

DATE OF MEETING: July 13, 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  
Earl Slocum

MEMBERS ABSENT: Robert Liffland

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 June 8, 2017 Business Meeting Minutes as presented
- Approve June 2017 Treasurer's Report as presented
- Approve payment of June 2017 Vouchers/Bills as presented and the July 2017 prepay vouchers
- Approve transfer of \$845.17 from Castagna Escrow Acct.#811000160 to O&M Acct.#8816000190 to pay engineering vouchers
- Approve transfer of \$946.43 from Capital Projects Acct.#811000000 to O&M Acct.#8116000190 to pay vouchers for the Pump Station Upgrade Project.

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

Discussion/Decision – Sewer Customer #784 Letter Ref.#7217 - Chairman Peters said the recommendation is that they wait for the next billing cycle to see what the reading is and the actual use and if there is any adjustment to be made they will make it at that point.

**MOVED** by Chairman Peters to table the request until the next billing cycle. **SECONDED** by Commissioner Kelly. All were in favor and motion carried.

Discussion/Decision – Sewer Customer #817 Letter Ref.#7317 – Chairman Peters said this customer pays his bills with automatic payment from the bank and it didn't get here on time so he got a penalty. He is asking for the penalty to be waived.

Commissioner Kelly asked how this was handled by the village board.

**MOVED** by Chairman Peters to approve a one-time waiver and send a letter explaining that it's a onetime waiver, and that the payment must be received in our office "by" the due date to avoid penalty in the future.

**SECONDED** by Commissioner Kelly for discussion purposes:

Commissioner Kelly asked how the village handled it on the water side.

Jennifer Osborn said it's a Cedar Valley resident so there was no water issue.

Commissioner Kelly said that the customer knows when the bill is due and they should have it set up to be here by that date. He said he's inclined to vote no because people know when their bills are due and he feels that they're setting precedence on this. He said he's always in favor of waiving penalty fees when there is a hardship. This is not a hardship. He feels like penalty waivers should be based on hardships.

Three were in favor, Commissioner Kelly opposed. Motion did not pass.

Chairman Peters said the next thing on the Agenda is a resolution adopting a procurement policy.

Commissioner Kelly said as he reads through it, he's just confirming that this is really just a change from position titles to names.

Chairman Peters said yes.

At a Meeting of the Pawling Joint Sewer Commission held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 13th day of July, 2017, at 7:00 PM

**RESOLUTION OF THE PAWLING JOINT SEWER COMMISSION**

***Identifier: Resolution Adopting Procurement Policy***

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 David P. Kelly  
*vacant*

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

WHEREAS, General Municipal Law section 104-b requires local agencies to adopt policies for public procurement of goods and services and public works projects; and

WHEREAS, the procurement policy annexed as Exhibit A hereto is the procurement policy adopted by the Village of Pawling (the “Village”) in 2015, and it is the sense of the commissioners of the PJSC that with minor amendments Exhibit A will adequately serve the purposes of the Pawling Joint Sewer Commission (the “Commission”); therefore,

BE IT RESOLVED as follows:

The Procurement Policy adopted by the Village in 2015 is adopted by the Commission with the following modifications:

1. A new cover page shall be attached that deems references in the policy to “Village of Pawling” to be “the Commission” and makes dates current throughout.
2. References to “Board of Trustees” and “Mayor” deemed changed to “Commissioners” and “Chairman” throughout.

3. Section 7 insert names of the Commission commissioners and remove names of the judge, court clerk and village clerk as authorized persons.
4. Provide on the new cover page that “This Procurement Policy is adapted from the Procurement Policy adopted by the Village of Pawling in 2015, and shall be construed to apply to the Pawling Joint Sewer Commission as adapted by this cover sheet.”

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	Absent	—	—
Commissioner John Burweger	<u>√</u>	—	—
Commissioner Earl Slocum	<u>√</u>	—	—
Commissioner David P. Kelly	<u>√</u>	—	—
<i>Vacant</i>			
TOTAL	<u>4</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 13th day of July, 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 13<sup>th</sup> day of July 2017.

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LINDA MURRAY, SECRETARY TO THE COMMISSION

Chairman Peters said the next item on the Agenda is the approval of reallocating funds from Phase 2 of the project to Phase 1.

**MOVED** by Commissioner Kelly to approve reallocation of \$51,700 as described in Ref.#8017.  
**SECONDED** by Commissioner Burweger. All were in favor and motion carried.

Discussion on the regulations for water meters – Ref.#8217

Commissioner Slocum said that he feels the Commission should just go ahead and put the meters in and pay for them because it will benefit the district and will pay for themselves in accurate readings for actual bills.

Commissioner Slocum said he wants to make a motion to pay for and install water meters because they've been talking about it for so long and there are so many people that cannot read the meters and people that just don't read them. Commissioner Burweger conquered.

Commissioner Kelly said he has a question on where have the meetings gone with Joe, Billy and Chairman Peters have started 2 to 3 months ago.

Chairman Peters said they are working on that as well and they will be making a proposal probably in the next couple of weeks.

Commissioner Kelly says that this should be tabled until that is resolved because that is directly related to this action. He said he agrees whole heartedly that there should be one meter that everyone has the same. Having standardization of meters is an appropriate thing.

But he feels that this is the cart before the horse.

Chairman Peters said that this is just a recommendation to the attorney as to what direction the Commission would like to go in and the direction is that instead of charging a fee or billing for the meters, that the Commission just puts them in.

Chairman Peters said that they can hold this for further discussion until next meeting.

Chairman Peters said that there are two separate issues; this is getting water meters installed at cedar valley and the town customers who are currently getting estimated bills.

Commissioner Kelly said that he still feels that the village is interjecting into the town's prevue where they shouldn't be interjecting. He said there is no set agreement in the sewer that allows the Commission to go into a water district that is not run and controlled by the village. He said the town buys the water from the village for district number 1 and that gives the village the right to make hard suggestions and statements that the town must do things and they are doing that.

He said but now that the Commission is interjecting into a non municipal controlled water system is 100% wrong.

Commissioner Kelly said he agrees that the water meters should be consistent throughout the town and there should be a policy that anyone who puts meters in; should use this type of meter.

Chairman Peters said the issue at hand is that the Commission is losing at least \$10,000 a year at Cedar Valley because of inaccurate readings and that the attorney has stated that they believe that according to the Intermunicipal Agreement that is currently in place, the Commission has the authority to demand and replace meters.

Chairman Kelly said he understands that but the premise to him is that the village and the sewer commission are interjecting into town business. He said the village did not approve any of the site plan approvals for that project. By doing this the commission is circumventing that process, they are interjecting the village as a municipality into the town and he thinks that is 100% wrong.

Chairman Peters said its obviously not going to be decided tonight but the attorneys can discuss it with Terry Stewart.

Commissioner Kelly said that he spoke with Terry Stewart a month or so ago and asked him to talk to Brian Morgan and David Daniels to make sure that the statement that PJSC has the authority to do this is correct.

## Current Projects

No discussion

## Consultant Reports

Sewer Operator – Mike Batz said the Belt Filter Press has been installed. He said he got an email today saying that the circulation pump is due in around the 25<sup>th</sup> and the belt press start up will be around that time.

## Commission Member Comments

There were none.

**MOVED** by Commissioner Kelly to close the meeting and adjourn. **SECONDED** by Commissioner Burweger. Time: 7:14 p.m. All were in favor and motion carried.

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Earl Slocum, Secretary