

DATE OF MEETING: August 13, 2015

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

KIND OF MEETING: Business

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

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

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 Liffland to approve the minutes of July 9, 2015 Business and July 27, 2015 Special Meetings as presented. **SECONDED** by Commissioner Burweger. All were in favor and motion carried.

MOVED by Commissioner Kelly to approve the July 2015 Treasurer's Report as presented. **SECONDED** by Commissioner Burweger. All were in favor and motion carried.

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

New Business

MOTION by Commissioner Mersand to approve transfer of \$6,989.25 from Castagna Escrow #811000160 to O&M MMA#0811000030 for legal and engineering vouchers, **SECONDED** by Commissioner Burweger. All were in favor and motion carried.

Chairman Peters said they have a resolution designating Severn Trent Services to read the meters over at Cedar Valley. He said this will only be in the event the customer doesn't send an actual reading when they receive the reading card.

Chairman Peters said he wants the Commission to send a letter stating that estimated readings will not be acceptable any more, they want a reading from now on and if they can't provide it the Commission will send Severn Trent, at the homeowners expense.

MOVED by Commissioner Mersand to authorize Severn Trent to read the meters at Cedar Valley. There was discussion about how the Commission can enforce the meter reading.

Mike Batz said that the price would be \$25.00 per meter during normal business hours and \$35.00 per meter if it's after hours or weekends.

There was discussion about if the resolution addressed the town and village residents.

The resolution is for Cedar Valley only but it does not state that.

Commissioner Kelly said that the town has their own meter reader and that he would be voting no on the resolution because the town provides the service to the town residents. He said that the town meter reader can go read the meters at Cedar Valley and it would be much cheaper than \$25 - \$35 per meter.

There was discussion about whether Cedar Valley should be specifically listed on the resolution.

There was some discussion about the Town Sewer Dist. No. 2.

The board discussed having Commissioner Kelly go to the town board at their Sept. 2nd meeting and ask them if the town meter reader can read the meters at Cedar Valley that didn't turn in readings.

Linda explained that the readings are due in by August 31st and whatever readings she hasn't received by then she can give the town reader if the town board approves. But either way a letter has to be sent to the residents at Cedar Valley.

After all of the discussion it was determined that they will make the resolution Cedar Valley specific and Commissioner Kelly will reach out to the town board to see what they think.

There was discussion about Cedar Valley eventually will have to get the new meters.

Commissioner Kelly said that the town's counsel will be discussing this matter with the commissions counsel.

Commissioner Mersand amended his **MOTION** to amend the resolution to reflect that it is specific to Cedar Valley and that the rates will be \$25 per meter during normal business hours and \$35 per meter after normal business hours. Chairman Peters added, pending a decision from the Town Board.

SECONDED by Commissioner Kelly. Commissioner Liffland said he wants all of the meters read. There was discussion on what meters should be read.

Chairman Peters asked if the Commission can ask the Cedar Valley HOA to have someone read the meters.

Commissioner Liffland asked how the Commission can enforce things.

Brian Morgan said the town is responsible for helping this Commission/system work. Absence of that cooperation he doesn't know what other options there are.

He said it is irresponsible for anyone sitting on this Commission to take a position that a district resolution from 1988 is not valid. He said that is a very important thing for this commission, to have a district and there is no justification for not having a district.

Brian said that the commission is permitted to expect the town to set up a district. The owner, the town, the village, the developer, all signed an agreement in 1988, 1992 that committed to that.

It is recorded in the Clerk's office.

Commissioner Kelly said that when Terry Stewart and Brian sit down together they will discuss all of this. There was discussion about the water consumption at Cedar Valley used for the sewer billing.

Commissioner Kelly said the issue is the water billing. It is not a district of the town. He said for years, the Sewer Commission has taken the liability of collecting the numbers themselves and they still do it.

He said it's not the obligation of the town because they don't have a water district. He said this commission has always gotten the readings themselves and now the question is how can they turn the liability over to the town. And that is discussion between counsel and that is being done.

Commissioner Burweger asked if in the meanwhile, can the commission send a letter indicating that they can't do estimated billing any longer.

Brian said yes, they can send a letter but, they have to be very circumspect of how the commission will enforce these things because there is no easy way without a district.

There was further discussion on the meters that are there now, how accurate they are and how old they are.

There was discussion on taking the amount of water not account for and dividing it up between the customers that don't turn in their readings.

There was discussion on tabling this resolution or withdrawing it.

MOVED by Commissioner Mersand to withdraw his original motion. **SECONDED** by Commissioner Burweger. All were in favor and motion carried.

Commissioner Mersand said the plan now is to explore some legality with Terry Stewart. Mike Batz will come up with the flow at Cedar Valley and Commissioner Kelly will talk to the town board to see how they want to go so that by the September meeting they should be pretty well along in the process. But at least now they have a plan.

Commissioner Liffland asked if they are going to bill the remaining amount of water on the people that are being estimated.

Chairman Peters said yes. The estimates will go up for those that don't turn in readings.

Commissioner Liffland said he doesn't agree. That it's not fair. He said just let it be. Leave it alone.

There was further discussion about the estimates, the letter and the town creating a district.

Current Projects

- Plant Expansion Project – Joe said they are approaching 90% design complete.
- Croton Pump Upgrade Project – Mike Batz said it should be completed by the end of September.
- Generator Project – no report
- Cedar Valley – discussed earlier
- Flow meter in SM #4 – Joe reported that the flow meter is in but it's going to take a few months to get readings and to do reports. There hasn't been a lot of rain so they will wait for better results.
- Route 22 Sewer line update – Joe said they are making good progress. He was out there with Pete Setaro and the lines are going very well. They are pressure testing per section; they don't have those results yet.
Commissioner Mersand said hats off to Zarecki Associates for responding to a call very quickly and efficiently.
- SSES and I/I – Video, cleaning, repairs – Joe said at Pawling Products, down by the rail road tracks, they found there is a pipe that runs into the plant. They are going to put die down the catch basin in their parking lot to see where that goes.
Chairman Peters asked Joe if he spoke to Jeff Smith today about the I/I projects.
Joe said no.
Chairman Peters said that Jeff told him that if they get the project set up a certain way for next year, they will be eligible in the second round for some funding.
- Local Law prohibiting certain sump pumps and other discharges into the sanitary sewer system. Ref.#63.15 tabled at the May 14, 2015 meeting. It was removed from the table at the July 9th meeting. Chairman Peters said they sent it to the Town and the Village. The village board will vote on it on Monday.

Commissioner Kelly said the town had a public hearing on it last night and when he met with Terry on Friday, Terry mentioned that there were possibly some wording changes. He said the town extended the public hearing for another 30 days for written comment only. Chairman Peters asked if there were any changes sent over. Brian said if there were any changes it was sent.

Consultants: Business / Reports

Attorney Report – Brian didn't have anything further to report on.

Engineer Report – Joe didn't have anything further to report on.

Sewer Plant Operator – Nothing to report.

Commission Member Comments

There were none.

MOVED by Commissioner Kelly to close the meeting and adjourn. SECONDED by Commissioner Mersand. All were in favor and motion carried. Time: 7:45 p.m.

Stan Mersand, Secretary