

2008

KWIC MINUTES



SCANNED

Keuka Watershed Improvement Cooperative
Meeting Minutes

Regular Meeting held on Monday January 28, 2008 at the Village of Hammondsport

Members Present: John Socha (Milo) Eileen Farnan (Barrington), Anne Green (Hammondsport), Daryl Jones (Jerusalem), Bill Weber (Pulteney), Dawn Dowdle (Wayne), Paul Martnsello – (Alt. Urbana),
Absent : Doug Marchionda Jr (Penn Yan)

Next meeting: Monday March 24, 2008 at the Town of Pulteney

Call meeting to order

Vice-Chairman Bill Weber called the regular meeting of the KWIC to order this evening at 7:30 PM.

I
1.0

Attendance

Guest present for the KWIC meeting included: Jan Stone, Bob Corcoran, Art Hunt, Ken Christensen, Bob Worden, Neil Simmons, Bill Laffin, Peter Landre, Shawna Brennen, Ed Balsley Michele Shaner, and Paul Bauter.

Election of officers

Bill Weber made motion to elect Dawn Dowdle as Chairman, seconded by Ann Green. Motion voted on and carried. Bill Weber is Vice Chairman as a result of the KLOC Election. Secretary/Treasurer election was put on hold until the March Meeting, due to the fact that Village elections are held in March. Until that time Dawn asked Michele Shaner to continue taking minutes. Mr. Weber made a motion for Dawn Dowdle to be the other signatory on the checks and the appropriate banking resolution to be executed. Ms Green seconded the motion. Motion voted on and carried.

4.0
4.01
4.02
4.03

Review and Approve minutes of November 26, 2007 meeting

Mr. Socha made motion to approve the minutes from the last KWIC Meeting, Ms. Green seconded the motion, motion carried.

1.01

Treasurer's Report

The most current financial information was handed out.

1.02

Ms Green made a motion to approve the treasurer's report, Mr. Jones seconded the motion, motion carried.

| | |
|--|-------------|
| Manager's Report | 1.05 |
| Paul stated that we only received 2 sample applications for the Docking and Mooring to compare and review for uniformity. | |
| Paul gave the Inspection and Permit report. | |
| He requested approval for Michele to take an Excel Course at BOCES in May. Mr. Weber made motion to approve and Ms Green seconded, motion carried. | 3.05 |
| Paul requested approval to take a course called Dealing with Difficult People. The course is \$99.00. Mr. Weber made motion to approve and Ms. Dowdle seconded, motion carried. | 303.1 |
| Keuka Lake Looking Ahead | 5.01 |
| Mr. Landre presented the video "Listen to The Lake" developed by the KLA for everyone to watch about the history of KWIC & KLA. Additional copies were given to each township and village. | |
| Mr. Landre discussed the Land use Leadership Training that KLA and KWIC is helping to sponsor. They have 30 people in the training program now, the next Class will be held next fall. One of the topics they discussed in class was the Steep Slopes Issues. | 9.0 |
| Other Business | 3.04 |
| Ms. Dowdle asked about a meeting with the Inspectors. Paul is hoping to have one in February. He would also like to have a meeting with the Board of Health and the Inspectors. | 1.11 |
| Mention was made about an intern for the KWIC office sponsored by KLA, noting if approved by KLA for use of previously issued grant funds, the duties may well focus on data review & update this year. | 1.06 |
| Mr. Weber stated that we have an upcoming meeting with Les Rhodes of MPR Technology and Paul Kosloski an independent consultant to review the KWIC computer program this coming Friday Feb.1, 2008. Mr. Kosloski's price for the work is unknown at this time. | 1.08 |
| Ms. Dowdle and Mr. Weber would like to continue as the personnel committee. Ms. Green made motion to accept and Mr. Jones seconded the motion, motion carried. | |

Executive Session

8.0

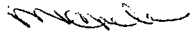
The board went into executive session at 8:45 and adjourned at 9:03 pm

Regular session re-opened and motion was made by Ms. Green And Ms. Farnan seconded, to approve and award a 3% cost of Living raise for both the Manager and Office Assistant, retro-Active to Jan. 1, 2008. Motion passed by Majority vote 6 yes And 1 no.

5.03

There being no further business to discuss. Motion made by Ms. Green and seconded by Mr. Socha the meeting was Adjourned at 9:05 pm.

Respectfully submitted



Michele Shaner

Keuka Watershed Improvement Cooperative

A Resolution of the Keuka Watershed Improvement Cooperative

Adopted by the Keuka Watershed Improvement Cooperative, Board of Directors, March 24, 2008:

AUTHORIZING KEUKA WATERSHED IMPROVEMENT COOPERATIVE TO AMEND THE POLICIES AND PROCEDURES MANUAL IN THE INSPECTION SECTION, REAL PROPERTY TRANSFER AFTER THE FIRST PARAGRAPH, WITH A PARAGRAPH STATEMENT TO READ AS FOLLOWS:

"At the time of closing the Name and address of the new owner shall be sent to the Keuka Watershed Improvement Cooperative's office, so future contacts regarding the wastewater treatment system can be sent to the new owner."

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

Motion by Bill Weber, Seconded by Eileen Moran

Ayes: 5 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 special meeting March 24, 2008.

3/24/08 Madeline Schreiner KWIC Clerk/RMO

Keuka Watershed Improvement Cooperative

A Resolution of the Keuka Watershed Improvement Cooperative

Adopted by the Keuka Watershed Improvement Cooperative, Board of Directors, March 24, 2008:

AUTHORIZING KEUKA WATERSHED IMPROVEMENT COOPERATIVE TO SUPPORT JOINT COLLABORATIVE EFFORT TO PROVIDE EDUCATIONAL SESSIONS FOR MULTI WATERSHED PROTECTION PROGRAM CONSISTING OF:

- (1) A collaborative effort to secure a grant from EPA (66.480 Assessment and Watershed Protection Program Grants).
- (2) Support the enhanced educational efforts onsite wastewater treatment systems, erosion and sediment control, stormwater runoff and other watershed protection concerns.
- (3) Cooperate with organizations, units of government and agencies to perform this multi task and multi watershed protection program throughout New York State.

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

Motion by Damon Doucde, Seconded by Eileen Yaman

Ayes: 5 Nays: 0

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3/24/08 Maude S. Hemen KWIC Clerk/RMO

Keuka Watershed Improvement Cooperative Meeting Minutes

Regular Meeting held on Monday March 24, 2008 at the Town of Pulteney

Members Present: Chairman Dawn Dowdle (Wayne), John Socha (Milo), Eileen Farnan (Barrington), Bill Weber (Pulteney), Neil Simmons (alt. Jerusalem). **Absent:** Daryl Jones (Jerusalem), Ann Green (Hammondsport), Gordy Lamphere (Urbana) and Doug Marchionda, Jr. (Penn Yan)

Attendance

Guest present for the KWIC meeting included: Jan Stone, Bob Corcoran, Art Hunt, Ken Christensen, Al Wahlig, Peter Landre, Joe Bovenzi, Michele Shaner, Paul Bauter, Shawna Wilbur, John Webster

Call the meeting to order (I)

Chairman, Dawn Dowdle called the regular meeting of the KWIC to order this evening at 7:28 PM. (1.0)

Review and Approve minutes of the January 28, 2008 meeting. (1.01)

Ms Farnan made a motion to approve the minutes from the last KWIC Meeting, Mr. Weber seconded the motion, motion carried.

Election of Secretary / Treasurer (4.03)

Chairman Dawn Dowdle made a motion to elect Ann Green as Secretary/ Treasurer seconded by Mr. Socha. Motion voted on and carried. Discussion continued as to the roles and duties. Ms. Dowdle suggested that the Sec/Treasurer serve as the recording secretary, relieving the Ms. Shaner of this duty, allowing her to devote her efforts fully to the functionality of the KWIC office. Ms. Dowdle also informed the Board, that Jack Snow was willing to continue as Bookkeeper, fulfilling the accounting and financial reporting requirements, at the same rate of pay, \$100 per month. Mr. Jones or Ms. Green will review the bills before being paid. This would require that Mr. Snow remain as a signatory for checks and the addition of Ms. Green as a signatory for checks (2.07). Ms. Farnan made a suggestion that any check over \$5,000 have two signatures on it. Mr. Simmons made motion a motion to retain the services of Mr. Snow as Bookkeeper, expand the signatories for checks to include the Bookkeeper and Sec/Treasurer in addition to the Chair, and to require a second signature on checks issued

over \$5000. Mr. Weber seconded motion, motion carried. Ms. Dowdle thanked Ms. Shaner for her past service to the Board.

Treasurer's Report (1.02)

The most current financial information was handed out.

Mr. Weber made a motion to approve the treasurer's report, Ms. Farnan seconded the motion, motion carried.

Manager's Report (1.05)

Mr. Bauter presented the Inspection and Permit report. The format was changed, listing only current year goals, incorporating a chart comparing the actual inspections recorded by KWIC for each town and their annual goal. He also handed out the DOH Individual Water Supply Wells Fact Sheet #5, issued February 2008. Mr. Bauter spoke about the upcoming training session with DOH on Water Supplies, to include local Inspectors, CEOs and Engineers. After much discussion, Mr. Bauter was asked to prepare a written comment on the DOH Fact Sheet #5, outlining concerns for lake residents, listing obstacles and the need for amendment.

Mr. Bauter also gave a brief report on the last inspector meeting held March 18, 2008.

Mr. Bauter asked that the following Resolutions (**5.0) Education & Training:** to include the KWIC in a Multi-Watershed Protection Program collaborative grant effort for Education and Training. Motion made by Ms Dowdle seconded by Ms. Farnan, motion carried.

(**2.05) Amendments:** to amend the KWIC Policies and Procedures Manual under the Inspection Section, Real Property Transfers to require the name and address of all new owners upon closing.. Motion was made by Mr. Weber to accept this amendment and seconded by Ms. Farnan, motion carried. Copies attached.

Keuka Lake Looking Ahead (5.01)

Mr. Landre (KLA) spoke highly about the first round of the Keuka Lake Land Use Leadership Alliance (LULA) training program that just finished the end of February. A second round of the LULA program is tentatively scheduled for Fall 2008. Mr. Landre (KLA) and Mr. Bovenzi of Genesee/Finger Lakes Regional Planning Council gave a short presentation of the draft for the Working Committee that will meet over the summer to

work on a draft Keuka Lake Watershed Land Use Management Plan. This draft will serve as a work document for the fall session. Meeting objectives and action items were outlined and discussed.

Other Business (3.02)

Issues- Retirement Benefits: Motion was made to amend the KWIC Personnel Policy Section 7, to read: "retirement is offered to all employees, including part time and temporary employees". Ms Dowdle made motion for the change and Ms. Farnan second motion, motion carried. Retirement benefits were offered to Ms. Shaner with the option of catch up from her employment date.

Motion was made by Ms. Dowdle to adjourn to Executive Session, seconded by Mr. Weber, motion carried. Mr. Bauter was invited to stay.

Executive Session began at 8:44 pm, adjourned at 9:00 pm.

Motion was made by Ms. Dowdle to contact Atty. Phil Bailey regarding MPR Technologies and options, with the intention to make decisions regarding the future software direction for KWIC.

Meeting Adjourned 9:07 pm.

Next meeting: Monday June 2,2008 Town of Jerusalem

Keuka Watershed Improvement Cooperative

A Resolution of the Keuka Watershed Improvement Cooperative

Adopted by the Keuka Watershed Improvement Cooperative, Board of Directors, March 24, 2008:

AUTHORIZING KEUKA WATERSHED IMPROVEMENT COOPERATIVE TO AMEND THE POLICIES AND PROCEDURES MANUAL IN THE INSPECTION SECTION, REAL PROPERTY TRANSFER AFTER THE FIRST PARAGRAPH, WITH A PARAGRAPH STATEMENT TO READ AS FOLLOWS:

"At the time of closing the Name and address of the new owner shall be sent to the Keuka Watershed Improvement Cooperative's office, so future contacts regarding the wastewater treatment system can be sent to the new owner."

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

Motion by Dill Weeber, Seconded by Eileen Yaker

Ayes: 5 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 special meeting March 24, 2008.

3/24/08 [Signature] KWIC Clerk/RMO

Keuka Watershed Improvement Cooperative

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

Motion by Dwain Dowdale, Seconded by Eileen Yarrow

Ayes: 5 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 special meeting March 24, 2008.

3/24/08 Marilee S. France KWIC Clerk/RMO

**Keuka Watershed
Improvement
Cooperative**

KWIC
1 Keuka Bus Park, Suite 201
Penn Yan, NY 14527

Phone: 315-536-0917
Fax: 315-536-2389

KWIC Personnel Policy Plan

Introduction

Personnel Policy Plan

Keuka Watershed Improvement Cooperative

Public employment is to be regarded as a Public Trust. The Watershed Manager shall at all times be a dedicated, courteous, and efficient representative of public employment, realizing that he/she is under the constant scrutiny of the public, and that he/she is performing an essential service. The maintenance of high standards of honesty, integrity, impartiality and conduct by each employee is paramount to assuring the proper performance and service of the KWIC and to maintain the confidence of citizens at large.

NON-DISCRIMINATION

Keuka Watershed Improvement Cooperative will not discriminate on the grounds of race, color, national origin, sex, age, or disability in relation to employment, contracting, purchasing, and provision of services to the public or any other area, as required by Americans with Disabilities Act.

SECTION I**Hours of duty/Employee definition**

Full time employees of the Cooperative shall serve a minimum 8-hour day, a ½ or 1 hour lunch period may be used by the employee in addition to their 8-hour day. Part time employees will serve on an as needed base to be determined by the KWIC Board. Every employee is entitled to a morning break, not to exceed 15 minutes.

Employees hired through a competitive examination shall be subject to a probationary period beginning with the first day of employment and continuing for six months beyond the date of examination. Employees appointed to a non-competitive position shall be subject to a probationary period of one year beginning with the first day of employment.

SECTION II**Salary and Wages/Compensatory Time**

The KWIC Board, based upon responsibilities of the employee's position, shall determine salaries of each employee. The employee should be evaluated annually on overall job performance in technical proficiency, as well as in other areas such as motivation, attendance, initiative, judgment, and job attitude. The record of such evaluation, if made in writing, will be placed in the individual employee's file.

Compensatory time will be allocated to Soil Water Conservation District employees on a one for one basis, with the exception of time and one-half compensation for an employee required working on a holiday. Compensatory time should be used before earned annual leave time, and must be used within the calendar year it is earned.

If an employee is required to use his/her own car on business, he/she will be compensated by the KWIC for all bona-fide use at the established rate from the IRS. Mileage claims must include date, starting point, destination and mileage traveled for each trip. No compensation for auto damage, or other automobile expenses will be paid under any circumstances. Adequate liability insurance is required. When and if a vehicle is provided by the KWIC, they will be used only for KWIC business. The vehicles provided, shall be left at the respective department while on vacation or extended leave.

Section III**Vacation Time**

After 3 months to 1 year of employment, then 1 week vacation is allowed. Completion of 1 year entitles employee to 2 weeks vacation time, and after 3 years, then 3 weeks. At the time of separation (or retirement) an employee receives a lump-sum payment for unused leave. A part-time employee may be eligible for annual leave as deemed by the KWIC Board.

Section IV**Sick Leave**

Each full-time employee covered by this plan shall earn sick leave at the rate of 10 days per year; the employee may accumulate maximum of 150 days. Unused sick leave shall not be payable at termination (or retirement), however, up to a maximum of 150 days may be applied toward additional service credit, pursuant to the NYS Retirement System. A part-time employee may be eligible for sick leave in paid status as deemed by the KWIC Board.

Section V **Other Leave**

Leave without pay shall be granted by the KWIC Manager (by the KWIC Board, if request is made by the Manager) if the employee has no annual, sick or compensatory leave available, in special cases.

Maternity leave shall be made reasonably available, for reasonable times. The KWIC Board will approve requests for such leave. Maternity leave of absence shall not exceed nine (9) months, and shall not be used while computing longevity. This leave can be chargeable to any combination of "paid" leaves and/or leave without pay. Paternity leave may be granted by the KWIC Manager, or by the KWIC Board if request is made by the Manager, following the birth of an employee's child for up to two weeks. Leave will be without pay and/or chargeable to annual and/or compensatory leave time available.

Personal leave is leave with pay for personal business. All full-time employees will be credited with 2 personal leave days per year.

Funeral/Bereavement leave will be granted to all employees in the event of death in an employee's immediate family. The employee will be excused from his/her work one day to attend the funeral, and the two preceding days, provided those days were regularly scheduled work days. Leave will be in paid status.

Military leave without pay.

Section VI **Holidays**

The following days shall be designated as paid holidays:

| | |
|------------------|----------------------------------|
| New Years Day | Columbus Day |
| President's Day | Election Day |
| Memorial Day | Veteran's Day |
| Independence Day | Thanksgiving Day (and day after) |
| Labor Day | Christmas Day |

When a holiday falls on Saturday, the preceding day shall be observed; when a holiday falls on Sunday, the following day shall be observed.

Section VII **Health and Retirement**

Be it enacted by the Keuka Watershed Improvement Cooperative, board or Directors on September 25, 2006

Personnel Policy Amendment Number 1

Keuka Watershed Improvement Cooperative Personnel Policy, Section VII, Paragraph 1:

All full-time employees shall be eligible for and may choose membership in a Group Health Insurance Plan or a Health Benefit Reimbursement Arrangement. The annual open enrollment period for these will be from September 1 through September 20. Both plans

will be available for only a single enrollment, meaning benefits apply to the employee only and will not be applicable to dependents. The Group Health Insurance plan will be selected by the KWIC Board of Commissioners based on availability. The Health Benefit reimbursed will be subject to an annual maximum and will be excluded from Federal, Social Security, Medicare and NYS Income Tax withholding.

This reimbursement arrangement is made in lieu of Group Health Insurance coverage. Designed to assist the employee with annually incurred healthcare expenses, deductibles and co-pays for employee's individual health insurance enrollment, outside of the KWIC, will be reimbursed at a rate of 80%, up to the annual maximum. Copies of insurance explanation of benefits, listing date of service and employee responsibility, along with dated proof of employee payment should be submitted for reimbursement. Payments made under this arrangement can not duplicate any other Health Benefit Reimbursement Arrangement made with other employment companies or agencies. Penalties imposed by insurance or healthcare agents are not eligible for reimbursement.

(Reference: KWIC Healthcare Elect 092506 and KWIC Health Reimburse 092506)

Be it enacted by the Keuka Watershed Improvement Cooperative, Board of Directors on March 24,2008

Personnel Policy Amendment Number 2

Keuka Watershed Improvement Cooperatvie Personnel Policy, Section VII Paragraph 2:

All full-time, part-time and temporary employees shall be offered membership in the NYS Employee's Retirement System, rules and conditions established by New York State Law.

(Reference: KWIC Retirement 032408)

Section VIII Training/Education

KWIC employees may be required to attend training and informational programs, locally or out of town, to maintain and improve their job qualifications and expertise. The KWIC Board agrees that staff and funds shall be committed to provide high quality training or development activities for KWIC employees.

Section IX Employee Responsibility

An employee shall avoid any action, which might result in, or create the appearance of using public office for private gain. The confidence of the public in the integrity of the Keuka Watershed Improvement Cooperative is considered to be of utmost importance.

Section X Agreement

This policy plan shall become effective 3/24/2008 and remain in effect until superseded by revision.

Alvan C. Dowdle
Chairman

5/8/08
Date

Statement of District Policy Regarding Sexual Harassment

All KWIC employees are entitled to a work atmosphere free from unwanted sexual harassment.

Title VII of the Federal Civil Rights Act of 1964 makes it "an unlawful employment practice for an employer...to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's...sex". Such discrimination is also made unlawful by state law (Executive Law, Article 15-Human Rights Law). One form of such discrimination is sexual harassment, which undermines the integrity of the employment relationship and the dignity of individual employees, impairs the efficiency and productivity of employees in delivering programs and services, and erodes public confidence in government. Sexual harassment will not be tolerated by the Keuka Watershed Improvement Cooperative and is therefore prohibited.

I. PURPOSE

The purpose of this policy is to:

- A. Establish clearly and unequivocally that the policy of the Keuka Watershed Improvement Cooperative prohibits sexual harassment of its employees in any form; and
- B. Establish procedures by which allegations of sexual harassment may be filed, investigated and adjudicated.

II. DEFINITION

SEXUAL HARASSMENT means conduct directed at a particular person consisting of unwelcome words or actions of a sexual nature, such as sexual advances, requests for sexual favors, or gender-specific expressions of disrespect or disparagement, when:

- (1) Submission to such conduct is made either explicitly or implicitly a condition of an individual's securing or continuing employment, or
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- (3) Such conduct, provided it is sufficiently severe or pervasive, has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

III. PROCEDURE

- A. When an employee believes he/she has been subjected to sexual harassment, the employee shall make a complaint within fifteen (15) working days of its occurrence.
- B. The complainant shall make the complaint in writing to the Manager.
- C. The complainant may be required to give a sworn statement or affidavit that the facts stated in the complaint are true to the best of the complainant's knowledge.
- D. The complaint shall consist of specific factual allegations concerning words or actions directed towards the complainant, the manner in which the complainant indicated the words or actions were unwelcome, and the impact upon the complainant's employment or working environment.

- E. The Manager shall inform the complainant of the process to be followed in the investigating and resolving the complaint, and shall assure the complainant that confidentiality will be maintained to the extent possible in the process.
- F. The Manager shall discuss the complaint as soon as possible with the person alleged to have committed the conduct and attempt to resolve the problem within one week to the satisfaction of both the complainant and that person. If such a resolution is achieved, the Manager shall note the details of the resolution, which shall be maintained confidentially by the Manager.
- G. If the problem cannot be resolved as indicated in paragraph F, the Manager, with the advice of the County Attorney and the District's Board of Directors, shall investigate the complaint completely within two weeks. The Manager shall make a full written record of the investigation.
- H. As a result of his investigation, the Manager, with the advice of the County attorney, shall make a written determination as to whether sexual harassment has occurred. In making such a determination, the Manager shall consider the totality of circumstances, including the specific conduct and its context, whether the complainant indicated the conduct was unwelcome, and the credibility of the parties.
- I. If the Manager determines the sexual harassment has occurred, the person alleged to have committed the conduct shall be subject to disciplinary action in accordance with the procedures collectively bargained, where appropriate, or otherwise established by law.
- J. Employees shall retain all contractual and statutory rights in any disciplinary proceedings.
- K. The complainant shall be informed, in writing, of the disposition of the complaint, whether by informal resolution or disciplinary action.

IV. COMPLAINTS INVOLVING THE MANAGER OR NON-DISTRICT PERSONNEL

- A. The complaints involving the Manager shall be referred directly to the chairperson of the District's Board of Directors. Complaints by or involving persons in the workplace not employed by the District shall be addressed in consultation with that person's employer using that employer's established sexual harassment policy.

V. NON-WORK RELATED COMPLAINT

Complaints brought against employees for non-work related conduct shall not be investigated. If a complainant does not allege a job related connection, the investigation must be terminated.

Keuka Watershed Improvement Cooperative

A Resolution of the Keuka watershed Improvement Cooperative (KWIC)

Be it adopted by the Keuka Watershed Improvement Cooperative, Board of Directors, March 24, 2008:

BANKING RESOLUTION AUTHORIZING SIGNATURE


RESOLVED: THE KEUKA WATERSHED IMPROVEMENT COOPERATIVE AUTHORIZES ANN GREEN AS SECETARY/TREASURER AS AN ADDITONAL SIGNATURATORY IN ADDITION TO DAWN DOWDLE CHAIRMAN, AND JACK SNOW BOOKKEEPER FOR THE KEUKA WATERHSED IMPROVEMENT COOPERATIVE'S BANK ACCOUNTS.

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

Motion by Eileen Farnan, Seconded by Bill Weber

Ayes: 5 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 March 24, 2008.

3/24/08  KWIC Clerk/RMO

**KWIC MEETING MINUTES
REGULAR BI-MONTHLY MEETING
MONDAY, JUNE 2, 2008
7:00PM, TOWN OF JERUSALEM**

MEETING CALLED TO ORDER (1)

By chair Dawn Dowdle (Wayne) at 7:40pm. The following Commissioners were present: Dawn Dowdle (Wayne), Vice Chair Bill Weber (Pulteney), Eileen Farnan (Barrington), Secretary/Treasurer, Anne C. Green (Hammondspont), Daryl Jones (Jerusalem); Gordon Lanphere (Urbana) arrived at 8:10. Absent were John Socha (Milo), and Doug Marchionda, Jr. (Penn Yan). KWIC Watershed Manager Paul Bauter and Barrington Alternate Ken Christensen also were present. Guests were John Webster (KLA), Bill Laffin (KLA), Neil Simmons, Arthur Hunt, (KLA), Bob Corcoran (KLA), and Marcia Senges.

Review and approval of Minutes of March 24, 2008 (1.01)

Mr. Weber moved and Ms Farnan seconded the approval and the motion carried.

Treasurer's Report (1.02)

Bookkeeper Jack Snow sent the Balance Sheet as of 5/3/08, Income/Expenses vs Budget (Jan-May) and the check register from 3/25-5/3/08. At the end of May income was at 45.5% of budget and expenses were at 39.7% of budget. There were no unusual expenses for the month. Mr. Jones moved and Ms Farnan seconded approval, carried.

Manager's Report (1.03)

Paul Bauter, Manager distributed the Inspection and Permit Report. He commented on the DOH training session held in Geneva for inspectors, CEOs and engineers as well attended and there was discussion of DOH proposed new regulations on surface source and well regulations and that local DOH officials will not be waiving certain requirements.

There followed about a 20 minute discussion of these regulations which appear to require that no residential property may use surface water as a source. At present the issue arises when a property owner takes action which would require a building permit, at that time a surface water source would not be approved by DOH and many lake properties are not large enough to drill wells far enough from the septic system. Additionally, DOH appears unwilling to approve residential treatment systems.

Manager Bauter had agreed to have a draft letter for this meeting addressing this issue but it was not ready. He agreed to have it ready by Friday 6/20.

Keuka Lake Looking Ahead (5.01)

Peter Landre, KLA Chair was not present but submitted a written report generally touching on two subjects: The lake level figures - see the discussion at the KLOC meeting. The second was the surface water issue. Some discussion took place concerning publicity about the surface water source regulation and methods to lobby against it. KLA member Bill Laffin (Milo) reported the steering committee from the first LULA session has winnowed down the 100+ action plan items to 7 and a drafted mission statement. Further Committee meetings are scheduled prior to the second training session on Land Use.

Other Business (3.04)

Chair Dowdle reported that the tax parcel ID's for Steuben County will be available (we already have Yates County's) so they may be integrated into our record keeping.

She further reported She and Bill Weber met with Paul Kosloski of Data Systems and developed a process plan for "fixing" our program of record keeping. He will charge \$50/hour plus mileage. The plan is to:

1. Review the data files
2. The files will be cleaned
3. Will set up process for KWIC office personnel
4. May need intern to help clean files
5. Standards for data entry will be established

6. Will review reports to see that we are receiving data we need.

Executive Session

Ms Farnan moved and Mr. Jones seconded the motion to enter into an executive session to discuss legal and personnel issues 8:38p. At 9:40p Ms Dowdle moved and Ms Farnan seconded to reenter the public session.

Regular Meeting

Ms. Farnan moved and Mr. Jones seconded the motion that a COL Adjustment for 2007 would not be granted to the KWIC Manager as this was not the agreement made in 2007. Carried.

Mr. Jones moved and seconded by Ms Dowdle to require a daily log for the watershed manage so tha the commissioner can better understand the complexities of the job. Carried.

Ms Dowdle asked each Commissioner to review the failed systems deposition in their jurisdictions.

The next regular meeting is at the Town of Milo July 28th at 7p.

The meeting adjourned at 9:45p.

**KWIC MEETING MINUTES
REGULAR BI-MONTHLY MEETING
MONDAY, JUNE 2, 2008
7:00PM, TOWN OF JERUSALEM**

MEETING CALLED TO ORDER (1)

By chair Dawn Dowdle (Wayne) at 7:40pm. The following Commissioners were present: Dawn Dowdle (Wayne), Vice Chair Bill Weber (Pulteney), Eileen Farnan (Barrington), Secretary/Treasurer, Anne C. Green (Hammondspont), Daryl Jones (Jerusalem); Gordon Lanphere (Urbana) arrived at 8:10. Absent were John Socha (Milo), and Doug Marchionda, Jr. (Penn Yan). KWIC Watershed Manager Paul Bauter and Barrington Alternate Ken Christensen also were present. Guests were John Webster (KLA), Bill Laffin (KLA), Neil Simmons, Arthur Hunt, (KLA), Bob Corcoran (KLA), and Marcia Senges.

Review and approval of Minutes of March 24, 2008 (1.01)

Mr. Weber moved and Ms Farnan seconded the approval and the motion carried.

Treasurer's Report (1.02)

Bookkeeper Jack Snow sent the Balance Sheet as of 5/3/08, Income/Expenses vs Budget (Jan-May) and the check register from 3/25-5/3/08. At the end of May income was at 45.5% of budget and expenses were at 39.7% of budget. There were no unusual expenses for the month. Mr. Jones moved and Ms Farnan seconded approval, carried.

Manager's Report (1.03)

Paul Bauter, Manager distributed the Inspection and Permit Report. He commented on the DOH training session held in Geneva for inspectors, CEOs and engineers as well attended and there was discussion of DOH proposed new regulations on surface source and well regulations and that local DOH officials will not be waiving certain requirements.

There followed about a 20 minute discussion of these regulations which appear to require that no residential property may use surface water as a source. At present the issue arises when a property owner takes action which would require a building permit, at that time a surface water source would not be approved by DOH and many lake properties are not large enough to drill wells far enough from the septic system. Additionally, DOH appears unwilling to approve residential treatment systems.

Manager Bauter had agreed to have a draft letter for this meeting addressing this issue but it was not ready. He agreed to have it ready by Friday 6/20.

Keuka Lake Looking Ahead (5.01)

Peter Landre, KLA Chair was not present but submitted a written report generally touching on two subjects: The lake level figures - see the discussion at the KLOC meeting. The second was the surface water issue. Some discussion took place concerning publicity about the surface water source regulation and methods to lobby against it. KLA member Bill Laffin (Milo) reported the steering committee from the first LULA session has winnowed down the 100+ action plan items to 7 and a drafted mission statement. Further Committee meetings are scheduled prior to the second training session on Land Use.

Other Business (3.04)

Chair Dowdle reported that the tax parcel ID's for Steuben County will be available (we already have Yates County's) so they may be integrated into our record keeping.

She further reported She and Bill Weber met with Paul Kosloski of Data Systems and developed a process plan for "fixing" our program of record keeping. He will charge \$50/hour plus mileage. The plan is to:

1. Review the data files
2. The files will be cleaned
3. Will set up process for KWIC office personnel
4. May need intern to help clean files
5. Standards for data entry will be established

6. Will review reports to see that we are receiving data we need.

Executive Session

Ms Farnan moved and Mr. Jones seconded the motion to enter into an executive session to discuss legal and personnel issues 8:38p. At 9:40p Ms Dowdle moved and Ms Farnan seconded to reenter the public session.

Regular Meeting

Ms. Farnan moved and Mr. Jones seconded the motion that a COL Adjustment for 2007 would not be granted to the KWIC Manager as this was not the agreement made in 2007. Carried.

Mr. Jones moved and seconded by Ms Dowdle to require a daily log for the watershed manage so tha the commissioner can better understand the complexities of the job. Carried.

Ms Dowdle asked each Commissioner to review the failed systems deposition in their jurisdictions.

The next regular meeting is at the Town of Milo July 28th at 7p.

The meeting adjourned at 9:45p.

EXECUTIVE SESSION OF KWIC 6/02/08

Chair Dowdle opened the session at approximately 8:40p.

The first issue was again the problems with MPR Technologies and our non working reporting system. The computer consultant states if we could get the source codes then "fixing" the program would be easier. Our attorney, Phil Bailey, states we paid for them. The attorney however seems to be too busy to pursue the case. A suggestion was made to reach Dereck Brocklebank a Canandaigua lawyer helping Barrington if attorney Karl Schwartz is unable to help. The statute of limitations to enforce the contract may be running out this fall which may account for some of the delay in obtaining the information we need. Finally it was agreed for Ken Cristensen (Barrington Alternate) to speak directly to the MPR President who is a neighbor to see if legal action can be avoided.

The second issue was the request of KWIC Manager for a credit card for the office. We had no explanation so the consensus was that accounts should be set up at vendors.

The third item was Paul Bauter's request for a 2007 COL Adjustment which he stated was promised. However our recollection was he was given a pretax insurance stipend of \$2000 instead of a COLA in 2007. The Commissioners therefore declined to grant the COLA. Concerns about the manner in which the Manager carries out his duties and his seemingly refusal to prepare the draft letter on the surface water issue for this meeting as an example was discussed.

In general the Commissioners felt they did not know what happened when septic system was failed. Where and are summons issued and by whom. Are there follow up procedures in place?

The Executive session was adjourned at about 9:40p,

**KWIC MEETING MINUTES
SPECIAL MEETING
MONDAY, JUNE 16, 2008
6:30 PM TOWN OF PULTENEY**

Meeting called to order (1)

Chair Dowdle called the meeting to order at 7:04 pm. The following Commissioners were present: Chair Dawn Dowdle (Wayne), Vice-Chair Bill Weber (Pulteney), Gordon Lanphere (Urbana), Eileen Farnan (Barrington), Anne Green (Hammondsport). Absent were: John Socha (Milo), Daryl Jones (Jerusalem) and Doug Marchionda, Jr. (Penn Yan). Barrington Alternate Ken Christensen was also attended.

The first order of business was the proposed change of the office location from the third floor to the first floor of the Industrial Park Building. The change was initiated by the Industrial Park because they have a tenant who would like the full third floor. Currently we pay \$250 rent and \$50 utility fees. The proposal is to continue this payment through 2010 when our lease runs out. On July 1, 2010 the rent would go to \$270 with a \$60 utility fee. Our space would go from 350 square feet to 520 square feet. Chair Dowdle reported that both the KWIC manager and secretary agree that this would be a worthwhile move. Approval was moved by Farnan, seconded by Weber. Carried.

The second order of business was the MPR Technologies legal issue. Ken Christensen did speak with MPR's President who expressed interest in giving us the source codes etc however due to family and employee illnesses it would not be any time soon. There followed a discussion about what is needed and our legal position. It was agreed that Chair Dowdle would meet with Attorney Karl Schwartz with a copy of the contract and get a firm sense of where we stand and Bill Weber reported that Bill Kosloski of Data Systems had begun his review of the program.

The third order of business concerned the fact that KWIC Manager Paul Bauter had discontinued the automatic monthly payment for the KWIC web site on his personal credit card. A discussion on the matter centered around the lack of knowledge that we had a web site and that it is now out of date. As a stopgap measure Chair Dowdle has arranged for the monthly fee to be paid by electronic check. This action was approved by motion of Weber, second by Lanphere and all voting approval. Weber said he would have Dan Radigan look into updating the site and report back at the July 28th regular meeting. This issue pointed out that many of KWIC's accounts are in the Manager's name not KWIC's. Chair Dowdle and Bookkeeper Jack Snow will work with the Manager to have KWIC's name put on the accounts.

Finally, the DOH fact sheet #5 on surface water being an inappropriate water source was again discussed. We reviewed the Manager's draft letter which could be used by anyone to inform various politicians of our concerns. Dowdle and Weber reported they had already sent their own letters/emails to individuals. KLA President Worden has said he wanted KWIC's letter to be available before KLA followed through. It was decided that the Manager's letter would be forwarded as our "official" position to KLA's Bill Laffin and John Webster who would determine how to make it available electronically.

The meeting was adjourned at 7:50pm.

KWIC MEETING MINUTES
REGULAR BI-MONTHLY MEETING
MONDAY, JULY 28, 2008
TOWN OF MILO

MEETING CALLED TO ORDER: (1)

By Chair Dawn Dowdle, (Wayne) at 7:35pm. The following Commissioners were present: Dawn Dowdle (Wayne), Vice Chair Bill Weber, (Pulteney), Eileen Farnan (Barrington), Secretary/Treasurer Anne C. Green, (Hammondsport), Gordon Lanphere, (Urbana), John Socha, (Milo). Absent were Daryl Jones, (Jerusalem) and Doug Marchionda, Jr. (Penn Yan). Barrington alternate Ken Christensen, Watershed Manager Paul Bauter, and Gate Manager Ed Balsley were also present. Guests included: Bill Laffin, (Milo and KLA), Bob Corcoran, (Milo and KLA), K2 (Barrington), Jack D. Brown (Milo and Seneca Lake RCNA), Jerry Massucci, (Milo and Seneca Lake) and John Webster, (Urbana and KLA).

REVIEW AND APPROVAL OF MINUTES: (1.01)

Weber moved and Lanphere seconded the approval of the minutes of the June 2, 2008 regular meeting and the June 16, 2008 special meeting. Carried.

TREASURERS REPORT: (1.02)

Bookkeeper Jack Snow submitted the Balance Sheet as of 7/28/08, the Income and Expenses vs. Budget - 1/1/08 to 7/28/08 and the Check Register - 6/2/08 to 7/28/08. Socha moved and Farnan seconded approval of the financial report. Carried.

MANAGER'S REPORT (1.03)

- The Inspection report for each municipality was submitted, in response to a question the manager reported that those behind at the end of the year are carried forward.
- He asked that any municipality in addition to Jerusalem which has a steep slope code to please report it to him. We were reminded that the next LULA meeting was Wed. July 30.
- Computer Program: He reported nothing has happened with the current program. A general discussion was held discussing the assistance from Paul Kosloski and the fruitlessness of waiting for or suing MPR. What we need is a program which tracks "wastewater treatment". Chair Dowdle reported she had found an EPA Program called "Twist - a wastewater information system tool" which at first look seems to be exactly what we need. One question which was brought up was whether remote access was possible. Dowdle moved and Weber seconded that Manager Bauter and Paul Kosloski together with Chair Dowdle, study the program diligently and report to the Commissioners as to the next step.
- For our information it was reported that Attorney General Cuomo is pursuing a case against the developer, the code enforcement officer and city engineer for filing false reports relative to septic systems installed in the Town of Granby.

- Existing holding tanks being permitted in the case of a tear down which doesn't include changing the water system for the new structure was discussed after Manager Bauter reported that the State said it was up to the municipality. Finalization of this was tabled until the Manager's recommendation to the Commissioners can be considered and discussed at the next meeting.

KEUKA LAKE LOOKING AHEAD (5.01)

There was no report in the absence of KLA's Peter Landre.

OTHER BUSINESS (3.04)

Chair Dowdle reported that the Department of Health is revising Fact Sheet #5 relative to the reference to surface water as an inappropriate water source by mid August but some issues with the Department of State relative to requiring wells being drilled are still unresolved. State Sen. George Winner is working to facilitate a workshop session with the Mayors and Supervisors, KWIC, Code Enforcement Officers and KLA with the Departments of Health and State in August to clarify these various points. Per our consensus, Chair Dowdle will advise the Senator we do wish to go ahead with this meeting with the additional request for representation from DEC to attend.

WEB Site: Bill Weber reported that Dan Radigan was willing to go ahead with an updated web site for a onetime fee of \$1200. Questions were raised concerning updates, whether minutes would appear, what forms would be downloadable, how much space is available for the \$3.99 we pay and whether our budget would permit the expenditure. It was determined to discuss the cost with Jack Snow and have Dan Radigan meet with us to discuss what the site would include.

The Commissioners approved the purchase of a 2 drawer file cabinet for Clerk Shaner up to \$119.

The **NEXT MEETING** is September 22, 2008 at the village of Penn Yan.

Farnan moved and Lanphere seconded the motion to adjourn at 9:00 pm.

KWIC SPECIAL MEETING AUGUST 26, 2008
KWIC OFFICE MEETING ROOM
6:30 P.M.

Chair Dawn Dowdle called the meeting to order at 6:35p. Present were: Commissioners Dowdle (Wayne), Weber (Pulteney), Jones (Jerusalem), Farnan (Barrington), Green(Hammondsport) and Alternate Christensen (Barrington), Watershed Manager Paul Bauter. Absent were Socha (Milo), Marchionda (Penn Yan) and Lanphere (Urbana). There was no flag so the pledge was not made.

The purpose was to consider the policy on holding tanks evaluation for seasonal systems. The issue at hand was the definition of "new construction" Current policy covers examination of present waste treatment system and therefore possible approval of continuing the use of a holding tank if previously approved in the case of a tear down and where the rebuild would not influence the treatment system. New construction doesn't permit holding tanks due to the lack of an absorption field. After discussion to understand the issue and effect it would have on the watershed and home owners the following motion was moved by Weber and seconded by Farnan:

"Authorizing the Keuka Watershed Improvement Cooperative to amend the Policies and Procedures Manual Amendment #1 to include an evaluation for holding tanks*.

*with the exception of use, holding tanks with no additional water demand, which would meet the following evaluation performed by a New York State licensed design professional.

- 1) Holding tank located and uncovered.
- 2) Amount of cover checked.
- 3) Level of fluid check.
- 4) Capacity check.
- 5) Pumped and checked for groundwater contamination (water tightness).
- 6) Visible and audible alarm set at proper level.
- 7) Structurally sound.
- 8) Water saving fixtures present."

The motion carried 5 to 0.

Manager Bauter also brought up the issue that the state is considering the elimination of the regional storm water contract specialists and to then issue all permits from Albany. The commissioners agreed that this was not a good development and authorized the Manager to send a letter expressing our disagreement with this proposal.

Weber moved adjournment , seconded by Farnan. Carried.

KWIC MEETING SEPTEMBER 22, 2008
VILLAGE OF PENN YAN
7:25 PM

Chair Dawn Dowdle called the meeting or order at 7:25 pm.

Present were:

Commissioners: Jones (Jerusalem), Farnan (Barrington), Weber (Pulteney), Lanphere (Urbana), Dowdle (Wayne). Commissioner Marchionda (Penn Yan) arrived at 7:35 pm.

Alternates: Stone (Pulteney), Christianson (Barrington)

KWIC Mgr: Bauter,

Guests: Bill Laffin, Bob Worden, Al Walhig, John Webster, Peter Landre, Sue Lange.

Review and Approve Minutes of July 28 and August 26, 2008

Motion made to approve by Doug Marchionda, Seconded by Daryl Jones, voted on and carried..

Manager's Report:

Brief review of inspection report showing only year to-date total, noted Barrington did very well in the last period and that other were on the slow side, however we were coning into what should be the busiest season as seasonal residents typically like to wait until the seasons end. Bill Laffin inquired if the hold-over from previous years inspections (inspections not meeting scheduled inspection date) were included in the Annual Goals or Scheduled Inspections. Paul indicated he had not been able to get that information together yet. Bill noted Paul had issued this report at 2007 year end. No further comments were raised with regard to the report.

Discussion regarding violations was initiated. Paul reported asked the Inspectors for this information, while he disputed some reporting he (Paul) did not give provide his information to the inspectors as asked. He acknowledged that there seemed to be some misunderstanding on what a violation between inspectors and him and that a meeting to clarify was needed, indicating he was trying to schedule such an inspectors meeting the second week in October. Paul verified he would clarify for all inspectors the appropriate follow up on violations (once identified) for both the inspectors and for the KWIC Office/Mgr. for consistent process in the future, and would have this outline for the Commissioners at our next meeting. Paul was asked to invite Supervisors to that meeting as well.

The Manager's Annual Calendar was next on the agenda: Suggested additions to the quarterly inspectors meetings would be a review with inspectors in Aug/Sept to set the process and schedule to meet year end goals of each inspector, meeting with Supervisors for an annual review in January each year,

Chair Dowdle asked that Paul give thought to some form of outreach for the community (watershed) relative to KWIC, ie: outlining purpose, basic inspection information and appropriate contacts that might be given to new owners upon property transfers.

Daily Logs: looking for update through July? Asked Mgr. for his thoughts on what would assist him meeting the demands of his position. Response was that since he can not schedule Engrs. he can't control the demands on his time. Indicated heaviest call time for office was in the am. Since we need these in advance, further discussion from the Commissioners was not appropriate. Current logs would be distributed for the Commissioners review and thought at the meetings end.

Holding Tank Inspections: discussion requested by Commissioner Jones: Concern is expired inspection dates for Jerusalem dating back to 1999 listed on a report prepared by KWIC. Again, there seemed to be confusion on the meaning of terms, who is responsible for what kind of follow up,

inspectors discretion on inspection schedule, etc. It was clear the Supervisors seem to be left out of the loop which eliminates support for the process allowing inspections and responsibilities to fall through the cracks. Paul listed different timelines for follow up relative to "your law". Paul further indicated if we (commissioners) wanted these violations tracked, KWIC had neither the staff nor the software to do so. If we wanted these pursued it would require more personnel and budget. When asked if he wouldn't be the one to follow up, he only referred to courts being held at night. Paul continued to respond to Comm. Jones on Jerusalem's recent resolution making the KWIC Mgr. responsible for follow up and pursuit of violations, requesting an amendment, to clarify his role since the amendment listed minor and major violations, as KWIC did not have any such distinction.

Treasurer's Report and 2009 budget Review: Presented by Bookkeeper Jack Snow

Jack reviewed the current Balance Sheet, Income & Expense vs. Current Budget. Check Register and the 2009 Proposed Budget. His recommendations were to increase fees paid by municipalities to \$8900 to cover proposed budget increases and to allow for unforeseen expenses. Budget increases included new line items for Computer Program-Web Domain, Education and Training, and Technology-Contractual, a total increase of \$4000 as explained by Chair Dowdle. The only other additions were increases to Insurance Premium and a cushion for FICA (\$100) should the commissioners approve any salary increases (yet to be discussed). Discussion followed: Comm. Weber would like to ask Mgr. Bauter to work with Don/Dan Radigan to prepare proposed Web Site layout for commissioners' review and approval at a cost of \$1200, Chair Dowdle noted this would bring fund balance to zero based on our proposed budget and current fee schedule. Consideration given to possible grants determined that this project was critical and could not wait for grant application. Outlining some of the items that would be included on the Web Site, Events, meeting schedules, inspectors, participating municipalities and respective commissioners, links to DOH, all municipalities, KWIC procedures, forms and permits, and the history of KWIC and its purpose. Motion made by Comm. Weber to approve Web Site development by Don/Dan Radigan working with Paul Bauter, not to exceed \$1200, for presentation and approval of the Board of Commissioners before posting, seconded by Comm. Dowdle, motion carried.

Motion made by Comm. Weber to raise municipal annual dues to \$9000 per municipality, seconded by Comm. Jones, motion carried.

Motion made by Comm. Jones to accept the Treasurers Report, seconded by Comm. Lanphere, motion carried. Commissioners thanked Bookkeeper Snow for his work and noted the commissioners would consider and discuss 2009 salaries and would update him for final Budget approval.

Keuka Lake Looking Ahead: Peter Landre gave a summary of the recent session of LULA, which the second round of participants. He summarized the benefits and resources that this provides all municipalities, including professional training for all participants.

Other Business: Staff Training request made by Michele in August to participate in 5 week course through Delhi University, for \$89 (cost confirmed by Paul Bauter). Permission to register was given by Chair Dowdle in advance of this meeting due to the start date of Sept 17. Given that pre-approval to register and begin, Comm. Dowdle, made a motion to formally approve proposed training for Michele to take the PC Security Course, seconded by Comm. Farnan, motion carried.

KWIC liability insurance renewal was received and signed by Chair Dowdle, document outlining coverage was handed over to Paul, to file at the KWIC office, available for review any time.

Comm. Dowdle presented pictures taken by the Town of Wayne historian Bob Canfield on May 24, 1994 of the dedication of the new gates at the Keuka Outlet. They were given to Paul Bauter for display at the KWIC office and to incorporate along with a link to the KLOC in the update of the KWIC web site.

Chair Dowdle informed the Board that the letter to the DEC, previously approved, regarding the downsizing staff had not yet been sent. Information was requested from Paul regarding the position and details so that Chair Dowdle could draft letter of comment and send on behalf of KWIC.

Bob Worden thanked the KWIC for their work to amend DOH Fact Sheet #5.

Executive Session: 8:40 pm

Executive Session Adjourned, 8:57 pm

Motion made by Comm. Dowdle to approve 3 % cost of living raise for both employees for the fiscal year 2009, seconded by Comm. Weber, motion carried.

Motion to Adjourn, Comm. Jones, seconded by Comm. Weber, motion carried.

Meeting Adjourned 8:58 pm.

Respectfully submitted,

Dawn Dowdle, Chair

**KWIC MEETING NOVEMBER 24, 2008
TOWN OF BARRINGTON, Town Hall**

Chair Dawn Dowdle called the meeting to order at 7:30 pm.

Present were:

Directors: Jones (Jerusalem), Farnan (Barrington), Weber (Pulteney), Dowdle (Wayne). Lanphere (Urbana).

Alternates: Stone (Pulteney), Ken Christianson (Barrington)

KWIC Mgr: Paul Bauter

Guests: Bill Laffin, KLA; Al Walhig, KLA; John Webster; KLA Peter Landre, Cornell Cooperative Extension; Sue Lange, Barrington; Fred Wright, Barrington; Ed Balsley, Penn Yan.

Absent: Commissioners Marchionda (Village of Penn Yan), Socha (Town of Milo), Anne Green (Village of Hammondsport)

Treasurer's Report: Not available

Manager's Report: Paul handed out his newly formatted report and reviewed the current inspection report. Mgr requested that all inspection reports be submitted by Dec, 31 to be included in the Year End Report provided at the January meeting. Paul also handed out form for each town to complete regarding the info needed for the KWIC web site and a request for any photos each town would like to post. Chair Dowdle suggested that each town need only list the supervisor and local inspector, with respective email and phone contact, along with town hall address and a link to their town web site. All agreed, and some forms were returned at the meeting. Paul indicated he was not yet able to reach Paul K regarding the TWIST program, and his comments were listed in his report. Paul informed the commissioners that he had received, on behalf of KWIC, as an interested party, a copy of the proposal and request to allow the Town of Milo to serve as the lead agency regarding the SEQR review for the proposed marina expansion made by Morgan Marine. After review and discussion, a motion to approve Milo as the lead agency on this project was made and seconded by Comm. Dowdle and Weber respectively, voted on and carried. Paul was asked to respond in kind to the Town of Milo in writing.

Paul had sent for the third time, requests to all municipalities to review and update their current wastewater laws, listing his suggestions specific to each town, to bring all in line with current regulations. It was noted that Paul was not referencing all current laws in his review, and Comm. Dowdle offered Wayne's current waste water law drawn with Paul's help in 2006 as an example. It was suggested that Paul use Wayne as a starting point to draft an updated model for all municipalities to consider for adoption. Discussion continued on the question of filing fees and Paul proposed considering the use of an independent certified OTN to perform property transfer inspections. Comm. Dowdle reminded all that property transfers were not labor intensive but were the only fee for service item that the towns have to offset this budget line. It was further noted that a licensed engineer could be certified.

Comm. Dowdle outlined an incident that took place in Wayne regarding a wastewater system installation without a permit and without KWIC inspection. The engineer on this project was Jody Allen and the contractor was Lin Hough. This began during Sept.-Oct., when Paul was functioning as the watershed inspector for the Town of Wayne. Supervisor Dowdle requested that Paul act on behalf of the town and KWIC, addressing the violation with all related parties, town CEO, Watershed file, KWIC, contractor, owner and engineer, requesting a response from the contractor and engineer on why protocol was not followed with a notice of violation outlining the necessary corrective action. To date the only response rec'd by the town was a copy of the letter from J. Allen dated 10-22-08,

addressed to KWIC, merely outlining per procedures, which does not answer the questions and concerns for what or how did this happen and what corrective action will be taken. Comm. Dowdle noted she never received a copy of any letter Paul had sent, therefore was not sure why Ms. Allen's response did not address the issues at hand. Paul indicated he had since spoken with Jody Allen and indicated that her design was not acceptable as submitted, and that she was in the process of amending the original design for his review. Again, it was noted this does not speak to the original lack of protocol, the actual corrective action and why it took so long for KWIC to respond to the original permit application that Jody Allen indicates was submitted to KWIC in early August. A second request was made, this time by the Commissioners, that Paul addresses these items specifically in writing to all relative parties, issuing a notice of violation, with hopes of a response and acceptable outcome to report at the next meeting.

Relative to the "UPCOMING TRAINING EVNENTS" portion of the managers report, Paul was asked for comment on the recent Allen Engineering's Annual Update Meeting Septic System Program, held in Corning. Comm. Weber also attended this meeting and both gave positive reviews. Paul was asked to check with Jody Allen regarding another training initiative she was reported to be planning. Paul listed other training initiatives in his report and noted there may be another addition to the list, offered through DELHI on OTN Design in Canandaigua. We will look for his updates.

Keuka Lake Looking Ahead: Peter Landre distributed copies of the recent newspaper article showcasing the LULA project and gave a quick update, outlining the 6 parts to the guide which currently stands at 135 pages, yet to grow. Chair Dowdle will forward copies to absent commissioners. It was noted that the next step for the LULA group will be to present the projects draft document and concept to each town for approval and endorsement. As is the spirit of KWIC, all commissioners approved and supported this endeavor from the onset, therefore, it seemed reasonable to have the participating supervisors participate in presentations, therefore Supervisors Dowdle (Wayne) and Jones (Jerusalem) will be part of this team, along with Peter Landre and other LULA members. Each town will need to set a date between mid January and the end of February to hopefully convene all its town boards for this presentation, as well as the public. Copies of the draft document "Keuka Lake Watershed Land Use Guide" are available along with other LULA information for viewing and downloading at www.gflpc.org/Keuka.htm or www.counties.cce.cornell.edu/yates/LULA.html . Chair Dowdle will be contacting individual towns for selecting a presentation date.

Other Business: Suggestion was made for consideration at our next meeting that the KWIC may need to begin meeting monthly in order to address issues in a timely manner and to keep current as situations and projects unfold with the KWIC and the surrounding communities. Due to weather we will adjourn, however there are other items that need to be discussed such as the computer software update from Bill Weber, therefore consider an interim meeting for December.

Review and Approve Minutes of September 22, 2008

Motion made to approve by Eileen Farnan, Seconded by Daryl Jones, voted on and carried.

Motion to Adjourn, Comm. Weber, seconded by Comm. Farnan, motion carried.

Meeting Adjourned 8:55 pm.

Respectfully submitted,

Dawn Dowdle, Chair

**KWIC MEETING DECEMBER 15, 2008
TOWN OF WAYNE, Town Hall**

Chair Dawn Dowdle called the meeting to order at 9:06 am.

Present: Directors: Jones(Jerusalem), Farnan(Barrington), Weber(Pulteney), Socha(Milo), Lanphere(Urbana), Dowdle(Wayne)

Absent: Directors: Marchionda(village of Penn Yan), Green,(Village of Hammondsport)

Treasurer's Report: Motion to approve the Treasurers Report of 11/24/08 made by Mr. Jones and seconded by Ms. Farnan, voted on and carried.

Mr. Weber gave an update on the computer software progress with TWIST and Consultant Paul Kosloski. It seems to no avail, there has been no progress in that KWIC Manager Bauter has still to contact Mr. Kosloski. It seems that Mgr. Bauter has consistently unable to comply with the Board's wishes to use this program and to get important information to the Consultant so that he can assist KWIC in working with TWIST. It was agreed by the board that KWIC can no longer afford to procrastinate, we must move forward with or without the Managers participation, as the integrity of KWIC and its reporting grows more in question month by month.

Mr. Weber then gave an update on the progress made thus far on the updating of the KWIC web site. Again, he regrets to report that Mgr. Bauter has not followed through on directives from the Board to meet with and at minimum update the current web site with Mr. Radigan, even to the extent of listing current inspectors. Again, Mgr. Bauter appears unwilling or able to work with outside consultants engaged by the Directors.

Discussion followed on the consistent lack of progress Mgr. Bauter has exhibited as the Board has tried to move in a positive direction, updating our web site and replacing software that has failed to provide reliable reporting and that has been less than user friendly. The Board's frustration with Mr. Bauter's lack of responsiveness to issues that it deems critical grows. Mr. Bauter's 2007 annual performance review became a point of reference. The Board agreed that Mr. Bauter has not accepted the responsibilities assigned and showed no evidence of his commitment to improving his overall performance rating of Marginal/Unsatisfactory Performance in the 2007 appraisal. Mr. Weber and Ms. Dowdle emphasized that the personnel committee met with Mr. Bauter several times as a group and individually throughout the 2007 performance process reviewing and clarifying every aspect the entire appraisal document with him, expressing the desire of the Board for a change in his approach to his duties as Manager of the KWIC, yet Mr. Bauter refused to sign the acknowledgment of his performance review when requested. His refusal in and of itself is as is an act of insubordination, yet we continued to prod him throughout the year hoping he would respond positively to our efforts. It was the opinion of the Board they have not witnessed attempts on his part to really address any areas noted and feel reticent to reward this behavior in any manner. He continues to show lack of follow through on assigned tasks, and communication.

After review with Steuben County Civil Service regarding unsatisfactory performance and the authority to rescind a previously approved cost of living raise, motion was made by Ms. Farnan and seconded by Mr. Jones to withdraw the previously approved 2009 cost of living raise for Mgr. Bauter, and to explain to Mr. Bauter that this withdrawal is a direct reflection of their disappointment in his performance. Motion was voted on and carried unanimously.

Discussion continued on the topic KWIC's or any local watershed inspector checking approving any installation after the engineer has given written certification to built as designed and the burden of liability that follows to the related town. The issue is, shouldn't we rely on the Engineers Certification, the engineer is licensed, any liability should rest with him/her, not the town. Motion was made and seconded by Ms. Dowdle and Mr. Weber respectively, that the supervisors would review the process and procedure with respect to this concern with their local boards when reviewing the draft wastewater law update.

Motion to adjourn was made and seconded by Mr. Weber and Ms. Farnan respectively, voted on and carried.

Meeting adjourned 10:15 am.

Respectfully submitted,

Dawn C. Dowdle, Chair