

1993

KWIC MINUTES

MINUTES

Keuka Watershed Improvement Cooperative

May 18, 1993

7:00 p.m., Milo Town Hall

Members Present:

Town of Milo: Jack Snow, Supervisor
Town of Wayne: Mert Plaisted, Supervisor
Town of Urbana: Bill Garrison, Supervisor
Town of Jerusalem: Howard Demay, Supervisor
Town of Pulteney: Phyllis Peek, Supervisor
Village of Hammondsport: Emery L. Cummings, Jr., Mayor
Village of Penn Yan: Leigh MacKerchar, Vice Mayor
Town of Barrington: Joan Gifford, Supervisor

Also Present:

Ed Bauer, Town of Wayne, resident
Craig McMinn, Town of Jerusalem, Board Member
Mike Sprague, Steuben County Emergency Management
Betty Benoit, Town of Pulteney, Planning Board
Dennis Hanson, Town of Pulteney, Board Member
Karl Wilhelm, Town of Wayne, Board Member
Francis Pierce, Town of Urbana, Board Member
Terry DeBuck, Town of Urbana, Wastewater Inspector
Jim Howell, Town of Wayne, Watershed Inspector
Peter Landre, Keuka Lake Watershed Project, Director

1) Minutes of April meeting were reviewed. E. Cummings made a motion to accept the minutes as written, J. Gifford seconded, and the motion was carried by voice vote.

2) Reviewed progress of Wastewater Law passage in each municipality:

Hammondsport-Public Hearing set for June 8, at 7:00 pm.

Pulteney-PASSED

Urbana-PASSED

Jerusalem-PASSED

Milo-Public Hearing set for June 15, at 7:00 pm.

Barrington-PASSED

Wayne-Public Hearing set for May 25, at 7:00 pm.

Penn Yan-planning to pass law at next Board meeting.

3) Reviewed the revised DRAFT Budget dated April 24. No significant changes were made to the Expense portion of the budget, however, the categories entitled Insurance and Legal were changed to Liability Insurance and Legal (as needed). The Revenues section was discussed at length with several KWIC members concerned about showing town/villages revenues in the KWIC Budget. It was suggested that town/village revenues be left off the budget, shown as a separate category, or changed to KWIC fees. No decision was made as to how the budget should be revised to reflect these comments.

4) Leigh MacKerchar presented an Alternate IMA proposal for KWIC consideration. He suggested a main feature of the proposal was that no additional costs would be assessed to the municipalities because a Watershed Manager would not be hired. He further added that the duties of the Manager would be taken care of by Design Professionals hired by the homeowner to perform all septic system designs and oversight/management of the program would be done by the Chief Executives. The committee discussed the proposal at length. Several questions were raised by the committee and members of the audience, primarily focussing on how Alternate Proposal would provide for uniformity of enforcement and how it differed from the KWIC proposal. No decision was made regarding the proposal. B. Garrison suggested that the committee study Penn Yan's Alternate proposal and the KWIC proposal, including the Policy and Procedure Manual, and be prepared to discuss and make a decision at the next meeting. The committee agreed on this course of action.

5) With no further business, the meeting was adjourned at 9:30 pm and the next meeting was scheduled for **June 22, 1993 at the Jerusalem Town Hall, 7:00 pm.**

MINUTES

Keuka Watershed Improvement Cooperative

May 18, 1993

June?

7:00 p.m., Milo Town Hall

Members Present:

- ✓ Town of Milo: Jack Snow, Supervisor
- ✓ Town of Wayne: Mert Plaisted, Supervisor
- ✓ Town of Urbana: Bill Garrison, Supervisor
- ✓ Town of Jerusalem: Howard Demay, Supervisor
- ✓ Town of Pulteney: Dennis Hanson, Supervisor
- ✓ Village of Hammondsport: Emery L. Cummings, Jr., Mayor
- ✓ Village of Penn Yan: Leigh MacKerchar, Vice Mayor
- ✓ *Town of Barrington Town*

Also Present:

- ✓ Karl Wilhelm, Town of Wayne, Board Member
- ✓ Arnie Sorensen, Town of Milo, Board Member
- ✓ Bill Weber, Town of Pulteney, Board Member
- ✓ Art Bechhoefer, Town of Jerusalem, resident
- ✓ Francis Pierce, Town of Urbana, Board Member
- ✓ Jim Howell, Town of Wayne, Watershed Inspector
- ✓ Peter Landre, Keuka Lake Watershed Project, Director

1) Minutes of May meeting were reviewed, a motion to accept the minutes as written were duly made, seconded, and carried by voice vote.

2) Reviewed progress of Wastewater Law passage in each municipality:

Hammondsport-PASSED

Pulteney-PASSED

Urbana-PASSED

Jerusalem-PASSED

Milo-PASSED

Barrington-PASSED

Wayne-planning to pass law at next Board meeting, July 13. ✓ *done*

Penn Yan-planning to pass law at next Board meeting, July 5. ✓ *done*

3) J. Littleton and L. MacKerchar presented a review of the KWIC and Penn Yan Alternate proposal. It was suggested that the Penn Yan proposal was offered in good faith to address specific questions related to cost. J. Littleton mentioned it was important for the KWIC committee to address these questions thoroughly prior to public hearings.

J. Snow suggested that the KWIC focus on the major differences between the two proposals, mainly cost and hiring a manager. The cost for the KWIC was discussed in a new budget with a range between a high of \$5,000 and a surplus of \$4,000, depending on grants and fees charged by the KWIC. Much discussions centered on grants. It was pointed out by P. Landre that the KWIC is an innovative and model program in New York State, worthy of receiving grants from State, Federal and Foundation granting institutions, as well as local agencies interested in Keuka Lake Watershed. Several grants already in progress were discussed that could help to offset the cost of the program.

In the Penn Yan Proposal there would be no direct cost to municipalities, however, residents would have to pay the cost of engineer services, which for the entire watershed could cost between \$150,000 and \$300,000, depending on the number of systems installed (150 to 300 systems at \$1,000 per engineered design).

The other main difference between the two proposals discussed at length in the meeting was the concept of hiring a manager to run the program. Those supporting the concept of a manager suggested that it would be difficult, if not impossible to ensure uniformity of the wastewater law without a person to oversee the program. D. Hanson mentioned that his Board could use the help and support of the Manager and that he did not feel that his inspector could handle the additional work required by the law. On the other side, some members felt that if the program could be done without a manager, it should be tried to save costs. Others countered by saying that if the program were tried without a manager, it would fail and it would be difficult to get public support again. The PY Alternate suggested that municipal staff would "volunteer" time to run the program. Many of the members said they did not have qualified staff to volunteer and that running the program by "committee" would not work.

4) The members were individually polled on their position of the KWIC vs. the PY Alternate. M. Plaisted was supportive of KWIC, emphasizing the importance of the manager to ensure uniformity. J. Snow also supported the KWIC concept. D. Hanson supported KWIC. E. Cummings was concerned about costs and suggested trying the PY proposal, but said he would take the information he learned in the meeting back to his Board. H. Demay did not have a position and said he needed to discuss the subject with his Board. B. Garrison was supportive of the KWIC. L. MacKerchar said he supported the PY proposal.

B. Garrison suggested the next step was to resolve which direction the KWIC would go, either to have a manager or not. The group decided that they would go back to their respective Boards, discuss the issue and come back to the next meeting with a decision.

5) With no further business, the meeting was adjourned at 9:30 pm and the next meeting was scheduled for **July 27, 1993 at the Hammondsport Village Hall, 7:00 pm.**

MINUTES

Keuka Watershed Improvement Cooperative (KWIC)

July 27, 1993, 7:00 PM

Hammondsport Village Hall

Present and Voting:

Town of Barrington: Supervisor Joan Gifford
Village of Hammondsport: Mayor Emery Cummings
Town of Jerusalem: Absent
Village of Penn Yan: Vice Mayor Leigh MacKerchar
Town of Pulteney: Supervisor Phyllis Peek
Town of Milo: Supervisor Jack Snow
Town of Urbana: Supervisor William Garrison
Town of Wayne: Supervisor Merton Plaisted

Also present:

Village of Hammondsport: Alternate, Dick Pulver
Village of Hammondsport: Councilman, Sam Pennise
Town of Urbana: Board Member, Francis Pierce
Town of Pulteney: Board Member, William Weber
Town of Wayne: Board Member, Karl Wilhelm
Town of Milo: Board Member, Arnie Sorensen
Town of Wayne Watershed Inspector James Howell
Town of Jerusalem: Resident, Art Bechhoefer
KLA Watershed Project: Peter Landre and Joe Littleton

- 1) June meeting minutes were reviewed and accepted by voice vote.
- 2) Progress on the passage of the model wastewater law was reviewed. Penn Yan and Wayne recently passed the law. All eight municipalities attending the KWIC meetings have passed the uniform law. B. Garrison congratulated the KWIC members for their efforts.
- 3) Discussion of the KWIC and manager was reviewed. L. MacKerchar mentioned that Penn Yan's engineer is moving on suggested that perhaps a manager would be useful for getting the program going and developing a design manual. Other members expressed support for the KWIC concept and the consensus of the group was to move ahead with the IMA as drafted.
- 4) The Policy and Procedures manual, dated May 13, 1993, was examined page-by-page by the committee. Several changes were suggested by the committee and P. Landre said that he would incorporate the changes in the next draft.
- 5) The KWIC next discussed the timing and additional materials needed for board meetings and public hearings. B. Garrison suggested that the above materials be presented to each board and that public hearings be set in August or September. P. Landre offered to compile all relevant materials into one document and supply each Supervisor and Mayor with 10 copies. In addition, J. Littleton or P. Landre are available to give presentations at any board meeting or public hearing.

6) M. Plaisted briefly mentioned he is continuing his discussions with county personnel administrators to set up the manager position as a non-competitive civil service position.

7. It was agreed that the next meeting will be held at 7:00PM, Tuesday August 24, at the Jerusalem Town Hall.

8) Meeting adjourned at 8:45 PM. Respectfully submitted, P. Landre and Joe Littleton

MINUTES

Keuka Watershed Improvement Cooperative (KWIC)

August 23, 1993, 7:00 PM

Jerusalem Town Hall

Present and Voting:

Town of Barrington: Supervisor Joan Gifford
Village of Hammondsport: Mayor Emery Cummings
Town of Jerusalem: Supervisor Howard Demay
Village of Penn Yan: Vice Mayor Leigh MacKerchar
Town of Pulteney: Alternate Dennis Hanson
Town of Milo: Supervisor Jack Snow
Town of Urbana: Supervisor William Garrison
Town of Wayne: Supervisor Merton Plaisted

Also present:

Town of Urbana: Board Member, Francis Pierce
Town of Pulteney: Board Member, William Weber
Town of Wayne: Board Member, Karl Wilhelm
Town of Milo: Board Member, Arnie Sorensen
Town of Wayne Watershed Inspector James Howell
Town of Jerusalem: Board Member, Emily Wheeler
Town of Jerusalem: Board Member, Craig McMinn
Town of Jerusalem: Board Member, Steve Hulse
Town of Jerusalem: Resident, Peter Warter
Town of Jerusalem: Resident, Art Bechhoefer
KLA Watershed Project: Peter Landre and Joe Littleton
Members of the Press: Matt Glynn, Mary Geo Tomion, Maurice Dumas

1) July meeting minutes were reviewed. Mayor Cummings of Hammondsport pointed out the village alternate is Sam Pennise. Mert Plaisted commented that he was researching hiring options in general, not specifically with county personnel representatives at this time. With noted corrections, the minutes were accepted by voice vote.

2) Comments and suggestions regarding KWIC "blue book":

Wayne: M. Plaisted suggested that the manager should be responsible for all aspects of system compliance including notice of violations, design work and approvals, and issuing of summons if necessary. He pointed out there were many dual listings of responsibilities for the Manager and Inspectors in the Policy and Procedure section on this subject. A committee of four, including Mr. Plaisted, P. Landre, J. Littleton and J. Howell will revise the document as needed and corrections will be sent to the KWIC members within a week.

Milo: J. Snow invited P. Landre to the next board meeting to discuss KWIC. He also mentioned that he did not have any problems with the document.

Pulteney: D. Hanson mentioned that J. Littleton spoke at the previous meeting and the review went well. Board members are still reviewing the document.

Barrington: J. Gifford reported that her board reviewed the KWIC document. One question was raised regarding the time boards have to review and comment on KWIC proposals. The current time period is 60 days and it was suggested that it be changed to 90 days. The group discussed the recommendation and decided to stay with the 60 day comment period.

Hammondsport: E. Cummings noted that the board is still reviewing the document, but he felt they are favorable.

Jerusalem: H. Demay discussed his boards review of the materials with P. Landre and he mentioned that he was pretty well set on the proposal.

Penn Yan: L. MacKerchar said that P. Landre gave a presentation to the board and are reviewing the document and the board is pretty much in favor of the proposal. He also mentioned that water rate payers would probably pay the additional costs of the program. Penn Yan's involvement is also supported by DOH mandates that village play an active role in watershed protection.

Urbana: B. Garrison mentioned that the board is still reviewing the document.

3) After careful review of the proposal the KWIC members voted unanimously to support the following statement:

"All eight Town and Village representatives agree to present the IMA with our initial endorsement to each of our Boards and, subject to their approval, conduct public hearings."

4) The committee briefly discussed the timing of public hearings. The consensus was that public hearings should be set at the next board meetings, and the hearings will probably be held sometime in late September or early October. B. Garrison also mentioned that in addition to public hearings, he will also ask his board to call for a public vote of some form on the matter.

5) It was agreed that the next meeting will be held at 7:00PM, Tuesday September 28, at the Wayne Town Hall.

6) Meeting adjourned at 8:45 PM. Respectfully submitted, P. Landre and Joe Littleton

MINUTES
Keuka Watershed Improvement Cooperative
September 28, 1993
7:00 p.m., Wayne Town Hall

Members Present:

Town of Barrington: Joan Gifford, Supervisor
Town of Milo: Arnie Sorensen, Alternate
Town of Wayne: Mert Plaisted, Supervisor
Town of Urbana: Bill Garrison, Supervisor
Town of Jerusalem: Howard Demay, Supervisor
Town of Pulteney: Phylis Peek, Supervisor
Village of Hammondsport: Emery L. Cummings, Jr., Mayor
Village of Penn Yan: Leigh MacKerchar, Vice Mayor

Also Present:

Karl Wilhelm, Town of Wayne, Board Member
Bill Weber, Town of Pulteney, Board Member
Jim Howell, Town of Wayne, Watershed Inspector
Carl Stuck, Village of Penn Yan, MUB Manager
Joe Littleton, Town of Urbana, Board of Appeals
Peter Landre, Keuka Lake Watershed Project, Director
Matt Glynn, Corning Leader

1) **Minutes** of August meeting were reviewed, a motion to accept the minutes as written were duly made, seconded, and carried by voice vote.

2) Reviewed progress of **Public Hearings** in each municipality:

Jerusalem-Hearing set for 9/29. P. Landre to give presentation.

Pulteney-Hearing set for 10/6. J. Littleton to give presentation.

Urbana-Hearing was held 9/15 and 23 for both Urbana and Hammondsport. B. Garrison reported that the meetings went very well. Final vote was 2 to 1 in favor of KWIC (71%) with many other written favorable letters. He noted that other municipalities should be prepared for people to ask questions about the wastewater law, the need for a manager, and KWIC as a new "layer of government".

Barrington-Hearing set for 10/11. P. Landre to give presentation.

Hammondsport-see Urbana above.

Milo-Hearing set for October 12. P. Landre to give presentation.

Wayne-Hearing set for October 5. P. Landre and J. Howell to give presentation.

Penn Yan-Hearing held 9/20. No negative comments were made.

3) J. Littleton and L. MacKerchar reviewed proposed addition of a reference to Penn Yan's Department of Health Watershed Rules and Regulations for the East Branch of Keuka Lake. J. Littleton stated that the three additional sentences in the agreement would not alter the meaning of the agreement and would simply recognize an existing law and a responsibility to enforce the law. The three sentences are:

To add to page 12 of the IMA:

Section 1100 of the Public Health Law provides that the Department of Health may make rules for the protection from contamination of any public supplies of potable water.

Part 157.1 of Title 10 of the New York Code of Rules and Regulations provides for certain regulations and inspection to ensure the waters of Keuka Lake remain free from contamination.

To add to II. PURPOSE:

d) Assure that the provisions of Part 157.1 of Title 10 of the New York Code of Rules and Regulations, as promulgated by the Department of Health under authority of section 1100 of the Public Health Law, are met.

L. MacKerchar also suggested that Penn Yan Municipal Utility has an interest in having the office located in the Penn Yan area. He stated the Utility's interest is primarily related to the responsibility for the Dept. of Health Watershed Rules and Regulations. He added that Penn Yan will prepare a proposal for KWIC consideration. The KWIC discussed briefly the location of the office and other possible locations such as those that have been offered by Urbana and the Keuka Lake Association. The KWIC members generally agreed that all reasonable offers for the location of the office will be given due consideration.

4) KWIC members discussed additional materials needed for public hearings. P. Landre was asked to make all suggested corrections and send copies to each KWIC member. He was also asked to provide additional blue books to for each of the remaining municipalities holding public hearings.

5) KWIC members discussed the timing of signing the IMA following public hearings. All public hearings PRECEDE board meetings in October and it was suggested by B. Garrison that KWIC municipalities aim to pass resolutions in October. The KWIC members agreed unanimously on the following resolution:

Resolved: KWIC recommends that each town and village board at its earliest convenience consider the proposed Intermunicipal Agreement and if satisfactory, authorize the appropriate municipal official to execute the agreement.

6) In other business, J. Littleton raised a point brought to his attention by John Webster, Board Member of Urbana, regarding voting procedures outlined in the IMA. J. Littleton asked for clarification from the KWIC on section III. Governing Board, paragraph e). He asked the KWIC how many members must be present to carry a vote and their response was a majority of the board, regardless of how many are present at the meeting. This means that 5 votes are needed to conduct business. Therefore, J. Littleton suggested the following clarification language in the IMA, which was approved by the KWIC members:

e) Voting/Quorum of the Board of Directors, unless otherwise provided, shall consist of a simple majority of the Directors entitled to vote. A simple majority of all Directors entitled to vote being necessary to carry a motion.

7) The next meeting is scheduled for **October 26 at 7:00 pm at the Pulteney Town Hall.**

8) With no further business the meeting was adjourned at 8:30 pm.

MINUTES

Keuka Watershed Improvement Cooperative
November 16, 1993
7:00 p.m., Milo Town Hall

Members Present:

Town of Barrington: Joan Gifford, Supervisor
Town of Milo: Jack Snow, Supervisor
Town of Wayne: Mert Plaisted, Supervisor
Town of Urbana: Bill Garrison, Supervisor
Town of Jerusalem: Howard Demay, Supervisor
Town of Pulteney: Phyllis Peek, Supervisor
Village of Hammondsport: Emery L. Cummings, Jr., Mayor
Village of Penn Yan: Leigh MacKerchar, Vice Mayor

Also Present:

Karl Wilhelm, Town of Wayne, Alternate
Carl Stuck, Village of Penn Yan, MUB Manager
Frances Pierce, Town of Urbana, Alternate
Arnie Sorensen, Town of Milo, Alternate
Steve Hulse, Town of Jerusalem, Board Member
Craig McMinn, Town of Jerusalem, Alternate
Mary Geo Tomian, Dundee Observer
Joe Littleton, Town of Urbana, Board of Appeals
Peter Landre, Cornell Cooperative Extension

JAN.

Organize

Screening Comm.

Richard Gardner

Ruth Washburn

John Payne

JAN 13¹³ Thursday
7:00 - 7 PM

Adjourn

1) Meeting was opened at 7:00 pm by Bill Garrison and the **Minutes** of the October meeting were reviewed, a motion to accept the minutes as written was duly made, seconded and carried by voice vote.

2) Jack Snow reviewed the outcome of the **Milo Public Hearing**. He stated that P. Landre gave his presentation and the public in attendance were supportive of the KWIC proposal. A show of hands at the end of the hearing resulted in unanimous support for the KWIC. After the public hearing, Mr. Snow reported the Milo Board held a special session and unanimously approved a resolution to join the KWIC. The resolution included a condition stating that all other municipalities must also join the KWIC for Milo to join.

3) Mr. Garrison opened a discussion regarding the **signing of the KWIC agreement**. Walt Scott, Chairman of the Keuka Lake Association, extended the KWIC an invitation to join them in an inaugural celebration and appreciation gathering at Keuka College on December 9, 6:00 to 8:00 pm in the Alumni Lounge in Ball Hall. The KWIC members agreed to join the KLA and also sign the IMA at the gathering. Invitations for the event will be sent out soon to all participants in the KWIC effort.

4) The personnel sub-committee discussed the hiring plan. Two meetings were held and the Manager job description, qualification and responsibilities were discussed in detail. A discussion of the required education and experience led to a debate regarding the desirability of having a license to practice as a Professional Engineer in NYS. After much discussion, it was agreed by the KWIC to have the following language in regards to a Professional Engineer in the job description: "Possession of a license to practice as a Professional Engineer in New York State is desirable, but not required." The committee will present all the materials gathered to the Steuben County Personnel Department to develop a job description and make further determinations on the position class (competitive vs. non-competitive).

5) Garrison asked for proposals for the location of the KWIC office. The KLA presented an offer for space in Hammondsport, previously occupied by P. Landre and the Keuka Lake Watershed Project. The offer includes a computer and free rent for one year. Garrison asked if there were other proposals and none were offered. KWIC discussed the Hammondsport location and generally agreed that it would meet their immediate needs.

6) P. Landre discussed the status of the state grant to help support the development of a wastewater design manual. The grant will be coming through the Keuka Lake Foundation and can be used by KWIC to significantly offset the Manager's salary if he/she works on the development of the design manual. The process is proceeding through the proper channels and the money should arrive sometime in 1994.

7) With no further business, the meeting was closed at 8:30 pm. The next meeting will be held following the KWIC Inauguration at Keuka College at 8:00 pm, December 9.

MINUTES

Keuka Watershed Improvement Cooperative

~~November 16, 1993~~

December 9, 1993

7:00 p.m., Keuka College

Members Present:

Town of Barrington: Joan Gifford, Supervisor ✓
Town of Milo: Jack Snow, Supervisor; Absent ✓
Town of Wayne: Mert Plaisted, Supervisor ✓
Town of Urbana: Bill Garrison, Supervisor *Garrison* ✓
Town of Jerusalem: Howard Demay, Supervisor ✓
Town of Pulteney: Phyllis Peek, Supervisor ✓
Village of Hammondsport: Emery L. Cummings, Jr., Mayor ✓
Village of Penn Yan: Leigh MacKerchar, Vice Mayor ✓

Also Present:

Joe Littleton, Town of Urbana, Board of Appeals
Peter Landre, Cornell Cooperative Extension

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- 1) A brief meeting was held after the signing of the KWIC Agreement at Keuka College. The meeting was opened at 8:00 pm and the **Minutes** of November meeting were reviewed, a motion to accept the minutes as written was duly made, seconded and carried by voice vote.
 - 2) Mert Plaisted discussed the progress of the Personnel Sub-Committee. A draft of the civil service job description as completed by the Steuben County Personnel Department was discussed and endorsed. Further action on the Manager hiring was set aside until the next KWIC meeting.
 - 3) A discussion of the location of the office was discussed. The KLA office is available if the KWIC wants to use it for 1994. Since the KWIC does not have a Manager, the group agreed that no decision was required at this time.
 - 4) P. Landre discussed the status of the \$35,000 state grant to help support the development of a wastewater design manual. The grant will be coming through the Keuka Lake Foundation and can be used by KWIC to significantly offset the Manager's salary if he works on the development of the design manual. It is important that the Manager be hired as soon as possible to get started on the grant work, which is essentially the inspection program.
 - 5) With no further business, the meeting was closed at 8:30 pm. The next meeting will held at 7:00 pm, Pulteney Town Hall.