

DATE OF MEETING: October 11, 2018

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

KIND OF MEETING: Regular Business

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

CONSULTANTS PRESENT: Karl Sundblom of Inframark  
Joe Zarecki of Zarecki Associates  
Brian Morgan of Daniels, Porco & Lusardi  
Dan Stone of Chazen Companies  
Jeff Smith of Municipal Solutions

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.

Chairman Peters introduced Mr. Ron Hicks, Assistant County Executive of Economic Development for a discussion on how the Commission can get started with expansion of the sewer system and economic development and funding opportunities.

Chairman Peters explained that Mr. McGrath helped by reaching out to 45 of the business's along the route 22 corridor and they got responses back from 25 and they're all, with the exception of 3, positive. He asked Ron Hicks to shed some light and share a few thoughts.

Ron Hicks said that he is not an expert on wastewater but he believes the reason he was asked to come here tonight is to talk about what they've done in other areas.

He asked if everybody here is on the same page with the understanding that it's almost impossible to fill vacant spaces, not only along the Route 22 corridor but within the downtown without the proper infrastructure.

Ron Hicks shared what was done in Hyde Park pertaining to infrastructure and funding.

He said what he was hoping to do tonight is to learn a little bit more about Pawling's project and specifically what they wanted to do and to understand the district and the boundary's being focused on and then to go out and find opportunities for Pawling.

Ron said the County understands the situation and is more than willing to work with Pawling in any way. He said that Bridget Barkley can be a big help also.

Chairman Peters said that she has been very helpful.

Chairman Peters said they are in the process, starting tonight, expanding the boundaries within the village to include the whole village. He said they already have a line down the route 22 corridor that goes down as far as the Castagna project. He said it wouldn't be a huge step to continue it down.

Chairman Peters said that one of the things they spoke about with Bridget Barkley is doing a feasibility study and how to make that happen financially.

Ron Hicks asked who the Commissions engineer is.

Chairman Peters pointed to and introduced Dan Stone of Chazen and Joe Zarecki.

Ron asked if there has ever been a map defining the district boundaries already.

Dan Stone held out the draft map, plan and report and showed on a map hanging up the boundaries of the village and the sewer district.

Dan Stone did a little presentation on the district, the expansion plan and sewer service areas.

Ron Hicks asked if there was still debt on the existing district.

Chairman Peters said almost none and asked Jeff Smith if he would like to speak to this.

Jeff Smith said there is some, about 4 years of payments left.

Ron Hicks asked that all of the users within the existing district would pick up the burden of expanding the district. He asked if there were any estimates on that new debt.

Dan Stone said yes, it is outlined in the map, plan and report. He said that one of the biggest changes is the map, plan & report contemplates revamping the revenue generated system for the commission and for the village. He said right now, only those within the sewer service area pay a capital and operation. He said what they are proposing is that everyone in the village pay a small amount towards capital recovery and the village work to extend the sewers to all areas of the village over several years as the money becomes available. He said the PJSC currently uses a system that is based on both assessment and flow to collect capital charges. They will continue with that system populating the village. He said all users will pay a fixed \$68 per quarter fee going forward and the larger users by both assessment and flow will pay an additional fee for the capital. He said it's a little complicated but they will go slow with explaining it, that it's a fair system. He said the PJSC has decided to give up the previously charged hookup fee.

Ron Hicks asked if the line going to Putnam County, would effluent be coming up from Putnam County.

Dan Peters said no, it will go only to the Putnam - Dutchess line.

Phil DeRosa asked how many properties were surveyed in the town area south of the village.

Dan Stone said surveys were distributed to 45 properties.

Phil said he thinks the map that is hanging up is the map that he created back in 2008 when the town was doing their master plan study and he's actually going to be working on updating the map along the corridor and is just wondering if they have a layout already.

Chairman Peters told Phil that he can get a list of the 45 properties that surveys were handed to tomorrow. Phil said that would be great because he can use the list for contact information.

Ron Hicks asked if within the proposed expansion area, are there any 10 acre plus parcels that are already zoned or would be commercial/industrial or would be. He said the reason he asked is that they are trying to get properties that are zoned commercial/industrial where they can create a revolving loan fund for these properties, where they can front the money, do some of the work and provide the money as a loan and when the property is sold or developed they can recover some of that.

He said with Owen Rafter, they started the Pace Land Use Law pilot program that's now a permanent program where they contract with the Pace Land Use Law Center. It's a competitive process with municipalities saying they're interested in developing our commercial corridor to either activate or reactivate it.

This is one important part, in the beginning where they can help out.

Glenn Carey, from the audience, asked if the expansion in the village is it encompassing the expansion to the south.

Dan Stone said no.

Glenn said he has a couple of questions about it.

He said he just wants the commission to be very mindful of what happened when the district was modified 25 years ago. He said people were charged debt service when they didn't have use of the system. People were angry, unhappy and demanding the service be brought in front of their house. He said if the commission is looking at expanding the district throughout the village, there were a lot of areas that were not expanded in the beginning because of the difficulty in getting the lines in. He just wanted to caution the commission that if they are going to start charging people for debt service, and it could be a number of years before they can even hook up to the sewer or maybe never, the commission needs to be mindful of that.

Glenn said he's also wondering about the south, the commercial area, are they being waved a hook up fee as well.

Dan Stone said that will be a totally separate entity created by the Town of Pawling.

He said his question is, what is happening to the south when people hook up? Are they being charged debt service? Are they paying a hook up fee? Because if the districts not set up right away then the rest of the district is absorbing the debt.

Dan Stone said its complicated answer to what sounds like a simple question.

Chairman Peters said the hookup fees were astronomical and they are trying to get away from that in the beginning to encourage people hooking up because the more people they can get on, the cheaper it will be for all residents.

There was additional discussion on the topic of paying debt service.

Ron Hicks asked if someone can send him a list of the properties that are over 10 acres.

Phil DeRosa said that he could get that list for Ron.

Ron Hicks said he would like to schedule a call with the Mayor and Supervisor for the week of the 22<sup>nd</sup> to discuss some of the more intricate details of this with Owen and the Partnership of Manageable Growth and then meet to discuss what are the short and long term needs. He said the best way that he works is for us to lay out what our timeline is and what our needs are and then to the best of his ability will try to find ways in which he can help.

Before Ron left he reaffirmed that Phil will get to him the parcels that are 10 or more acres. Chairman Peters thanked Ron Hicks for coming tonight.

**MOVED** by Chairman Peters to;

- Approve the September 13, 2018 Business Meeting Minutes as presented
- Approve September 2018 Treasurer's Report as presented
- Approve payment of September 2018 Vouchers/Bills as presented and Oct. 2018 prepay vouchers

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

#### New Business

**MOVED** by Commissioner Slocum to approve sewer bill adjustment to customer #384 in the amount of \$93.28. **SECONDED** by Commissioner Burweiger. All were in favor and motion carried.

**MOVED** by Commissioner Slocum to approve sewer bill adjustment to customer #306C in the amount of \$90.68. **SECONDED** by Commissioner Schmitt. All were in favor and motion carried.

**MOVED** by Commissioner Liffland to approve Pay Request No. 7 for \$245,622.50 to OCS Industries, Inc. Ref.#8618. **SECONDED** by Commissioner Burweiger. All were in favor and motion carried.

**MOVED** by Commissioner Liffland to approve Pay Request No. 2 for \$36,645.30 to S&O Construction Services for HVAC. Ref.#8718. **SECONDED** by Commissioner Schmitt. All were in favor and motion carried.

**MOVED** by Chairman Peters to approve Pay Request No. 2 for \$2,196.12 to S&O Construction Services for Plumbing. Ref.#8818. **SECONDED** by Commissioner Schmitt. All were in favor and motion carried.

**MOVED** by Commissioner Liffland to approve Pay Request No. 5 for \$139,614.85 to J&J Sass Electric. Ref.#8918. **SECONDED** by Commissioner Burweger. All were in favor and motion carried.

Resolution: Initial SEQRA Resolution of rates and meters program 2018 AMEDED went as follows:

At a Meeting of the Pawling Joint Sewer Commission held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 11th day of October, 2018, at 7:00 PM

**RESOLUTION OF THE PAWLING JOINT SEWER COMMISSION**

***Identifier: Initial SEQRA Resolution for Rates and Meters Program 2018(AMENDED)***

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 Lauri Taylor  
Commissioner Jim Schmitt

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

**WHEREAS**, the Pawling Joint Sewer Commission (“Commission”) has determined to improve sewer system billing and collection services, expanding the Sewer District No. 1 service area and updating regulations pertaining to sewer use, which are Type II actions as defined by 6 NYCRR Section 617 and are thereby exempt from SEQRA; and

**WHEREAS**, these improvements are administratively made for the purpose of improving the fairness of the Commission’s systems to customers and with respect to the extension of the sewer district, the expansion of sewer service in the village was subject to the SEQRA reviews of the wastewater treatment plant expansion project and the negative declaration at the end of that process, and in addition, the extension of sewer service to existing neighborhoods within the village as an expansion of the existing sewer district is a Type II action pursuant to 6 NYCRR 617-5(c)(11) **(617.5(c)(11))**:

"extension of utility distribution facilities, including gas, electric, telephone, cable, water and **sewer connections to render service in approved subdivisions or in connection with any action on this list;**"

If the extension of utility service is functionally dependent on an action on the Type II list, then all parts of the action constitute the whole action and are not subject to SEQR. If the destination of the utility line is a Type II action, it is reasonable that extending utility lines to the structure or facility is also Type II;

**NOW, THEREFORE, BE IT RESOLVED** that the Pawling Joint Sewer Commission determines that the enlargement of the sewer district area does not require another SEQRA review, due to Type II action provided for at 6 NYCRR §617-5(c)(11), and to the SEQRA review conducted by the Board of Trustees for the wastewater treatment plant improvements to provide sewage treatment capacity for entire village area, and the upgrade of existing water meters at Cedar Valley (6 NYCRR §617.5(c)(18)), the transition of the billing system to a new computer program and revising existing sewer regulations and fees are Type II actions pursuant to 6 NYCRR §617.5(c)(20) and not subject to further SEQRA review;

[This repeals the resolution adopted by PJSC on September 13, 2018 bearing the same identifier.]

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	<u>√</u>	—	—
Commissioner John Burweger	<u>√</u>	—	—
Commissioner Earl Slocum	<u>√</u>	—	—
Commissioner Lauri Taylor	<u>√</u>	—	—
Commissioner James Schmitt	<u>√</u>	—	—
TOTAL	<u>6</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 11<sup>th</sup> day of October 2018, 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 11<sup>th</sup> day of October 2018.

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LINDA MURRAY, SECRETARY TO THE COMMISSION

Resolution to Amend Castagna Tenancy Agreement for O&M and Debt Reduction Charges.

Brian Morgan said this isn't really approving anything except approving the consultants and the Chairman to approach Castagna with how to amend their Tenancy Agreement.

**RESOLUTION TO AMEND CASTAGNA TENANCY AGREEMENT FOR O&M AND DEBT REDUCTION CHARGES**

MOVED by Commissioner Burweger and SECONDED by Commissioner Taylor.

WHEREAS, on December 13, 2013 the Pawling Joint Sewer Commission ("Commission") and JUCCA Company ("JUCCA") entered into a Sewage Capacity Reservation and Sewer System Connection Agreement ("Agreement") to permit JUCCA to connect to the Commission sewer system and receive sewer service by contract with the Commission; and

WHEREAS, the Agreement §4.6 requires JUCCA and other owners of the JUCCA property to "pay use, operation and maintenance charges [...] as determined by the [Commission] from time to time."

WHEREAS, it is the desire of JUCCA's successor in interest to the Agreement, JUCCA Company, LLC and the Commission to amend the Agreement to provide for the changes to the debt reduction and operation and maintenance billing system being made by the Commission and Village of Pawling;

BE IT RESOLVED that the Chairman of the Commission is authorized to communicate with JUCCA to notify them of the changes being made to the debt reduction and operation and maintenance billing system and to work out with them a suitable amendment to the Agreement to account for such changes; and

BE IT FURTHER RESOLVED that counsel and Chazen Engineering is authorized to assist the Chairman in this venture with JUCCA.

Vote	Aye	Nay
Chairman Dan Peters	√	—
Vice Chairman Rob Liffland	√	—
Commissioner Burweger	√	—
Commissioner Slocum	√	—
Commissioner Taylor	√	—
Commissioner Schmitt	√	—
TOTAL.....	<u>6</u>	

Resolution Repealing Connection Fees went as follows:

At a Meeting of the Pawling Joint Sewer Commission held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 11<sup>th</sup> day of October, 2018, at 7:00 PM

**RESOLUTION OF THE PAWLING JOINT SEWER COMMISSION**

***Identifier: Resolution Repealing Connection Fee***

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 Lauri Taylor
- Commissioner James Schmitt

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

**WHEREAS**, the Pawling Joint Sewer Commission (“Commission”) has deemed it necessary to encourage new customers for sewer service, for environmental protection purposes and to reduce service costs to customers as incentive to connection to sewer service; and

**WHEREAS**, the Commission has identified the connection fee as a disincentive and has Determined that it should be eliminated;

**NOW, THEREFORE, BE IT RESOLVED** that the Pawling Joint Sewer Commission directs that the connection fee set by resolution of the Commission dated June 14, 2007 is repealed effective immediately; and

**BE IT FURTHER RESOLVED** that staff is authorized to refund connection fees paid by Trinity Pawling School and the Bonavenia company that have been paid under protest before this date, but further requests for refund must be decided by the Commission; and

**BE IT FURTHER RESOLVED** that the Chairman is requested to oversee this and to report back to the Commission when the connection fee is eliminated.

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	√	—	—
Commissioner John Burweger	√	—	—
Commissioner Earl Slocum	√	—	—
Commissioner Lauri Taylor	√	—	—
Commissioner James Schmitt	√	—	—

TOTAL 6

**STATE OF NEW YORK**  
**ss.:**  
**COUNTY OF DUTCHESS**

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LINDA MURRAY, SECRETARY TO THE COMMISSION

Current Projects

Dan Stone said he wants to discuss the Draft Map, Plan & Report (MPR) at the same time discussing the new rate structure as it is part of the MPR.

He said this is for village only and does not include the route 22 corridor in the town.

Dan presented the Draft MPR to the Commission and wanted to encourage the commission members to take a good look at it.

He said there is only one thing missing from it and that is a list of all of the current users and then all of the users in the proposed area identified by tax parcel, water meter, address and name. He then will calculate theoretical bill demonstrating how capital is apportioned and how O&M is apportioned based on the assumption of what those two things will be. It won't be an absolute number but will be relatively valid.

He went over some of the billing aspects of the Draft MPR with the commissioners.

He said it's going to take a while to get this all completely right but he wanted to get it to the commissioners as soon as possible so over the next month they can teach themselves what's in it and formulate questions, talk about changes they want to make and discuss it.

He said also included is a list of actions to take.

He said he wants to shoot for an approved MPR at the first meeting of the Village Board in December, setting hearings for the MPR and also the local law to extend the district.

Dan said either way, the new rate schedule will be in place well before the end of the first quarter of 2019.

Dan said that rather than copy the whole MPR, there is a copy in Linda's office they can stop by, look through it and make notes for discussion.

Glenn Carey spoke from the audience stating that he doesn't agree with the \$25 debt charge the new customers in the village will have to pay according to the MPR when the commission cannot say when they are going to be bringing the sewer system to them. He said he remembers how angry people were in the beginning when they had to pay fees and not able to use the service.

Chairman Peters said that this is the first presentation of the MPR and it's just in the beginning of the plan and that changes can be made and things can be discussed.

**MOVED** by Commissioner Liffland to authorize Chazen Companies to prepare the Map, Plan and Report and that payment will be paid from the General Fund #44210.0. **SECONDED** by Commissioner Burweger. All were in favor and motion carried.

Chairman Peters asked Joe Zarecki if he wants to explain the Cedar Valley Water Meter Replacement Project.

Joe explained this project is to replace very old and inaccurate water meters with the Neptune meters that the village currently uses.

There was some discussion on how some homeowners might need new regulators.

Joe said knowing that some are going, should the company doing the meter installation offer to change it out at the homeowners expense.

Commissioner Liffland said that worries him a little because once the meters are changed and things are touched, if some ones regulator goes, will they blame the contractor. He thinks replacing the pressure regulators should just be part of the meter replacement job and entered into the bid.

There was some discussion on the pressure regulators and the members thought it best to just replace the regulators at the same time as the meters.

Joe will include the regulators in the bid package as part of the project.

The resolution directing the engineer to prepare specifications for procurement for water meters for Cedar Valley and authorizing payment from capital funds went as follows:

### **RESOLUTION OF THE PAWLING JOINT SEWER COMMISSION**

***Identifier: Directing engineer to prepare specifications for procurement for water meters and pressure regulators for Cedar Valley, and authorizing payment from capital funds.***

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 Lauri Taylor  
Commissioner James Schmitt

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

**WHEREAS**, the Pawling Joint Sewer Commission ("Commission") has determined that the water meters at Cedar Valley Townhomes community are obsolete and largely not functional and should be replaced with water meters meeting the specifications of the Commission; and

**WHEREAS**, water meters are the tool employed by the Commission to measure and record usage of the public sewer service by customers system-wide;

**NOW, THEREFORE, BE IT RESOLVED** that the Pawling Joint Sewer Commission directs the Commission's engineers, Zarecki and Associates, LLC; to prepare specifications for bidding for water meters and installation as a capital expenditure, and for invitation to bid to be published as required by law; and

**BE IT FURTHER RESOLVED** that the specifications for the water meters should resemble as closely as possible the specifications and manufacturer of the water meters the Commission has been installing in the service areas of the sewer system so that uniformity of water meters is achieved, a matter of economic and technical, operational convenience to the Commission; and

**BE IT FURTHER RESOLVED** that payment for meters and installation shall be paid from the Capital Fund Account #811000000.

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	√		
Commissioner John Burweger	√		
Commissioner Earl Slocum	√		
Commissioner Lauri Taylor	√		
Commissioner James Schmitt	√		
TOTAL	<u>6</u>		

**STATE OF NEW YORK**

**ss.:**

**COUNTY OF DUTCHESS**

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**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of said Pawling Joint Sewer Commission this 11<sup>th</sup> day of October 2018.

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LINDA MURRAY, SECRETARY TO THE COMMISSION

Joe said they will advertise the bids tomorrow.

Joe said TAMS did a line repair down on West Main St. It was a significant leak. TAMS went in, did a 4 foot patch and all is good with it.

Joe said that while TAMS was out, he had them go over and clean the lines over in front of Utter Brothers down along the metro north line and they found a lot of grease. He said they need to be a little more proactive in that area.

Joe said he would like to get the whole line along the railroad tracks cleaned before winter. He'd actually like to get it done next week.

Chairman Peters said that he'll contact JJ.

**MOVED** by Commissioner Liffland to close the meeting and adjourn. **SECONDED** by Commissioner Burweger. Time: 8:27 p.m. All were in favor and motion carried.

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Earl Slocum, Secretary