

DATE OF MEETING: January 8, 2015

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

KIND OF MEETING: Business

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

CONSULTANTS PRESENT: Brian Morgan of Daniels, Porco & Lusardi
Joe Zarecki of Zarecki Associates
Michael Batz of 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 Mersand to approve the Treasurer's Report of December 1 through December 31, 2014 as presented. **SECONDED** by Commissioner Kelly. All were in favor and motion carried.

MOVED by Commissioner Kelly to approve payment of the December 2014 Vouchers as presented and the January 2015 prepaid vouchers. **SECONDED** by Commissioner Mersand. All were in favor and motion carried.

MOVED by Commissioner Mersand to approve transfer of \$1,774.89 from Capital Fund #0811000000 to O&M MMA#0811000030 for engineer & legal fees for plant expansion. And transfer of \$483.50 from Castagna Escrow #081100060 to O&M MMA#0811000030 for engineer & legal fees. **SECONDED** by Commissioner Liffland.

MOVED by Commissioner Kelly to approve sewer bill adjustment of \$149.51 to sewer customer #526 due to a billing error. **SECONDED** by Commissioner Griffin.

Resolution Ref.#05.15

Chairman Peters said this is a resolution to authorize the Chairman to authorize the engineers to proceed past the EFC scope phase when EFC notifies the Pawling Joint Sewer Commission that the financing of the project is certain and no longer speculative.

Chairman Peters said everyone received the resolution but the table was not received until late today, the resolution yesterday.

Chairman Peters asked the consultants, Joe, Brian and Michael to please, from now on, have their reports and any correspondence to Linda by the Friday before the meeting.

Chairman Peters asked Joe to explain a little bit about this resolution and contract amendment. Joe explained that this is just so they can get a jumpstart on doing design work.

He said they are very, very positive that the funding is coming through so they are willing to work on the project, knowing that when the funding comes through, they will already have the agreement. He said they would like to get working on it knowing that if the funding doesn't come through there would be no burden to the Sewer Commission. That they just want to get started so they don't lose time in the process.

Joe explained that table three is merely a clarification of a previous contract where the numbers reflect what was done in the first phase and its now showing the second phase. The overall number has not changed.

Brian Morgan just wanted to clarify that there aren't any cost overruns so far.

Joe said no.

Commissioner Kelly asked that table three now involves an actual project moving forward with expansion to the plant.

Chairman Peters said yes.

Commissioner Kelly said that his concern that by looking at this, the action items, are actually part of an expansion plan. He said that the plan is not what the Sewer Commission does. That is a part of what the Village does. The village owns the plant and the property it is on. He said his concern is that this is in the wrong place for adoption of a resolution. He said under the previous amount that the Commission has paid, it was paid as a speculative project.

Chairman Peters said that the Pawling Joint Sewer Commission that's operating the plant, they are the ones that originally moved this document forward from the beginning and it's the Sewer Commission that decided to approve the first phase and not the other phases until they were assured of funding. Now they are asking to move to the next phase when the funding is available.

Chairman Peters asked Brian Morgan for some clarification.

Brian said it's a little late in the game to talk about this in this way. This would have been an appropriate subject back when they were doing the engineering contract. But the engineering contract was done and it has been approved by the Sewer Commission and one of the reasons that drive that is, going back to the IMA, that creates a partnership between the town and the village and this is the executive body over that. He said the Sewer Commission does have delegated authority to sign contracts and to arrange financing. He said the village owns the bricks and mortar of the plant, however, the SPDES permit is in the name of the Commission. The pjsc is the force that is driving this.

Commissioner Griffin said, for clarification purposes, that the first phase of the project, the \$120,000 is paid by the Sewer Commission, and the Sewer Commission approved it that nothing after that first phase was approved. He asked if table three is new to this.

Chairman Peters said it has always been a part of the original document. The Sewer Commission only approved the first third of the estimated costs.

Chairman Peters said that what the resolution is asking is that when the funding comes through, that he has the authority to get the next phase of the project moving.

Commissioner Griffin asked why they should approve this now, why can't they wait to at least have a commitment letter for the funding? He isn't understanding.

Chairman Peters said the reason they want to approve this now is so that the engineer can start work on this right away but that the engineer will not charge the Commission a dime until the funding is in.

Joe said they have two choices; they can do it the way Brian said and they won't touch the project and design until the time of the approval but, he is so confident that the funding is going

to go through that they don't want to lose two or three months it may take for the funding paperwork, he is willing to hold back his payment for the work he does and if it happens that they don't get the funding, there is no commitment or responsibility of the Sewer Commission to pay them for the time they put in toward the project.

Joe said he doesn't know if that is spelled out in the resolution but that is his intent.

Joe said basically what they want to know is that if they do the work and time and the funding does come in and for some reason the Commission was to select someone else to do the design. Commissioner Griffin said he understands but it gives one person authority to approve the whole entire project and there is nothing in writing stating that Zarecki is not going to charge the Commission if the funding doesn't come through.

There was a lot of discussion on this topic and on exactly what they are authorizing the Chairman to authorize; the second phase (design) and the third phase (construction) or only the second phase. And if it's just for phase two then it doesn't say that in the resolution.

Table three has all three phases on it and that is what they need clarified.

MOVED by Commissioner Liffland to approve Zarecki go ahead with the design phase contingent upon the Commission receiving a letter stating that there is no charge to the Commission if the funding does not go through. **SECONDED** by Commissioner Kelly.

Chairman Peters asked if the motion Commissioner Liffland made is to vote on the resolution in front of them. Commissioner Liffland said no. It is to allow Joe Zarecki to move forward with working on the project contingent upon the fact that if there is no funding, he does not get paid for the work.

Joe said he can give the Commission that letter with the resolution addressing that there is a commitment from the Sewer Commission that once the EFC funding did come through that Zarecki would be the firm that is selected.

Brian Morgan said the vote is not on the resolution at all. He said the Chairman's intention expressed to him was that he had no intention on moving, going straight into the construction phase. He just wanted to get the design work started. He said the resolution was made with only the design phase in mind. He said he can change the resolution to clarify this.

Chairman Peters said that to him the fact that Joe said he would go ahead and start work is irrelevant, that this resolution just gives him the authority to move the project into the design phase once the funding has come through. He said they are getting things all mixed up.

Chairman Kelly said in the first resolve in the resolution it does refer to exhibit B, attachment A and table three and table three deals with all inclusive all the way to the \$622,000 and if he just wants to authorize just one phase then the resolution needs to be amended to say table three, phase one and that would give them the design phase.

Brian Morgan said they can do that right now but there is another motion that takes precedence over it.

Commissioner Liffland said he would like to amend his **MOTION** to have counsel write this all out or verbally give some direction.

Brian Morgan said the resolution, as Commissioner Liffland is making it, is to authorize engineering work through the end of phase one, as shown on table three. He explained how he will word things in the resolution.

Commissioner Kelly withdrew his second.

Brain said the board has no objections to Commissioner Liffland motion.

SECONDED by Commissioner Mersand. All in favor and motion carried.

Commissioner Kelly said that this has been a long time coming, moving this forward.

He said this will speed up the process and now they can have fruitful conversations with prospective developers.

MOVED by David P. Kelly to move the resolution 05.15. **SECONDED** by Commissioner Liffland. Commissioner Kelly said that this has been a long time coming, moving this forward and he thinks this is the appropriate time that allows the Chairman to sign the document when things happen. It speeds up the process and keeps things moving because they do have a lot of developer that want to talk to the Commission and now he feels that they can have fruitful conversations with prospective developers once the document that the attorney is developing, the tenancy agreement. It proves that the Commission means what they've been saying over the years that they want to expand the plant. And now they actually have a timeline from the engineers.

Commissioner Mersand asked Commissioner Kelly if he is talking about the resolution that is Ref.#04.15 or Ref.#05.15. Linda said the Ref.#04.15 was handed out the other day without the table and Ref.#05.15 was handed out today with the table. The roll call vote went as follows:

	"Aye"	"Nay"
Chairman Daniel Peters	√	
Vice Chairman Robert Liffland	√	
John Burweger	√	
Brian Griffin	√	
David Kelly	√	
Stan Mersand	√	

Motion carried.

Chairman Peters said the next item on the Agenda is a resolution submitted by Commissioner Mersand.

Commissioner Mersand said the Commission, back in October 2014, approved removal of the scrap metal by Severn Trent Services. He said they were going to haul it off to the recycling yard in Wingdale. He said that the resolution he submitted basically states that he's asking to rescind that original October resolution and resolve that the Village of Pawling highway crew, which will be removing the village scrap, also take the Commission's scrap and the money will be turned over to the Village Clerk who will then use it for a Boy Scout Eagle Scout project for improvements here at the Village Hall.

MOVED by Commissioner Mersand, **SECONDED** by Commissioner Kelly:

WHEREAS The Pawling Joint Sewer Commission (PJSC) has accumulated a pile of scrap metal such as old motors, pumps, etc. located at the Wastewater Treatment Plant, and

WHEREAS it has been determined by Severn Trent Services (ST), the contracted operator and consultant for the sewer plant that the scrap has no commercial value as they are not repairable or not repairable on a cost effective basis, and

WHEREAS at the October 9, 2014 meeting of PJSC a resolution was adopted accepting the offer of ST to remove the scrap to a scrap metal recycler for a minimal or nominal value, and

WHEREAS the Village of Pawling (VoP) also has a pile of scrap located at the Plant, and

WHEREAS the Board of Trustees have authorized the removal and disposal of their pile of scrap by the Village of Pawling Highway Department, and

WHEREAS the small amount of money realized from the disposal at the scrap yard in Wingdale will be turned over to the Village Clerk to be used for an Eagle Scout project to be located in the Village Hall meeting room for the Village Historian, now

BE IT RESOLVED that the PJSC rescinds the resolution made at the October 9, 2014 meeting concerning the removal of the scrap by ST, and authorizes the Village of Pawling highway crew to remove and dispose all the scrap located at the plant and,

BE IT FURTHER RESOLVED that the monies realized will be applied to the purchase of materials to install a display case for historical documents and artifacts in the public meeting space used by the PJSC and the Village. The vote went as follows:

	“Aye”	“Nay”
Chairman Daniel Peters	√	
Vice Chairman Robert Liffland	√	
John Burweger	√	
Brian Griffin	√	
David Kelly	√	
Stan Mersand	√	

Motion carried.

Chairman Peters asked Brian Morgan if he could explain what Ref.#08.15, the sanitary sewer overflow standard operating procedure is all about.

Brian explained that about a month or so ago he stumbled over this in the DEC website and the Commission doesn't have an established procedure so he thought it might not be a bad idea to have one.

He said what it accentually does is put together a procedure or a protocol when there is an overflow or backup then there is a procedure in place.

He said Linda can fill in the Commissions information.

MOVED by Commissioner Kelly to approve the transfers and billing adjustment listed under the New Business. Commissioner Kelly said they hadn't voted on those items.

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

Engineers Report

Joe Zarecki referenced his report he submitted to the Commission today, Ref.#06.15.

He said that nothing has to be acted on immediately but he does have a couple of issues he'd like to discuss.

He said he'd like to start at 20. He said there is still a lot of things that need to be done at the plant. He said the floor is really bad and they can't even clean them anymore.

Mike Batz said that when the DEC comes to do the inspection, the first impression will go a long way so he would really like to get these things cleaned up. He said there are a couple of things that need to be done.

Commissioner Kelly said that he can go down and take a look at the floor.

Chairman Peters asked Mike if he has an estimate of what these things will cost.

Commissioner Kelly reminded Chairman Peters that he has the authority to approve purchases up to \$5,000.

Joe went to number 1 in his report. He and Mike explained that TAM was able to do manhole repairs to MH#118, 119, 170 and 171A but that there are two manholes that they tried to fix but couldn't. They need to be lined with inserts. They are MH#111 and 113.

Mike said it will cost approx. \$2,000 each to repair.

MOVED by Commissioner Liffland to approve the repair of these two manholes at \$2,000 each.

SECONDED by Commissioner Kelly. Commissioner Liffland asked Mike how inserts are done.

Mike and Joe explained what they will do. Commissioner Mersand asked Joe where the two manholes are located. Joe said they are both on East Main St. above Sunset. All were in favor and motion carried.

Joe went to number 3 on his report. He said for an estimated cost of \$3,500 the Sewer Commission can own the meter they are looking at TAM putting in at the manhole at Cedar Valley instead of paying TAM for the installation and use of their meter. He said that Severn Trent can do the installation and the meter can be used at other sites when needed. He recommends the Commission consider it.

Mike Batz said with TAM the cost is \$1,750 per month. So if you have the meter in for 3 months they are looking at \$1,750 X 3. Mike recommends purchasing the meter. It is a universal fit too. Commissioner Mersand asked Commissioner Kelly if the Chairman is authorized to spend \$3,500 on an item like this.

Commissioner Kelly said the authorization was for purchases only for the treatment plant.

Moved by Commissioner Mersand to authorize the expenditure of up to \$3,500.00 to purchase one meter. Joe said he would like to get some other price quotes and more information about the meter. Joe said he can have more information at the next sewer meeting. Commissioner Mersand withdrew his motion.

Commissioner Kelly said the Commission did authorize and had extensive conversation in prior month about installing that meter at Greenlawn for a specific time for a specific reason. He was under the understanding that the unit was installed, it was authorized to be installed at a certain time and now he sees it's not installed.

Joe said with the holidays and the time frame of the last meeting. He said it was authorized to be installed but since this information came out and the holidays, this is the first meeting after the new year, he was just glad to get TAM in to do the repairs they did to take care of the I/I issues. He apologized for it not being in. He asked if the Commission still wants them to install it.

He said with the weather being the way it is, it won't be installed until about March any way. Commissioner Mersand asked Joe if he could get all of the meter information to the members before the next meeting so they can each review it and make a decision at that meeting.

Joe said yes.

Commissioner Liffland said he doesn't agree with the flow numbers being compared to the readings that Linda gets. He asked where they are at with changing the meters at Cedar Valley. He said there are no accurate readings coming in. The meters are old, a lot of them don't work and some don't even read the meters. He wants to know where they are at with having Cedar Valley change those meters.

Joe said they are both excellent subjects that need to be addressed.

Joe said he feels there are two separate issues. One is to get proper usage of wastewater and the other is to calculate what storm water is entering the system through the drains.

Commissioner Liffland said the only way to get those numbers is to have accurate readings from the customers.

He asked Brian Morgan what the Commission can do.

Brian said the Commission can make a rule or ask the town to impose a local law on the residence requiring compliance.

There was some discussion on how to obtain readings, both water and sewer and different types of meters and costs.

Commissioner Kelly said that he will be getting the cost of meters and installation shortly and he will share them with the Commission.

Commissioner Liffland said he wants to see new meters put in at Cedar Valley.

Joe went to number 11 on his report. He said that Severn Trent is willing to clean up the drying beds and put some of the flow into there. With the weather the way it is there shouldn't be a lot of odor. They are going to just try a few times to see how the drying beds work.

Sewer Operator Report

Mike said there are a couple of high points in his report that he would like to point out.

He said the monthly average for December was .292 mgd.

He said the plant is operating rather well.

The blower was ordered and it is should be delivered next week.

The EQ pump has been installed and is up and running.

Commissioner Mersand asked if they are winning the battle with the snails.

Mike said yes but they still are coming out. They continue to monitor them. The RBC is functioning properly.

Commission member comments

Commissioner Mersand asked if it would be to the Commissions advantage or to the Meadows advantage to ask them to come to a Commission meeting. Ask them to explain what they have in mind and hear what the Commission has to say.

Commissioner Kelly said it would be beneficial and that it would also be fruitful if the Commission had a tenancy agreement that they could show them.

Chairman Peters asked Brian Morgan if they will have one for the February meeting.

Brian said yes, he's been working on it.

Chairman Peters said they also have to discuss some other potential customers like the 73 just north of the stream. He said if they are going to connect the Umpshied property and Lazar then they might as well have those 73 connect.

Commissioner Mersand said that would be a 10% increase in their revenue.

Commissioner Liffland said he would like to see the Commission and the Village to go in together on a lift gate.

MOVED by Commissioner Kelly to close the meeting and open to visitor comments. **SECONDED** by Commissioner Mersand. All were in favor and motion carried.

MOVED by Commissioner Mersand to close the visitor comment and go back into regular business. **SECONDED** by Commissioner Liffland. All were in favor and motion carried.

MOVED by Commissioner Mersand to adjourn. **SECONDED** by Commissioner Kelly. All were in favor and motion carried. Time: 8:30 p.m.

Brian Griffin, Secretary