

DATE OF MEETING: December 15, 2022

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

KIND OF MEETING: Organizational

MEMBERS PRESENT: Chairman Daniel Peters
Vice-Chairperson James Schmitt
Commissioner Lauri Taylor
Commissioner John Burweger
Commissioner Jerry Locascio

MEMBERS ABSENT: Commissioner Meyer

CONSULTANTS PRESENT: David E. Daniels of Daniels, Porco and Lusardi

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

Chairman Peters turned the Organizational Meeting over to Counsel David E. Daniels of Daniels, Porco and Lusardi for the election of a Chairman.

Mr. Daniels started with a roll call, and then asked for a motion to nominate Daniel Peters for the Chairman of the Pawling Joint Sewer Commission.

Commissioner Taylor made a **MOTION** to nominate Daniel Peters for Chairman of the Pawling Joint Sewer Commission, the nomination was **SECONDED** by Commissioner Burweger. No other nomination were made and the floor was closed for nominations of Chairperson. All were in favor and **MOTION** carried.

Mr. Daniels turned the meeting over to Chairman Peters and congratulated him.

Chairman Peters made a **MOTION** to appoint Lauri Taylor as Deputy Chair, and went on to say that he wanted to give a few thoughts before asking for a Second. Chairman Peters said since Lauri became Mayor, she has been extremely involved with the day to day operation of both the water & sewer Commission and this is extremely important because the water meters are how we bill the sewer. We have three distinct areas in the Village and Town where we have identified I&I as a serious problem, one of them being the center of the Village and she was very helpful in implementing a program to do inspections on these buildings and is making it a part of the Building Department protocol. Having identified these places we can move forward with aggressively addressing them which is something that hasn't been done in a very long time. Chairman Peters also said he feels very strongly that she is a very active member and would like to appoint her. Chairman Peters then asked if he had a Second. The **MOTION** was **SECONDED** by Commissioner Burweger. Chairman Peters asked all in favor to signify by saying aye. The following Commissioners responded with aye – Commissioner Burweger, Commissioner Locascio & Commissioner Taylor. Commissioner Schmitt responded with a nay. Commissioner Schmitt asked if he could speak for discussion and told Chairman Peters that he is supposed to ask if anyone would like to discuss

before calling for a vote. Chairman Peters responded by saying yes, go ahead. Commissioner Schmitt went on to say he feels he has served this Board very well as Deputy Chair and has supported everyone on the Commission. He feels he has one of the best attendances as well. He believes that the Pawling Joint Sewer Commission being the Town & Village should have the first and second seat on the Commission represented by someone from the Town and someone from the Village especially since the Village does have such a heavy super majority on the Board already. The Town currently makes up 34% of the users and the Town holds one seat and one seat only and that's not fair representation to the Town at all. Commissioner Schmitt feels the top two seats should be held by one Town representative and one Village representative. He feels it's the only fair way of doing it without having to add any additional members. Commissioner Schmitt said quite frankly he is very sorry it's coming to this. Commissioner Schmitt then directed his comments to Chairman Peters by saying Mr. Chairman this past week when you came to me and asked me to support this motion I told you I wouldn't because I feel I do a good job here, I work well with all of you, I come in when I am needed, Mayor Taylor does a great job here and I am a half a mile away and I am available every day as well or whenever I am needed. I don't think it was proper for you to come to me and ask me to support this and offer me a second seat as Town representation on the Board. As a Chairman you should be ashamed of yourself for doing that. Chairperson Peters responded by saying the discussion we had was a very tentative one, I wanted to have a discussion with you about my feelings before the meeting, because I thought man to man was a good thing to do. Commissioner Schmitt responded by saying it was inappropriate because clearly Chairman Peters had already made his decision because Chairman Peters had come to him and said if he would support Lauri in the second seat the Board would then give the Town a second seat. Chairman Peters spoke and said that was not exactly what he said. Commissioner Schmitt again said it was completely inappropriate. Dave Daniels began to ask Commissioner Schmitt what he meant by saying it was inappropriate at which point Commissioner Schmitt said it was a bribe in his opinion. Chairman Peters reacted saying that is not exactly what he had said. Dave Daniels then asked Commissioner Schmitt if he was accusing Chairman Peters of a crime. Commissioner Schmitt said he didn't know if it was a crime or not. Dave Daniels told Commissioner Schmitt he was way off base and that this was shameful. Commissioner Schmitt then directed a question to Chairman Peters asking if that was not in fact the conversation that they had, which Chairman Peters replied not exactly, no. At this point Steve Goldberg who was present in the room yelled that Dave Daniels accuses people of crimes all the time. Commissioner Schmitt told Mr. Goldberg that this was a discussion amongst the Board. Commissioner Schmitt stated that in his opinion he has never done anything to not be the Vice Chair of the Board and that he has worked very hard with everyone. Commissioner Schmitt said he didn't know if that conversation was had with each of the Commissioners as well but he wanted it on the record that the conversation did take place between him and Chairman Peters and obviously the decision had already been made. Commissioner Schmitt then congratulated Mayor Taylor and said he was sure she would do a great job as number two, but he believes that the number one and number two seats should have representation from the Town & the Village. Dave Daniels then said that the idea that one legislator can't speak to another legislator about an idea is absurd and for Commissioner Schmitt to say what he said, that it was shameful; and to say it's a bribe is even more absurd. Mr. Daniels asked Commissioner Schmitt how he thought it works in Washington, people talk. Commissioner Schmitt responded saying he didn't know, he's not in Washington. Mr. Daniels continued to say it's not an

official meeting, and for Commissioner Schmitt to say that it was inappropriate was just not right. Commissioner Schmitt responded saying he's not an attorney and didn't know, so maybe Mr. Daniels was right. Mr. Daniels answered that he knows he is right and for Commissioner Schmitt to accuse someone the way he did was just wrong. Commissioner Schmitt again said Chairman Peters told him if he would support the motion that he would offer a second seat. Chairman Peters said that was not exactly what was said. Commissioner Schmitt asked Chairman Peters to tell everyone what exactly he did say. Chairman Peters said to Commissioner Schmitt that Commissioner Schmitt has constantly, and as a matter of fact he was assuming that this is why the Town Board was in attendance because of the discussions over the last two meetings so this was just ridiculous. Chairman Peters then said he was appointing Ms. Taylor because she does a phenomenal job and she is by far the most active member of the Commission – Commissioner Schmitt interjected and said so then make her a Commissioner. Commissioner Schmitt then asked whose resume is more built to be a sewer Commissioner, this is what he does for a living. Chairman Peters then asked Commissioner Schmitt if he has ever been to the sewer plant, Commissioner Schmitt responded he has been there multiple times. Chairman Peters said he never heard about him ever being there and asked to please just move on as Commissioner Schmitt got to have his say. Commissioner Schmitt said to Chairman Peters, for the record, are you saying that you never had that conversation with me. Chairman Peters said not as Commissioner Schmitt was portraying it. Commissioner Schmitt said in Chairman Peters defense, Chairman Peters should say how he would portray the conversation. Chairman Peters said he would portray the conversation as something that Commissioner Schmitt had been discussing as a Board member for some time and that it was something that he would entertain. Chairman Peters stated he never said he was offering James a second seat on the Commission & that he could never offer him a second seat because he is only one person on the Board. Commissioner Schmitt said in the conversation that he had with Chairman Peters, he did tell him that he would have a second seat for the Town. Chairman Peters said he disagreed. Chairman Peters said that Commissioner Schmitt had been given his time to speak. Commissioner Schmitt said we still need to discuss further the lack of representation the Town has on the Commission. Chairman Peters said we would do that, but it would be after we finished the Organizational Meeting. Commissioner Schmitt continued that he wanted it on the record that there are building permits out right now for an additional 80 units in the sewer district – Chairman Peters again said we would have that conversation in the regular business meeting, that we were currently having the organizational meeting. Commissioner Schmitt responded that he was aware of how the meetings worked.

Chairman Peters asked if he had a second, and Mr. Daniels suggested that Chairman Peters just redo the Motion. Chairman Peters made a **MOTION** to appoint Lauri Taylor as the Vice Chair for the PJSC. Commissioner Burweger **SECONDED** the motion. Chairman Peters asked all in favor to signify by saying aye. Commissioner Burweger, Commissioner Locascio & Commissioner Taylor each said aye, Commissioner Schmitt was opposed, **MOTION CARRIED**. Commissioner Schmitt asked if Commissioner Meyer who was on the conference call had voted, Chairman Peters responded that Commissioner Meyer could not vote since he was not at the meeting.

Chairman Peters made a **MOTION** to appoint Jerry Locascio as Secretary, **SECONDED** by Commissioner Burweger. Chairman Peters asked all in favor to signify by saying aye,

Commissioner Burweger, Commissioner Taylor and Commissioner Locascio each said aye, Commissioner Schmitt didn't respond, **MOTION CARRIED.**

Chairman Peters made a **MOTION** to appoint John Burweger as the Treasurer, **SECONDED** by Commissioner Taylor. Chairman Peters asked all in favor to signify by saying aye. Commissioner Burweger, Commissioner Taylor and Commissioner Locascio each said aye. Commissioner Schmitt said he was opposed to the last two **MOTIONS** not because he thought they didn't work hard, but because he had better attendance at the meetings than both of them as well and wanted that to be on the record. Christine asked for clarification if Commissioner Schmitt was opposed to the Secretary and Treasurer motions and Commissioner Schmitt responded yes.

Chairman Peters made a **MOTION** to close the Organizational Meeting and open the regular meeting. **SECONDED** by Commissioner Taylor, Chairman Peters asked all those in favor to signify by saying aye, all responded aye except for Commissioner Schmitt who remained silent. **MOTION CARRIED.** Time 7:12 p.m.

Chairman Peters made a **MOTION** to re-open the Organizational Meeting. **SECONDED** by Commissioner Burweger, Chairman Peters asked all those in favor to signify by saying aye, all responded aye except for Commissioner Schmitt who remained silent. **MOTION CARRIED** Time 7:17 p.m.

Chairman Peters made a **MOTION** to approve Daniels, Porco & Lusardi as legal aid for the Pawling Joint Sewer Commission. **SECONDED** by Commissioner Burweger. Chairman Peters asked all those in favor to signify by saying aye, all responded aye with the exception of Commissioner Schmitt who remained silent. **MOTION CARRIED**

Chairman Peters Made a **MOTION** to approve LaBella & Associates, Dan Stone as the engineer for the Pawling Joint Sewer Commission for the upcoming year. **SECONDED** by Commissioner Burweger, Chairman Peters asked all those in favor to signify by saying aye, all were in favor, **MOTION CARRIED.**

Chairman Peters made a **MOTION** to close the Organizational Meeting and go back into the Regular Business Meeting. **SECONDED** by Commissioner Burweger, all were in favor, **MOTION CARRIED.** Time 7:20 p.m.

Jerry Locascio, Secretary