$50 per hour for laborer; and

**WHEREAS**, replacing the existing water main is a Type II SEQR action pursuant to 6 NYCRR §617.5(c)(1) as "maintenance or repair involving no substantial changes in an existing structure or facility"; and

**WHEREAS**, the change order to be approved by this resolution is annexed hereto and made a part hereof as Schedule "1"; and

**WHEREAS**, the replacement of the water main by the STES is exempt from competitive bidding, being a part of the current service contract with STES, as provided in Office of the State Comptroller Opinion No. 82-290 and the Procurement Policy approved by the Village Board of Trustees on January 20, 2015, which provides at §6-a that "Additional Services provided by water and sewer facility operators pursuant to a current operator contract with the Village shall not require competitive bidding procedures if the additional services to be provided are not predominant over the basic services described in the operating contract." ;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of the Village finds that the replacement of existing water main is a Type II action pursuant to 6 NYCRR §617.5(c)(1); and

**BE IT FURTHER RESOLVED**, this Phase 1 of the Capital Water Works Plan of 2015-2020 and the obligation of the Village to undertake the replacement of water mains is contingent on the adoption of a bond resolution in the amount of at least \$129,000 prior to the work being commenced on the Phase 1 water main replacement; and

**BE IT FURTHER RESOLVED** that the change order annexed hereto as Schedule "1", provides that the work is described as follows:

Phase 1: Disconnect existing water main, install new 6" pipe and fittings; provide laborer and mechanic/operator to assist Village's street crew; provide pipe, fittings and sand for backfill.

The Phase 1 area where the work is located is: Memorial Avenue from E. Main St. to Charles Street intersection.

Work includes:

Main valve connections on East Main, and four main valves on Smith St and Memorial Avenue

Service line connections for all services along Memorial Ave.

Installation to AWWA and ten state standards

Disconnection of existing steel water main

Installation of 1 and 1/2" asphalt blacktop from curb to curb along the length of Memorial Avenue.

Cost: Payment by Owner due upon acceptance of completed work not to exceed \$129,000.00, when proceeds from BAN are received by Village.

Cost includes (but is not limited to) labor provided by Contractor, equipment provided by Contractor, including rental equipment, materials comprising pipe and fittings, valves, asphalt, sand, fuel.

Owner will provide laborers to assist contractor with work and traffic control

as shown on Schedule 1, is approved, and the mayor and attorney for the Village are authorized to execute the change order and the street department is directed to commence with the work; and

**BE IT FURTHER RESOLVED**, future Phases of the Capital Water Works Plan of 2015-2020 will be annually defined by the Board consistent with the structure of the project by this resolution, and subject to such financing as the Board shall determine.

## **SCHEDULE 1**

**Change Order**

Change Order Number: 1

Date: September \_\_, 2015

Owner Name: Village of Pawling

Owner Phone: 855-1122

Owner Address: 9 Memorial Avenue  
Svcs.

Contractor Name: Severn Trent Enviro.

Pawling, New York

Contractor Address:

1961 Route 6 R 3

Carmel, NY 10512

Office (845) 228-0460

Cell (845) 245-9141

[Michael.Batz@stservices.com](mailto:Michael.Batz@stservices.com)

This change order shall be effective contingent on adoption of a bond resolution by the Village Board of Trustees for the replacement of the water main in Memorial Avenue with a maximum estimated cost of at least \$129,000.00, or such other financing as the Village Board may commit to.

Existing STES Contract Date: March 1, 2012 ends 2017

Project Name and Address: Memorial Avenue water main replacement; Phase 1, Capital Water Works Plan 2015-2020.

DESCRIPTION OF WORK CHANGE(S): Phase 1 of Capital Water Works Plan of 2015-2020:

The current contract for STES acting as water system operator for the Village of Pawling is amended to provide for STES to disconnect the existing water main in Memorial Avenue and installing new 6" water main along Memorial Ave. from East Main Street to the end Charles St intersection this will include the following:

Main valve connections on East Main, and four main valves on Smith St. and Memorial Ave.

Service line connections for all services along Memorial Ave.

Installation to AWWA and ten state standards

Disconnection of existing steel water main

Installation of 1 and 1/2" asphalt blacktop from curb to curb along the length of Memorial Ave.

Cost: Payment by Owner Upon acceptance of completed work is not to exceed \$129,000.00.

Cost includes (but is not limited to) labor provided by Contractor, equipment provided by Contractor, including rental equipment, materials comprising pipe and fittings, valves, asphalt, sand, fuel.

Owner will provide laborers to assist contractor with work and traffic control.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Contractor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The Board decided to make the amendment for 5 years. Brian Morgan, a village attorney, said he would add that. Michael Batz, a representative from Severn Trent, said their attorney was going to send some amendments to Mr. Morgan for inclusion in the resolution.

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

Mayor Robert Liffland	Absent
Deputy Mayor Stan Mersand	Aye
Trustee Daniel Peters	Aye
Trustee John Burweger	Aye
<i>Vacant.</i>	

The Resolution passed.

Deputy Mayor Mersand said the next item for discussion was a Resolution Amending Section 806 of the Employee Handbook of the Village of Pawling, entitled "Medical Insurance", to modify premium contributions based on eligibility. He said other municipalities in the area have a different setup on their insurance than the village in that they pay a greater portion and the village board had a request for a discussion on the topic. He asked the Treasurer to give the Board numbers for the next meeting. Trustees Burweger and Peters agreed with Deputy Mayor Mersand. It was decided to defer the topic until the next Board meeting.

**MOTION** by Trustee Peters to approve the Mayor signing the Fuel Tank and Distribution Agreement with the Town of Pawling. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Burweger to approve the Pawling Chamber of Commerce holding its annual Arts & Crafts Festival on September 26, 2015. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Burweger to approve the Pawling High School holding the Homecoming Parade on September 18, 2015. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Burweger to approve the Interact Club holding an annual Halloween Party on October 24, 2015. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Burweger to approve the Metro North Treasurer's Report for July 2015. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve payment of the August 21, 2015 prepaids in the amount of \$11,689.91, the August bills in the amount of \$106,317.16 and the Metro North bills in the amount of \$7,199.21. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Drew Nicholson, Village Historian, showed the Board a cabinet donated from Good Tidings.

**MOTION** by Trustee Burweger to adjourn the meeting at 7:14 P.M. and go into Public Comment. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

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Village Clerk