

2009

KWIC MINUTES

KWIC

The Keuka Watershed Improvement Cooperative held its January 26, 2009 meeting at the Wayne Town Hall. Chair Dawn Dowdle called the meeting to order at 7:25pm.

Present were Directors - Eileen Farnan (Barrington), Daryl Jones (Jerusalem), Gordon Lanphere (Urbana), John Socha (Milo), William Weber (), Anne Green (Hammondsport) and KWIC Manager Paul Bauter. Alternate Directors Janet Stone (Pulteney) and Ken Christianson (Barrington) were also present. Absent was Doug Marchionda (PennYan).

Guests were: Al Wahlig, John Webster, Gary Boardman, Bill Laffin, Ed Balsley, Sue Lange, Bob Corcoran, Steve Knapp.

The first order of business was the election of officers for the year. Dawn Dowdle was nominated as chair by Farnan and seconded by Jones. There were no other nominations. Anne Green was nominated by Dowdle and seconded by Lanphere for Secretary/Treasurer. There were no other nominations. Vice Chair is William Weber by virtue of his chairmanship of KLOC.

Minutes of the November 24th and December 15th meetings were accepted.

The treasurer's report was made by bookkeeper Jack Snow. At the end of 2008, we had total assets of \$23,250.80; total liabilities of \$1470.48 and total Equity of \$21,780.32. The income/expense to budget report showed that we had 96.5% of the budgeted income and 93.5% of expenses. There were no unusual expenses in December, 2008. The reports were accepted.

The Manager's Report:

Paul Bauter began by announcing a new system "Advantex Treatment System" will be installed in the area and he will announce when in case anyone would like to see it.

Paul feels there is a need for a work plan with priorities and a time budget for himself and would like to work with a committee on its development. He had a draft outline prepared. Chair Dowdle suggested that it be combined with the annual performance review of the manager coupled with the performance review that Paul completes with the Clerk. A personnel committee of Directors Farnan and Jones volunteered for this assignment.

Director Weber will work with Paul and the consultant on the computer and Web site issues.

A proposed Fee Schedule was presented. There were no changes in the regular fees but a new category listed as "permit to operate" was new. There was discussion as to what this meant and generally it is a fee to charge when a home owner fails to obtain the proper permit in the first place, perhaps a late filing fee. It was determined to think this over until the next meeting. Also in this discussion it was suggested that the Policy and Procedures Manual be reviewed. Paul's suggestion was to combine the Manual review in unison with the performance review. The decision was made to keep the two reviews separate; the Manual review will be addressed at a later date.

It was brought to the attention of the Board by Mgr. Bauter, that for legal reasons the KWIC needs to annually approve a resolution for the appeal procedure for decisions made by the manager. The resolution last done in 2004 identifies the process and Review Board members.

Page two, KWIC January 26, 2009 meeting

The Board unanimously, upon motion by Dowdle and second by Farnan, adopted the required resolution "Authorizing Keuka Watershed Improvement Cooperative to form a review committee which shall consist of three Directors, appointed annually at the organizational meeting."

Directors Dowdle, Weber and Lanphere were appointed to this committee.

Manager Bauter reported that the WEB page consultant Don Radigan has been sent the information on KWIC plus various forms and the flow line for permits. We need to add the fee schedule when it is settled and the new appeal form. The Manager met with the computer consultant, Paul Kosloski on January 16, 2009. Progress is being made on the program to track inspections however there is concern about some of the fragmentation of the TWIST Program (new) and picking up all the data which is in the WINS and OWTS (old) programs. Mgr. Bauter indicated that the KWIC office has been keeping duplicate files on both systems and feels this a benefit to have sound backup and has shared both systems with the consultant for use in updating KWIC files. He feels the old OWTS system was more flexible and a plus. Under consideration is the use of wireless transmission. Work will continue on this.

The inspectors met with Paul on December 20, 2008.

Reports on the number of inspections, goals and past due inspections were discussed. The new charts which Paul has presented are good but need tweaking such as dating and showing which lake is involved in the reports i.e. Keuka, Seneca, Waneta. Similar comments were made on the Holding Tank Status Report. The update on violations report showed letters on violation and notices of violation. There followed a discussion of why inspections are past due, whose responsibility (Municipality or KWIC) it is to issue the letters, notices and summons. Bauter will meet with the Pulteney Inspector and Supervisor next, and follow up with letter samples to the Wayne Inspector and have good numbers on Wayne by the next meeting.

A review of the Manager's plans for Feb/Mar indicated Holding Tank Inspections: Mgr. Bauter was reminded, and he concurred, that at the September 2008 meeting, he was asked to develop a procedure for holding tank inspections and reporting, necessary to work with the new guidelines. He was asked to meet and work with the inspectors on this to coordinate consistency, yet this has not come to the Board.

Public comment was made by KLA's Bill Laffin exhorting KWIC to get the inspections up to date pointing out the consequences of system failures. As representative of the KLA Water Quality Committee he reminded the Board of his frustration and concern that there has been no evidence of progress addressing these issues over the past 2 years.

The final order of business was the LULA draft on land use. To conclude the project under the grant each municipality needs to have a presentation to its Boards, (trustees, planning, zoning) by the end of February. Core presenters are: Peter Landre, Daryl Jones, and Dawn Dowdle. The presentation will discuss suggestions which municipalities may or may not include in a land use policy. Unlike the Mooring and Docking Law of two years ago, there is no recommended law being proposed. The final report will include the responses to the draft report. To schedule a session contact Dawn Dowdle.

Next meeting will be in one month February 23 at Urbana at 7:00pm

Keuka Watershed Improvement Cooperative

A Resolution of the Keuka Watershed Improvement Cooperative

Be it adopted by the Keuka Watershed Improvement Cooperative, Board of Directors,
January 26, 2009

AUTHORIZING KEUKA WATERSHED IMPROVEMENT COOPERATIVE TO
FORM A REVIEW COMMITTEE WHICH SHALL CONSIST OF THREE
DIRECTORS, APPOINTED ANNUALLY AT THE ORGANIZATIONAL MEETING.

- (1) Director DAWN DOWDLE (Chairperson)
- (2) Director Wm. Weber
- (3) Director GORDON LANPHERE

WHEREAS, the KWIC Watershed Manager Paul Bautea shall act as
an advisory member.

WHEREAS, the Review Committee shall hear and decide appeals for variance of permits
of onsite wastewater treatment systems.

WHEREAS, the applicant shall file appropriate appeal request within sixty days of
permit issuance. The request shall include:

- (1) Name and Location of applicant
- (2) Location of onsite wastewater treatment system
- (3) Reason for the onsite wastewater treatment system permit
- (4) Type of onsite wastewater treatment system permitted
- (5) Reason for seeking variance of the permitted system
- (6) Plan for alternative system

WHEREAS, a hearing date shall be established within 30 days of receipt of appeal
request.

WHEREAS, in making its determination the Review Committee shall take into
consideration whether the variance if granted would be a detrimental to the health, safety
and welfare of the neighborhood or community. The Review Committee shall also
consider whether the variance would have any adverse impacts on the environment and
whether the benefit sought by the applicant can be achieved by some other plan.

WHEREAS, if there is a public health hazard or a hazard to the environment that requires
immediate action, appropriate mitigation shall be occurring while the review process is
ongoing.

WHEREAS, the Review Committee shall issue a decision on the variance within 10 days
of the hearing.

WHEREAS, the Review Committee shall also hear any proposals and prepare any amendments for uniform changes to the local wastewater laws.

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

Motion by DAWN DOWDLE, Second by EILEEN FARNAN

Ayes: 7 Nays: 0

I HEREBY CERTIFY the above to be true copy of a resolution adopted by the Keuka Watershed Improvement Cooperative Board of Directors at a regular meeting March 22, 2004.

1/26/09 Anne C. Green Secretary

KWIC MEETING - February 23, 2009

The Keuka Watershed Improvement Compact held its February 23, 2009 meeting at the Urbana Town Hall. Answering the roll call were Commissioners: Chair Dawn Dowdle (Wayne), Gordon Lanphere (Urbana), William Weber (Pulteney), Eileen Farnan (Barrington) Anne Green (Hammondsport), and Daryl Jones (Jerusalem). Absent were Doug Marchionda, Jr. (Penn Yan) and John Socha (Milo). KWIC Manager Paul Bauter also participated. Guests were Sue Lange (Barrington), John Webster (Urbana/Hammondsport), John Sullivan (Hammondsport), Bill Laffin (KLA) and Peter Landre, (KLA).

Chair Dawn Dowdle called the meeting to order at 7:10 p. m. Following the Pledge of Allegiance, the minutes of the minutes of the January 26, 2009 meeting were approved. (1.01).

The Treasurer's Report by Bookkeeper Jack Snow which had been emailed to the Commissioners was approved. The Commissioners agreed that the emailing before the meeting was a good idea.(1.02). All municipalities have paid their fees.

Manager's Report (1.03) by Paul Bauter:

- Web page: Those that had reviewed the web page liked what they saw. The links to the Towns of Urbana and Barrington need to be added. Chair Dowdle has suggested that as long as we have a list of installers we should also add a list of pumpers. Mgr. Bauter said he would get the list from DEC and have it added to the page.
- Computer Program: A great deal of discussion concerning just what is the status of the programming was held. Some conclusions were reached. First that the Manager and the Computer Consultant Kosloski need to have better communications. Commissioner Weber stated he had talked with the consultant and that he was very busy and would be gone for two weeks. It had been his understanding that he was to have devoted Fridays to our project. Mgr Bauter commented that one problem was the identification code for each property. Yates County had actually changed the tax ID number for properties and therefore there would have to be a manual review of the records to have older records match etc. The Mgr also reported that some additional fields were needed. He was told to make that determination and get that to Kosloski. The general idea is to have each watershed inspector have a uniform report form which could be emailed to the office and the clerk would enter such information and The Manager would review the data perhaps monthly. Any questions or inconsistencies would be handled by phone as soon as possible with the inspectors. Each inspector should periodically review a printout of his inspections to check for consistencies. The biggest discussion point was just which program will be utilized. The commissioners had thought that the TWIST program was the one that all parties had found most useful. However, it appears the Consultant was worried about transferring the data from the WINS program. Mr. Bauter fist informed the Commissioners at the February meeting that beginning in 2004, data was entered both on WINS and the original OWTS program because of his concerns about the WINS program. He feels that using the OWTS program would be quickest reporting remedy. It is the OWTS program to which the additional fields would be needed. In order to pick up data that was only on the WINS program is probably not fixable by a program design but will require manual data entry. Again general dissatisfaction and continued frustration with the lack of progress and the lack of full disclosure of information from Mr. Bauter to the

concerning length of the contingency and time conflicts for the interim Mgr(s) who would fill in, need to be settled.

- The next inspectors meeting is March 31. Also a list of upcoming training events was given.

Keuka Lake Looking Ahead (5.01) Peter Landre. Power point presentations on the draft Land Use Guide have been made for six of the municipalities, two to go.

Other Business (3.04). New office printer/copier. A review of expenses should very high ink cartridges costs. The age of the copier was pointed out. The Manager was directed to research new copier costs including laser printers, leasing and rental of equipment.

Letter of support for Finger Lakes Lake Ontario Watershed Protection Alliance (FLOWPA) whose funds are being cut by the state. These funds help Keuka Lake with weed control and other services. Passed 5 to 1.

The meeting was adjourned until the next meeting March 23, 2009 at the Village of Hammondsport.

Keuka Watershed Improvement Cooperative Minutes
Monday, March 23, 2009
at Village of Hammondsport, New York

Chair Dawn Dowdle called the meeting to order at approximately 7:30 p. m. The following Directors were present: Dawn Dowdle (Wayne), William A. Weber (Pulteney) Anne Green (Hammondsport), Daryl Jones (Jerusalem) and Alternate Ken Christensen for Barrington. Also present was Paul Bauter, KWIC Manager. Absent were Directors Gordy Lanphere (Urbana), John Socha (Milo), and Doug Marchionda, Jr. (Penn Yan).

Guests in attendance were Bill Laffin (Milo/KLA), Roger Ribble (Ribble Septic), Jim Balyszak, and Colby Petersen, (Yates Cty SWCD and Jerusalem Inspectors), Ed Balsley, (Penn Yan Gate Mgr.), Al Wahlig, (KLA), Peter Landre, (CCE Yates), Bill Feinstein, (KLA), John Webster, (KLA), Scott Demmin, (Computer Consultant), Lauren Welch (Pulteney Inspector) and Wilbur Dowdle (Wayne Inspector).

The minutes of the meeting held February 23, 2009 were reviewed and approved. The Treasurer's Report was reviewed and noted that we were on budget for all items and there was a balance of \$39,643.38 as of March 23, 2009.

The Manager's Report:

- Holding Tank status - Barrington still not reviewed and all others are scheduled.
- Violations Report - 80 notices of violation sent re aerobic systems and inspections due.
- Contingency Plan - The plan for orderly management in the absence of the manager from May 2006 and the background of the need was discussed. Useful to this discussion was a summary of the plan dated March 23, 2009 by the Manager. It was felt the plan was good as long as the two inspectors who would fill in and their employers were in agreement. Lacking from the plan however was any sense of a time frame of implementation. The Directors on motion by Dowdle and second by Jones to adopt the Contingency Plan for 3 months until the issue of time frames is resolved was adopted.
- WEB site is up and running.
- A Watershed Inspectors Meeting is scheduled for March 31 at which common reporting errors and progress on the software program would be discussed.

Keuka Lake Looking Ahead: Peter Landre of the KLA reported that all municipalities have passed the resolution in support of the Land Use Guide and the working group would meet to discuss the comments submitted on the plan.

Other Business: New Office Printer/Copier - of the information submitted it appeared that the Toshiba e-STUDI 203L machine was the best for our needs. On motion by Green and second by Dowdle entering into a lease on this machine was adopted.

Computer Program for record keeping on inspections - Scott Demmin appeared before the Board to discuss his findings about the current situation and his suggestions for having a useful data base for the KWIC. The involvement of Mr. Demmin is due to the unavailability of our previous consultant Mr. Kosloski. Mr. Demmin began by stating that Mgr. Bauter has shared with him the current situation and the wish list of reports needed. He also discussed some of the



KWIC

Keuka Watershed Improvement Cooperative
Suite 110
1 Keuka Business Park
Penn Yan, NY 14527
315-536-0917

Paul Bauter, Watershed Manager

KWIC CONTINGENCY PLAN

For Implementation of Wastewater Management Program in the absence of a Watershed Manager

Purpose:

To provide for an orderly management of the duties of the KWIC Watershed Manager in the absence of a Watershed Manager.

Procedure:

The KWIC Board of Directors shall either by regular meeting, special meeting or phone canvas of the directors by the chairperson vote on activating the Contingency Plan.

Plan:

The contingency plan shall be reviewed annually or if inspector personnel changes warrant a plan review or modification. Approval of the contingency plan will also be required by the employers for the two inspectors involved in the plan (Town of Urbana and Yates County Soil and Water Conservation District), regarding employee time, travel and compensation. The two inspectors presently service four municipalities. These two inspectors are strategically located at opposite ends of Keuka Lake thereby involving the least amount of travel to service the neighboring municipalities in respective counties. The two inspectors are full time and have offices that are open 40 hours per week providing the availability.

James Balyszak, Watershed Inspector for the Towns of Jerusalem and Milo employed by the Yates County Soil and Water Conservation District would service the Yates County municipalities (Barrington, Jerusalem, Milo and the Village of Penn Yan) for KWIC. The services performed would be witnessing the soils deep hole and site evaluation for both soils and existing systems, reviewing the onsite wastewater treatment system plans, preparing a repair permit, and issuing permits.

Terry DeBuck, Watershed Inspector for the Town of Urbana and the Village of Hammondsport employed by the Town of Urbana would service the Steuben County municipalities (Pulteney, Urbana, Wayne and the Village of Hammondsport) for KWIC. The services performed would be witnessing the soils deep hole and site evaluation for both soils and existing systems, reviewing the onsite wastewater treatment system plans, preparing a repair permit and issuing permits.

The two watershed inspectors would be supervised by the KWIC Board for those services that are being provided in the absence of a Watershed Manager.

Compensation to the employers of the Watershed Inspectors for their time and travel would consist of reimbursement of the fees (permit fees, site evaluation fees, repair permit fees) collected by KWIC for each service performed in the absence of a Watershed Manager.

Other duties of the Watershed Manager such as office management and grant work would be performed by the clerk/RMO under the supervision of the Chairperson of KWIC.

January 31, 2009

Keuka Watershed Improvement Cooperative

A Resolution of the Keuka Watershed Improvement Cooperative

Be it enacted by the Keuka Watershed Improvement Cooperative, Board of Directors, March 23, 2009

AUTHORIZING A KWIC CONTINGENCY PLAN FOR THE ABSENCE OF THE WATERSHED MANAGER FOR THREE MONTHS AS PER THE ATTACHED COPY.

WHEREAS, In the absence of the Watershed Manager a plan is needed for the implementation of the KWIC Wastewater Management Program.

RESOLVED: That KWIC enter into a contingency plan with the approval of the Town of Urbana and the Yates County Soil and Water Conservation District for employee time, Travel and compensation.

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

Motion by Dawn Dowdle Seconded by Daryl Jones

Ayes 5 Nays 0

I HEREBY CERTIFY the above to be a true copy of the ordinance adopted by the Keuka Watershed Improvement Cooperative Board of Directors at a regular meeting March 23, 2009

3/23/09 Anne C. Green Anne Green/Secretary

March 30, 2009

KWIC CONTINGENCY PLAN ANALYSIS

March 23, 2009

While in the May 2006 KWIC meeting **another plan** was not developed or planned, Mr. Weber brought up the possibility of having each of the inspectors work with Cris and myself to observe how the KWIC office works on a daily basis. Contact was made with the inspectors and attempts were made to schedule time with the inspectors, especially the Town of Pulteney. The result was no scheduled times. We can only make the KWIC office available.

With respect to this alternative plan possibility there appeared to be a lack of interest from the watershed inspectors and reliability. The possibility of involving the other watershed inspectors in a contingency plan has the following items of concern:

- All of the other watershed inspectors are part time and are only available part of the week.
- Two of the three are involved heavily in outside activities such CEO, Manager of Trailer Park, County Coroner, and Manager of Windmill.
- Two of the three have been unable to complete their present inspection goals.
- One of the watershed inspectors has been reluctant to inspect construction of onsite wastewater treatment systems.

The **proposed contingency plan**, is the same as the existing plan with updated material for today's criteria and is based on several factors:

- Terry DeBuck, watershed inspector for the municipalities of Urbana and Hammondspport has been present for almost all of the soils investigations in his municipalities for over 10 years.
- Terry DeBuck has also been involved in reviewing plans and showed reliability in the inspection the construction of systems.
- James Balyszak, watershed inspector for the municipalities of Jerusalem and Milo has a position with the Yates County Soil and Water Conservation District that is connected with soils through many of its activities such as ponds, diversion ditches, drainage ditches and many other activities, so there is vast experience with soils for over 10 years.
- James Balyszak, has shown reliability in reading the plans prior to and during the construction process of the systems.
- Both watershed inspectors are the only inspectors that have Monday through Friday hours.
- Together these inspectors already inspect 50% of the municipalities.
- Both inspectors are strategically located geographically to meet the demands of travel. Their municipalities border the remaining municipalities.

Summary

Based on my 40+ years experience with soils including mapping thousands of acres in Steuben and Schuyler Counties, writing soils descriptions for the Steuben County Soil Survey; my 40+ years with engineering connected with soils designing drainage systems, waste storage facilities, dams, diversions and supervising their construction; with 10 years experience with onsite wastewater treatment systems and their design; my experience as vice chairman of New York's Onsite Training Network (New York's only statewide onsite treatment system training program), member of the executive committee and with the involvement in the development of 80% of the training courses offered by the OTN for training Department of Health personnel, Department of Environmental Conservation personnel, Code Enforcement Officers, Wastewater Treatment personnel, Home Inspectors, Watershed personnel and local officials from Long Island to St. Lawrence to Lake Erie, as KWIC Manager, I would recommend to KWIC the Contingency Plan as proposed on February 23, 2009 KWIC meeting as being the best contingency plan at this time. It provides the most protection to KWIC in terms of any liability as well as being the most sound technically, subject to the approval of the Town of Urbana and the Yates County Soil & Water Conservation District.

KEUKA WATERSHED IMPROVEMENT COOPERATIVE
MINUTES - APRIL 27, 2009
TOWN OF PULTENEY OFFICES

Chair Dawn Dowdle (Wayne) called the meeting to order at 7 pm. Following the Pledge of Allegiance, the following directors answered the roll call: Gordy Lanphere (Urbana), John Socha (Milo), William Weber, (Pulteney), Eileen M. Farnan(Barrington), Anne C. Green, (Hammondsport). Guests included Al Wahlig, KLA. Wilbur Dowdle, Wayne Inspector, Gary Boardman, Barrington Inspector, Janet Stone, Pulteney Alternate, Ken Christensen, Barrington Alternate, Bill Laffin, KLA, Colby Peterson, Jerusalem Inspector, Peter Landre, KLA, and Bob Corcoran. Watershed Manager Paul Bauter was absent due to his required attendance at a public hearing.

Weber moved and Lanphere seconded the adoption of the March 23, 2009 meeting minutes, carried. The treasurer's report submitted by Jack Snow, bookkeeper was reviewed. Questions were raised concerning the lack of payment because of no bills from Dan Radigan (WEB page consultant) and Mr. Kosloski, previous computer consultant and why we had purchased a computer projection screen. Otherwise the report was complete and on a motion by Farnan and second by Socha the report was adopted.

In the absence of the Manager his written report was reviewed and Chair Dowdle reported that the new Toshiba copier was in place, that the supervisors of Jerusalem and Urbana have agreed to the KWIC Contingency Plan which may require the assistance of their watershed inspectors. It was noted however that no further developments on the 80 violations notices sent in February shown. An update will be requested from the Mgr.

Keuka Lake Looking Ahead - Peter Landre, KLA. Peter reported that the Land Use Planning Guide has been finalized and copies are available. Each Director at the meeting picked up 20 copies for their municipalities.

Colby Peterson reported that all of the inspectors met with Mgr. Bauter and as part of their regular meeting, Colby and Paul explained the concept presented by Scott Demmin regarding the KWIC reporting software. The inspectors listed the problems they have with the current reporting system and aired their concerns for more work on their part getting their files to match KWIC files. After discussion, all inspectors agreed they would meet to discuss their needs and concerns with Scott, with the view toward creating a web based product that could be accessed and used in the field.

Chair Dowdle then reviewed the process which she thought was needed to work with Scott Demmin in developing the new computer program for tracking inspections: First Mr. Demmin meets with the Inspectors to define their needs, then with Mgr. Bauter to incorporate his

reporting needs and once the system has been defined, then with the KWIC Clerk once her role is defined. Mr. Demmin would be asked to make a formal presentation of his proposal to the Board including costs and time table. Questions were raised about how the cleaning and reentering of current data would occur. It was suggested that maybe the leftover KLA grant money could be used for interns to do this work. Further discussion concerned just how KWIC would pay for the new program which will probably cost more than \$25,000. First we may have some surplus, also we will look into grants including those available for shared services and it is possible this project would go across two budget years. Director Weber moved and Chair Dowdle seconded contact be made with Mr. Scott Demmin, requesting he proceed with the process of developing a proposal for designing a web based software for the watershed inspectors use and the reporting needs of KWIC Inspectors, Mgr and Directors, with access designed for homeowners, engineers and contractors. The Board felt this would necessitate interviews with all stakeholders beginning with watershed inspectors. The directors look for a start date, time frame and cost for data cleanup, system installation, system maintenance, personnel training, and equipment needs to be included in the proposal. Director Farnan abstained from voting and all other present Directors (5) voted in the affirmative.

Meeting was adjourned at 7:45 pm.

Next meeting: Milo, June 1, 2009, at 7:00 PM.

Keuka Watershed Improvement Cooperative

A Resolution of the Keuka Watershed Improvement Cooperative

Be it enacted by the Keuka Watershed Improvement Cooperative Board of Directors, June 1, 2009

AUTHORIZING A KWIC CONTINGENCY PLAN FOR THE ABSENCE OF THE WATERSHED MANAGER.

WHEREAS, In the absence of the Watershed Manager a plan is needed for the Implementation of the KWIC Wastewater management Program.

RESOLVED: That KWIC enter into a contingency plan with the approval of the Town of Urbana and the Yates County Soil and Water Conservation District for employee time, travel and compensation.

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

Motion by Lanphere, Urbana Seconded By Farnan, Barrington

AYES 5 NAYS 0 Abstain 1

I HEREBY CERTIFY the above to be a true copy of the ordinance adopted by the Keuka Watershed Improvement Cooperative Board of Directors at the regular meeting June 1, 2009

6/1/09 Anne C. Green Anne Green/ Secretary



KWIC

Keuka Watershed Improvement Cooperative
Suite 110
1 Keuka Business Park
Penn Yan, NY 14527
315-536-0917

Paul Bauter, Watershed Manager

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Compensation to the employers of the Watershed Inspectors for their time and travel would consist of reimbursement of the fees (permit fees, site evaluation fees, repair permit fees) collected by KWIC for each service performed in the absence of a Watershed Manager.

Other duties of the Watershed Manager such as office management and grant work would be performed by the clerk/RMO under the supervision of the Chairperson of KWIC.

January 31, 2009

**KEUKA WATERSHED IMPROVEMENT
COOPERATIVE (KWIC)
MEETING MINUTES FOR MAY MEETING
HELD JUNE 1, 2009 AT TOWN OF MILO**

In the absence of Chair Dowdle (Wayne), Vice Chair William Weber (Pulteney) called the meeting to order at 7:30 pm. Answering the roll call were Gordon Lanphere (Urbana), Eileen Farnan (Barrington), Anne Green (Hammondsport), Daryl Jones (Jerusalem) and alternate Arnie Sorenson (Milo). Not represented were Penn Yan and Wayne. Guests included John Webster (KLA), Peter Landre (KLA), Colby Petersen, Milo/Jerusalem Inspector and Ken Christian, Barrington alternate. Watershed Manager Paul Bauter also participated.

Daryl Jones moved and Eileen Farnan seconded the adoption of the April 27, 2009 minutes. Carried.

The treasurer's report was reviewed and it was noted that a video screen on last month's report was in fact not a KWIC expense and that Don Radigan had been paid for his work developing the KWIC web page. The report was accepted upon motion of Jones and Farnan.

Manager's Report:

- Manager Bauter presented a proposed new fee schedule which for the first time included a fee for late filing meaning construction is started without permits or construction is completed without inspection by Watershed Inspector or if a zone one inspection is not performed in the year scheduled or a property sale is transferred without a real property transfer inspection. After some discussion including the amount of the late fee, \$500 being reduced to \$300 and that the schedule included the municipality fees it was moved by Weber and seconded by Farnan to delay action until September after each member has reviewed the schedule with its Board.

-The Inspection report was reviewed and accepted.

-The Inspectors' meeting with DSD Web Works concerning a new computer record keeping program was discussed and noted that the Inspectors did support the new program.

-The report from the Board Committee on the Manager's time management was delayed.

- The Resolution on the Contingency Plan in case of the Manager's unavailability which had been adopted for three months was discussed. Since the Boards of the Town of Urbana and Yates County Soil and Conservation District have approved the participation of their Inspectors the Resolution was adopted by 5 yes votes, 0 no votes, and one abstention (Milo).

Keuka Lake Looking Ahead - Peter Landre, KLA reminded us that the Land Use Planning Guide was available.

Other Business:

-Software Program - The proposal from DSD Web Works concerning a web based reporting and record keeping for the Inspections was greatly discussed. The cost is \$24,000 plus a monthly server charge of \$60 and an annual maintenance fee between \$2400 to \$4800. There followed a general discussion of the availability of grants per a memo from Chair Dowdle. Vice Chair Weber expressed a concern of the timing of any grant and the difficulty of applying. He suggested that each municipality pay 1/8 of the cost - \$3000. Members of KLA suggested that it would be considering, at its meeting, sharing the cost with KWIC. On motion by Jones and seconded by Farnan it was agreed that each municipality would be asked to share the cost of this program above the annual fee.

-Each municipality's progress on update to local laws - Manager Bauter will again send out his review of each municipality's status.

The report on the Docks and Mooring Law activity from KLA was removed from the agenda and the Executive Session on Personnel - Inspectors was moved to the next meeting.

The next meeting is June 29, 2009

**KEUKA WATERSHED IMPROVEMENT COOPERATIVE (KWIC)
JUNE 29, 2009 MEETING MINUTES
PENN YAN VILLAGE OFFICES**

Chair Dowdle (Wayne) called the meeting to order at 7:09 pm. After the pledge to the flag the following answered the roll call. Gordon Lanphere (Urbana), John Socha (Milo), William Weber (Pulteney), Eileen Farnan (Barrington), Anne Green (Hammondsport), Daryl Jones (Jerusalem). KWIC Manager Paul Bauter also participated. Barrington alternate Ken Christensen was present. Guests were Bob Laffin, Milo-KLA; Sue Lange, Barrington-KLA; and Rob Corcoran, Milo-KLA.

The minutes of the May Meeting held June 1 had two corrections: add the word minutes to the 7th line following meeting and correct the spelling of Software in the paragraph reporting on the proposed Software Program. Weber moved and Jones seconded the approval of the minutes as amended.

The Treasurer's Report sent by email by Bookkeeper Jack Snow was reviewed and approved by motion of Green and Dowdle.

Manager's Report:

Of the Notice violations (83) 42 have been corrected, 1 date was corrected, 1 summons was issued and 40 summons will be issued. There have been two major problems - one a failure of the pumps on a high volume system and a construction project mistakenly digging up a wastewater treatment system. This latter points out a problem with the CEO's issuing permits without knowing where the systems are.

The Manager will also stand in at actual pumpings for the Wayne Inspector for 4 weeks while that inspector is unavailable. The discussion of the budgeting of the manager's time was postponed.

There was a discussion of whether some of the municipalities will ever be able to catch up on their inspections given the current rate. Specific municipalities are making arrangements for further hours for their inspectors.

Keuka Lake Looking Ahead:

KLA's President Rob Corcoran reminded folks of the annual meeting in Hammondsport at the High School July 11 at 9am.

Other Business:

Software Program:

We had a general discussion of the proposal from DSD Web Works. It was noted that KLA has offered to provide a grant of \$12,000, half of the total project. This would provide the KWIC with the required installment of \$12,000 upon initiation of design and development. Additionally, the KLA has generously offered support for up to \$2400 per year for three years for the annual maintenance costs referred to in the contract and up to \$60/month or \$720/year for the first three years toward server costs. Five municipalities have agreed to their share of \$1500 Wayne, Pulteney, Barrington, Hammondsport, Jerusalem with Penn Yan support to be verified. Milo will meet the Third Monday of July and support looks good. Urbana will meet the third Tuesday of July and asks that someone attend the meeting to provide clarification on issues surrounding this project and questions on specific to this proposal. Chair Dowdle will attend and see if DSD can also attend. Bill Laffin's offer to present KLA's perspective was gratefully accepted. Weber moved and Socha seconded the following motion. Given Penn Yan's approval, the Chair of KWIC is authorized to execute the DSD contract upon the agreement of Milo and Urbana to the terms.

Update on Local Laws: The manager had sent out the edited uniform law, some had amendments and wanted clarification of some language. It was agreed that the inspectors would be given a chance to review it and by July 8 all comments should be in. After which the manager will resend the updated uniform law to each Director. Each Municipality Planning Board, Municipal Board and attorney probably needs to review the language in conjunction

with its current language and make revisions for congruity.

The Board reviewed a memo from Wayne concerning the issue of wastewater systems begun without a building permit from the municipality. It appears that the problem lies with the manner in which the design is approved (permitted). The new procedure will be for KWIC to approve a wastewater treatment design following the engineered plan and application fee submission. Upon approval, KWIC will send the approved design and plan to the local municipal CEO, and a letter to the owner, noting the design is approved but a building permit from the municipality is required for construction. KWIC will avoid the use of the word permit since it may be misleading to the owners. The Manager will review this with the inspectors by email. A discussion was held on the failure of some engineers to submit the final report "built as designed" or an amended design which is required to be on file, noting this will be required by CEO before COO can be issued.

Directors were reminded to review the fee schedule offered by the manager so action can be taken at the September meeting.

At about 8:30 pm, on motion of Jones and second by Farnan the Board went into executive session to review the evaluations of all Inspectors and the Clerk.

Upon reconvening the Board noted no action was taken at the Executive Session and on motion of Green and second by Dowdle the Meeting was adjourned at 8:45pm.

The next Board meeting will be in Jerusalem at the Branchport Fire Hall, July 27, 2009 at 7:00pm. The next Inspectors meeting is scheduled for September 30.

KEUKA WATERSHED IMPROVEMENT COOPERATIVE (KWIC)

**MONDAY, JULY 27, 2009
BRANCHPORT, NY FIRE DEPARTMENT**

Chair Dawn Dowdle called the meeting to order at 7:50 p.m. following the KLOC Meeting. Answering the roll were the following Directors Dawn Dowdle, Wayne; John Socha, Milo; William Weber, Pulteney; Eileen Farnan, Barrington; Anne Green, Hammondsport; and Daryl Jones, Jerusalem. Barrington Alternate Ken Christensen was present as well as KWIC Manager Paul Bauter. Guests at the meeting were John Webster, KLA, Bill Laffin, KLA, Ed Balsley KLOC Tate Mgr. and Sue Lange, KLA.

The minutes of the June 29 meeting were approved by motion of Weber and Farnan.

The Treasurer's Report submitted by Bookkeeper Jack Snow was approved by motion of Socha and Jones.

The Manager Paul Bauter submitted his monthly report noting that summons are being prepared in 20 cases. (Since the meeting some summonses were reported by email.) . The issue of the wording on the design approval by KWIC discussed at last month's meeting was revisited. It appears there was some misunderstanding. Mgr. Bauter was asked to meet with all inspectors and explain the change in protocol and terminology adopted by the board, specifically KWIC will not act as a permitting agent but will serve to approve designs that will be forwarded to appropriate local CEOs, who serve as the local permitting authority.

Keuka Lake Looking Ahead- KLA Report by Bill Laffin.

There is a continuing concern about lake property which is rented without regard to the number of people vis-a-vis the septic system causing overflow problems. KWIC is asked to remind owners of this concern. The issue of recovering natural gas by hydraulic fracturing from Marcellus Shale was brought up. There is great concern because it is not clear that this process is covered under the Safe Drinking Water Act and that non-navigable waters are not covered currently. It was suggested that the LULA workgroup Chair, Janet Stone, be contacted and asked to set up a seminar with pros and cons of the issue to be presented.

Other Business:

Software Program. Urbana and Milo did pass the proposal and we are waiting on Penn Yan. Because of our concerns DSD has added an additional clause to the contract as follows:

“TERMINATION OF CONTRACT

This contract shall automatically terminate if DSD Web Work’s owner D. Scott Demmin dies or becomes permanently disabled during application development. If this contract is terminated pursuant to this section, KWIC will be entitled to a 80% refund of the initial deposit. In addition, KWIC will retain rights to ownership of all scripts and databases created to date.”

Dowdle moved and Farnan seconded that the contract be executed with DSD Web Works when Penn Yan has signed on rather than waiting until after next month’s KWIC meeting. Carried.

Local Law consistency - the manager was asked to clarify the references to inspectors in the regulations and the permitting process as discussed last month needs to be reflected. After that the municipalities need to review their laws for consistency.

Fee Schedule: Directors are reminded that at the September meeting the fee schedules of each municipality will be reviewed.

On motion of Dowdle and Farnan the Board went into an executive session to discuss a personnel issue. The same Directors moved that we come out of executive session.

There was no action taken during the Executive session.

As the Agenda had been covered and there was no further business before the body the meeting was adjourned at 8:30 pm. The next meeting is at Barrington Town Hall August 24, 2009.

**KEUKA WATERSHED IMPROVEMENT COOPERATIVE
(KWIC)
MINUTES OF AUGUST 24, 2009
BARRINGTON TOWN HALL**

Chair Dawn Dowdle called the meeting to order at 7:15 following a short KLOC meeting. Directors in attendance were: Dawn Dowdle (Wayne), John Socha (Milo), Eileen Farnan (Barrington), Anne Green, (Hammondsport), Daryl Jones (Jerusalem.) Manager Paul Bauter was in attendance and the following guests attended Bill Laffin Milo, KLA; Bob Worden, Jerusalem, KLA; John Webster, Urbana, KLA ; Peter Landre, Cornell Cooperative Education; Sue Lange, Barrington, KLA.

The minutes of the July 27 meeting were approved on motion from Jones and Farnan.

The Treasurer's report from Bookkeeper Jack Snow was approved upon noting that expenses were on budget at 55% but income at 69% was a little low. Motion and second by Socha and Jones.

The Manager's Report was made by Paul Bauter. It was noted that Pulteney will be having another meeting to work out how they will catch up on inspections. Two summons for failure to have inspections have been filed with town courts. The other 18 will be filed when the Manager has time. The Manager will email Directors as these are filed. Discussion pointed out that the Justices should understand that a fine is appropriate even if remedial action has been taken because it has cost KWIC money to do the filings. Paul also handed out a fact sheet on a new invasive invertebrate found in Oneida Lake, hemimysis anomala, a small mysid shrimp or bloody red shrimp. The seriousness of this invasion is yet to be determined.

Keuka Lake Looking Ahead: Peter Landre distributed a report that the KLA has done for the September 2009 KLA Newsletter on the issue of hydrofracking for natural gas recovery. This method is proposed in the areas of marcellus shale as more efficient than more conventional methods of recovery. A discussion followed concerning just what control Towns have over gas recovery and since it is a state permit, except for controlling the damage to Town Roads there is little that can be done. Land owners are cautioned to be informed about all aspects of the process before signing contracts. There are some who suggest that in a few years this area's economy will be based on the gas recovery industry.

Landre also distributed information on another invasive aquatic plant, the water chestnut, which has been found in the Penn Yan marsh near the outlet. Yates County is forming a task force on this issue but in the meantime with the help of students and others the solution to hold back this plant will be to pull the plants out. We have no word on Steuben County's actions.

Other Business:

Job Descriptions of Manager and Inspectors. This issue partly arose through the evaluation of the Manager by Directors Jones and Farnan. Jones explained that he felt they needed revision, in particular in the Manager's description 1)a) Evaluate site conditions for wastewater system installation; b) Review designs for new or replacement wastewater systems, in compliance with waste water law, and where applicable 10NYCRR 157.1 ; and d) Certify the operation of newly installed waste water systems as inspected by watershed inspectors and design professionals. Jones felt in many cases this was duplicative efforts when an engineer has designed the system. Others spoke in opposition to the position stating that sometimes the Manager does know more about soils than the engineers and this would save the home owner future difficulties and add to the protection of the lake from failed systems. The Manager spoke to the point that in some cases his involvement was part of the Department of Health's waiver from its inspection.

Software Program: The contract has been signed, Penn Yan will pay its \$1500 share, KLA has forwarded its contribution and The Manager shall pay the deposit to DSD Web Works.

Director Farnan brought up an issue under the Uniform Mooring and Docking Law. There ensued a discussion about how to enforce the law. Some felt infringement on property lines should be left to the homeowners resorting to the courts, others felt that the towns should enforce their laws and not leave it to the homeowners themselves. The sheriffs have difficulty citing persons if they do not see the criminal act or have some proof that an act occurred.

On the same note Bob Worden submitted the report for the calendar year 2008 on the Mooring and Docking Law. 39 permanent docks were built in 2008, all were within the law and did not require variances. As the above paragraph notes however the law doesn't prevent differences between landowners. His report also suggested that the issues continue to be monitored through 2010 and in November of 2010 either KWIC or Town Supervisors appoint a new review committee with the charge to review the experiences to date with the law and suggest any changes that may be necessary. This review committee would report by the end of August 2011 and the recommended updates would be considered by the Towns and public hearings could be held before the 2012 boating season. This would be a 5 year review for the law. The Board thanked Bob Worden for his work.

Upon motion of Dowdle and second by Farnan the Board went into Executive Session at 8:44 to review the evaluation of the Manager performed by Directors Jones and Farnan.

At 8:46 The Board came out of Executive Session. It was determined that the evaluation information would be sent by email or otherwise to all the Directors before the next meeting at which time the Board will discuss the issue.

Director Farnan brought up an email sent by the Manager earlier today but since other Board Members did not have it, it too will be postponed until the September meeting.

Upon motion of Dowdle and second by Jones the meeting adjourned at 8:52 p.m. The next meeting is Monday September 28 at Wayne.

**KEUKA WATERSHED IMPROVEMENT COOPERATIVE
SPECIAL MEETING
WEDNESDAY SEPTEMBER 2, 2009 4:00PM**

The meeting was called to order at 4:40 due to the inability of some commissioners to get here earlier. Commissioners in attendance were Dowdle, (Wayne), Weber, (Pulteney), Lanphere, (Urbana), Farnan,(Barrington), Green (Hammondsport), Jones (Jerusalem), alternate Sorenson (Milo). Penn Yan was not represented. There were no guests.

The Board immediately went into an executive session to review and respond to the Manager Paul Bauter's letter of August 25, 2009 on personnel issues.

At 5:50 the Board came out of the executive session. Upon motion of Lanphere and second by Farnan, the Chair is directed to inform the Manager that the charges in his letter of August 25 are unsubstantiated.

The meeting adjourned at 6:00pm.

KEUKA WATERSHED IMPROVEMENT COOPERATIVE (KWIC)
MEETING MONDAY SEPTEMBER 28, 2009
TOWN OF WAYNE HALL

Chair Dawn Dowdle called the meeting to order at 7:25 following the KLOC meeting. Directors in attendance were: Dawn Dowdle (Wayne), Gordon Lanphere (Urbana), William Weber (Pulteney) Eileen Farnan (Barrington), Anne Green (Hammondsport), Daryl Jones (Jerusalem), also Bill Laffin represented Milo but had no vote. Not represented was Penn Yan. KWIC manager Paul Bauter was in attendance and guests were: Bruce Henry Barrington; Al Wahlig, Health Officer, Pulteney; Ken Christiansen, Barrington alternate; and Dick Osgood, Gate Manager.

The minutes of the August 24 meeting and the September 2 Special Meeting were reviewed and approved upon motion of Farnan and Jones.

The Treasurer's report by bookkeeper Jack Snow was reviewed. Noted were the KLA grant of \$12000 for the new software and the payment of \$12000 to DSD Web Works for the start of the software program contract. Other income and expenses were as expected. The report was approved upon motion of ones and Farnan.

Manager's Report: See printed report. Again the inspections goals and accomplishments were reviewed for all municipalities. Dir. Weber asked Mgr. Bauter if he could explain why the numbers appeared not to add up. Mgr. Bauter's response affirmed this, but gave no explanation on how to interpret these numbers in any sort of aggregate. A review of the plan of action for Pulteney's and Wayne's backlog was requested by Mgr. Bauter, Dir. Dowdle asked Mr. Bauter to set something up with the Wayne Inspector at the upcoming Inspectors Meeting. Dir. Weber is working to do the same. Barrington's inspector Gary Boardmen will be retiring this year. It appears that 13 summonses have been issued and there are 6 awaiting action. There

followed a discussion that if the problem has been corrected before the court date, are we (KWIC) able to recover the costs involved in the filing of the summonses. Dir. Jones brought the fact that these individuals were indeed in violation, whether the violation was remedied or not, and suggested pursuing the violation to at least recover costs with levied fines. The topic was tabled with no clear decision.

Software update: The manager and inspector Cody have finished the initial meetings with DSD Web Works on the necessary tables.

Dir. Dowdle noted that Mgr. Bauter had not responded to the requests made of him at the June and July KWIC meetings for his draft of the appropriate changes that would be needed to Policies and Procedures and draft local wastewater law relative to the proposed change from KWIC Construction Permit to KWIC Design Approval. At that time he was also asked to define and articulate any changes to the web site and various forms and publications as necessary. It was further noted he simply restated the items needed in an email sent to the directors August 24. Again he was asked to complete this for review by the directors. While Mgr. Bauter's concerns were solicited in June and July, nothing was ever brought to the table until this August email. Therefore it was requested that supporting documentation of the items listed in his August email be provided to the directors, ie: the referenced requests he made to DOH and their responses, etc.

Keuka Lake Looking Forward: In the absence of Peter Landre, Bill Laffin reported on behalf of KLA. On September 11 there was a 4 hour weed pull in the marsh across from Penn Yan Boats for water chestnut problem. It is believed it will be necessary to do another in May or June of next year.

Committee Report: There was no meeting on the Job Descriptions and therefore amendments to the Policy/Procedures Manual are not yet ready.

Other Business: Fee Schedule - a chart comparing our (KWIC'S and municipalities) fees to other counties and municipalities was distributed and discussed.

Budget Proposal: A budget prepared by the bookkeeper and chair was distributed and discussed. No action was taken because it was felt that the

new software costs and methods of payment, i.e. KLA grant and increased municipal payments needed to be reflected in the proposed budget. Chair Dowdle said she would follow through. An Executive session will be held tonight to discuss wage increases of the Manager and the Clerk.

Public Input: Bruce Henry of Barrington spoke at length about the enforcement of the new dockings and moorings law. He compared how the State formerly enforced the property lines infringements and how his friend cannot get enforcement today from anyone. Several Board members contributed information to the member of the public on how the law should be enforced and on the issue of riparian rights.

At 9:05pm the Board went into Executive Session to discuss possible personnel issues, including 2010 salaries, upon motion of Dowdle and Weber. The Executive session was adjourned at 9:20 upon motion of Farnan and Weber. No action was taken in the Executive Session, therefore the regular meeting was adjourned at 9:21p.m.

Next inspectors' meeting September 30, 2009.

Next KWIC Board Meeting October 26, 2009 at Urbana Town Hall.

**KEUKA WATERSHED IMPROVEMENT COOPERATIVE (KWIC) MEETING
MONDAY OCTOBER 26, 2009 AT THE TOWN OF URBANA**

Chair Dawn Dowdle (Wayne) called the meeting to order at 7:00 p. m. Board members in attendance were Gordon Lanphere (Urbana), Arnie Sorensen, (alternate Milo), William Weber (Pulteney), Ken Christiansen (alternate Barrington), Anne Green (Hammondsport), Daryl Jones (Jerusalem). Penn Yan was not represented. Manager Paul Bauter was also present. Guests were Sue Lange, Barbara Allardice, John Webster, Bill Laffin, Bill Feinstein, Roger Ribble, all of KLA and Bill Osgood new gate manager.

The minutes of September 28, 2009 were reviewed and accepted on motion of Jones and second by Lanphere. Barrington abstained since he was not at the September meeting. The Treasurer's Report from Bookkeeper, Jack Snow was reviewed and accepted on motion of Jones and second by Dowdle.

MANAGER'S REPORT: Manager Paul Bauter submitted his written report especially noting that the watershed inspectors have been asked to submit written reports on the documents of their municipalities that would need changes due to the new wording on the approval not permitting by KWIC. It was noted by some Board Members that in general it was not a problem for them because their watershed inspectors and code enforcement officers were one and the same. So most often construction of septic systems did not mistakenly begin based on KWIC's approval without a building permit. The next watershed inspectors meeting is December 30, 2009.

The violations and summons report was reviewed. It was the consensus that if a homeowner corrects the violation between the summons issued and the court date that our or the Municipality's costs should be recovered and not dismissed, therefore the Manager is expected to pursue all violations and follow through the legal processing of all summons' issued.

The report of inspections by municipality was again discussed as the charts are not readily understandable by the Board. Manager Bauter explained which were year to date figures and whether Zone 1 or 2 inspections were counted and that the goal for each year was the total number of systems divided by 5. The goal in reality changes during the year because of new construction and property transfers. The manager also stated the reports are included in the monthly stats if turned in by the 15th of the month. Manager Bauter confirmed his report totals reflect the only the single inspection of a household that passes, inspections that fail and require more than one inspection visit are not counted. Therefore the manager's report gives only a view of how many systems passed inspection in a given municipality, it does not give an indication of the actual number of inspections that were required for the reported number and is not reflective of inspection activity.

Meetings with Pulteney and Wayne about their specific issues have either taken place (Pulteney) or will on October 27th (Wayne).

Software Report: First, Manager Bauter reported that he, Colby Petersen and Scott Demmin met Oct.23 for 4.5 hr the discussing the data needs. There was also a written report to the Board

from Scott Demmin stating the project is still in the beginning stages as the parties determine what data is needed and which already collected data is useful and useable. Some of the discussion above on the Manager's report of inspections by municipality should be taken into consideration when discussing the type of reports the Board would want.

Keuka Lake Looking Ahead: Bill Laffin of KLA reported on the water quality meeting with Jim Balzak of Soil and Water Conservation and the fact that testing of Keuka water is still needed but financial resources are low. KLA will probably assist in this matter.

Other Business:

Fee Schedule: The fee schedule was reviewed again with Barrington, Jerusalem, Wayne and Urbana reporting on their boards' reaction. The manager will bring to the next meeting a revised schedule reflecting these comments and hopefully the schedule will be adopted at the November meeting.

Software Update: See within the Manager's Report.

2010 Budget: a revised proposed budget which reflects the software contract costs and KLA Grant and each municipality's increased contributions was reviewed.

At 8:20 the meeting was recessed for an Executive Session concerning personnel issues. Motion by Weber and second by Christiansen. At 8:40 p. m. we came out of executive session and resumed discussion on the budget resulting in the budget proposal as amended being approved upon motion of Green and second by Christiansen. See attached budget. Given the confusion and concern over the proposed change in the KWIC permitting process, the directors moved to table this action.

Meeting adjourned at 8:50 p. m.

Next Meeting at Hammondsport November 23, 2009 at 7:00 p. m.

**KEUKA WATERSHED IMPROVEMENT COOPERATIVE (KWIC) MEETING MONDAY
OCTOBER 26, 2009 AT THE TOWN OF URBANA
AS AMENDED AT 11/23/09 MEETING**

Chair Dawn Dowdle (Wayne) called the meeting to order at 7:00 p. m. Board members in attendance were Gordon Lanphere (Urbana), Arnie Sorensen, (alternate Milo), William Weber (Pulteney), Ken Christiansen (alternate Barrington), Anne Green (Hammondspport), Daryl Jones (Jerusalem). Penn Yan was not represented. Manager Paul Bauter was also present. Guests were Sue Lange, Barbara Allardice, John Webster, Bill Laffin, Bill Feinstein, Roger Ribble, all of KLA and Dick Osgood new gate manager.

The minutes of September 28, 2009 were reviewed and accepted on motion of Jones and second by Lanphere. Barrington abstained since he was not at the September meeting. The Treasurer's Report from Bookkeeper, Jack Snow was reviewed and accepted on motion of Jones and second by Dowdle.

MANAGER'S REPORT: Manager Paul Bauter submitted his written report especially noting that the watershed inspectors have been asked to submit written reports on the documents of their municipalities that would need changes due to the new wording i.e., the approval not permitting by KWIC. It was noted by some Board Members that in general it was not a problem for them because their watershed inspectors and code enforcement officers were one and the same. So most often construction of septic systems did not mistakenly begin based on KWIC's approval without a building permit. The next watershed inspectors meeting is December 30, 2009.

The violations and summons report was reviewed. It was the consensus that if a homeowner corrects the violation between the summons issued and the court date that our or the Municipality's costs should be recovered and the case not dismissed, therefore the Manager is expected to pursue all violations and follow through the legal processing of all summons issued.

The report of inspections by municipality was again discussed as the charts are not readily understandable by the Board. Manager Bauter explained which were year to date figures and whether Zone 1 or 2 inspections were counted and that the goal for each year was the total number of systems divided by 5. The goal in reality changes during the year because of new construction and property transfers. The manager also stated the reports are included in the monthly stats if turned in by the 15th of the month. Manager Bauter confirmed his report totals reflect only the single inspection of a household that passes, inspections that fail and require more than one inspection visit are not counted. Therefore, the manager's report gives only a view of how many systems passed inspection in a given municipality. It does not give an indication of the actual number of inspections that were required for the reported number and is not reflective of inspection activity.

Meetings with Pulteney and Wayne about their specific issues have either taken place (Pulteney) or will on October 27th(Wayne).

Software Report: First, Manager Bauter reported that he, Colby Petersen and Demmin met Oct.23 for 4.5 hr discussing the data needs. There was also a written report to the Board from Scott Demmin stating the project is still in the beginning stages as the parties determine what data is needed and which already collected data is useful and useable. Some of the discussion above on the Manager's report of inspections by municipality should be taken into consideration when discussing the type of reports the Board would want.

Keuka Lake Looking Ahead: Bill Laffin of KLA reported that at the biannual meeting of the Keuka Lake Association Water Quality Committee which is chaired by Bill Laffin and whose members include 5 members of the KLA from some of the various Towns and Villages around the lake as well as Peter Landre, CCE, Paul Bauter, Watershed Manager and Jim Balyczak from Yates County Soil and Water Conservation District. During the meeting both Peter and Jim expressed concerns over the then current county budgeting cycle and the fact that some budgets could be targeted for cuts. While the 30 + years water quality testing program of Keuka lake is funded mostly by the KLA, some grants are received from other agencies such as the soil and water districts in Yates and Steuben Counties and the Finger Lakes Lake Ontario Planning Agency. We agreed that the water quality testing program will definitely continue and if some of the grant money is discontinued then the gap will be picked up by the KLA.

Other Business:

Fee Schedule: The fee schedule was reviewed again with Barrington, Jerusalem, Wayne and Urbana reporting on their boards' reaction. The manager will bring to the next meeting a revised schedule reflecting these comments and hopefully the schedule will be adopted at the November meeting.

Software Update: See within the Manager's Report.

2010 Budget: a revised proposed budget which reflects the software contract costs and KLA and each municipality's increased contributions was reviewed.

At 8:20 the meeting was recessed for an Executive Session concerning personnel issues. Motion by Weber and second by Christiansen. At 8:40 p. m. we came out of executive session and resumed discussion on the budget resulting in the budget proposal as amended being approved upon motion of Green and second by Christiansen. See attached budget. Given the confusion and concern over the proposed

proposed change in the KWIC permitting process, the directors moved to table this action.

Meeting adjourned at 8:50 p. m.

Next Meeting at Hammondspport November 23, 2009 at 7:00 p. m.

**KEUKA WATERSHED IMPROVEMENT COOPERATIVE (KWIC) MEETING
MONDAY, NOVEMBER 23, 2009 AT VILLAGE OF HAMMONDSPORT**

The meeting was called to order a 7:10 p.m. by Chair Dawn Dowdle, (Wayne). In attendance were the board members: Gordon Lanphere (Urbana), John Socha (Milo), Eileen Farnan (Barrington), Anne Green (Hammondspport), Daryl Jones, (Jerusalem). Not represented were Pulteney and Penn Yan. Watershed Manager Paul Bauter was present. Guests at the meeting were: Bill Laffin, Roger Ribble, John Webster, Al Wahlig, Janet Stone and Jerry Kemski (sp).

The Minutes of October 26, 2009 were amended to reflect a clarification of the meeting reported under the KLA report. The corrected minutes were approved on motion of Jones and Dowdle.

The Treasurer's Report was reviewed and accepted upon motion of Socha and Jones.

Manager's Report:

Fee Schedule: The Board accepted the 2010 fee schedule labeled B as prepared by the manager on 11/20/09 upon motion of Green and Farnan.

The manager submitted the inspections report in a new format in hopes of clarifying the issues the Board members had.. In general the members felt it was clearer although the format needs a little adjustment. The month of November brought on a rush in construction before the really bad weather. The manager had 23 site visits bringing the year's total to 165. A Report for the month of December should be sent by email to the Board members, since we are not having a December meeting.

On the appearance tickets, trials etc it was reiterated that KWIC needs to keep up to date on the progress in the various courts and send notices to judges so they do not dismiss charges even if a correction has made since the violation was issued. The municipalities need to be at least reimbursed for the cost of serving the summonses and the time and trouble. If homeowners are fined, we believe that they will stop stretching their deadlines etc and get their wastewater treatment systems in order.

The Local wavier renewal from the Department of Health is due in January. The manager will write a letter reflecting that we are considering revisions in the waster water law (although the municipalities have not responded to the proposals). The Manager should try for a 1-2 year renewal. The draft of the letter should be sent by email to the Board members as early in December as possible since our January meeting will be too close to the deadline.

Bill Laffin inquired where the revised wastewater law stood? It had been tabled pending the outcome of the possible change in the permitting process. Since this process has been tabled, the manager was asked to get a final version prepared along with an updated policies and procedures manual that will outline the responsibilities of each type of inspection official in the watershed. This would include the ability of the manager to step fill in, in the absence of a local inspector, while the opposite may no be true. Therefore, the manager was asked to coordinate the two documents and submit drafts of the two to all directors for their review by December and KWIC

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discussion at the January meeting.

Since the Pulteney commissioner was not in attendance we did not discuss the inspection back log in Pulteney. As to Wayne a meeting between its Watershed Inspector and the Code Enforcement Officer and the KWIC Manager took place. This resulted in adjustments in the KWIC records of inspections in Wayne. Further the KWIC Manager will send the CEO a Plat plan so property lines are clear and the CEO will comment before a permit is issued by KWIC.

OTHER BUSINESS:

Software Update: Scott Demmin of DSD Web Works emailed Chair Dowdle reporting that the new program will be more logical than present. There is of course problems with the old data and conversion to the new program.

The next meeting is January 25, 2009 at Pulteney.

At 8:13pm upon motion of Dowdle and Green the Board went into Executive Session to discuss personnel issues. At 8:45 we came out of Executive Session and since no action had been recommended, the meeting was adjourned.

Respectfully,

Anne Green
Secretary