

DATE OF MEETING: April 12, 2018

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

KIND OF MEETING: Business

MEMBERS PRESENT: Chairman Daniel Peters
John Burweger
Earl Slocum
Lauri Taylor
James Schmitt

MEMBERS ABSENT: Robert Liffland

CONSULTANTS PRESENT: Mike Batz of Inframark
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 Chairman Daniel Peters to;

- Approve the March 8, 2018 Business Meeting Minutes as presented
- Approve March 2018 Treasurer's Report as presented
- Approve payment of March 2018 Vouchers/Bills as presented and April 2018 prepay vouchers
- Approve transfer of \$2,533.51 from Castagna Escrow Acct.#0811000160 to O&M MMA#0811000030 to pay legal voucher.

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

New Business

Resolution approving execution of amendment to Zarecki engineering contract for the WWTP expansion project. This resolution was distributed at the meeting by Brian Morgan.

Brian said the purpose of this is that there were some changes in the relationship with Zarecki and Chazen during the wind down to the end of the expansion project. It's a simple change. The only change really is that the contract that Zarecki had with the Commission from 2014 made him the lead engineer and mentioned that Chazen would be the subcontractor to Zarecki. Since that's going to change, the way that the contract provides for changing it, by signing this new contract, Zarecki will terminate the contract that he had and more or less assign it to Chazen to complete. Zarecki will continue as a subcontractor of Chazen and really very little of anything else changes except in the contract where it references Chazen will have to become Zarecki and Zarecki has to become Chazen. As far as compensation, that all remains the same. He said EFC will have to approve the change in order for the reimbursements to continue and the project to continue on track.

Brian apologized that he just got this to the Commission today at the last minute. He said the contract is amendable at any time; they are delegating to the Chairman the ability to make any changes necessary in the contract, then have it confirmed by the board. He said that way they won't have to wait and there will be no lapse in reimbursements.

Resolution went as follows:

At a Meeting of the Pawling Joint Sewer Commission held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 12th day of April, 2018, at 7:00 PM

RESOLUTION OF THE PAWLING JOINT SEWER COMMISSION

Identifier: Resolution approving execution of amendment to Zarecki engineering contract for the wastewater treatment plant expansion project.

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 John Burweger
Commissioner Earl Slocum
Commissioner Lauri Taylor
Commissioner James Schmitt

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

WHEREAS, the Pawling Joint Sewer Commission (“Commission”) is proceeding to construct the expansion and upgrades of the Pawling wastewater treatment facility (“WWTP Project”) with the assistance of engineers Zarecki & Associates, LLC (“Zarecki”) and Chazen Engineering, Surveying & Landscape Architecture Co., D.P.C. (“Chazen”) pursuant to a contract executed on June 18, 2014 between Zarecki and the Commission; and

WHEREAS, Zarecki and Chazen have requested that the said contract for engineering services be amended to designate Chazen as the lead engineer for the WWTP Project, with the result that Zarecki would resign from the current contract with the Commission and assume subcontractor status with Chazen; and

WHEREAS, attached as Exhibit “A” is the Amended and Restated Professional Services Agreement and PJSC Rider whereby Zarecki’s status as lead engineer for the WWTP Project is terminated by the Commission without cause, with Zarecki waiving the 30 day notice period, and Chazen is designated lead engineer, assuming the same responsibilities and duties that Zarecki had been undertaking, with the work being taken over by Chazen being equivalent to the work Zarecki had been undertaking under the contract; and

WHEREAS, the New York State Environmental Facilities Corporation (“EFC”) must approve the attached Exhibit A and may require changes;

NOW, THEREFORE, BE IT RESOLVED that the Commission approves the “Amended and Restated Professional Services Agreement and PJSC Rider” and authorizes it to be executed by the chairman of the Commission, and further approves in advance any changes to make the contract acceptable to EFC staff.

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	√		
Commissioner Robert Liffland	Absent		
Commissioner John Burweger	√		
Commissioner Earl Slocum	√		
Commissioner Lauri Taylo	√		
Commissioner James Schmitt	√		
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 and minutes now on file in the office of said Commission, and which was adopted by the Pawling Joint Sewer Commission on the 12th day of April, 2018, and that the same 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 12th day of April, 2018.

Linda Murray, Commission Secretary

MOVED by Commissioner Slocum to approve the 2017 AUD prepared by RBT, LLC for submission to Comptroller. **SECONDED** by Commissioner Burweger. All were in favor and motion carried.

MOVED by Commissioner Burweger to approve credit to sewer customer acct.#683 for \$140.54 as explained in Ref.#3018. Chairman Peters said this is a town customer who the town decided had a faulty reading. The town adjusted the water amount billed and requested the Commission to adjust the sewer bill in like. **SECONDED** by Commissioner Slocum. All were in favor and motion carried.

Discussion – Hook up fee waiver request, letter Ref.#2918 – Chairman Peters said this is 2 houses at the Baxter Green development. He said when the extension of the sewer system was done, each of the parcels had to pay a \$3,000 hook up fee. These last two houses were connected but not lived in. He said he had asked the attorney to have an independent overview of the practices of the Commission pertaining to hookup fees and debt charges in hopes of changing these. However, it is felt by the attorney and the commission members that the commission legally can't waive this fee. Every other unit in that development had to pay this fee and it would be an illegal gift to waive the fee now.

MOVED by Commissioner Slocum to deny the request to waive the hookup fees on the last 2 houses at Baxter Green. **SECONDED** by Commissioner Burweger. All were in favor and motion carried.

Current Projects

WWTP Improvement Project – Chairman Peters said they are moving right along.

Cedar Valley – Chairman Peters said they are working on this and they are closer to a solution than they've been in a long time.

SSES and I/I – Chairman Peters said the SSES has been approved and submitted. They are just waiting for Joes front page with his signature and stamp.

Pump Stations Upgrade Project – Mike Batz said they're moving along, especially now with the weather getting better.

Chairman Peters asked about the item Mike had on the monthly operators report about the Greenlawn pump station for the rag basket.

Mike said they did get a price on a rag basket around \$7,000. He said that's on the high end because it also included if the lid has to be changed, they hope they can make it work through the access that's there.

Chairman Peters said he also saw something there about a storage shed.

Mike said there is a couple of issues; with the plant upgrade the garage has to be vacated because that's where the electrical will be. Karl Sundblom thought the greenhouse would be good but there is not enough security there.

Mike suggested purchasing a storage container. It can go wherever they want on the property, Mike thinks by the quanta hut would be good.

Mike said the container is only about \$2,000, the shipping is the rest of the cost.

MOVED by Commissioner Schmitt to close the meeting and adjourn. **SECONDED** by Commissioner Taylor. Time: 7:11 p.m. All were in favor and motion carried.

Earl Slocum, Secretary