

DATE OF MEETING: February 13, 2020 – Special Meeting  
PLACE OF MEETING: Village Hall, Pawling, New York  
MEMBERS PRESENT: Mayor Robert Liffland  
Trustee Dan Peters  
Trustee Earl Slocum  
Trustee John Burweger

The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance.

The Board conducted PJSC items.

The following Resolution was proposed by Trustee Peters, who moved its adoption, and seconded by Trustee Burweger.

**WHEREAS**, the Pawling Joint Sewer Commission (“Commission”) is party to a contract with Chazen Engineering, Land Surveying and Landscape Architecture Co., DPC (“Chazen”), pursuant to which Chazen provides engineering services with respect to the design and construction of the wastewater treatment plant (“WWTP”) expansion project (“Project”); and

**WHEREAS**, the Village of Pawling is a party to a contract with OCS Industries (“OCS”) dated February 20, 2018, pursuant to which OCS provides construction services for the construction of the WWTP Project.

**WHEREAS**, Chazen, the engineer for the Project, has determined that the filters at Pawling’s new WWTP do not perform at the required design rate as a result of the pipe size design and automatic valve specifications which were developed for the project, resulting in a current achievable maximum through-put rate of about 800 gallons per minute for the installed equipment compared to the original basis of design through-put rate of 1100 gallons per minute; and

**WHEREAS**, Chazen has accepted responsibility for the design defect which has resulted in a reduced through-put rate and has issued design modifications that it has determined will correct this issue (“New Work”); and

**WHEREAS**, Chazen has proposed that the New Work be performed by OCS; and

**WHEREAS**, OCS has estimated that the cost to perform the New Work will be approximately \$152,497.11 and Chazen has prepared a change order with OCS reflecting that the New Work will be performed for such estimated amount; and

**WHEREAS**, the exact cost of the New Work will not be known until the New Work is completed; and

**WHEREAS**, Chazen has agreed to reduce the contract amount payable to Chazen by the Commission by the amount of the cost of the New Work and has prepared a change order reflecting the reduce compensation payable to Chazen; and

**WHEREAS**, by the issuance of the change order, the total cost of the project to the Commission will remain unchanged; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees for the Village of Pawling (“Board”) approves the change order with OCS; and

**BE IT FURTHER RESOLVED** that the Board authorizes Mayor Robert Liffland to execute the change order.

The question of the foregoing Resolution was duly put to a vote, the Board of Trustees voting as follows:

Mayor Robert Liffland	Aye
Trustee Daniel Peters	Aye
Trustee John Burweger	Aye
Trustee Lauri Taylor	Absent
Trustee Earl Slocum	Aye.

**MOTION** by Trustee Peters to close the meeting at 7:31 P.M. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

---

Village Clerk