

Organization Town of Champion

Board Sewer Board

Date and Time Wednesday, April 12 2006 at 5:30 PM

Place Town of Champion Offices Board Room (rear of building) 10 N Broad St, West Carthage NY

Contact [Chris Vargulick](#) Town Clerk Phone (315) 493-3240 Fax(315) 493-2900

Minutes

TO: NYS ROUTE 3 CORRIDOR SEWER BOARD

FROM: Chris Vargulick, Secretary

DATE: April 13, 2006

RE: Minutes of April 12, 2006 meeting

Present: *Board members/voting representatives* - T. Buckley, L. Carpenter,
R. Taylor, N. Parks, and
L. Longway

Others: K. Burroughs, L. Cesario, J. Condino, D. Cutter, K. Dimmick,
S. Harter, D. Henry, K. Jordan, P. Leddy, S. Lillie, T. Maloney,
K. Montigelli, J. Putman, K. Smith, M. Smith, T. Stewart,
C. Stouffer, and C. Vargulick

The NYS Route 3 Corridor Sewer/Development Board met on Wednesday, April 12, 2006 at the V/Black River Municipal Building. R. Taylor called the meeting to order at 4:30PM.

The Board reviewed the minutes for March 8, 2006. Motion by N. Parks, seconded by T. Buckley to approve the minutes as presented. Ayes-5, Nays-0. Motion carried.

Operating Report

J. Condino reviewed the monthly report for March 2006 noting that all capital fixed revenue has been remitted. J. Condino noted that year-to-date forty percent (40%) of the utility cost budgeted has been expended. If utility bills continue at this rate, they could potentially exceed the budget line.

J. Condino reported that odor problems reported by some residents on Howe Street are being investigated and a recommendation to mitigate the problem will be forthcoming. Mr. Condino noted additional work accomplished during the month including an investigation that located a collapsed lateral. The connection was installed by a private contractor subsequent to the project construction. The resident was notified and the contractor made immediate repairs. Motion by N. Parks, seconded by T. Buckley to bill the resident for time/labor in connection with the investigation and location of the collapsed pipe. Ayes-4, Nays-0, Abstained-L. Carpenter. Motion carried. The operator shall provide a detailed bill to the Secretary so that the resident may be invoiced.

T. Buckley discussed a prior odor issue. J. Condino reported that the problem was identified as a homeowner issue connected with venting. A recommendation was made to the homeowner to effect a repair.

New Business

Members reviewed amendments to the Sewer Use Law recommended by the operator in regards to grease traps and responsibility for grinder pumps. K. Dimmick distributed language that he suggested that the Board may want to add to the grease trap amendment to reference a design standard for the required traps. Motion by T. Buckley, seconded by L. Carpenter to recommend the adoption of the grease trap amendment, including the additional language suggested by Mr. Dimmick, to the component Boards. Ayes-5, Nays-0. Motion carried.

Members proceeded with the review of the amendment for the installation and responsibility for grinder pumps at services subsequent to project construction. K. Dimmick recommended that language be added to specify owner responsibility for any costs related to electricity required to operate the pump. L. Longway suggested that the section be clarified to clearly explain that the property owner shall be responsible for the cost of purchasing the initial grinder pump and its installation in conformity with and coordinated by the sewer system operator. Upon completion of the installation and acceptance, the Board will be responsible for the maintenance of the grinder pump. Members also discussed the addition of language regarding damage caused by owner negligence. It was suggested that language similar to that specified in Section 611(A);Subdivision 4 of the Sewer Use Law be modified to address the issue.

Suggested language: *"The Town shall be responsible for the maintenance, repair, or replacement of all grinder pumps as needed provided, however, that the cost of the same may be passed on to the property owner if it appears the damage to the grinder pump was caused by the negligent, reckless or intentional acts of the owner. The Sewer Board retains the right to determine and judge the cause and responsibility for any and all repairs.*

The operator will edit the amendment and incorporate the agreed upon additions and submit the same at the next meeting of the Board.

The Board reviewed the connection protocol. The Board was very satisfied with the protocol as written but requested that the operator insert language so that the communities may utilize the application not only for sewer but also water service connections.

Planning

K. Smith reminded members about the application submitted for a joint land use study to investigate the impact of Fort Drum on the local area. David Cutter, Fort Drum Planner, discussed possible funding through the Department of Defense (DOD) Office of Economic Adjustment and through the DOD Growth Management funding. Growth Management funding provides maximum flexibility for governments to study the pressures exerted on communities including, but not limited to, housing and infrastructure and ways to mitigate them. K. Smith questioned if it was appropriate for the Board to forward a letter in support of such funds to the concerned parties. D. Cutter responded in the affirmative. Motion by L. Carpenter, seconded by N. Parks to authorize the Chairman to sign a letter of support for the appropriation of funding from DOD to address the urgent need for communities to study growth pressures and strategies to mitigate. Ayes-5, Nays-0. Motion carried.

Mr. Cutter reported that a tentative date has been set for a meeting on Fort Drum to bring together community planners. The date is May 24th. Information will be forwarded as it becomes available.

K. Smith reported on discussions to identify pollution sources that might impact a decision for a consent order. A consent order would maximize the application points for EFC but may initiate immediate attention from the NYSDEC. T. Buckley recommended that a letter be forwarded to EFC to remind them of a commitment made to fund the balance of the project at 0% interest during a meeting in 2005. L. Carpenter questioned the timeline to identify potential pollution sources in South Black River. K. Dimmick answered that the inspection should be completed before the trees leaf to facilitate sighting. K. Dimmick stated that the Village needs to visually inspect any possible issues and encourage cooperation from home and business owners. The inspection is not to assess blame but to determine the severity and extent of pollution sources that would be corrected with the construction of a public sewage transmission system. S. Lillie voiced concerns regarding Village liability. Motion by T. Buckley, seconded by N. Parks that the NYS Route 3 Sewer/Development Board support the investigation and identification by the Village of pollution sources and to indemnify and hold harmless the Village of Black River from any claim or cause of action based upon or arising out of such investigation and identification. Ayes-5, Nays-0. Motion carried.

Bud Wertheimer and Glenn Litz attended the meeting and reported that a check in the amount of \$475,000 had been deposited in the trust and agency account of the law firm of O'Hara & O'Connell. Mark Gebo is in contact with the developer's attorneys to finalize both the Prime Agreement and the escrow agreement so that the monies may be transferred to the V/Black River. T. Buckley strongly urged the Board to set a deadline for transfer of the funds to avoid delays in awarding the construction bid; review by Rural Utilities; and purchase orders for pump stations. The Board discussed various timelines. Motion by T. Buckley, seconded by N. Parks to set Tuesday, April 18, 2006 at 5:00pm as the deadline for funds to be deposited in an account to be designated by the V/Black River. Ayes-5, Nays-0. Motion carried. L. Carpenter will contact Mark Gebo to inform him of the Board's decision.

L. Carpenter reported on discussions with an attorney representing a homeowner in an easement dispute. The homeowner has been seeking financial reimbursement in exchange for the easement. The project engineer has redesigned the project to limit construction to the State row-of-way. L. Carpenter will inform the homeowner that the easement is no longer required.

South Black River (SBR) Phase I

K. Dimmick introduced Jon Putman, Stearns & Wheler, who will be working with the Route 3 Sewer Board. Mr. Putman is replacing Titus Falkenburg who has taken a position with USDA Rural Utilities. Community representatives introduced themselves. Mr. Putman stated that he is looking forward to working with the Board and the project. Mr. Putman reported that bids have been received and a contractor recommended for the South Black River phase. A decision by the lead agency (V/Black River) regarding the base/alternate bid and award of the contract is pending. N. Parks questioned when the restoration work in the Felts Mills project would resume. Mr. Putman responded that Marcellus estimates that they will be on-site in approximately two weeks.

Other

N. Parks reported on two days of meetings with EFC to work on the funding submittals. He and Ms. Stouffer both expressed their appreciation for assistance from Fred Testa, EFC Local Government office, and their confidence that progress is being made. K. Smith suggested that the V/Black River may want to contact Mr. Testa to coordinate a process to facilitate funding submittals for the South Black River project. S. Harter and N. Parks

both offered technical assistance to the Village.

Motion by T. Buckley, seconded by N. Parks to adjourn the meeting. The meeting adjourned at 5:52pm.

The next regular meeting of the NYS Route 3 Corridor Sewer/Development Board will be held on Wednesday, May 10, 2006 at the T/Champion Municipal Building.

Christina Vargulick

Christina Vargulick, Secretary

NYS Route 3 Sewer/Development Board