

DATE OF MEETING: May 11, 2017

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
Earl Slocum

MEMBERS ABSENT: Stan Mersand

CONSULTANTS PRESENT: Mike Batz from Severn Trent Services
Joe Zarecki of Zarecki & Associates
Dan Stone of Chazen Companies
Brian Morgan of Daniels, Porco & Lusardi

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 Burweger to;

- Approve April 12, 2017 Business Meeting Minutes as presented
- Approve April 2017 Treasurer's Report as presented
- Approve payment of April 2017 Vouchers/Bills as presented and the May 2017prepay vouchers
- Approve transfer of \$197.50 from Castagna Escrow Acct.#811000160 to O&M Acct.#8816000190 to pay engineering vouchers
- Approve transfer of \$1,688.06 from Capital Projects Acct.#811000000 to O&M Acct.#8116000190 to pay vouchers for the Dutcher Ave. Pump Project.

SECONDED by Commissioner Kelly. All were in favor and motion carried.

MOVED by Commissioner Kelly to approve the 2017 SSES Report prepared by Zarecki Associates for submission to NYSDEC as presented. **SECONDED** by Commissioner Burweger. All were in favor and motion carried.

Resolution reaffirming Consent Order went as follows:

At a Meeting of the Pawling Joint Sewer Commission held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 11th day of May, 2017, at 7:00 PM

RESOLUTION OF THE PAWLING JOINT SEWER COMMISSION

Identifier: Resolution Reaffirming Consent Order, Case No. R3-20170316-18

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 Earl Slocum
- Commissioner Stan Mersand
- √ Commissioner David P. Kelly

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

WHEREAS, the Pawling Joint Sewer Commission (“Commission”) has previously approved a resolution on April 12, 2017 conditionally authorizing the Commission Chairman to execute a consent order in the name of Commission and to submit the executed consent order to the New York State Department of Environmental Conservation (“DEC”), which resolution is annexed hereto as Exhibit “A”; and

WHEREAS, the Chairman, Daniel Peters has executed the said consent order and submitted it to DEC in the form annexed hereto as Exhibit “B”; and

WHEREAS, the Commission wishes to eliminate the condition in the said Resolution that refers to a request to DEC for the penalty to be allocated to an Environmental Benefit Project (“EBP”), because DEC has notified the Commission that such EBP allocation does not comply with the DEC Civil Penalty Policy (DEE-1V); and

WHEREAS, all other conditions stated in the said resolution are satisfied; therefore

BE IT RESOLVED that the Commission reaffirms the Consent Order executed by the Chairman annexed hereto as Exhibit “B”, and waives condition #1b in Exhibit “A” relating to a request by the Commission to DEC for allocation of the penalty to apply to an EBP, effective *nunc pro tunc*.

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	Absent	—	—
Commissioner Earl Slocum	<u>√</u>	—	—
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 11th day of May, 2017, 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 11th day of May, 2017.

LINDA MURRAY, SECRETARY TO THE COMMISSION

Chairman Peters announced that Commissioner Mersand got a rebate for the Commission from NYSEG in the amount of \$976.75 for the replacement of the lights at the WWTP. Commissioner Kelly said that on that matter, he spoke to Mike Batz about the brightness of the new lights shining up towards the school and Route 22. He said it is better but asked if the lights can be turned just a little bit more. Mike said he will take care of that.

Chairman Peters said that they are waiting for David Daniels for the next discussion on the Agenda. He asked Joe Zarecki if he would like to go over his report at this time.

Joe said the numbers from the meter in the manhole outside of Cedar Valley show that there is quite a bit of Inflow and Infiltration (I/I) coming from there. The detailed reports are included in his monthly report package. Ref.#5517.

Joe said in addition to that, there is a much higher amount of water used than we are billing for according to readings turned in by the residents and the amount we have been estimating. He said the Commission is not billing what is being used and he recommends getting all new meters in Cedar Valley so the Commission can start getting accurate readings. He said according to the main water meter readings, the Commission is losing about \$10,000 a year.

Joe submitted a price quote on what it would cost to have all new meters put in Cedar Valley Townhomes. Ref.#5817.

There was discussion on whether or not there were back flow preventers and the different scenarios there could be that are in the quote.

Commissioner Kelly said the leaks and the I/I should be dealt with and that he is glad to finally get the reports.

Current Projects

- WWTP Improvement Project – Mike Batz said the Belt Press installation is moving along.
- Cedar Valley – Previously discussed
- SSES and I/I – Previously discussed and approved
- Pump Station Upgrades – Mike Batz said the West Main St. pump station is being installed. The pump station on Dutcher Ave. is up and running.

Consultant Reports

- Attorney Report – There is none.
- Engineering Report – Joe wanted to bring it to the board's attention that there are homeowners in the Prospect St. area that are not on the village's water system but they are on the sewer system. They do not have water meters to measure their usage. They are getting minimum bills every quarter. He said he recommends meters be installed there as well.
- Sewer Operator Report – There is none.

Chairman Peters said Dave Daniels is here tonight to shed some light on the Intermunicipal Agreement and some possible options moving forward in regards obtaining accurate water readings for sewer billing.

Dave said the issue is trying to get accurate readings.

He said they are trying to come up with solutions that would be fair to everybody.

Dave explained that the PJSC has the authority to establish rules and regulations with or without the village and the town. Instead of having both municipalities enacting local laws and going through that process, there is the ability to have the Commission directly enact rules and regulations that will require meters.

Dave also talked about options for paying for the meters and coming up with ways to charge the homeowner if the Commission wants to buy the meters. There are a few options.

The next step is for the Commission to decide what they want to do and how they want to do it and enact the regulation to do it.

Chairman Peters said he feels that having the Commission put the meters in and charge the homeowners in a payment plan would be good.

He asked Commissioner Kelly how he feels about it from the Town Supervisors position.

Commissioner Kelly said it would certainly resolve the issue on trying to meet with them to do it and that he would just like the Commissions attorney talk with the towns counsel.

Commissioner Liffland asked how they would handle it if the meter breaks or something is wrong with it.

Dave Daniels said the Commission could adopt rules on how to handle that.

Commissioner Liffland asked David Daniels what he needs right now from this board to get moving forward on this.

Dave said he needs approval from the Commission to draft something for the Commissions consideration.

He said it's also important to have the town weigh in on it.

He said they can start drafting the rules.

MOVED by Commissioner Liffland to authorize counsel to prepare a draft rules and regulations for the Commission's review. **SECONDED** by Commissioner Burweger. Commissioner Kelly opposed. He said it's prudent first to have the attorney's look at it, he said he doesn't want to vote on behalf of the town residents in favor of this without having all the documentation and having the towns counsel look at it.

He said the other part of it is if the Commission is looking at moving this forward on June 8th, the Town Board does not meet before that day.

Dave Daniels said the only thing that's getting approved now is for the attorney to prepare something for the Commissions consideration. Four were in favor, Dave Kelly opposed. Motion carried.

Commission Member Comments

There were none.

MOVED by Commissioner Liffland to close the meeting for visitor's comments, **SECONDED** by Commissioner Burweger. Time: 7:30 p.m. All were in favor and motion carried.

There were no visitor's comments.

MOVED by Commissioner Slocum to open the regular business meeting to go into executive session. **SECONDED** by Commissioner Kelly. Time: 7:32 p.m. All were in favor and motion carried.

MOVED by Commissioner Slocum to close the executive session and open the regular business meeting back up. **SECONDED** by Commissioner Burweger. Time 8:19 p.m. All were in favor and motion carried.

MOVED by Commissioner Burweger to close the meeting and adjourn. **SECONDED** by Commissioner Slocum. Time: 8:19 p.m. All were in favor and motion carried.

Stan Mersand, Secretary