

2001

KWIC MINUTES

1 Keuka Business Park, Suite 205
Penn Yan, New York 14527
315-536-2389 Fax



Merton Plaisted, Chairman
Norman Snow, Secretary/Treasurer
Cris White, Recording Secretary
William Mayer, Esq. Counsel

Paul Bauter, Manager
315-536-0917

Minutes for meeting held in Wayne Town Office
January 22, 2001 @ 7:00pm
Next meeting to be held in Urbana Town Office

Chairman, Merton Plaisted, called the meeting to order at 7:07 pm.

Members present were Merton Plaisted, John Anderson, Myron Baran, James Multer, Leigh MacKerchar, Tom Chadwick, and Jack Snow.

Members absent: Dan Williams

Guests Present were Paul Bauter, KWIC Manager; Al Wahlig; Ken Blumenstock, KLA; Peter Landre, CCE; Wayne Ackart, PE; Ed Balsley, KLOC Gate Manager; Bill Weber, KLOC Recording Secretary; and Cris White, KWIC Recording Secretary.

The minutes of September's meeting were approved upon a motion made by Jack Snow and seconded by Tom Chadwick.

John Andersen made a motion to maintain the same officers as last year. Jim Multer seconded, all members were in favor, and it was carried.

Treasurer's report: Mr. Snow passed out the most recent treasury report for KWIC, which included the last bank statement for the year 2000. He stated that the ending balance would be \$16,434.45 with the un-cleared payments of \$2,033.54 and deposit of \$315.00. The next pages of the report showed income and expenses compared to the budget. Mr. Plaisted mentioned sending vouchers to the municipalities to which Mr. Snow responded that they could wait until next meeting.

Members

Myron Baran - Pultney
James Multer - Barrington
Richard Gardiner - Urbana

Emery L. Cummings - Hammondsport
John Andersen - Jerusalem
Leigh MacKerchar - Penn Yan

Manager's Report: Paul started by mentioning that he had taken the opportunity to visit the county tax offices to look tax parcels on the zone one list. We removed many vacant properties from the zone one list. Pulteney Township benefited the most in the reduction of tax parcels removed from the zone one list. Of the remaining inspections to be done in the town of Jerusalem, 154 are in the pending East Bluff Drive Sewer district, 43 are on West Lake Road in Sewer District #1 where upon failure they must hookup to the sewer, 7 are on East Bluff Drive beyond the pending sewer district and the remaining 24 sites are on Crescent Beach, West Bluff Drive and West Lake Road in Branchport. He also pointed out that Pulteney is down to 220 remaining zone one inspections. Paul doesn't feel that Pulteney will be too bad if they can catch up by the year 2003. The expired aerobic unit agreements have come down to 23 and we have done a better job on the inspections of holding tanks than last year.

Letters of support of the grant application were handed out for each municipality to be signed. Six were signed at the meeting and we are awaiting Urbana and Hammondsport.

Paul mentioned that there would probably be more summons issued this year, in that we are down to some of the more resistant inspection sites. Paul reviewed a proposed procedure to follow if summons are necessary. At the first court appearance, if the defendant was not prepared with a schedule for compliance, a second summons would be issued and turned over to the town since the law states the municipality may also go for court and attorney costs incurred by the violation. We need to be fair and follow through uniformly. In the notices of violation, the owners are given response times to comply with. Mr. Snow mentioned that the supervisors should be made aware of those people that receive summons. Paul stated that he would inform them when the summons is issued. Paul stated that there may be a summons issued in Wayne if the owner does not respond by Friday of this week. Mr. Chadwick asked if there seemed to be any pattern to the ones that were not willing to cooperate? Paul replied that there has not been any noticeable pattern. Mr. Plaisted said that some of the problem might be that some of the owners wait until fall and then the inspection never gets done that year. Paul said that part of the problem is trying to get a pumper scheduled at the busy times of the year. Scheduling is really heavy in the fall. There are not as many local pumpers to contact as there are on both ends of the lake. We have a list of pumpers at the office and also they may want to contact a contractor to arrange for a septic pumping. Mr. Plaisted asked if the inspectors had a list of specific people to use. They have a list. The list is generated by people requesting to be on the list. If there is a contractor who is repeatedly not doing a good job, they should be taken off the list. Paul said there could be solve problems with doing that. If the directors wanted to get a list with some kind of credentials, they would probably have to go to licensing or a certification program.

Paul said that in Milo, where a proposed sewer referendum passed in the last election, there are some exceptions to standard systems, especially for new construction. NYSDOH is allowing some holding tanks on a case-by-case basis to be used in lieu of

an onsite wastewater treatment. The tank is required to have auto dialer, dialing both KWIC and the service pumper, plus other criterion has to be met.

Sewer Study: Wayne stated that the meeting last Thursday (1/18) was one of the best as it was very productive. He said that a lot of people have been working hard on this project and gave special thanks to Paul Bauter for all of his review work. The committee should be ready to establish the final draft of Phase I by the next meeting. They will hold off on publishing Phase I until Phase II is completed. Copies will be distributed to members of the board and steering committee. The largest project in this study seems to be the Sewer District in Steuben County.

A letter was drawn up supporting the Sewer District in Steuben County applying for an additional 200,000 gallons for expansion. Our Chairman, Mr. Plaisted, signed this letter at this meeting. Mr. Pearson of the DEC said that this was the only way that this grant would happen. Mr. Plaisted wondered if 400,000 would be enough. Mr. Ackart responded that it would probably end up at 450,000. Al Wahlig pointed out that this agency we were writing to had dissolved, but that they still wanted the letter signed. Mr. Wahlig also urges every one to attend the meeting in Urbana on 2/7/01, for the formation of the Steuben County Sewer District. Mr. Pearson will be attending and Mr. Wahlig says that every one should try to be there.

Wayne stated that there has been an attitude change in everyone involved since the start of the study. Mercury Aircraft needs the sewer line now, so they are paying for and will turn it over to the county. Their cost of maintenance will go down in the future when a district is formed, as new pumps will be installed and maintenance costs will be shared.

The last regular bill of \$6800 from Clough Harbour will be paid by KLF. Mr. Chadwick made a motion to pay this bill, which was seconded by Mr. Snow, then carried. A final bill of \$25,000 will be sent next month. A motion was made by Mr. Andersen to approve payment of the next bill. This motion was seconded by Mr. Plaisted, and carried. The next steering committee meeting will be February 22, 2001, at the IDA building in Penn Yan, @ 10:00 am.

Keuka Lake Looking Ahead: Peter Landre joined our meeting this evening. He brought and handed out "Keuka Lake Watershed Storm Water Tool Kit" to each member. He stated that there was a letter inside each binder to explain and a survey, which each municipality should fill out and return by March 1, 2001. After the surveys have been received, Les Travis and Peter will compile and discuss what needs to be done next.

Other Business: none.

Adjournment: This meeting was adjourned at 8:05 pm, after a motion made by Mr. Andersen, seconded by Mr. Snow.

C. White

KEUKA WATERSHED IMPROVEMENT COOPERATIVE

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KWIC

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Minutes for meeting held in Urbana Town Office
March 27, 2001 @ 7:00pm
Next meeting to be held in Hammondsport Town Office

Chairman, Merton Plaisted, called the meeting to order at 7:09 pm.

Members present were Merton Plaisted, Myron Baran, James Multer, Leigh MacKerchar, Tom Chadwick, and Jack Snow.

Members absent: Dan Williams and John Andersen.

Guests Present were Paul Bauter, KWIC Manager; Al Wahlig; Ken Blumenstock, KLA; Peter Landre, CCE; Wayne Ackart, PE; Paul Carney; Bill Oben; Ed Balsley, KLOC Gate Manager; Bill Weber, KLOC Recording Secretary; and Cris White, KWIC Recording Secretary.

The minutes of January's meeting were approved upon a motion made by Leigh MacKerchar and seconded by Tom Chadwick.

Treasurer's report: Mr. Snow passed out the most recent treasury report for KWIC. He made a motion to have the secretary send each municipality vouchers for \$3250-. Mr. Baran seconded the motion. The motion passed.

Mr. Snow was concerned about a bill for Paul's cell phone being paid, but that the bill is actually in Mrs. Bauter's name. It has been approximately \$52- per month. Mr. Snow would prefer to have approval from the KWIC board members before continuing to pay this bill. The cell phone in question is not one the previous Watershed Manager had, it belongs to Paul. It has been in his wife's name since he started using it. Mr. Snow reported that last year Paul paid his own bill. Paul said that he tried to keep track of the calls, which was difficult as the year was busy. Since he changed plans the amount has

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Myron Baran - Putney
James Multer - Barrington
Richard Gardiner - Urbana

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dropped. The current plan offers 200 minutes per month free and no long distance charges. A concern was brought up to the percentage of personal use the cell phone is used for. Mr. Multer mentioned that KWIC doesn't pay tax, therefore should the name on the bill be changed. Paul expressed that they may just let us change the name on the bill, as they will want to keep the customer. Mr. Chadwick asked what was customary as far as each municipality having cell phones and how they are billed. Mr. Snow stated that the Town of Milo has two cell phones and that they are billed to the Town. Mr. Baran stated that Pulteney's is in the user's name. It was agreed that at some point in time the billing should be switched to KWIC. At this time the bill is ok to pay. Research will need to be done regarding switching name of billing and the taxes being billed.

Manager's Report: Paul started his report by stating that the Grant was sent in February. As of yet there has been no statement received for the services of Needs Assessment Consultant, Caroline Gallego.

Inspections are slow this time of year, although Jerusalem and Milo have picked up a few. Also, 22 violation notices were sent during January and February. Two of those have received a summons, one of which has been conditionally discharged based upon the receipt of a work order and a completion date. The Aerobic Treatment units have remained constant concerning expiration of maintenance contracts. We have picked up a few and lost a few. Everything seems to be doing well there.

Paul spoke in regards to the sewer study. The KWIC Board may want to consider moving the next meeting date to accommodate a presentation of the finds of Phase I and Phase II of the sewer study. The sewer committee would like to have a presentation ready for the annual KLA meeting in July. The committee was concerned that this should be brought to the KWIC board members first. Also Paul stated that there is a contract to be signed for Phase II.

Besides the activity report Paul passed out, everyone also received a page of zone one updates. This sheet details the number of zone one inspections completed and percentage of completed inspections. Hammondsport has changed the most, as the inspector has had a chance to go through and find some reports that our office didn't have, and some vacant properties were taken off the list. This resulted in bringing his number left to be completed 15.

Hopefully there will be a print out of tributaries for Yates County soon as Paul has worked with the Soil and Water Conservation District. The tributaries will not show on Zone one numbers yet. Steuben County will be even tougher, but hopefully Yates will be ready for the next meeting.

Mr. Plaisted said that Jim Howell, Watershed Inspector for the Town of Wayne, wanted to bring up his concern of the Policy amendment regarding opening of the distribution boxes during a Property Transfer inspection. Mr. Howell was not in attendance at the meeting. When asked how the inspectors reacted when this was brought before them,

Paul replied that all were hesitant but willing to act on except for Mr. Howell. Mr. Plaisted mentioned that he didn't recall the passing of the new policy. Paul stated that the criteria for a failed system would be no more room, or very limited room, for the effluent. This new policy would give a buyer a better idea of how close the system actually is to failure. If it were found that only one line was full, then correction would consist of simply fixing the level of that line. A question regarding seepage pits, Paul said that they should not be getting any ground water in them. Paul tried to get a kind of criteria with this policy that it wouldn't seem as a judgment call, but rather something to measure. He wasn't looking for statements saying how long the system would last, but document the remaining available capacity. This would give information as to general knowledge of what the actual system consists of, like how many lateral the absorption area has. The main concern seems to be ripping up of these properties in trying to locate the absorption area. Many owners know the general location of the septic tank, but are unaware of the location or the specs of the absorption system. Paul responded that many properties have been ripped up looking for the septic tank. When the septic tank is found, there is the ability to find approximate location of the absorption system by snaking the outlet. This would give an idea of which direction to go. Mr. Plaisted stated that Jim is able to tell a system is failed when the septic tank is pumped if there is water coming back in from the outlet. Paul stated that that is a sign, but it depends also on the grade of the outlet. As a result of this discussion, Mr. Snow made a motion that each Board member be made a copy of the workbooks issued to the Watershed inspectors. The motion was seconded by Mr. Multer and so carried. The KWIC office will provide each member with a copy of the Inspector's workbooks. Everyone is in agreement that we want uniformity.

Sewer Study: Wayne started with stating that Sewer District #2, consisting of 4 ½ to 5 miles of East Bluff Drive, in Jerusalem was out to bid. The funding is squared away, and construction is expected to begin near the end of June. Milo's is still in the preliminary stages.

Wayne also continues to express that progress is being made at the Steering Committee meetings for the Sewer Study. This meeting is being held on the 3rd Thursday of each month and each meeting has been informative. The Steering Committee would like to have a presentation ready for the Annual KLA meeting as this would be the best opportunity to do such. Wayne urged that KWIC should receive the presentation first, which would mean moving the July meeting. This would also give the committee a deadline to keep things moving along. They will know more by the next meeting as to how prepared they will be.

Wayne informed the board that the grant funds for the second year of the study required a second contract between the CHA and KWIC. The original contract between Clough Harbour and KWIC was only for Phase I. KLA has 75% of the funds for Phase II. We need to extend the contract to cover Phase II, which would just be amended. The DEC and the Steering Committee are happy with what has been gone over. Mert needs to sign the contract for the 2nd \$100,000-. A memo of understanding between KLA and KWIC may need to be updated. Wayne will check on this for us. Mr. Chadwick made a

motion to have Mr. Plaisted sign the new contract, which was seconded by Mr. Baran and carried.

The next issue Wayne was concerned about was a request he received from the Bluff Point Association to get a copy of the draft of Phase I to do an article in their next newsletter. The committee would like to restrict disbursement of copies of this "Final Draft" until Phase II is complete, as the study for Phase II may change the information in Phase I. Wayne feels that this is a decision that needs to be made by KWIC, as the information belongs to them. Wayne had discussed this issue with Peter Landre, as Peter had the same kind of request when he was doing his work. Copies of this material should be restricted until KWIC is provided with their copies. Right now the copies are limited to the Steering Committee until the study is finalized. In this instance and for future requests such as this, copies need to be presented to the KWIC board to be approved before any copies may be distributed. Peter Landre stated that Wayne might want to suggest that he can write an article for them. Wayne stated that there might be a table, which summarizes or the executive summary if they continue with their request. He will tell them that they need to request this information from the KWIC board. Wayne also said that he thinks they may be concerned about the Sewer fostering growth on the lake, as they see the sewer is equivalent to added development. He feels that their concerns are not the same as KWIC's.

Wayne finalized his report by reminding everyone of the Steering Committee meetings being held the 3rd Thursday of each month @ 10:00 am in the IDA building downstairs conference room. He again expressed that the meetings turn out very well. For instance, they have included in attendance Tom Pierson from the DEC, who discussed the permitting of sewer being pumped to Bath. The last meeting, which had no elected officials, had a 2-hour discussion on implementation. There are many good thoughts and everyone is enthusiastic.

Keuka Lake Looking Ahead: Peter Landre spoke about the video being put together for briefing newly elected officials of the KWIC program, how it was formed and the importance of it. KLA approved funding. The script will start being worked on during the spring, which hasn't changed much from the draft. People from the program will be chosen to talk about the program and hopefully this will be done by the summer. If anyone would like to see the final draft, Peter will be able to make this available.

Peter also discussed the Storm water survey that was sent to each municipality. So far the responses are from Milo and Jerusalem. From the surveys received, there was good information.

Peter stated that everyone is aware of the 2 hog farms coming into Yates County and assured us that everyone has been getting calls. In response to this, the Yates County Legislature has decided to hold a forum to talk and ask questions regarding this issue. The meeting will take place at the high school on April 5 @ 7:00 pm. A concerned citizens group will hold a meeting on Tuesday night (March 27, 2001). The April meeting will help to separate the facts from the fiction and help to answer many

questions. This brought more discussion. Peter said that by law, these farmers need to have a state certified Nutrient Planning Manager put together a nutrient plan before the farmer can move any of the manure to spread or apply to any land. DEC wrote the farmers each a letter stating this requirement. The planner will set standards that the farmers need to go by. Although there will be no inspection, the farmers will have to meet these standards. These farmers will be required to do more than most farmers in the area. Because the farm is different, people feel that the farmers may be inconsistent. Some of the concerns raised at our meeting tonight were odor problems, water quality, more of these types of farms, and available land versus amount of manure to spread. Peter urged that the questions we are raising should be taken to the April meeting. He also said that the farmers in question have said that they would incorporate the manure into the soil. This is not only an added expense, but is also not required by law. By doing this, the odor problems will decrease. Peter expressed that we need to keep open communication with these farmers to enhance a good neighbor relationship.

Other Business: Ed Balsley discussed the Penn Yan Sewer facility will be undergoing a \$2.5 million upgrade. Mr. Balsley will answer any questions and can give a tour of the facility.

The May meeting would fall on Memorial Day. To combine this holiday interruption with the presentation of the Sewer Study, it was decided that the May meeting will be held on the fourth Monday of June instead.

The discussion of the policy amendment regarding the inspection of distribution boxes during a Property Transfer inspection was revisited. A motion was made by Mr. Multer and seconded by Mr. Chadwick to review and hold off on the change to the policy until the next board meeting. The motion carried.

Adjournment: This meeting was adjourned at 8:37 pm, after a motion made by Mr. Baran and seconded by Mr. Snow. The motion carried.

Respectfully
Chris White

KEUKA WATERSHED IMPROVEMENT COOPERATIVE

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KWIC

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Minutes for meeting held in Urbana Town Office
June 25, 2001 @ 7:00pm
Next meeting to be held in Pulteney Town Office

Chairman, Merton Plaisted, called the meeting to order at 7:32 pm.

Members present were Merton Plaisted, John Andersen, Myron Baran, James Multer, Leigh MacKerchar, Tom Chadwick, and Jack Snow.

Member absent: Dan Williams.

Among guests present were Al Wahlig; Ken Blumenstock, KLA; Peter Landre, CCE; Wayne Ackart, PE; Paul Carney, KLA; Bill Oben, President Elect, KLA; Bruce White; Bob Design; Paul Bauter, KWIC Manager; Ed Balsley, KLOC Gate Manager; Bill Weber, KLOC Recording Secretary; and Cris White, KWIC Recording Secretary.

The minutes of March's meeting were approved upon a motion made by Tom Chadwick and seconded by Myron Baran. The motion carried.

Treasurer's report: Mr. Snow passed out the most recent treasury report for KWIC, which included a balance sheet dated as of 6/30/01, Profit and Loss statement, and an abstract of the vouchers paid since the last meeting. Mr. Snow had received a bill he felt needed to be approved by the board before payment is made. This bill is in the amount of \$2500 for consulting services provided by Caroline Gallego. Paul Bauter brought to the board's attention that this was coming out of grant money that KWIC has already received \$1250 of and should be getting the rest soon. Mr. Snow asked if the first half of that grant was received last year, the answer was yes. A motion to pay the bill was made by Leigh MacKerchar and seconded by Tom Chadwick. The motion carried.

Members

Myron Baran - Pulteney
James Multer - Barrington
Richard Gardiner - Urbana

Emery L. Cummings - Hammondsport
John Andersen - Jerusalem
Leigh MacKerchar - Penn Yan

Manager's Report: Paul Bauter started his report by stating that the zone one report passed out still did not include tributaries. He summarized the activity report (also handed out) by pointing out that total inspections were 225, year-to-date, the number of permits issued this year were 75. Aerobic contracts expired seem to maintain in numbers as we try to keep up on them, some are updated and more expire. The number of ATU's still expired prior to 1/1/01 is 18. Out of a total of 51 notices of violation sent, 3 have gone to court appearance. At this time, there have been no fines; resolution has been compliance.

Paul reported that there had been a meeting of the Watershed inspectors where the inspectors were asked for their comments regarding the amendment for Real Property Transfer inspections. One inspector also questioned the requirement for construction/replacement to comply with 75-A Standards. Previously sent to the board members was a summary report with the statements of the Watershed Inspectors, explaining differing thoughts on the topic. Paul feels that the new requirements would be a useful tool. The information is valuable data for evaluation. Mr. Snow made a motion to postpone this decision because it may entail some debate, and there is another large item on the agenda tonight that will require a bit of time. It was suggested that maybe there should be a meeting of the board members and watershed inspectors to explore this item further. Mr. Chadwick seconded Mr. Snow's motion, and it was carried. The board members gave the KWIC office the assignment to put together this meeting.

Sewer Study: Vern Ingram of CHA started the sewer study discussion. He explained that Phase one of the sewer study was initiated in 2000 and finalized in February of 2001. This phase consisted of background and problem study, wastewater treatment plants, individual onsite standards, DOH and DEC involvement as far as discussing and getting a better understanding of regulations, factors affecting on lot dispersal, alternatives and investigation. Phase two started early in 2001, even before end of phase one, and expanded on owning, operating and maintaining a wastewater treatment system.

Wayne Ackart reported that phase two was the heart of the matter whereas phase one was analysis and setting the groundwork. Wayne said that we are into the preliminary draft. He also noted that there would be no better opportunity to share this information and to get this information public than to bring it before the annual KLA meeting on July 13, 2001. At this meeting, they plan to give an overview of the project and afterward to discuss and answer questions with people. Wayne stated that phase two evaluates alternatives. He demonstrated Keuka Lake divided into 12 areas, which showed sections of the lake where sewer is in process or recommended to areas where onsite maintenance is necessary. Among factors considered were density (population) and cost.

Vern then discussed management of a sewer and what KWIC can do and discussed the following:

- KWIC is not a separate legal entity

- As divided communities, KWIC cannot bind the communities
- The power comes from the town level
- Each municipality could hire an operator of the facility
- KWIC cannot own
- KWIC cannot take on the debt
- KWIC can get grants – specific to which ever grant agency chosen
 - May need a lead agent (from one town).

Wayne discussed planning and administration. KWIC is doing what needs to be done now. They are regulating and enforcing, and are doing well. He also stated that the KWIC program has attracted national attention. As far as operation and maintenance, if a sewer, then KWIC would monitor the system. KWIC could be in charge of pumping and inspections would be done. This could be paid per taxes or an annual fee. Also, KWIC could hire one person to do inspections only.

Keuka Lake Looking Ahead: Peter Landre discussed the KWIC video, where filming was done on June 13 & 14. Included in the cast members were Merton Plaisted, Jack Snow, Paul Carney and himself. Peter said there was one more day of filming to do. This video will document how KWIC was formed, what KWIC does and discuss management. This will be for future use to educate and inform people including new board members. Each municipality will get a copy as well as on the KLA website. Plans are to have a draft presentation at the annual KLA meeting in July.

Other Business: I asked if we were to hold our regular bi-monthly meeting in July or if we were going to wait until September's meeting. The unanimous conclusion of the board members is to put together our regular meeting in July with the Watershed inspectors to discuss the amendment regarding Real Property Transfer inspections and Construction and Replacement requirements with 75-A standards.

Adjournment: This meeting was adjourned at 8:15 pm, after a motion made by Mr. Andersen and seconded by Mr. Baran. The motion carried.

KWIC POLICIES

Real Property Transfer and Construction that requires compliance with Appendix 75-A

- 1. **Real Property Transfer Policy**- Adopted at the March 2000 KWIC meeting, effective date January 1, 2001 set at the July 2000 KWIC meeting, written guidelines distributed for the September KWIC meeting, and put on hold at the March 2001 KWIC meeting.

Benefits

- 1. Locations of absorption areas
- 2. Conditions of absorption areas
- 3. Size of absorption areas

- Support
- Against

Comments-

for Both Zone 1 + Zone 2
 Property transfers.

- 2. **Construction Modification Requiring Compliance with Appendix 75-A** (such as demolition of old structure, construction modification with a value 50% of the replacement cost of the structure, or removing old trailer and installing a new trailer)

Requirement of New York State Building Code

- Support
- Against

Comments-

If system that is in place
 is up to code + size, I don't
 consider it new construction for
 75 A

by Mary Goodman June 6-19-01

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Real Property Transfer and Construction that requires compliance with Appendix 75-A

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Benefits

- 1. Locations of absorption areas
- 2. Conditions of absorption areas
- 3. Size of absorption areas

- Support**
- Against**

Comments-

See comments on back.

- 2. **Construction Modification Requiring Compliance with Appendix 75-A** (such as demolition of old structure, construction modification with a value 50% of the replacement cost of the structure, or removing old trailer and installing a new trailer)

Requirement of New York State Building Code

- Support**
- Against**

Comments-

It's a requirement of the NYS Building Code and should be followed by all the towns.

By Jan M. Polyzos Date 6/12/01

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Benefits

- 1. Locations of absorption areas
- 2. Conditions of absorption areas
- 3. Size of absorption areas

- Support** *
- Against** **

Comments-

- * SUPPORT - for purpose of identifying type & size of loads system when there are NO records on file or records are not accurate.
- ** NOT support - when accurate records are on file i.e. systems installed under KWIC permits

- 2. **Construction Modification Requiring Compliance with Appendix 75-A** (such as demolition of old structure, construction modification with a value 50% of the replacement cost of the structure, or removing old trailer and installing a new trailer)

Requirement of New York State Building Code

- Support**
- Against**

Comments-

Bldg. code requires compliance with 75A

By Terry DeBuck Date 6-13-01

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Benefits

- 1. Locations of absorption areas
- 2. Conditions of absorption areas
- 3. Size of absorption areas

Support

Against

Comments-

MAY REQUIRED HEAVY EQUIPMENT TO UNCOVER
DAMAGE TO YARDS

- 2. **Construction Modification Requiring Compliance with Appendix 75-A** (such as demolition of old structure, construction modification with a value 50% of the replacement cost of the structure, or removing old trailer and installing a new trailer)

Requirement of New York State Building Code

Support

Against

Comments-

NONE

By Robert Lead Date 6-15-01

KWIC POLICIES

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Benefits

- 1. Locations of absorption areas
- 2. Conditions of absorption areas
- 3. Size of absorption areas

- Support
- Against

Comments-

for Both Zone 1 + Zone 2
 Property transfers.

- 2. **Construction Modification Requiring Compliance with Appendix 75-A** (such as demolition of old structure, construction modification with a value 50% of the replacement cost of the structure, or removing old trailer and installing a new trailer)

Requirement of New York State Building Code

- Support
- Against

Comments-

If System that is in place...
 is up to code + size, I don't
 consider it new construction for
 75A

by Mary Bradman date 6-19-01

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Minutes for meeting held in Pulteney Town Office
July 23, 2001 @ 7:00pm
Next meeting to be held in Jerusalem Town Office

Chairman, Merton Plaisted, called the meeting to order at 7:06 pm.

Members present were Merton Plaisted, John Andersen, Myron Baran, Tom Chadwick, and Bob DeSeyn.

Members absent: Jack Snow, James Multer, and Leigh MacKerchar.

Guests Present: Watershed Inspectors: Bob Reed, Town of Pulteney; Jim Howell, Town of Wayne; Jim Balyszak, Towns of Jerusalem and Milo; Terry DeBuck, Town of Urbana and Village of Hammondsport; Paul Bauter, Watershed Manager; and Cris White, KWIC Recording Secretary.

The minutes of the June meeting were approved upon a motion made by John Andersen and seconded by Tom Chadwick. The motion carried.

Treasurer's report: none.

Manager's Report: Paul started out by introducing the Real Property Transfer amendment and giving the floor to the inspectors to give their comments on the matter.

Jim Howell discussed that the mind set is different between the officials and those making the laws. He understands having stricter standards if goals are met and can be improved upon. Jim feels that it may be difficult to administer these standards, but they as Watershed inspectors are the ones responsible to do so. Jim stated that what is done now is the review of the existing system. A dye test should show whether a system is working or not. What is a failed system, other than the obvious visible surfacing? Jim's concern is uncovering the downstream system. Trying to speculate failure versus near failure. He feels that many are going to dispute the "failed system".

Members

Myron Baran - Pulteney
James Multer - Barrington
Richard Gardiner - Urbana

Emery L. Cummings - Hammondsport
John Andersen - Jerusalem
Leigh MacKerchar - Penn Yan

Jim Balyszak spoke next stating that the KWIC board sets the policy and procedures. It is the official's responsibility to look at the downstream system. Increased liquid level is not necessarily mean failure, but it can be noted that at one time there were increased levels. He doesn't feel we would be noting failure, just what was seen by the inspector. This is pertinent information for a Real Property Transfer inspection, as the potential buyer will have a clear picture of what is there. This is one further step to evaluate and locate the system and giving more information to the perspective buyer. A lot of the properties above the lake we don't have a lot of good information on. Also, when the owners change, there is a change in use.

Terry stated that he is in support of the amendment for identifying what is actually there. He said that when you go onto a Property Transfer inspection above zone one, usually it is a "guessing game". There aren't a lot of records as to what is there. He has also found records that misrepresent what is onsite. Changes may have been made to the system between inspections without an official inspection. He also feels that with good records, there won't be so much a problem of ripping up lawns to find the system. Terry said that in the last month there have been 3 Real Property Transfer inspections that he had no knowledge of the downstream system. He also stated that the local wastewater law states that it is the official's responsibility to evaluate the downstream system.

Bob Reed says that he objects to the Real Property Transfer amendment because of the time it takes and the intrusion on the property. He stated that the inspector should be able to tell from the septic tank whether there have been continuous elevated liquid levels and that a visual of the lawn is sufficient evidence of whether the downstream system seems to be working or not. Bob feels there is a fine line between serving the taxpayers and overdoing requirements for inspections. He wonders how the board will deal with the public feedback the amendment could produce.

Mr. DeSeyn asked in the case of a Real Property Transfer inspection, if the buyer were to turn around and sell that property in a year, would they have to go through the whole inspection again. Paul replied that a Property Transfer inspection is good up to one year. Also, with well-collected information, there won't be a need to do a lot of digging again. The inspector will be able to see what direction the effluent is going from the septic tank by seeing the outlet. There is also a way to snake to see where the outlet leads to by way of snaking with a sensor. The inspector is simply a recorder of information. They should be recording facts, like signs of elevated fluid levels.

Jim Howell agreed with the need for having information on file and getting the information to the potential buyer, but at whose expense? This is a strain on the seller, not the buyer. He asked that if there were no KWIC law per Property Transfer, what would happen. The lenders require that the system is inspected and want to know that it is in passing condition. To protect their investment, they want to make sure the system isn't going to be a public health nuisance.

Mr. DeSeyn asked isn't KWIC designed to protect a lake without sewers, an immature area versus a more mature area where sewers may surround the lakes. Jim Balyszak

responded that they are also to protect the ground waters and people's wells/drinking sources.

Mr. Chadwick asked what is the result of a Real Property Transfer inspection now? Terry responded that a system passes or fails at the time of inspection. After the new policy, we would have the same pass/fail result with more information. We don't make guarantees; we only note the facts. Mr. Chadwick also noted that weather and other conditions could impact the system. Terry stated that a minor problem, i.e. plumbing, leaky toilet that may cause elevated levels in the septic tank is repaired and re-evaluated later.

Mr. Andersen wondered about extra ground water and the impact it has on the downstream system. Paul said that it might take a simple corrective measure such as a curtain drain to protect the system. He also said that water capacity is based on perc rate. It changes in the case of a change in soil. A marginal system may fail due to heavy rain. The inspector will consider these things during their evaluation and may have to revisit the site to re-evaluate the system at a later date. Paul noted that a dye test might not show the effluent flowing straight through the system. He had experience of doing a dye test and the dye not showing up for 4 days.

Jim Howell said that a "failed system" varies. To his knowledge there is no written standard for a failed system and that we are developing this standard. Paul replied that Canandaigua Lake has criteria for a failed system. Their standards are more lenient, i.e. fluid level within 12" of the inlet versus within 6". Jim Howell is also concerned with the idea of re-evaluating. In the case of a Real Property Transfer, the closing is pushed back. Then he said we "experiment" on their system by saying, "Let's try this as a corrective measure." If a system is failed, then they have to contact Paul for a site evaluation and go through the permitting process.

Terry mentioned that we should educate the realtors to get the inspection done before the 10-day policy, as the inspectors need time to do their job. Jim Howell agreed, and stated that this policy amendment should be brought before the realtor community. Bob Reed said that he encourages the realtors to have the Property Transfer inspection when they take the listing. This way they can find out up front what is there. They would have the answer when the perspective buyer asks them about the system. Terry agreed and stated that the code reads that the Real Property Transfer inspection should be done as early in the sale process as possible. Doing this would be a good bargain/selling tool, simply by knowing what is there. Terry also noted that educating the realtors and attorneys may help the situation, but may not fix it. Mr. Andersen asked about changing the 10-day policy to a 21-day policy. Paul responded that it might be better as a 30-day policy and that a survey may not be gotten that quickly either. Bob Reed stated that he finds in some cases that the seller may be reluctant to getting the inspection done. Paul suggested that a late fee might help solve some of the problem. It would push people to get the inspection done earlier to avoid having to pay an extra fee. This inspection should be done 30 or more days prior to sale, but the inspector can also do a simple walk around at the 10-day mark.

Mr. Chadwick asked how long KWIC has been doing Real Property Transfer inspections, to which Paul replied since the start of KWIC. Mr. Chadwick was curious as to how many systems fail within 1 year of the transfer. Paul feels that 5-10% fail within the first year. This could be caused by change of use. Jim Howell feels that his percentage is lower, and discussed that an inspection cannot be done on a system where the dwelling is unoccupied.

Paul brought forth the second item regarding Construction Modification. This matter is cut/dry according to the state building code. When you tear down a cottage to build a new one, it is considered new construction. Replacing an old trailer with a new one, even with the same number of bedrooms, is new construction. If remodeling a home and construction exceeds 50% of the replacement cost, then it is new construction. New construction, according to the building code, must meet 75A standards. Mr. Andersen stated that he had discussed this matter with John Phillips, Code Enforcement Officer for the Town of Jerusalem, and this seems to be cut/dry. He understands that this is stated in the NYS building code and is up to the CEO to enforce and make that decision. Jim Howell doesn't feel it is that simple. It is up to the CEO to determine, but is it up to KWIC? He feels this is a discretionary matter. He agrees that adding bedrooms should conform to 75A standards, but not necessarily new construction. When converting from a 3-bedroom to a 3-bedroom home, the system should be left alone. Jim feels that this is a CEO matter rather than a KWIC matter. Terry stated that it is clear in the building code that new construction should conform to NYS 75A standards and that "conversion" is new construction. Jim Howell stated that he doesn't disagree with Terry, but it is a discretionary matter and is determined by how each different official reads the code. It is not black and white; it depends on how the code is interpreted.

Mr. Andersen asked Terry about the National building code versus NYS 75A. Terry stated that he is unsure whether the 50% rule will still apply. The code is supposed to take effect in January of 2002, but Terry has not yet seen any final document. Terry said that the National code will not be superseding, but replacing the current building code. He also feels that this isn't a topic we should be dwelling on, rather wait for the National Code, and that the CEO is responsible for conforming to the building code. Jim Balyszak stressed the importance of uniformity throughout the watershed and everyone should be expected to do the same.

Mr. Andersen asked if this was something we could write to the state and get an opinion on, to which Paul said we could go to the state. Paul stated that he always asks if there may be any future plans for construction when designing a replacement system. He can design an alternative system as close to 75A standards as possible, but informs the owners that the system will not pass for new construction, and that they would then need to get an engineer's design to submit to the Department of Health for approval. Jim Howell said that having to take this route holds up the building project.

Mr. Andersen felt that this policy might affect people upland more severely. Terry replied that he didn't believe that to be true. He feels that if economic status seems to be a problem, then we should be looking into more programs like SCAP to help minimize that issue. Paul tries to work with people by letting them know what the rules are and how they may be able to work around a problem. For instance, in the case of a raised fill, which needs to be designed by an engineer, they may haul in the fill and let it season. The following year that material may be used as natural soil, a system may be able to be designed without the cost of hiring an engineer. This kind of fix may be able to help 90% of the upland properties and not require an engineer, as long as separation distances can be met. Paul discussed one case where the property owner had to have a new well drilled and the old well decommissioned, because of separation constraints, but that it was cheaper than hiring an engineer. Give the people their options, and they make their choices. Paul is just trying to meet the code. There will be gray areas where a judgment call will need to be made. Other elements, like the soils, will help him to make his decision.

Mr. Plaisted wondered about the new systems put in within past five years, and having to replace them. His concern is that people are going to be getting tired of having new laws. He asked if we could work with DOH to get a waiver for those cases. Paul said that replacement systems don't have to comply with separation distances. When a system infringes on separation distances that an aerobic treatment unit may need to be installed rather than a septic tank.

Terry stated that KWIC is unaware of these new construction cases unless the building inspector brings it up. NYS 75A standards count number of bedrooms, not occupants. This is not a perfect system, but the guidelines should be followed.

Mr. Andersen asked that the recording secretary summarize the discussion of these amendments and send copies to the board members along with copies of the inspectors' comments. That way all of the board members have the same information on which to make their decision.

Next on Paul's agenda was a concern with the aerobic service agents. He stated that with the wording in the law, there have been some problems. We have one agent who we have received most complaints on and have had hard time getting required information from, but has territorial control through the manufacturer within a 5 county radius to service a particular brand. Another agent is no longer considered "authorized" by the manufacturer because of a lack of sales. Paul suggests that we may want to reword the law, and possibly have some kind of certification process for the contractors. The way the penalties in the law read, actions are against the owners, not the contractors, who should know better. There was a concern about the contractors not participating, but this would benefit them. They would not be listed on our contractors' list without certification, and it would make them worth more. Have the contractors KWIC registered. Paul stressed that this is just an idea for thought.

Sewer Study: none.

Keuka Lake Looking Ahead: none.

Other Business: none.

Adjournment: This meeting was adjourned at 9:00 pm, after a motion made by Mr. Andersen and seconded by Mr. Chadwick. The motion carried.

Respectfully submitted,

Cris White

KWIC Recording Secretary

KEUKA WATERSHED IMPROVEMENT COOPERATIVE

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KWIC

Merton Plaisted, Chairman
Norman Snow, Secretary/Treasurer
Cris White, Recording Secretary
William Mayer, Esq. Counsel

Paul Bauter, Manager
315-536-0917

Minutes for meeting held in Jerusalem Town Office
September 24, 2001 @ 7:00pm
Next meeting to be held in Village of Penn Yan Office

Chairman, Merton Plaisted, called the meeting to order at 7:21 pm.

Members present were Merton Plaisted, John Andersen, Myron Baran, Tom Chadwick, Jack Snow, Jim Multer, and Leigh MacKerchar.

Member absent: Bob DeSeyn.

Guests Present: Bob Reed, Watershed Inspector for the Town of Pulteney; Paul Bauter, Watershed Manager; Bill Oben, KLA; Bill Weber, KLOC Recording Secretary; Ed Balsley, KLOC Manager; Vern Ingram, Clough Harbor Associates; Wayne Ackart, PE; Peter Landre, Cornell Cooperative Extension; and Cris White, KWIC Recording Secretary.

The minutes of the July meeting were approved upon a motion made by John Andersen and seconded by Leigh MacKerchar. The motion carried.

Treasurer's report: Mr. Snow handed out packets including financial statement, expenses to date as compared to the 2001 budget, and expenses paid since the June meeting. The checking balance is approximately \$16,000, which includes the \$10,000 grant monies received. With this total balance, Mr. Snow feels that the 2nd voucher amount to be paid by each municipality could be \$2000 rather than the \$3250 that was planned. A motion was made by Mr. Andersen to change the 2nd voucher amount and seconded by Mr. Chadwick. This motion carried.

Also Mr. Snow had printed up a tentative budget to share with the board. Within this budget he pointed out a couple of suggestions that he had and felt he wanted the board members to look over. A couple of the line items went up including the salary of the manager, wages for the Clerk/RMO and an increase of the voucher amount from \$6500 to \$6800. Mr. Snow stated that we would be going over budget for the clerk this year and that the increase in the voucher amount won't be necessary if we have a carry over.

Members

Myron Baran - Pulteney
James Multer - Barrington
Richard Gardiner - Urbana

Emery L. Cummings - Hammondsport
John Andersen - Jerusalem
Leigh MacKerchar - Penn Yan

A motion to approve and adopt the 2002 budget as printed by Mr. Snow was made by Tom Chadwick and seconded by Mr. Baran. This motion carried.

Manager's Report: Paul started by saying that we aren't where we want to be as far as inspections go, but now that the summer is over, maybe the inspectors can get some more done. A couple of the townships are having a bit of trouble getting the zone ones done due to property owners. We will probably be sending out some violations. He mentioned that Terry DeBuck and Jim Howell asked for some help, and that there may be a couple of violations over in Barrington also. Paul said that 6 violations have gone to court appearance and that all but one are settled now. We may need to get together with Bob Reed to lower his zone ones. There may be notes of inspections that have already been done, and there may be situations where the parcel has just a boathouse or is vacant.

Paul moved onto the Real Property Transfer inspection matter that has been tabled. He suggested that the board might want to decide whether to lift the delay or rescind the policy. He also added that he felt the last meeting that included inspectors and board members, went very well. The inspectors had the opportunity to speak directly to the KWIC Board where the board members could get their views first hand.

Mr. Chadwick started discussion by telling us that he had discussed this matter with Mr. Gardiner at length. He is not in favor of the policy at this time. He stated that he didn't see the benefit with the offsetting factors that would arise. He feels that there are no problems with the way we currently deal with this particular inspection and that we should either rescind the policy or delay it.

Mr. Plaisted stated that he felt that we have handed a lot of "stuff" to the public and that the people have thus far, taken it well. He stated that there might be a time that they will not take "new policies"; etc. so lightly. Mr. Plaisted is undecided about this particular matter, but tends to lean more toward rescinding the policy as we have put enough on the property owners.

Mr. Andersen said that he feels we should leave this subject on the table until such a time that it may be more appropriate to have this policy acted on. As it stands now the inspectors can already require this type of inspection, so it may be better to hold off for now.

Mr. Baran stated his support in the directors' comments by saying that he felt it was a good idea to hold off.

There was no action necessary to leave this subject tabled indefinitely.

Paul Bauter moved onto reporting to the board information regarding the grant status. He handed out comparative lists for 5 of the proposals we received through the office. Paul stated that one was over the budget and one was a website only, which deleted them from competition. The one with the lowest price also had the least product. The

grant writer had been checking into the firms to help with our decision making process. One of the proposals was a late arrival, as the representative tried to collect his information over the phone. Finally, a gentleman that the grant writer found herself to be familiar with represented D'Abla and Donovan. This is the proposal that seems to fit our needs the best. This helped, but also Mr. Hayes brought to the office a palm pilot for us to see and presented it as something that would be easy to work with. This proposal would actually include the palm pilot, scanner, computer and software. They would provide training in the office and for use of the pilot. The pilot could be used by the inspectors to familiarize them with the product and would help us to decide what specs in programming would work best for this type of system. D'Abla and Donovan is actually an accounting firm that merged with a consulting firm that is familiar and works with GIS tools and programs. When Mr. Hayes showed us the pilot in the office, the information on there was actually a similar program that he proposes will work for KWIC. It was a working water system database for Amherst. Paul stated that the demonstration of the pilot portrayed that the system would be easy to use and also said that the representative was easy to work with. As far as payment terms, Paul felt that it would be better if we could make payment as we get the funds from the state. We have received the first half; as soon as the project is started we can request another 40% and the last 10% would be received after completion. Paul added that the grant money will cover the total cost and said that Carolyn, our grant writer, would bill us for \$1000 to do reports, paperwork for phase II and submit another grant application for us.

Mr. Snow made a motion to accept the proposal from D'Abla and Donovan. Mr. Andersen seconded the motion and it carried. Paul explained that KWIC would be provided with one pilot to work with and it would be a model to make changes and alterations to. Paul feels this will be a good system that references off tax map numbers and could be a valuable tool. He further stated that this system would help to cut down on paper work, make inspections more efficient, and that reports could be downloaded via the Internet. Mr. Chadwick motioned to accept the proposal of the grant writer to help with submitting the application for the next phase. This motion was seconded by Mr. MacKerchar and carried.

Sewer Study: Mr. Vern Ingram and Mr. Wayne Ackart provided the board members with a presentation that they gave to KLA regarding the sewer study. Vern stated that he wanted to take this opportunity to share that presentation with KWIC also, and to answer any and all questions that the KWIC board members may have. Wayne pointed out that every one representing the KWIC board was present except for a representative for Hammondsport. With that noted, Vern started his presentation, where he and Wayne discussed a "Preferred Regional Plan", how KWIC is recognized as a national leader with the US EPA regarding onsite wastewater management, especially because of the cooperative support that KWIC has. They shared that Phase I was complete and that they were nearing the end of Phase II. They also mentioned that DEC was supportive. They discussed the estimated cost per lake area, which were presented as per year cost, and noted that these costs were not including grant knowledge; that these projects were open to grants. The end of November may be a possibility to apply for grant money.

Peter Landre asked if it would be possible to apply for grant without formation of a district to which Wayne replied that in past experience that could not be done, but that things are changing. Vern and Wayne finished up the presentation by including actions to be taken which included adopting a "Preferred Regional Plan" concept, continuing with the onsite compliance (property owners who feel they don't need to comply because of the chance of a sewer district coming in has been difficult, as they don't understand that once a district is finally voted on and passed, it is still going to take at least 3 to 5 years to finish the project), residents would need to petition respective town boards to form districts, public hearings, etc.

Bill Weber shared his concern with water district versus sewer district using Pulteney and Barrington as examples. He stated owners needed to understand the total strategy. Mr. Multer said that Barrington people were saying they preferred sewer to water, but that they petitioned for a water district. Bill felt that in Pulteney that the crisis was a need for water. Cost becomes a large issue and people don't want to pay for both, so which one comes first. Wayne pointed out that they voted a water district down on West Bluff Drive because they wanted a sewer district. Peter stated that people's need for water was for convenience and that it would be more logical for sewer district to protect the waters of Keuka Lake. He said there would be more compelling reasons for sewer and that wastewater has a bigger impact on the lake. Mr. Multer said that if the water district passes, that it will be harder to get sewer. Bill feels that there are a lot of people that don't use the lake water as a drinking source because of their fear of contamination in the lake.

Keuka Lake Looking Ahead: Peter Landre shared the video put together for KWIC and stated that this was done as a result of an agreement between KLA and KWIC 5 years ago. They agreed that this would be an important tool for future board members to familiarize themselves with the history and to recognize the positive impact that these organizations have had. These videos will be distributed to each municipality and bundled with written materials to educate future members.

After the video, the room filled with comments as to the liking of the video. It was well put together and over all a very good product. Peter asked how the members of the board see the use of the video for future board members; what would be the best way to use the video. Mr. Baran felt that it should be presented to each town/village board at their meetings. The other members agreed, and Peter said that this could be discussed at the October KLA meeting to present after elections. Mr. Andersen pointed out that January or February would be a good time to present this to the town/village boards.

Other Business: Mr. Plaisted wanted to make the other board members aware of a problem that KWIC is having with a property owner in the Town of Wayne. The property owner met with Jim Howell, Paul Bauter, and Mr. Plaisted, and as a result, the owner stated he was going to challenge the authority of KWIC. Paul described that this particular situation was one where JC Smith permitted the system and that the owner didn't put the system in according to the plans permitted. The owner had received a

Notice of Violation. He contacted an engineer who spoke with Paul and stated he wouldn't recommend any changes to KWIC's stance. If the owner hasn't complied with violation by October 3, 2001, the owner will be issued an appearance ticket.

Adjournment: This meeting was adjourned at 9:00 pm, after a motion made by Mr. Chadwick and seconded by Mr. Snow. The motion carried.

Respectfully submitted,

Cris White

KWIC Recording Secretary

Keuka Watershed Improvement Cooperative

A Resolution of the Keuka Watershed Improvement Cooperative

Be it enacted by the Keuka Watershed Improvement Cooperative, Board of Directors, September 24, 2001.

AUTHORIZING A PROCUREMENT OF SERVICES FOR THE NEW YORK STATE ARCHIEVES GRANT FOR THE 2001- 2002 YEAR AND FOR GRANT REQUEST FOR THE 2002 – 2003 YEAR TO GALLEGO INFORMATION SERVICES.

WHEREAS, The procurement of services would be in the best interest of the citizens of the Keuka Watershed Improvement Cooperative.

RESOLVED: That KWIC enter into a procurement agreement with Gallego Information Services for the completion of phase one of Records and Management Information system reports to NYS Archives and for preparing the phase two grant request, pending mutual agreement of payment terms for a total sum of \$1000.00.

RESOLVED: That the KWIC Clerk be, and hereby is, directed to forward certified copies of this resolution to the appropriate KWIC Officials.

Motion by Tom Chadwick Seconded by Leigh MacKerchar

Ayes 7 Nays 0

I HEREBY CERTIFY the above to be a true copy of an ordinance adopted by the Keuka Watershed Improvement Cooperative Board of Directors at a regular meeting September 24, 2001.

9/24/01 Cristina L White KWIC Clerk/RMO

Keuka Watershed Improvement Cooperative

A Resolution of the Keuka Watershed Improvement Cooperative

Be it enacted by the Keuka Watershed Improvement Cooperative, Board of Directors, September 24, 2001.

AUTHORIZING A PROCUREMENT OF SERVICES FOR THE NEW YORK STATE ARCHIEVES GRANT FOR THE 2001- 2002 YEAR TO D'ALBA & DONOVAN.

WHEREAS, The procurement of services would be in the best interest of the citizens of the Keuka Watershed Improvement Cooperative.

RESOLVED: That KWIC enter into a procurement agreement with D'alba & Donovan for services and materials for the completion of phase one of Records and Management Information system, pending mutual agreement of final specifications and payment terms for a total sum of \$19000.00.

RESOLVED: That the KWIC Clerk be, and hereby is, directed to forward certified copies of this resolution to the appropriate KWIC Officials.

Motion by Jack Snow Seconded by John Andersen

Ayes 7 Nays 0

I HEREBY CERTIFY the above to be a true copy of an ordinance adopted by the Keuka Watershed Improvement Cooperative Board of Directors at a regular meeting September 24, 2001.

9/24/01 Cristina A White KWIC Clerk/RMO

KEUKA WATERSHED IMPROVEMENT COOPERATIVE

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KWIC

Merton Plaisted, Chairman
Norman Snow, Secretary/Treasurer
Cris White, Recording Secretary
William Mayer, Esq. Counsel

Paul Bauter, Manager
315-536-0917

Minutes for meeting held in Penn Yan Village Office
November 26, 2001 @ 7:00pm
Next meeting to be held in Town of Milo Office

Chairman, Merton Plaisted, called the meeting to order at 7:25 pm.

Members present: Merton Plaisted, John Andersen, Myron Baran, Tom Chadwick, Jack Snow, Jim Multer, Leigh MacKerchar, and Bob DeSeyn.

Member absent: None.

Guests Present: Paul Bauter, Watershed Manager; Bill Weber, KLOC Recording Secretary; Ed Balsley, KLOC Manager; Paul Carney, KLA; and Cris White, KWIC Recording Secretary.

The minutes of September's meeting were approved upon a motion made by Tom Chadwick and seconded by Myron Baran. The motion carried.

Treasurer's report: Mr. Snow's hand out included a balance sheet dated 11/30/01 to which he added by stating that the true balance would be about \$14,000 after paying retirement and NYS income tax. Mr. Snow pointed out that the Operating Statement showed a rather large bill that was paid which was for the office equipment received at the KWIC office. The Operating Statement shows all monies paid and received year-to-date versus the budget and what the variance is. The last 4 pages show the bills paid since the last meeting in September.

Mr. Snow concluded by stating that it looks like we will end the year with a surplus. A motion was made by John Anderson to approve the Treasurer's report. Jim Multer seconded the motion. The motion carried.

Mr. Plaisted pointed out that we might want to look at other bids for insurance.

Members
Myron Baran - Putney
James Multer - Barrington
Richard Gardiner - Urbana

Emery L. Cummings - Hammondsport
John Andersen - Jerusalem
Leigh MacKerchar - Penn Yan

Manager's Report: Paul first discussed Zone One progress, pointing out that among the remaining initial inspections, he is going to send out 11 "Notice of Violation" letters in Barrington; 6 inspections remain in Hammondsport; 27 inspections in Jerusalem excluding the sewer district, for which we will send 13 notices; 21 remaining inspections in Milo on Keuka Lake we will send 17 notices for; Pulteney has 149 remaining and Paul plans to meet with the inspector; Urbana is in good shape; and Wayne has 17 remaining for which 9 notices were sent and 8 have responded. Paul noted that these numbers do not include major tributaries except maybe Hammondsport. Paul plans to tackle that task in the spring.

Inspections in Jerusalem have slowed a bit because of the need for inspections on East Bluff Drive where the sewer line is going in. Paul and Jim are inspecting interior plumbing and locating seepage pits and together 95 of these inspections have been completed.

Paul updated the Board Members on the situation in Wayne where the property owner was going to fight KWIC's authority in court. Through information from the Watershed Inspector, it now seems that the owner might want to take corrective action for compliance.

The KWIC office received equipment from representatives of D'Abla & Donovan. The consultants are still working on the program, which seems to be a nice setup. It is not fully operational yet. We have submitted our request for the next 40% of approved grant monies. Our grant writer is working on the second phase grant application. Paul is unsure how easily grants will be to come by now with everything happening since September 11.

Mr. Weber asked Paul if there was some kind of pattern for people who don't like to comply. Some are at change of ownership, which is the main reason in Pulteney. Paul will be meeting and working with Bob Reed with this. Paul mentioned that there was a lag from the last quarter as far as zone one numbers. There are also some construction projects that he knows that are done, but the reports are not in. We will see how many reports we get in during this winter. The reasons people don't comply are many. There are some that know they need new systems; some think that they are outside of the zone one area, some waiting for connection to the sewer (i.e. Jerusalem), some who just don't want to do it, lack of contractors or property owners that don't want to choose a different contractor when they know the one they have chosen is too busy. Paul said that in sending a "Notice of Violation", he is trying to get a response. If the property owner is having difficulty with a particular contractor, then we can try to contact the contractor. Mr. Plaisted stated that the matter in Wayne is just a case where the owner wanted to change the rules of KWIC.

Paul closed his report by stating that he didn't break down initial versus second time zone one inspections. He will try to get numbers for the next meeting. He expects more progress next year and will try to help catch up in Pulteney.

Sewer Study: Attached to the agenda was information pertaining to upcoming meetings for the sewer study. Meetings open to the public are being held on Tuesday, November 27 at the Wayne Town Hall @ 7:00 pm and on Wednesday, November 28 at the Branchport Fire Hall @ 7:00 pm. Neither Wayne Ackart, nor any member of Clough Harbour attended this meeting, so this was the only information regarding the Sewer Study.

Keuka Lake Looking Ahead: Peter Landre was unable to attend this meeting, so there was no report.

Other Business: none.

Adjournment: This meeting was adjourned at 7:44 pm, after a motion made by Mr. Snow and seconded by Mr. Andersen. The motion carried.

Respectfully submitted,

Cin White

KWIC Recording Secretary