

DATE OF MEETING: April 13, 2023

PLACE OF MEETING: Village Hall

KIND OF MEETING: Business

MEMBERS PRESENT: Chairperson Lauri Taylor
Commissioner John Burweger
Commissioner Jerry Locascio
Commissioner James Schmitt

MEMBERS ABSENT: Commissioner Tom Meyer

CONSULTANTS PRESENT: David Daniels, Esq. & Dan Stone

At 7:00 p.m. the Business Meeting of the Pawling Joint Sewer Commission was called to order by Vice Chairperson Lauri Taylor with the Pledge of Allegiance.

MOTION by Commissioner Burweger to approve the March 9, 2023 Business Meeting Minutes as presented, **SECONDED** by Commissioner Locascio. There was no discussion; all were in favor and motion carried.

MOTION by Commissioner Burweger to approve the March 2023 Treasurer's Report as presented, **SECONDED** by Commissioner Locascio. There was no discussion; all were in favor and motion carried.

MOTION by Commissioner Locascio to approve the March 2023 Voucher's Report as presented, **SECONDED** by Commissioner Burweger. There was no discussion; all were in favor and motion carried.

MOTION by Commissioner Locascio to approve transfer of \$70,363.59 from O&M Acct. ending in 0030 to Checking Acct. ending in 0190 to pay March 2023 Vouchers. **SECONDED** by Commissioner Burweger. There was no discussion; all were in favor and motion carried.

MOTIONED by Commissioner Burweger to approve transfer of \$ 5,411.50 from Capital Acct. ending in 0000 to Checking Acct. ending in 0190 to pay LaBella Vouchers for I&I Study & West Main Street Pump Station upgrade. **SECONDED** by Commissioner Schmitt. There was no discussion; all were in favor and motion carried.

MOTIONED by Commissioner Burweger to pay LaBella Voucher in the amount of \$5,210.00 from WWTP Project #2 Acct. ending in 0500 for Septage Receiving Station Project. **SECONDED** by Commissioner Schmitt.

Vice Chairperson Lauri Taylor asked for a **MOTION** to temporarily turn the Chair position over to Mr. David Daniels for the appointment of the Chairperson. **MOTIONED** by Commissioner Burweger. **SECONDED** by Commissioner Locascio. Commissioner Schmitt asked for clarification as to why Mr. Daniels was temporarily appointed as Chair. Vice Chairperson Taylor explained it was just for this one action. There was no further discussion; all were in favor and motion carried.

Mr. Daniels asked for a Motion to appoint a new Chair. **MOTION** by Commissioner Locascio to make Mayor Lauri Taylor the Chairperson. **SECONDED** by Commissioner Burweger. There was no discussion; Commissioner Locascio & Commissioner Burweger were in favor, Commissioner Schmitt was a nay. Motion carried.

The Meeting was turned back over to Chairperson Lauri Taylor who made a **MOTION** to appoint Commissioner Schmitt to Vice Chair. **SECONDED** by Commissioner Locascio. There was no discussion; all were in favor and motion carried. Vice Chairperson Schmitt thanked Chairperson Taylor.

Chairperson Taylor presented Ref. # 26.23 – Customer # 10308 who requested an adjustment in the amount of \$1,162.18 to their sewer bill because their hose bib had burst while they were away. Chairperson Taylor asked if there was any discussion – Commissioner Locascio asked if this was for water that didn't enter the sewer system. Commissioner Schmitt asked if it was for an outside spigot, Chairperson Taylor confirmed that it was. **MOTION** by Commissioner Locascio to adjust the sewer bill in the amount of \$1,162.18. **SECONDED** by Commissioner Burweger. There was no further discussion; all were in favor and motion carried.

Chairperson Taylor called on Mr. Dan Stone of LaBella to give his presentation of the proposed sewer rates.

Mr. Stone apologized for the poor quality of the slide presentation & said it would be posted to the Village website and it would be very clear there (Presentation can be found on the Village website under the Pawling Joint Sewer Commission). Mr. Stone said he had watched the Town Boards Meeting from the night before and wanted to clarify a few things that he had observed in that meeting. Mr. Stone said Pawling Joint Sewer Commission operated under an Inter Municipal Agreement that the Village and the Town created back in 1983 and it was a very early on co-municipality project this was something they did way before it became a State idea that municipalities should cooperate with one another. Pawling Joint Sewer Commission follows the IMA, that's its guiding chapter and it's the Contract that the Town & Village signed together to create this body & we have to follow the rules. The IMA is like any other Contract, it can be modified from time to time but the way the Commission does business is under the IMA as it exists today. I know there was some discussion at the Town meeting what the procedure was for, the Village Board expressed their desire to appoint a seventh member of the Commission and there is a procedure that both entities have to agree to, to make that happen. Ultimately the IMA will be modified by agreement. So the Village Board said we want to do, the Commission said we want to do it & it's up to the Town Board to say we want to do it too. At that point the IMA would be modified and reviewed by both Government entities and ultimately be approved by the Pawling Joint Sewer Commission. It's not just you can do it by appointment or resolution or anything else, we have to follow the IMA. The other surprising thing last night was how surprised everybody was in respect to what I am going to present tonight and what Pawling Joint Sewer Commission is endeavoring to do here with respect to the rates. I personally started working on this in 2021. The Commission engaged with Municipal Solutions in March of 2022 to assist with this. Municipal Solutions is a private entity in western New York State that specializes in municipal financing and we have worked hard. I made the first presentation to this group in public in June of 2022 almost ten months ago I guess, I made a follow-up presentation similar to this in January of 2023 and yet I know a lot of the Town Board members seem to think that this was being sprung upon them by surprise. I think it will be good when you get the second Board member so at least you will have two sets of ears at the table to bring things

back to you so at least we are operating from the same common agreed and factual baseline and then we can pontificate but I don't think the factual baseline is well understood on both sides and it's frustrating. The presentation that I am showing tonight is modeled exactly like the presentation I provided last June, but I have updated the budget slides because they need to be in this high inflation period and I have provided within the document the proposed rate structure that Municipal Solutions & LaBella are recommending to the Commission and we believe it is a fair and equitable way to go forward (Power Point Presentation is attached). Chairperson Taylor said that something new tonight is the fact that this is being live streamed and will live on our website so this presentation will be there for anybody who wants to look at it in the future and this presentation will also be put on the website itself so you can download it and print it out. Moving forward all meetings will be live streamed on Youtube.

After the presentation, Chairperson Taylor opened for discussion the maintenance agreement for the generators and referenced document 27.23 from H.A. Schreck for the ten generators which totaled \$4,982.50. Commissioner Locascio asked if this was the same company we were using previously, Chairperson Taylor responded no and Christine said we were using Peak Power previously. Commissioner Locascio asked if we had received a quote from Peak Power, Christine said we did not because Peak Power was more expensive last year than the quotes we received this year. Christine said we did receive a quote from American Metal Heavy Equipment which was also included in the Commissioners meeting packages, along with a quote from Owen Downey. Christine said the quote from H.A. Schreck was straight forward & it was easy to understand what they were charging for while the other two were a bit difficult to interpret. Chairperson Taylor asked if Rich Kane of H2o had assisted with this and Christine responded that yes, he had and he was still waiting for a fourth quote. Chairperson Taylor asked if we wanted to hold off until that quote was received before we make a decision. Commissioner Schmitt said we have a couple of quotes now and he asked Christine if H.A. Schreck's references were good because handling ten generators is a pretty big work load. Commissioner Locascio said Schreck was a pretty well known. Mr. Stone added he had dealt with Schreck over the last forty years. Commissioner Schmitt said he would be OK with moving forward with Schreck if the rest of the Commission was as well. Commissioner Burweger said he would be fine with that and we could always look at it after a year or two. Chairperson asked if she could entertain a motion to approve this. **MOTIONED** by Commissioner Schmitt to approve the Service Contract Agreement with H.A. Schreck. **SECONDED** by Commissioner Burweger. There was no discussion; all were in favor and motion carried.

Chairperson Taylor said before going into current projects I wanted to update everyone, and Justin help me out if I miss anything here, last week we had a sewer backup on Memorial Avenue and we had Savarese come out and jet the line to get it clear and get it moving and the problem that we are finding is there is a huge amount of grease. So we thought we were good until I got a call from Dan Peters on Easter Sunday that it was backed up again, so I had to call Justin and we called Savarese to come back and jet the line again and huge amounts of grease and they were like boulders coming out so just for the Village we just implemented a whole new program and an annual inspection program through the building department, fire prevention and all sorts of stuff that we are slowly implementing and we just passed it in January so certainly now grease traps have risen to the top so I will be having a building department meeting on Tuesday and we are going to need to seriously address this. They aren't being checked, they aren't being cleaned and I think in some situations they may not have big enough containment. Let's hope that we are good for now.

Chairperson Taylor called upon Commissioner Schmitt and Dan Stone for an update on Castagna. Commissioner Schmitt said they are under construction, full steam ahead and the project is moving along pretty well and he thinks they are planning to be complete sometime next year and he knows they were in touch with the school just to let them know because the school needs to make some type of arrangements in their budget with the potential of new kids coming into the school. Commissioner Schmitt said ASPCA who is also on the Agenda is also in our building department just waiting for their permit, Dan Stone interjected that they still haven't cleared the Health Department. Commissioner Schmitt said all of their stuff is in our office but we can't issue the permits until they get their clearance, other than that, our building inspector has reviewed all of their plans, and has done all of the legwork on our end so when that does come through he will be able to issue the permits and from his understanding they want to go right to work and they will be a good user for the sewer system. Chairperson Taylor thanked Commissioner Schmitt for his update.

Chairperson Taylor asked for an update on the West Main Street Pump Station – Dan Stone said Jeff, Justin & he had looked at the panel today, and no one is quite sure where this panel came from but it was here, and it was decided about two years ago that it was going to be integrated into West Main Street. When it was plugged in, it didn't fully work. One of the two VFD's is shot, and the other one doesn't seem to take input because it may not be programmed properly. The electrical contractor who installed them is willing to go back to the manufacturer and try to figure it out and make that work. We are requesting a proposal from him to take that responsibility and get it operating the way it's supposed to with all the alarms and controls. Right now it's operating strictly off floats & there's one float that operates pump if the water level gets too high the second float comes on and it works for now, but it's not optimal so we need to talk to the contractor and ask them for their proposal.

Chairperson Taylor asked if there was anything to report from our attorney, Mr. Daniels said no.

Chairperson Taylor asked Dan Stone if he had an engineer's report, Mr. Stone said that Jeff, Justin and he had looked at the Sewer District one area for the placement of flow meters and we have come to an understanding of what we are going to do for this season and within a week or so I expect those meters to be installed and we will be able to see where the flows come from. Chairperson Taylor asked Mr. Stone to elaborate a little for those who don't know that this is to detect the I&I issues that we are having. Mr. Stone said we had one significant rain event this winter and we got blown away with an increase with flow from East of Rte. 22 which is a small part of the system, it represented 60% of the flow. We have known about this, but we don't know exactly where it is coming from and Trinity Pawling owns their own source so the meters I was just speaking about will segregate Trinity Pawling's flow from the public flow so if there is a problem coming from Trinity Pawling, we can ask them to expend some of their resources to fix it. If the problem is on our side, we'll have to fix it. Between Lauri and Justin they tracked down Rural Water who will for very little cost or no cost will televise the system and that is scheduled for July. Justin confirmed it would be at the end of July & the beginning of August. Mr. Stone continued, if we don't need a lot of jetting, we'll get most of the system televised and that will give us a good indication between that and the metering where we have to go to do some fixing. Commissioner Schmitt asked Mr. Stone if he thinks that maybe sub-pumps and things like that are going into the system and that is why it's occurring during

rain events. Mr. Stone responded, we know that this is happening from this side of the Village and the Building Department is doing inspections so we can remove that and we haven't yet smoke tested for roof leaders – Commissioner Schmitt interjected and said yes, because roof leaders collect the water quickly and discharges the water quickly into the system and then your numbers go up. Mr. Stone continued, you can see from hydrograph – but if it's that instant first flow, its roof – Commissioner Schmitt said if its roof water it's collected quickly and put right into the system. Mr. Stone continued, if it's got legs it could be sub-pumps and we made hydrographs last year and with the network we are going to put in place will tell us a lot more about where to look and then we will come to the Commission and say look, here's a capital program because – Commissioner Schmitt asked do you think we should consider maybe sending a letter out to that District and saying hey, we are seeing large spikes in storms and you shouldn't be discharging your sub-pump or roof water into the system, that we have data showing that this is going on and we are going to look for it, so we recommend you disconnect that, maybe a letter to that District because we know it's coming from a certain area right – Chairperson Taylor asked Commissioner Schmitt do you mean like before they start metering it – Commissioner Schmitt said he thinks it would make a difference potentially and if you get folks from the city who are used to putting their drains and things into the sewer, it's normal to them, now they have relocated to Pawling they may not even realize they are doing something wrong because it's normal to put your water into there, but I didn't realize this was running up the cost of the whole district, you're treating clean water now. Mr. Stone said he has a slightly cynical thought on that, if a homeowner is given the choice of their basement flooding or pumping it somewhere – Commissioner Schmitt interjected that he meant pumping it outside and not into the sewer, a lot of these folks put these drains in their basement and you know I am a contractor by trade and I can't tell you how many houses I go into and I say to them you know your dumping that into your septic, so in a sewer you're paying for that, but in a private septic, I tell them they are destroying their septic. Mr. Stone said getting information out there is never a bad idea, maybe talking about it at every Commission meeting is not a bad idea. Mr. Stone said he could draft a letter – Commissioner Schmitt said we could still move forward and schedule that but maybe alerting people that if they are doing this, you shouldn't be and you're actually costing yourself money because you are operating a sewer plant to treat clean water – Mr. Stone agreed.

Chairperson Taylor then asked Justin from the WWTP if he had anything to share – Justin replied, they have just been addressing sewer backups and that was all that was going on.

Chairperson Taylor asked for a motion to go into executive session for litigation, **MOTIONED** by Commissioner Burweger, **SECONDED** by Commissioner Locascio. Commissioner Schmitt asked to be recused from executive session because it involved a family member; no further discussion took place and motion carried.

Chairperson Taylor said there was no decisions or voting took place during executive session. **MOTIONED** by Commissioner Burweger to close executive session and go back into the regular meeting, **SECONDED** by Commissioner Burweger. There was no discussion; all were in favor and motion carried.

Chairperson Taylor asked for a motion to close the meeting and to go into public comment. **MOTIONED** by Commissioner Schmitt to close the regular business meeting. **SECONDED** by Commissioner Burweger. There was no further discussion; all were in favor, motion carried. Time 8:08 PM.

Jerry Locascio, Secretary