

# DUTCHESS COUNTY



27 High St. 2<sup>nd</sup> Floor  
Poughkeepsie  
New York, 12601  
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dcwwa@dutchessny.gov  
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DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WEDNESDAY, AUGUST 26, 2015  
3:30 P.M.

## PROPOSED AGENDA

### Authority Board Members

**Thomas LeGrand**  
Chairperson

**Vincent DiMaso**  
Vice-Chairperson

**Rudy Vavra**  
Treasurer

**Lawrence R. Knapp**  
Secretary

**Amanda Baxter-Dingee**

### Ex officio Members

**Brian Scoralick**  
Acting Executive Director  
Soil and Water Conservation District

**Eion Wrafter**  
Commissioner  
D.C. Dept. of Planning & Development

### Staff

**Bridget Barclay**  
Executive Director

**Mary C. Morris**  
Deputy Director

1. Meeting Open – Introductions
2. Approval of Minutes
  - July 22, 2015 Board Meeting (R2015.08.A)
3. Approval of Minutes
  - August 6, 2015 Special Board Meeting (R2015.08.B)
4. Chairman’s Report
5. Operations Report
6. Finance Report
  - Approval of Warrant (R2015.08.C)
  - Approval of Contract Extension with Rose and Kiernan for Insurance Services (R2015.08.D)
  - Chelsea Cove Sewer revised bonding resolution (R2015.08.E)
7. System/Capital Project Updates
  - Contract award – Shore Haven Water Treatment Improvement Project Construction Administration (R2015.08.F)
  - Shore Haven Water System Status
  - Authorization to execute Dutchess County Airport Water Line Project Management Agreement (R2015.08.G)
8. Community Project Updates
  - Contract award Greenfields Water and Sewer Surveying Services (R2015.08.H)
9. Public Comment
10. Confirm next meeting date – September 16, 2015
11. Adjourn

Meeting will be held at 27 High Street – 2nd Floor Conference Room  
Members please call Lisa (475-3515) ASAP if you cannot attend

**DUTCHESS COUNTY**



**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
UNAPPROVED - MINUTES OF JULY 22, 2015**

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D.C. Dept. of Planning & Development

Staff

**Bridget Barclay**  
Executive Director

**Mary C. Morris**  
Deputy Director

**Board Members Present**

Tom LeGrand  
Larry Knapp  
Rudy Vavra

**Staff Present**

Bridget Barclay  
Jackie Burger  
Jonathan Churins  
Ed Mills  
Mary Morris  
Doug Odell

**Board Members Absent**

Vince DiMaso  
Amanda Baxter-Dingee

**Others Present**

Don Sagliano – Legislative Liaison  
Pete Marlow – Dutchess County Department of Health  
Richard Rang – Kirchoff Companies  
Albert Natoli – Kirchoff Companies

**Meeting Open**

Chairman Tom LeGrand opened the meeting at 3:30 pm.

**Approval of Board Meeting Minutes**

Tom asked for a motion to approve the minutes of June 17, 2015. Larry made a motion to approve the minutes as amended; seconded by Rudy; voted on and passed unanimously. (Res. 2015.07.A/01)

**Chairman's Report**

Tom said he has been working with Staff regarding Global Foundries this month. He then introduced Rich Rang and Al Natoli with Kirchoff Companies who would be providing a presentation for the Board on the Hoffman development project in Red Hook with the potential for the Authority to maintain the water and sewer systems for same.

Rich Rang with Kirchoff Companies then provided an overview of the project location on Old Farm Road in the Town of Red Hook. This is the Roger Hoffman property which includes the Hoffman barn sale and the farm area. In 2011 the Town adopted a new "TND" Zone. They are trying to implement their Centers and Green Spaces plan by fostering development in and around the existing developed areas in order to preserve more of the farmland areas. One of the ways in which they are doing so is through an incentive zoning program.

Kirchoff Companies are currently in contract with Roger Hoffman to purchase the property and have been processing applications with the Town Planning Board since 2012. Rich then provided an overview on the plans. Kirchoff Companies are proposing 102 lots. This means there are 33 incentive zoning units proposed at this time. Under the general conditions of the incentive zoning provision Kirchoff Companies will contribute about \$660,000 toward the preservation of open spaces. Tom noted that the Town of Red Hook is one of the first towns to create a development transfer program. Rich said this program has received tremendous support from the Dutchess County Planning Department.

Rich said at the time the Town adopted the new zoning they did not take into consideration public utilities or water and sewer in particular. The Village of Red Hook and Rokeby Water System have a water supply but the Town has not addressed how water and sewer infrastructure would be provided to the property and has left this to the developer. We originally spoke with Bridget about the public water supply at Rokeby and in the Village, and Kirchoff Companies being a conduit between the two with the understanding that Rokeby Water System has issues also. They felt this would be in everyone's best interest.

The project consists of cottages, town homes and single family homes. The cottages will all be under 1500 Square feet and a minimum of 20% of homes in the community have to meet that standard. The Town homes range about 1600 square feet. They are trying to create a community that appeals to all income and age demographics and create a more walkable community. Included in the project are park areas. Rich provided an overview of the sub-division plan showing all of the parcels. He said the presentation today is to discuss the Water MOU and the Sewer MOU would follow suit.

They are proposing that the project would be done in phases over a number of years. Rich continued by saying that there are eight phases of the project. The first phase will be around the Central Green and will involve running a water main from the Village into the area. Based on the health of the market they anticipate it will take about six years to get through all of the construction, water and wastewater infrastructure and sale of the homes.

They originally approached the Town about this project in anticipation of forming a Transportation Corporation and obtaining water from the Rokeby system and/or the Village system. Difficulties arose in negotiating an agreement between the Town and the Village. Kirchoff Companies then decided to go through the Village of Red Hook to provide water to this project.

Kirchoff Companies believes this project will be the conduit for water to be provided to the Rokeby system and perhaps negate some of the upgrades that would be necessary to the system. The initial intent was for Kirchoff to form a Transportation Corporation, and under that scenario anticipated having the ability to charge an assessment against the lots created to cover some capital improvement costs. The project, in total, at this point is about \$35 million. There are 102 lots; the margins in this project are very narrow and they are in need of a method to recover some of the capital already invested in the project. The possibility of the lease arrangement as identified in the MOU provides for that.

Tom asked that Rich explain how the lease agreement would work for the Authority. Rich said Kirchoff Companies will own the system and the MOU describes how the systems would be leased to the Authority as the operating entity that would control the operation maintenance. The intent is the lease payment is dependent upon the lots that can be serviced by it. Phase one consists of about ten lots to be serviced. They are not looking for a lease payment on the total cost off the infrastructure. This would be on a per lot basis. Rich said he discussed the cost with Bridget but nothing has been finalized. He gave the example that if each lot had a lease payment of \$200 per year, with ten lots in the first phase, would be \$2,000 annually.

Tom asked how this would work if after a number of years the Authority were to take the system over. Rich said that is outlined in the MOU. When the system is completed, if the development fell through or went bankrupt we would abandon the system to the Authority. In reference to the Authority acquiring the system in the future, we would determine what that system would be acquired for and anticipate whatever number we are leasing it to the Authority which would be consistent with what the user cost would be on a capital debt reduction situation. At this time Tom reiterated that he would abstain from any action on as this project as he is the broker of record for the real estate transaction on this.

Al Natoli then introduced himself and said the lease arrangement would assist in getting this project done within the small margins that exist. It is not possible to do a purchase upfront due to the phases of construction and he is aware that historically the Authority does not purchase systems that are under construction. The lease provides for an entity that is qualified to run the system. Tom said the Town of Red Hook would require that the Authority run the system. Rich said yes. The Town objected to Kirchoff Companies forming a Transportation Corporation and they did not want to form a district.

Tom asked Bridget if the Authority would be buying the water from a bulk meter. Bridget said yes, from the Village of Red Hook. Tom said each house would be individually metered and we would be buying bulk but selling it out on a metered basis. Bridget said yes. Tom asked if the Authority would operate the system during the construction period and Kirchoff Companies would maintain it. Rich said they anticipate that it would be maintained by the Authority. He added that as far as any costs associated with the operation and maintenance, we would agree on the amount assessed for each lot and the shortfall would be covered by Kirchoff Companies.

Al said under the lease the Authority will incur some operation and maintenance expenses and, to the extent that there are not enough houses to cover, expenses would be paid by Kirchoff Companies so that the Authority has no exposure on that side. Tom asked if there would be a formula to determine what the amount would be. Al said that is the conceptual arrangement but the details of the formula have not yet been worked out. As the lease goes on it may become economical for the Authority to choose to purchase the system.

Tom asked what would be covered by the original lease agreement. Al said they anticipate that there would be an option to purchase in the agreement. Tom said he has never been pleased with the valuations. Al suggested doing some kind of engineering evaluation on original cost less depreciation. Tom agreed and said the Board could not reach a determination on this at today's meeting as he would abstain which would make the board one member short for a quorum.

Bridget said the MOU indicates an option to purchase but does not address how the purchase price would be determined. Al said they would eliminate the valuation as they know what the construction cost is and will have an engineering estimate of depreciation. Discussion followed.

Tom asked if there were any questions. Larry asked if this would be structured so that the Authority would have very little exposure and the Authority would do the maintenance until the potential purchase. Al said yes, through the lease and through the process the Authority would run the system as if it was your own. He advised the Board that he has done one similar system with a lease involved that is now under construction. He added that he had looked at the Authority's enabling legislation and it specifically provides for this kind of lease.

Tom asked Rudy if he had any questions. Rudy commented that would like to see the construction specifics of the system before leasing the system. Larry agreed and said the board members would like to know how much review and oversight they would have as the Authority would eventually own the system. Al said these details have not been worked out in the lease but the Dutchess County Department of Health would oversee the system design and installation. Tom noted that because we operate multiple systems we have some standardization, such as valves and parts.

Bridget said the MOU used language from the Authority's boiler plate MOU that we have used on other projects, that we review plans and specs for the project or for construction starts. She added Kirchoff Companies would be required to hire a licensed engineer to do construction inspection. We have a right to go on site and do our own inspection. If we find anything to be faulty work based on the approved plans and specs we can require them to correct it. Tom asked if there were any further questions. Tom thanked Rich and Al for their presentation.

### **Operations Report**

The Operations report was accepted as submitted. Rudy made a motion to authorize the Executive Director or Deputy Director to execute a contract with Soiltech, LLC for

the removal of approximately 600 tons of the waste Alum sludge, at \$49.00 per cubic yard, for a not to exceed value of \$29,400. The motion was seconded by Larry voted on and passed unanimously. (Res. 2015.07.B/02)

#### **Finance Report – Approval of Warrant**

Tom said the warrant was included in the package. Mary said an amendment to the warrant for an additional payment for the Utility Corridor was distributed at the meeting. Larry made a motion to approve the warrant as amended. The motion was seconded by Rudy; voted on and passed unanimously. (Res. 2015.07.C/03)

#### **Systems and Capital Project Updates – Shore Haven Booster Pump Electrical Connection**

Larry made a motion to authorize the Executive Director or Deputy Director to execute Change Order No.2 for the contract with Veith Enterprises, Inc. (a/k/a Veith Electric) of Poughkeepsie, NY reducing the total contract amount and establishing a final contract value of \$14,146 for the Shore Haven Water System – Booster Pump Station Electrical Connection Project Contract No. SHW-PWC-2015-P1. The motion was seconded by Rudy; voted on and passed unanimously. (Res. 2015.07.D/04)

#### **CDWTL Pump Station Roof Maintenance Project**

Rudy made a motion to authorize the Executive Director or Deputy Director to execute Change Order No.2 in the deduct amount of \$1,500 resulting in a contract amount decrease to \$25,175.57. The motion was seconded by Larry voted on and passed unanimously. (Res. 2015.07.E/05)

#### **Quarterly Update of Capital Projects Master Schedule**

Tom said the Quarterly Update would be discussed at the August meeting.

#### **IBM Water Supply Agreement – Status of Assignment Agreement**

Tom said there is no new information at this time regarding IBM and Global Foundries. This continues to be a work in progress. He and Bridget had a meeting with all parties involved the day before and will be meeting with them again tomorrow.

#### **Community Projects – Hyde Park Water and Sewer Acquisitions/Adoption of Budgets and Rates for Arbors, Greenbush, Violet Avenue and Quaker Hills Water Systems**

Bridget said we are not holding public hearings on the following water and sewer system acquisitions as staff held numerous public meetings and public hearings with the Town of Hyde Park, as well as the public hearing before the Legislature, as we went through the evaluation process and all rates we are proposing to adopt are the rates we conveyed to the public.

Rudy made a motion that the Authority Staff has proposed rates for the Arbors, Violet Avenue, Greenbush and Quaker Hills Water Systems, for the period of August 1 through December 31, 2015 that are the same as the First Year Rates submitted in the Map, Plan and Reports, and has presented those proposed rates to the Authority Board for their consideration; and the Authority Board has reviewed said budgets and rates as presented

and determined them to be acceptable; the Budgets and Rates for the Arbors, Violet Avenue, Greenbush and Quaker Hills Water Systems, as presented, are hereby adopted and made effective on August 1, 2015. The motion was seconded by Larry; voted on and passed unanimously. (Res. 2015.07.F/06)

**Hyde Park Water/Sewer System Acquisition – Approval of Operations Contract for Quaker Hills Water System**

Bridget said staff is proposing to continue using VRI as the system operators for Quaker Hills Water System.

Rudy made a motion that the Authority's Board of Directors hereby authorizes the Executive Director or Deputy Director to execute an Operations Contract with VRI, Inc. for the operation of the Quaker Hills Water System, at a monthly fee of \$750.00, the initial term of said contract to commence on the day the Authority acquires ownership of the Quaker Hills Water System and to run through December 31, 2015; and then extendable through December 31, 2017, at the sole option of the Authority, and with an adjustment to rates in accordance with the Consumer Price Index but in no event greater than three percent (3%) for each year the contract is extended. The motion was seconded by Larry; voted on and passed unanimously. (Res. 2015.07.G/07)

Tom said the reason we have more success with contract operators than small local governments do is because we have Staff with the expertise to oversee the contractors' work. Doug agreed and said there is no doubt that it saves the Authority money for operations.

**Authorization to Execute Electric Purchase Agreement for Hyde Park Water and Sewer Systems Assignment of Constellation Energy Resources, LLC Contract**

Mary said there is a memo in the board package on the Electric purchase. This is an agreement the Town entered into in the beginning of 2015 to purchase electric at a fixed rate. With this contract it appeared it would be detrimental if we did not agree to move forward to acquire this contract for the Hyde Park customers as there is a clause for a penalty payment for early cancellation. In addition the contract rate appears to be consistent with the Hyde Park rates charged by Central Hudson. Tom asked if the Authority could cancel the contract if we chose to. Mary said yes but there is a cancellation penalty that allows Constellation Energy to recoup what they could have made if we had maintained the contract.

Tom voiced concern over this type of contract as in the past he had entered into a similar contract and when the contract expired the cost greatly increased. Mary said this contract expires in February of 2017 and as we approach the budget for 2017 we will assess whether or not to proceed with that contract. If we don't align with another Electric Company at the end of the contract we would have to go with the price the company dictates at that time. Tom suggested staff set a reminder for the contract expiration date to avoid any unnecessary increases.

Larry made a motion that the Board has been presented a copy of the contract between the Town of Hyde Park and Constellation Energy Resources, LLC; with the understanding

that if the contract presented to the Authority from Constellation Energy Resources, LLC is substantially the same as presented here, the Executive Director or Deputy Director is authorized to execute the agreement. The motion was seconded by Rudy; voted on and passed unanimously. (Res. 2015.07.H/08)

**Authorization to Execute Assignment and Assumption Agreements for Water Supply Agreements for Arbors, Violet Avenue and Greenbush Water Systems**

Tom said we have discussed acquiring these systems at several board meetings.

Larry made a motion that the Executive Director or Deputy Director is authorized to execute the Assignment Agreements and related documents as necessary to accept the terms and conditions of the Arbors Water Purchase Agreement and the Greenbush/Violet Avenue Water Purchase Agreement. The motion was seconded by Rudy; voted on and passed unanimously. (Res. 2015.07.I/09)

**Authorization to Submit Grant Application to NY State Department of State**

Bridget said the application for this grant is for the Hyde Park Systems. This was added to the resolution package and distributed at today's meeting. The initial evaluation of these systems and whether they should be turned over to the Authority was funded through a local government efficiency grant with New York State Department of State.

They have a second grant for implementation and the Authority could recoup through the grant legal costs associated with the transfer agreement, and the closing costs including title searches. Two of the systems, the Greenfields Water and Sewer Systems, need survey work to establish property boundaries and easements. That cost would be included in the grant. Essentially anything required to implement the transfer of ownership from the Town to the Authority would be included. Because we intend to incorporate these systems into the existing administrative and operational structure of the Authority we are looking at some investments in technology, primarily automated meter reading equipment, to make the process more efficient. The cost of these improvements will also be included in the grant application.

Rudy made a motion to Authorize the Executive Director or Deputy Director to submit, on behalf of the Authority, an application to the NYS Department of State Local Government Efficiency Grant Program to fund the transfer of the Water and Sewer Systems from the Town of Hyde Park to the DCWWA, and to further fund the implementation of AMR metering programs and similar technology improvements to the Systems to enable their more efficient operation and management by the DCWWA. The motion was seconded by Larry; voted on and passed unanimously. (Res. 2015.07.L/10)

**Shore Haven Water System Status**

Bridget said the most recent testing results for disinfection by-products, radiologicals and lead and copper are all within drinking water standards. Tom asked if the water was being pumped from the new well. Doug said not at this time. They are alternating wells to keep it fresh with about 50%-70% of the water coming from Well #3, the new well. Bridget advised the Board that there is not a significant difference between the water quality in the wells anymore.

Tom asked why that was the case. Bridget said the disinfection by-products levels are below standards due to the chloramine system. Radiologicals go up and down. They have always fluctuated right around the maximum contamination level and lead and copper has not been a big problem there. Doug said they thought the chloramines might affect the lead and copper levels but that has not been the case. Bridget said we have consistently been over the standard for iron and manganese. We are under on manganese and under on combined but over on iron.

Bridget said we received the revised plans and specs for the treatment building from Savin on July 17<sup>th</sup>. On the schedule we provided to the Board last month we are on track for submittal to the New York State Department of Health (NYSDOH). The County Department of Health will review it also. Weston and Sampson, the design engineer for the distribution system, has responded back to the NYSDOH from their initial review of the plans and specs. We have received the letter report responding to the concerns and are working on finalizing the plans and specs for the distribution work.

### **Vanderburgh Cove Sewer System Status**

Tom said he and Bridget had discussion on a collection line at Vanderburgh Cove which is not within a right of way. Bridget said this involves about 40% of the collection main. Tom asked if we have to get an easement from the property owners to rectify this and they are resistant we can condemn an easement? Bridget said yes. Tom said the collection line is a critical component and asked for a list of property owners to determine which properties are involved. Bridget said we have generally had luck with getting easements for existing infrastructure already on the properties and advising that the owners that we need to be able to maintain it. Discussion followed.

Bridget said we have to take the report back to the Town of Rhinebeck. We intend to present it to them as draft in order to see the issues we have identified. Bridget said the biggest issue they have is continuing Inflow and Infiltration problems. Tom asked if they have a fund balance. Bridget said yes, about \$45,000 in fund balance and we normally like to keep about 15% for the operating budget. Tom asked about Operation and Maintenance expenses. Bridget said they are about \$60,000 and they also have a loan, with an annual debt service payment of \$16,000. We are estimating about \$205,000 in additional improvements needed. Tom said if possible he wants to do the borrowing once to complete the entire project. Discussion followed.

### **County Partnership for Manageable Growth – Water and Wastewater Facility Planning and Development Grants**

Bridget said years ago this program was originally established primarily through the Planning Department. They have recently gone to the Legislature and amended the program. It is now the County Executive's intent to provide funding for water and wastewater infrastructure projects. The amendment approved by the Legislature modifies the criteria and they are looking at the Water and Wastewater Authority to be the entity that reviews applications for the projects. There is money for 50% of the cost of planning and money for construction at 25%. In order to obtain money for construction the end project has to be owned and operated by the Water and Wastewater Authority. We anticipate that when the program is activated we will be

getting applications to review. Our intent is we would review them at a staff level then bring the applications to the Board who in turn could make an official recommendation that would go to the County Executive. This was agreeable to the Board.

### **Stone Ridge Estates Water/Sewer**

Bridget advised the Board that the Stone Ridge Estates Water and Sewer Systems originally came to us back in 2012. This is an 18 lot sub-division, proposed in the Town of Beekman but adjacent to the boundary with the Town of East Fishkill. They are proposing to obtain water and wastewater service from the Four Corners Water and Sewer Systems owned by the Town of East Fishkill. Town of Beekman does not want to be involved or establish a district. The Town of East Fishkill was concerned about selling water to individual owners or providing the sewer services through a Transportation Corporation without the backing of the districts so they could relevy unpaid charges.

At the time the Authority originally looked into this in 2012-2013 there was a preliminary wholesale water rate provided to us through the Town of East Fishkill as well as a wholesale sewer rate. Staff worked the numbers into what our Operating and Maintenance budget would be for the infrastructure within the subdivision and translated that to total cost to user of about \$1,500 annually for water and about \$1,800 annually for sewer. This was discussed at the February 2013 board meeting and the Board decided it wasn't in the Authority's best interest to become involved due to the high user costs.

Rich Olsen, with McCabe and Mack, on behalf of the new owner of the sub-division has come back to us again with the same request. In the interim they did establish a private water Transportation Corporation and a private sewer Transportation Corporation and entered into a purchase agreement with the Town of East Fishkill that sets the rate for the water and sewer at 125% of what customers of Four Corners are paying. The numbers are less than we originally looked at with the Town of East Fishkill wholesale rate. At this time the costs would be about \$1,300 annually for water and about \$1,500 annually for sewer. The Board consensus was to reaffirm the earlier decision not to get involved in this project.

### **Public Comment**

Tom asked for any public comment. There were no comments.

### **Executive Session**

At 4:18p.m. Tom asked for a motion to enter into Executive Session to discuss Litigation. The motion was made by Larry, seconded by Rudy; voted on and passed unanimously. (Res. 2015.07.J/11)

At 4:45p.m. Rudy made a motion to close Executive Session. The motion was seconded by Larry; voted on and passed unanimously. (Res. 2015.07.K/12)

### **Confirm Next Meeting Date**

Tom confirmed the next meeting date of August 19, 2015.

**Adjournment**

The meeting was adjourned at 4:45p.m.

Respectfully submitted,



Jackie Burger  
Senior Typist

**Resolutions**

- |                   |   |
|-------------------|---|
| Res. 2015.07.A/01 | Motion to approve minutes from the June 17, 2015 board meeting  |
| Res. 2015.07.B/02 | Motion to award contract for sludge removal – Hyde Park Regional Water System   |
| Res. 2015.07.C/03 | Motion to approve the warrant as amended  |
| Res. 2015.07.D/04 | Motion to authorize CO #2 – Shore Haven Water Booster Pump Electrical Connection  |
| Res. 2015.07.E/05 | Motion to authorize Execution of CO #2 – Contract No. PWSC-CDWTL-2015-01  |
| Res. 2015.07.F/06 | Motion to adopt budgets and rates for Arbors, Greenbush, Violet Avenue and Quaker Hills Water Systems   |
| Res. 2015.07.G/07 | Motion to approve operations contract for Quaker Hills Water  |
| Res. 2015.07.H/08 | Motion to authorize Execution of Electric Purchase Agreement for Hyde Park Water and Sewer Systems  |
| Res. 2015.07.I/09 | Motion to authorize Execution of Assignment and Assumption Agreements for Water Supply Agreements for Arbors, Violet Avenue and Greenbush Water Systems |
| Res. 2015.07.J/11 | Motion to enter into Executive Session  |
| Res. 2015.07.K/12 | Motion to close Executive Session   |
| Res. 2015.07.L/10 | Motion to authorize submittal of Grant Application to NY State Department of State – Hyde Park Water and Sewer Acquisitions                             |



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**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
UNAPPROVED - MINUTES OF AUGUST 6, 2015**

**Board Members Present**

Authority Board Members

**Thomas LeGrand**  
Chairperson

**Vincent DiMaso**  
Vice-Chairperson

**Rudy Vavra**  
Treasurer

**Lawrence R. Knapp**  
Secretary

**Amanda Baxter-Dingee**

Ex officio Members

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Soil and Water Conservation District

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D.C. Dept. of Planning & Development

Staff

Bridget Barclay  
Executive Director

Mary C. Morris  
Deputy Director

Tom LeGrand  
Vince DiMaso  
Larry Knapp

**Staff Present**

Bridget Barclay  
Jackie Burger  
Mary Morris  
Doug Odell

**Board Member Absent**

Amanda Baxter-Dingee  
Rudy Vavra

**Others Present**

Eoin Wrafter – Commissioner of Dutchess County Planning  
and Development

**Meeting Open**

Chairman Tom LeGrand opened the meeting at 4:45pm. He then advised the Board that the purpose of today's meeting is to approve an agreement for assignment of the IBM agreement to Global Foundries.

**Executive Session**

At 4:46 p.m., Tom asked for a motion to enter into executive session. Vince made the motion; it was seconded by Larry; voted on and passed unanimously. (2015.08.06.A/01)

At 4:50 p.m., Larry made a motion to come out of executive session. The motion was seconded by Vince; voted on and passed unanimously. (2015.08.06.B/02)

**IBM Water Supply Agreement – Authorize the Execution of the IBM Assignment Agreement**

Larry made a motion that the Authority Chairman is authorized to execute the Assignment and Assumption Agreement in substantially the form presented to this meeting conditioned upon the simultaneous execution and delivery of the Continuing Guaranty by Global USA. The motion was seconded by Vince; voted on and passed unanimously. (2015.08.06.C/03)

**Confirm Next Meeting Date**

Tom confirmed the next meeting date of August 19, 2015.

**Adjournment**

The meeting was adjourned at 4:52 p.m.

Respectfully submitted,



Jackie Burger  
Senior Typist

**Resolutions**

Res. 2015.08.06.A/01	Motion to enter into executive session
Res. 2015.08.06.B/02	Motion to close executive session
Res. 2015.08.06.C/03	Motion to Authorize Execution of the IBM Assignment Agreement

**Resolution Package – Not for Release**

**Summary of Possible Motions for August 19, 2015 DCWWA Meeting:**

The following is a list of motions that will be considered by the Board. Drafts of complete motions and explanatory memos are included in your package. Potential motions will be referenced with letters (A, B, C.....). Each will be assigned a permanent number in sequential order in the board minutes after the meeting.

1. Approval of Minutes – July 22, 2015 Board Meeting (R2015.08.A)
2. Approval of Minutes – August 6, 2015 Special Board Meeting (R2015.08.B)
3. Approval of Warrant (R2015.08.C)
4. Approval of Contract Extension with Rose and Kiernan for Insurance Services (R2015.08.D)
5. Chelsea Cove Sewer Revised Bonding Resolution (R2015.08.E)
6. Contract Award - Shore Haven Water Treatment Improvement Project Construction Administration (R2015.08.F)
7. Authorization to execute Dutchess County Airport Water Line Project Management Agreement (R2015.08.G)
8. Contract Award Greenfields Water and Sewer Surveying Services (R2015.08.H)

**RESOLUTION NO. 2015.08.A**

**Authority Board – DCWWA  
August 19, 2015 meeting**

\_\_\_\_\_ offers the following resolution and moves its adoption:

**Approval of Minutes – July 22, 2015 Board Meeting**

Seconded by \_\_\_\_\_

<b><u>Record of Vote:</u></b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Amanda Baxter-Dingee	Abstains	

**RESOLUTION NO. 2015.08.B**

**Authority Board – DCWWA  
August 19, 2015 meeting**

\_\_\_\_\_ offers the following resolution and moves its adoption:

**Approval of Minutes – August 6, 2015 Special Board Meeting**

Seconded by \_\_\_\_\_

<b><u>Record of Vote:</u></b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Thomas LeGrand	_____	_____
Vincent DiMaso	_____	_____
Larry Knapp	_____	_____
Rudy Vavra	_____	_____
Amanda Baxter-Dingee	Abstains	

**RESOLUTION NO. 2015.08.C**

**Authority Board - DCWWA  
August 19, 2015 meeting**

**Approval of Warrant**

\_\_\_\_\_ offers the following resolution and moves its adoption:

Approval of warrant, as amended

Seconded by \_\_\_\_\_

<b><u>Record of Vote:</u></b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Amanda Baxter-Dingee	___	___

**Approval of Contract Extension with Rose and Kiernan for Insurance Services**

\_\_\_\_\_ offers the following resolution and moves its adoption:

WHEREAS; on October 24, 2012, the Dutchess County Water and Wastewater Authority (the “Authority”) Board approved Resolution No. 2012.10.H for Insurance Consulting/Broker Services; and

WHEREAS; the agreement resulting from this resolution allowed for an extension (renewal) of the agreement through the 2015 calendar year; and

WHEREAS; subsequent to this agreement, the Procurement Policy has been amended to allow Professional Service agreements to extend for a five year period; and

WHEREAS; Staff recommends that it is in the best interest of the Authority to extend the renewal for an additional two years for the full five year period; and

WHEREAS; the current agreement requires notification to be provided by the Authority to Rose and Kiernan at least 120 days prior to December 31, 2015 if the Authority elects to renew the term of the Agreement; and

WHEREAS; at this time, it is the recommendation of the Staff that the Authority elect to renew the agreement with Rose and Kiernan for the 2016 calendar year to serve as consultant;

NOW THEREFORE BE IT RESOLVED THAT; the Dutchess County Water and Wastewater Authority hereby consents to amending the agreement with Rose and Kiernan, Inc. of Fishkill, NY for Insurance Consulting and Broker Services dated November 1, 2012 to be extended through the 2016 calendar year for a fee not-to-exceed \$20,000 (twenty thousand dollars) with additional amounts as adjusted by the contract, and authorizes the Authority’s Executive Director or Deputy Director to execute a letter amending the original 2012 executed agreement for the same.

Seconded by \_\_\_\_\_

<b><u>Record of Vote:</u></b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Thomas LeGrand	_____	_____
Vincent DiMaso	_____	_____
Larry Knapp	_____	_____
Rudy Vavra	_____	_____
Amanda Baxter-Dingee	_____	_____

**RESOLUTION NO. 2015.08.E**

**Authority Board – DCWWA  
August 19, 2015 meeting**

**Chelsea Cove Sewer Revised Bonding Resolution**

See attached Resolution provided by Bond Counsel.

DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY

to

Manufacturers and Traders Trust Company

as Trustee

FIFTH SUPPLEMENTAL TRUST INDENTURE

Dated as of \_\_\_\_\_, 2015

Authorizing

\$ \_\_\_\_\_

DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY

E.F.C. CLEAN WATER FACILITY NOTE – 2015A  
(BOND ANTICIPATION NOTE)

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## FIFTH SUPPLEMENTAL TRUST INDENTURE

THIS FIFTH SUPPLEMENTAL TRUST INDENTURE dated as of \_\_\_\_\_, 2015 by and between the Dutchess County Water and Wastewater Authority, a public benefit corporation of the State of New York (the "Authority"), and Manufacturers and Traders Trust Company, a banking corporation organized and duly existing under the laws of New York, having its principal office and place of business at One M&T Plaza, Buffalo, New York (the "Trustee"), under and supplemental to that certain Amended and Restated Trust Indenture dated as of March 1, 2007 by and between the Authority and the Trustee.

### WITNESSETH:

WHEREAS, the Authority is a body corporate and politic, constituting a public benefit corporation of the State of New York, created under the Act; and

WHEREAS, the Authority and the Trustee have entered into a Trust Indenture (as modified, amended or supplemented, the "Indenture"), to which this Fifth Supplemental Trust Indenture is supplemental; and

WHEREAS, the Authority has resolved to issue its notes for additional costs relating to the Chelsea Cove Sewer System in the aggregate principal amount of \$ \_\_\_\_\_ (the "EFC Notes"); and

WHEREAS, the execution and delivery of the EFC Notes and of this Fifth Supplemental Trust Indenture have been duly authorized and all things necessary to make the EFC Notes, when executed by the Authority and authenticated by the Trustee, valid and binding legal obligations of the Authority and to make this Fifth Supplemental Trust Indenture a valid and binding agreement have been done;

NOW, THEREFORE, THIS FIFTH SUPPLEMENTAL TRUST INDENTURE WITNESSETH, that the Authority and the Trustee for good and valuable consideration, receipt and sufficiency of which they each hereby acknowledge, do hereby agree as follows:

## ARTICLE I

### DEFINITIONS

Terms not defined herein shall have the meanings ascribed to them in the Indenture. The following terms shall have the meanings provided below when used in this Fifth Supplemental Trust Indenture.

“Authorized Denominations” means, with respect to the EFC Notes, a minimum denomination of \$5,000 and integral multiples thereof.

“Closing Date” means that date on which the EFC Notes are first authenticated and delivered pursuant hereto.

“EFC Notes” means the Authority's E.F.C. Clean Water Facility Note – 2015A (Bond Anticipation Note).

“Maturity” when used with respect to the EFC Notes means the date on which the principal of such EFC Notes becomes due and payable as therein or herein provided, whether at the final maturity date for the EFC Notes as set forth in Section 2.01 hereof, or declaration of acceleration, call for redemption or otherwise.

“Paying Agent” means the paying agent or paying agents appointed by the Authority under this Fifth Supplemental Indenture, and shall initially mean the Trustee.

The words “hereof,” “herein,” “hereto,” “hereby” and “hereunder” (except in the form of EFC Notes) refer to the entire Indenture.

## ARTICLE II

### THE EFC NOTES

#### Section 2.01. Purpose, Amount, Date, Terms and Issuance of the EFC Notes.

(a) The EFC Notes are hereby authorized to be issued under the Indenture and this Fifth Supplemental Trust Indenture. The purpose of the EFC Notes will be to provide the Authority with additional funds to undertake capital improvements to the Chelsea Cove Sewer System and to pay costs of issuance. The EFC Notes shall be issued in the aggregate principal amount of \$\_\_\_\_\_, and shall contain substantially the terms recited in the Project Finance Agreement. The EFC Notes shall each be dated their date of delivery to EFC.

(b) The Authority shall cause a copy of the text of the opinion of Bond Counsel delivered in connection with the original issuance of the EFC Notes to be delivered to the Trustee.

(c) The Authority shall issue the EFC Notes upon the execution of this Fifth Supplemental Trust Indenture. The Trustee shall authenticate and deliver the EFC Notes upon receipt of written direction from the Authority to do so.

(d) The EFC Notes shall be issued in two series of equal amounts of \$\_\_\_\_\_, one of which shall initially bear no interest and the other shall bear interest at the rate of \_\_\_\_% per annum. EFC Notes shall have the provisions with respect to redemption as provided in the Project Finance Agreement.

(e) The EFC Notes constitute Additional Parity Indebtedness.

Section 2.02. Disposition of Proceeds of EFC Notes. Proceeds of the EFC Notes shall be dispersed as provided for in the Project Finance Agreement.

## ARTICLE III

### MISCELLANEOUS

Section 3.01. Illegal, etc. Provisions Disregarded. In case any provision in this Fifth Supplemental Trust Indenture or the EFC Notes shall for any reason be held invalid, illegal or unenforceable in any respect, this Fifth Supplemental Trust Indenture or the EFC Notes, as the case may be, shall be construed as if such provision had never been contained herein or therein.

Section 3.02. Notices. Except as otherwise provided herein, any notice, request, complaint, demand, communication or other paper shall be sufficiently given and shall be deemed given when delivered or mailed by first class mail, postage prepaid, or sent by telegram or telex, addressed to the parties as follows:

Authority: Dutchess County Water and Wastewater Authority  
27 High Street  
Poughkeepsie, New York 12601  
Attention: Executive Director

Trustee: Manufacturers and Traders Trust Company Corporate Trust  
and Agency Services  
One M&T Plaza  
Buffalo, New York 14203-2399  
Attention: Corporate Trust

The above parties may, by notice given hereunder, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

Section 3.03. Successors and Assigns. All the covenants, promises and agreements in this Fifth Supplemental Trust Indenture contained by or on behalf of the Authority, or by or on behalf of the Trustee, shall bind and inure to the benefit of their respective successors and assigns, whether so expressed or not.

Section 3.04. Headings for Convenience Only. The descriptive headings in this Fifth Supplemental Trust Indenture are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions hereof.

Section 3.05. Counterparts. This Fifth Supplemental Trust Indenture may be executed in any number of counterparts, each of which when so executed and delivered shall be an original; but such counterparts shall together constitute but one and the same instrument.

Section 3.06. Applicable Law. This Fifth Supplemental Trust Indenture shall be governed by and construed in accordance with the laws of the State of New York.

Section 3.07. Designation of Paying Agent for EFC Notes. The Trustee is hereby designated as Paying Agent for the EFC Notes.

IN WITNESS WHEREOF, DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY has caused this Fifth Supplemental Trust Indenture to be executed by its Chairman and its corporate seal to be hereunto affixed, attested by its Secretary, and Manufacturers and Traders Trust Company has caused this Fifth Supplemental Trust Indenture to be executed by one of its authorized officers, all as of the day and year first above written.

(AUTHORITY SEAL)

DUTCHESS COUNTY WATER AND  
WASTEWATER AUTHORITY

Attest: \_\_\_\_\_

Secretary

By: \_\_\_\_\_

Chairman

MANUFACTURERS AND TRADERS  
TRUST COMPANY, as Trustee

By: \_\_\_\_\_

Assistant Vice President



STATE OF NEW YORK        )  
  ): ss.:  
COUNTY OF DUTCHESS    )

On this \_\_\_\_ day of \_\_\_\_\_, 2015, personally appeared before me \_\_\_\_\_, personally known to me and known by me to be the person who executed the foregoing instrument in the name and on behalf of Manufacturers and Traders Trust Company, who, being by me duly sworn, did depose and say that he is a Trust Officer of said Trustee, that the said Trustee is the banking corporation described in and that executed the said instrument, and acknowledged said instrument so executed to be his voluntary act and the voluntary act and deed of said Trustee, and stated on oath that said instrument was so signed by him and sealed and attested by \_\_\_\_\_ and delivered on behalf of said Trustee and at its direction, and that the seal affixed to said instrument is the official seal of said Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year aforesaid.

\_\_\_\_\_  
Notary Public  
(Notarial Seal)  
My Commission Expires:

At a regular meeting of the Dutchess County Water and Wastewater Authority, held at 27 High Street, Poughkeepsie, New York, at \_\_\_\_\_ o'clock \_\_\_\_\_, on the 19th day of August, 2015, the following members of the Authority were:

PRESENT:

ABSENT:

ALSO  
PRESENT:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to the issuance and sale of the Authority's proposed Chelsea Cove Sewer Service Agreement Revenue Notes, Series 2015 (EFC).

The following resolution was duly moved, seconded, discussed and adopted with the following members in open session:

AYE

NAY

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF THE  
AUTHORITY'S CHELSEA COVE SEWER SERVICE AGREEMENT  
REVENUE NOTES, SERIES 2015 (EFC) AND THE APPROVAL AND  
EXECUTION OF RELATED DOCUMENTS

WHEREAS, by Title 6-C of Article 5 of the Public Authorities Law of the State of New York (the "Act"), the Dutchess County Water and Wastewater Authority (the "Authority") was created with the authority and power to issue its revenue bonds for the purpose of, among other things, planning, developing, acquiring, constructing and financing the cost of any project (as defined in the Act) owned or operated by or for the benefit of the Authority in accordance with the Act; and

WHEREAS, the Authority has previously authorized the issuance of up to \$2,200,000 in notes to finance capital improvements to the Chelsea Cove Sewer System and to pay costs of issuance; and

WHEREAS, the Authority issued its Chelsea Cove Sewer Service Agreement Revenue Notes, Series 2014 (EFC) pursuant to the Act in the aggregate principal amount of \$2,019,572 for such purpose; and

WHEREAS, due to additional costs, it is now necessary to increase the amount of financing authorized for such project by \$900,000; and

WHEREAS, in order to evidence the loan for such additional costs the Authority will need to issue up to \$900,000 in additional notes (the "Notes") to the New York State Environmental Facilities Corporation ("EFC") and execute various documents in connection therewith; and

WHEREAS, it is now desired to authorize the issuance of the Notes to EFC and to approve and authorize the execution of related documents; NOW, THEREFORE,

BE IT RESOLVED by the Dutchess County Water and Wastewater Authority as follows:

Section 1. The Authority hereby finds and determines:

- (a) By virtue of the Act, the Authority has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act.
- (b) It is desirable and in the public interest for the Authority to issue and sell the Notes, pursuant to a certain Fifth Supplemental Indenture to that certain Amended and Restated Trust Indenture dated as of March 1, 2007 by and between the Authority and Manufacturers and Traders Trust Company (the "Trustee"), as Trustee (the "Trust Indenture" and together with the Fifth Supplemental Indenture, the "Indenture") and in accordance with a Project Finance Agreement to be executed between the Authority and EFC (the "Project Finance Agreement").

Section 2. In consequence of the foregoing, the Authority hereby determines to: (i) issue and sell the Notes to EFC pursuant to the terms and conditions set forth in the Indenture and Project Finance Agreement; (ii) use the proceeds of the Notes as previously described; (iii) enter into each agreement hereafter identified in this resolution; and (iv) execute such other documents and take such other action as may be necessary to effectuate the purposes of this resolution.

Section 3. The form and substance of the Fifth Supplemental Indenture (in substantially the form presented to this meeting) are hereby approved.

Section 4. The Authority is hereby authorized to issue, execute, sell and deliver the Notes to the EFC upon such terms as shall be approved by the Chairman, Vice Chairman, Treasurer or Executive Director and in substantially the form heretofore approved in this Resolution, provided that:

- (a) The Notes hereby authorized to be issued, executed and delivered shall be issued, executed and delivered at such time as the Chairman, Vice Chairman, Treasurer or Executive Director of the Authority shall determine and shall not be issued until prior approval of the terms and conditions thereof shall have been obtained from the State Comptroller, if necessary
- (b) The Notes shall be issued solely for the purposes previously described.
- (c) The Notes and the interest thereon are not and shall never be a debt of the State of New York or any political subdivision thereof other than the Authority, including without limitation Dutchess County, and neither the State of New York nor any political subdivision thereof other than the Authority, including without limitation Dutchess County, shall be liable thereon.

Section 5. (a) The Chairman, Vice Chairman, Treasurer or Executive Director of the Authority are hereby authorized, on behalf of the Authority, to execute and deliver, the Fifth Supplemental Indenture, the Project Finance Agreement and the Notes, all as described above and the Secretary of the Authority is hereby authorized to affix the seal of the Authority thereto and to attest the same, all in substantially the forms thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Treasurer or Executive Director shall approve. The execution thereof by the Chairman, Vice Chairman, Treasurer or Executive Director shall constitute conclusive evidence of such approval.

- (b) ~~The Chairman, Vice Chairman, Treasurer or Executive Director of the Authority are further hereby authorized, on behalf of the Authority, to designate any additional Authorized Representatives of the Authority (as~~

used or defined in and pursuant to the Indenture) to execute, on behalf of the Authority, any Financing Documents (hereinafter defined).

Section 6. The members, officers, employees and agents of the Authority are hereby authorized and directed for and in the name and on behalf of the Authority to do all acts and things required or provided for by the provisions of either the Notes, the Indenture, or the Project Finance Agreement (collectively the "Financing Documents"), and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the member, officer, employee or agent acting, desirable and proper to effect the purposes of this resolution and to cause compliance by the Authority with all of the terms, covenants and provisions of the Financing Documents.

Section 7. Each of the documents identified in each Section of this resolution is hereby incorporated in this resolution as if set forth at length herein.

Section 8. This resolution shall take effect immediately and the Notes are hereby ordered to be issued in accordance with this resolution.



**Shore Haven Water Treatment Improvement Project - Authorize Construction  
Administration Services Contract with Morris Associates**

\_\_\_\_\_ offers the following resolution and moves its adoption:

WHEREAS; the Authority staff has solicited proposals for construction administration services in accordance with the procurement policy for the Shore Haven Treatment System Improvements in the Town of Pawling, NY; and

WHEREAS; the Authority staff has reviewed the proposals and recommends that the proposal submitted by Morris Associates Engineering and Surveying Consultants, PLLC in the amount of \$84,070.00 be accepted; and

WHEREAS; the Authority Board has reviewed the recommendations of the Authority staff and considered the benefits to the Authority;

NOW THEREFORE, BE IT RESOLVED THAT; the Executive Director or Deputy Director is authorized to execute a contract with Morris Associates Engineering and Surveying Consultants, PLLC for an amount not-to-exceed of \$84,070.00 to provide construction administration services for the Shore Haven Treatment System Improvements Project.

Seconded by \_\_\_\_\_

<b><u>Record of Vote:</u></b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Thomas LeGrand	_____	_____
Vincent DiMaso	_____	_____
Larry Knapp	_____	_____
Rudy Vavra	_____	_____
Amanda Baxter-Dingee	_____	_____

**RESOLUTION NO. 2015.08.G**

**Authority Board – DCWWA  
August 19, 2015 meeting**

**Authorization to Execute Dutchess County Airport Water Line Project Management Agreement**

\_\_\_\_\_ offers the following resolution and moves its adoption:

WHEREAS; the County and the Authority made and entered into an agreement, County Contract No. 02-0552-WA, dated June 27, 2002, whereby the County agreed to purchase a portion of the excess capacity in the water transmission main and to pay the Authority the sum of \$3,000,000.00 in consideration therefore; and

WHEREAS; County Contract No. 02-0552-WA dated June 27, 2002 was amended by County Contract No. 04-0730-WA dated November 19, 2004; and

WHEREAS; the County requires a source of potable water at the Dutchess County Airport located in the northern section of the Town of Wappinger, NY, and the County has decided to elect to utilize a portion of its capacity in the Central Dutchess Water Transmission Line and has selected as a source of the water a connection to the Central Dutchess Water Transmission Line; and

WHEREAS; the County desires to retain the Authority as its agent to act as Program Administrator for the construction project to construct a 12 inch diameter, ductile iron pipeline starting at the Dutchess County Central Dutchess Water Transmission Line and terminating at the Airport at Griffith Way; and

WHEREAS; the Authority is qualified and is willing and able to perform such services in a timely manner; and

WHEREAS; terms and conditions by which the Authority will provide such services, and the County will fund the project, including compensation to the Authority for the Program Administration services to be provided, have been established by means of an amendment to the above referenced Agreement (the Amendment Agreement); and

WHEREAS; the Amendment Agreement has been reviewed by Staff and a copy thereof provided to the members of the Board;

NOW THEREFORE BE IT RESOLVED THAT; the Authority Chairman is authorized to execute the Amendment Agreement in substantially the same form presented to this meeting.

Seconded by \_\_\_\_\_

<b>Record of Vote:</b>	<b>Aye</b>	<b>Nay</b>
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Amanda Baxter-Dingee	___	___

**Contract Award Greenfields Water and Sewer Surveying Services**

\_\_\_\_\_ offers the following resolution and moves its adoption:

WHEREAS; the Staff in performing due diligence in regards to the acquisition of the Town of Hyde Park (Town) Greenfields Water System identified that five water supply wells are located within the Town of Hyde Park recreation lands; and

WHEREAS; the Staff has further determined that the location of water lines between the Water Treatment Building and the wells are unknown; and

WHEREAS; the Staff has further determined that the location of electric lines between the Water Treatment Building/Wastewater Treatment Buildings and the wells are unknown; and

WHEREAS; the staff has determined that there are conflicting boundary descriptions between deeds and maps filed at the Dutchess County Clerk's Office for the Wastewater Treatment Plant Parcel; and

WHEREAS; these boundary issues are proposed to be resolved by developing a plat and property description that encompasses the treatment facilities but does not conflict with other properties; and

WHEREAS; the Town has requested that the Authority to have the survey performed and plats and deed description prepared for the Wastewater Treatment Facility Boundary to resolve conflicting boundary definitions at the expense of the district customers; and

WHEREAS; the Town has requested that the Authority to have the survey performed and the easement documents plats and descriptions prepared for the well electric and waterline connections at the expense of the district customers; and

WHEREAS; the Agreement for Transfer of Water and Sewer Systems between the Town and Authority provides in part that the Authority costs to complete the above described services will be paid for by the Town on behalf of the district customers; and

WHEREAS; the Staff in accordance with Procurement Policy for professional services greater than \$10,000 but less than or equal to \$35,000 prepared a written scope of work and requested proposals from 5 firms as follows:

1. Brooks & Brooks, PC, Highland, NY (A WBE)
2. Chazen Engineering, Land Surveying and Landscape Architecture Co., DPC, Poughkeepsie, NY
3. Michael A. Dalbo, LS, Hyde Park, NY
4. KC Engineering and Land Surveying, PC, Poughkeepsie, NY (A MBE)
5. Morris Associates Engineering & Surveying Consultants, PLLC, Poughkeepsie, NY; and

**Contract Award Greenfields Water and Sewer Surveying Services**

WHEREAS; proposals were received on July 28, 2015 as follows:

<u>Proposer</u>	<u>Not to Exceed Proposal Amount</u>
1. Chazen Engineering, Land Surveying and Landscape Architecture Co., DPC	\$23,500.00
2. KC Engineering and Land Surveying, PC	\$14,400.00
3. Morris Associates Engineering & Surveying Consultants, PLLC	\$25,048.00

and

WHEREAS; the Staff recommends to the Board the authorization of the agreement with KC Engineering and Land Surveying, PC, Poughkeepsie, NY for Professional Service Agreement – Greenfields Sewer Survey and Easement Plat Preparation, as well as a Greenfields Water System Well Location Survey and Easement Plat Preparation for a cost not to exceed of \$14,400.00; and

WHEREAS; the Board has reviewed the Staff's recommendations and the benefits to the Authority for the authorization of the agreement with KC Engineering and Land Surveying, PC, Poughkeepsie, NY for Professional Service Agreement – Greenfields Water System Well Location Survey and Easement Plat Preparation;

NOW THEREFORE BE IT RESOLVED THAT; the Board Authorizes the Executive Director or Deputy Director to enter into a professional services agreement with KC Engineering and Land Surveying, PC, Poughkeepsie, NY for Professional Service Agreement – Greenfields Sewer Survey and Easement Plat Preparation, as well as a Greenfields Water System Well Location Survey and Easement Plat Preparation for a cost not to exceed of \$14,400.00.

Seconded by \_\_\_\_\_

<u>Record of Vote:</u>	<u>Aye</u>	<u>Nay</u>
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Amanda Baxter-Dingee	___	___

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WARRANT  
August 19, 2015**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
<b><u>Benefit Assessment</u></b>						
BEN15009	Drake, Loeb, Heller, etal.	Professional services: T Rex Greivance (June2015)	2,816.10	30,000.00	18,629.18	62.10%
BEN15010	Drake, Loeb, Heller, etal.	Professional services: T Rex Greivance (June2015)	256.00	30,000.00	18,885.18	62.95%
<b>SUBTOTAL</b>			<b>3,072.10</b>			
<b><u>Birch Hill Water System</u></b>						
BHW15053	VRI Environmental Services, Inc.	Operations and Maintenance: July 2015	855.41	10,265.00	5,987.87	58.33%
BHW15054	Smith Environmental Laboratory	Labs: June 2015	2,471.15			
BHW15055	Morris Assoc Engineering Consultants, PLLC.	Prof Serv: BHW Transfer Pumps Control (06/14/15 - 07/11/15)	93.60	19,250.00	17,495.60	90.89%
BHW15056	Dig Safely New York, Inc.	Location Request Services: June 2015	102.40			
BHW15057	Frontier Communications	Telephone service: 7/25/15-8/24/15 (2276847)	42.10			
BHW15058	Byrnes Message Bureau, Inc.	Answering service: July 2015	52.46			
BHW15059	VRI Environmental Services, Inc.	Low PSI	160.00			
BHW15060	DC Commissioner of Finance	Postage: July 2015	861.54			
<b>SUBTOTAL</b>			<b>4,638.66</b>			
<b><u>Chelsea Cove Sewer System</u></b>						
CCS15076	Frontier Communications	Telephone service: 7/7/15-8/6/15 (226 5492)	40.83			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WARRANT  
August 19, 2015**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
CCS15077	Slack Chemical Company, Inc.	Chemicals: Superchlor	306.60			
CCS15078	Royal Carting Service Co.	Monthly Refuse Removal: July 2015	76.59			
CCS15079	VRI Environmental Services, Inc.	Operations and Maintenance: July 2015	2,850.00	34,200.00	19,950.00	58.33%
CCS15080	NYSEG	Electric service:6/10/15-7/10/15 (10010243847)	2,155.27			
CCS15081	West Beekman Water Co., Inc.	Water usage: 3/25/15-6/27/15	67.09			
CCS15082	Manufacturers &Traders Trust Company	Annual Admin Fee: Series 2014B Dutchess County WWA	6,471.00			
CCS15083	AMTEC Tax Exempt Compliance	Arbitrage Report Comp: Service agreements 1998/2005/2007	1,100.00			
CCS15084	Earthcare - All County Division	Sludge removal: 7/10/15	1,832.00			
CCS15085	Morris Assoc Engineering Consultants, PLLC.	Professional Services: CCS WWTP design (6/14/15-7/11/15)	3,150.00	342,340.00	311,278.80	90.93%
CCS15086	Amrex	Chemical: Sodium Thiosulfate Pentahydrate	151.57			
CCS15087 E	H.O.Penn Machinery Company, Inc.	Main emergency generator repair	2,385.66			
CCS15088	VRI Environmental Services, Inc.	EQ pump	170.00			
CCS15089	Grainger	Grease bearing	126.00			
CCS15090	Grainger	Filter element paper	124.80			
CCS15091	Earthcare - All County Division	Sludge removal: 7/29/15	1,832.00			
<b>SUBTOTAL</b>			<b>22,839.41</b>			
 <b><u>Dalton Farms Sewer System</u></b>						
DFS15079	Frontier Communications	Telephone service: 7/7/15-8/6/15 (223 3038)	46.08			
DFS15080	Royal Carting Service Co.	Monthly Refuse Removal: July 2015	163.35			
DFS15081	VRI Environmental Services, Inc.	Operations and Maintenance: July 2015	3,591.66	43,100.00	25,141.62	58.33%
DFS15082	Verizon	Telephone service: 7/7/15-8/6/15 (7243574)	24.13			
DFS15083	Earthcare - All County Division	Sludge removal: 7/8/15	916.00			
DFS15084	NYSEG	Electric service:6/10/15-7/10/15(10010243581)	127.05			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WARRANT  
August 19, 2015**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
DFS15085	Frontier Communications	Long Distance Service: June 2015	2.90			
DFS15086	Frontier Communications	Telephone service:7/25/15-8/24/15(14519600000619907)	11.27			
DFS15087	VRI Environmental Services, Inc.	High water detection: 06/23 & 06/24/15	320.00			
DFS15088	Davies Hardware	Paint/cleaners	71.66			
DFS15089	H.A. Schreck, Inc.	Level 1 service	1,926.34			
DFS15090	Slack Chemical Company, Inc.	Chemicals	641.85			
DFS15091	Earthcare - All County Division	Sludge removal: 7/21+24/15	916.00			
<b>SUBTOTAL</b>			<b>8,758.29</b>			
 <b><u>Dalton Farms Water System</u></b>						
DFW15029	Frontier Communications	Telephone service: 7/7/15-8/6/15 (223 7653)	32.19			
DFW15030	VRI Environmental Services, Inc.	Operations and Maintenance: July 2015	1,458.33	17,500.00	10,208.31	58.33%
DFW15031	VRI Environmental Services, Inc.	Lighting project	209.67			
<b>SUBTOTAL</b>			<b>1,700.19</b>			
 <b><u>Fairways Sewer</u></b>						
None this warrant						
<b>SUBTOTAL</b>			<b>0.00</b>			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WARRANT  
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<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
<b><u>Fairways Water</u></b>						
FAW15020	VRI Environmental Services, Inc.	Operations and Maintenance: July 2015	550.00	6,600.00	3,850.00	58.33%
<b>SUBTOTAL</b>			<b>550.00</b>			
<b><u>General</u></b>						
GEN15150	Dell Marketing, L.P.	Computer Equipment	4,716.60			
GEN15151	DC Commissioner of Finance	Envelopes	31.78			
GEN15152	Paychex, Inc.	Time and Labor Management Program: June	70.00			
GEN15153	NYS Deferred Compensation Plan	Deferred Compensation: Paydate 7/17/15	970.00			
GEN15154 *	Employee Benefits Division	Health Insurance Premium: August 2015	15,141.57			
GEN15155	Paychex, Inc.	Administrative Services: Pay Period ending 07/10/15	568.95			
GEN15156	DC Commissioner of Finance	Copier/Telephone Service: June 2015	340.73			
GEN15157	Van DeWater & Van DeWater, LLP	Prof Serv: Norrie/SHW/FAS/HP water & sewer acquisitions	4,666.25	20,000.00	11,430.06	57.15%
GEN15158	Staples Credit Plan	Paper/usb extention/dvdr/netgear	292.38			
GEN15159	MVP Health Care, Inc.	August 2015 Health insurance	6,632.96			
GEN15160	NYS & Local Emp. Ret. System	Retirement System Monthly Reporting: July 2015	1,682.27			
GEN15161	Paychex, Inc.	Administrative Services: Pay Period ending 07/24/15	552.75			
GEN15162	NYS Deferred Compensation Plan	Deferred Compensation: Paydate 7/31/15	970.00			
GEN15163	Chazen Eng, Land Surveying and Landscaping	Prof Serv: Fairway Sewer Acq/field work (05/30/15 - 07/03/15)	1,724.38	35,000.00	8,520.14	24.34%
GEN15164	DC Commissioner of Finance	Dental/Optical Premiums: July 2015	2,014.46			
GEN15165	Del Hatt Automotive	Ranger oil change	42.43			
GEN15166 *	Rose and Kiernan, Inc.	2015 Policy Premium: 6TH installment (September)	14,519.00			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WARRANT  
August 19, 2015**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
GEN15167	AFLAC	July 2015 Premium	309.48			
GEN15168	Staples Credit Plan	Business cards	42.93			
GEN15170	NYS Deferred Compensation Plan	Deferred Compensation: Paydate 8/14/15	970.00			
GEN15171	Paychex, Inc.	Administrative Services: Pay Period ending 08/07/15	552.75			
<b>SUBTOTAL</b>			<b>56,811.67</b>			
 <b><u>Hyde Park Regional Water System</u></b>						
HPW15015	Morris Assoc Engineering Consultants, PLLC.	Prof Serv: SBW Rte 9 Pipe Replacement (6/14/15-7/11/15)	193.75	89,250.00	77,027.25	86.31%
HPW15016	Chazen Eng, Land Surveying and Landscaping	Professional services:SBW Hydraulic Engineer (5/30/15-7/3/15)	179.55	6,825.00	4,602.78	67.44%
HPW15017	Orrick, Herrington & Sutcliffe, LLP	Professional Services: EFC	6,500.00			
HPR15200	Surpass Chemical Company, Inc.	Chemicals: Hypochlorite	227.40			
HPR15201	Verizon Wireless	Modem line: 5/24/15-6/24/15	21.69			
HPR15202	Central Hudson Gas & Electric	Electric service:6/8/15-7/7/15 (56620730012)	35.04			
HPR15203	JCI Jones Chemicals, Inc.	Chlorine	602.91			
HPR15204	Pine Plains Ford Tractor, Inc.	Service 555D	857.43			
HPR15205	Chickery's Auto Repair	2 tires/mount & balance	438.00			
HPR15206	Royal Carting Service Co.	Monthly Refuse Removal: July 2015	41.40			
HPR15207	Ulster Uniform Service, Inc.	Uniforms: July 2015	194.00			
HPR15208	Smith Environmental Laboratory	Labs: June 2015	724.50			
HPR15209	USA BlueBook	O2 sensor/hose shank/fog nozzle/suction house	319.50			
HPR15210	USA BlueBook	Industrial floor cleaner/flag	130.84			
HPR15211	USA BlueBook	Discharge hose	363.72			
HPR15212	Home Depot Credit Services	June 2015	492.65			
HPR15213	American Water Works Assoc.	Membership dues: K Underwood	85.00			
HPR15214	J.D. Johnson Company	Type K Soft Copper	892.34			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WARRANT  
August 19, 2015**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
HPR15215	Veith Enterprises, Inc.	Troubleshoot BL-311 Air Scour Starter	276.50			
HPR15216	Verizon Wireless	Cell phone service: 7/13/15-8/12/15	246.82			
HPR15217	Central Hudson Gas & Electric	Electric service: 6/15/15-7/13/15 (56640195006/53242580008)	422.55			
HPR15218	Verizon	Telephone service: 7/10/15-8/9/15(229 9233/229 1117)	141.48			
HPR15219	Cablevision	Internet service: 7/16/15-8/15/15	199.70			
HPR15220	Chickery's Auto Repair	Service and Inspection: 2006 Ford	84.95			
HPR15221	Chickery's Auto Repair	Change engine oil and top off fluids: Which vehicle?	56.95			
HPR15222	Conway's Lawn & Power Equipmnt	Mower Parts	25.98			
HPR15223	Leisure Tech Supply	Chemicals: Chlorine	53.85			
HPR15224	Schmidt's Wholesale, Inc.	Valve box riser/lid/restraint kit	464.70			
HPR15225	Surpass Chemical Company, Inc.	Chemicals: Hypochlorite	152.40			
HPR15226	The Vellano Corporation	Ball angle meter valve	75.93			
HPR15227	Soiltech, LLC	Item 4 (7/16+17/15)	1,060.82			
HPR15228	Central Hudson Gas & Electric	Elec :6/24-7/28 (56171635016/3730013/4600017/53503800004)	7,262.20			
HPR15229	Wex Inc.	Fuel for vehicles: July 2015	1,431.75			
HPR15230	W.B.Mason	Office supplies	585.04			
HPR15231 *	T&B Engineering, PC	Professional services: HPWTF-I&C Evaluation (5/24/15-6/27/15)	24,049.39	62,800.00	28,775.97	45.82%
HPR15232	Heupler, Stephen J.	AWWA Membership: 9/1/15-8/31/16	85.00			
HPR15233	Amrex	Chemical: Sodium Thiosulfate Pentahydrate	1,873.91			
HPR15234	Verizon Wireless	Modem line: 6/24/15-7/23/15	14.24			
HPR15235 E	Double Dee Excavating Corp.	July 2015	7,129.00			
HPR15236	Chickery's Auto Repair	4 tires (2008 F350)	974.00			
HPR15237	Chickery's Auto Repair	New brakes (2012 F350)	999.50			
HPR15238	Swartz Architecture, DPC	Prof Serv: Exterior Maintenance & Repair (6/27/15-7/31/15)	6,798.75	33,210.00	10,088.75	30.38%
HPR15240	The Vellano Corporation	Compression adapter/gasket+bolt set	531.38			
HPR15241	Williams Lumber & Home Centers	July 2015	146.20			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WARRANT  
August 19, 2015**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
HPR15242	Thatcher of New York	Chemicals: Aluminum Sulfate	2,952.60			
HPR15243	The Vellano Corporation	Adapter/compression union	204.22			
<b>SUBTOTAL</b>			<b>70,599.53</b>			
 <b><u>Pinebrook Sewer</u></b>						
none this warrant						
<b>SUBTOTAL</b>			<b>0.00</b>			
 <b><u>Pinebrook Water</u></b>						
none this warrant						
<b>SUBTOTAL</b>			<b>0.00</b>			
 <b><u>Rokeby Water System</u></b>						
RKW15016	Frontier Communications	Telephone service:7/1/15-7/31/15 (758 9223)	48.12			
RKW15017	Central Hudson Gas & Electric	Electric service:6/5/15-7/6/15 (58101880019)	241.39			
RKW15018	VRI Environmental Services, Inc.	Operations and Maintenance: July 2015	616.66	7,400.00	4,316.62	58.33%
RKW15019	Central Hudson Gas & Electric	Electric service:5/29/15-7/27/15 (58101880019)	209.65			
<b>SUBTOTAL</b>			<b>1,115.82</b>			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WARRANT  
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<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
<b><u>Schreiber</u></b>						
DSW15013	VRI Environmental Services, Inc.	Operations and Maintenance: July 2015	481.25	5,775.00	3,368.75	58.33%
DSW15014	NYSEG	Electric service: 6/12/15-7/11/15 (10011912549)	163.73			
DSW15015	VRI Environmental Services, Inc.	Well pump #1	1,777.19			
DSW15016	VRI Environmental Services, Inc.	Install wire mesh	115.00			
<b>SUBTOTAL</b>			<b>2,537.17</b>			
<b><u>Shore Haven Water System</u></b>						
SHW15051	Surpass Chemical Company, Inc.	Chemicals: Sodium Hypochlorite	67.00			
SHW15052	VRI Environmental Services, Inc.	Operations and Maintenance: July 2015	858.33	10,300.00	6,008.31	58.33%
SHW15053 *	Savin Engineers, P.C.	Prof Serv: SHW Treatment System through 06/26/15	57,457.50	532,252.00	460,013.65	86.43%
SHW15054	Prime Print Shop	Drawings/OCE Bond Copies/Plots	165.60			
SHW15055	Amrex	Chemicals: Liquid caustic soda/Ammonium Hydroxide	114.50			
SHW15056	Prime Print Shop	Drawings/OCE Bond Copies/Plots	82.80			
<b>SUBTOTAL</b>			<b>58,745.73</b>			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WARRANT  
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<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
<u>Central Dutchess Water Transmission Line</u>						
CDW15145	NYS Deferred Compensation Plan	Deferred Compensation: Paydate 7/17/15	300.00			
CDW15146	Central Hudson Gas & Electric	Electric service:6/4/15-7/7/15(56852135013/2136011)	2,043.67			
CDW15147	Paychex, Inc.	Administrative Services: Payroll Period ending 07/10/15	9.85			
CDW15148	Royal Carting Service Co.	Monthly Refuse Removal: July 2015	36.23			
CDW15149	Smith Environmental Laboratory	Labs: June 2015	250.25			
CDW15150	USA BlueBook	High security master/Repl sample cells/free chlorine reagent	269.01			
CDW15151	Van DeWater & Van DeWater, LLP	Professional services: CDW Legal	1,776.25	20,000.00	13,206.31	66.03%
CDW15152	NAPA	Wiper blades	19.72			
CDW15153	Arlington Auto & Tire	Oil change/tire rotation	59.50			
CDW15154	Time Warner Cable	Internet service: 7/19/15-8/18/15 (8150410150093567)	67.66			
CDW15155	MVP Health Care, Inc.	August 2015 Health insurance	1,339.70			
CDW15156	Verizon	Telephone service:7/13/15-8/12/15 (914P230477/4710917)	340.56			
CDW15157	Karen Schubert, Receiver of Taxes	Water bill: 3/2/15-6/2/15	236.00			
CDW15158	NYS & Local Emp. Ret. System	Retirement System Monthly Reporting: July 2015	458.77			
CDW15159	Paychex, Inc.	Administrative Services: Payroll Period ending 07/24/15	8.05			
CDW15160	Cablevision	Internet service: 7/23/15-8/22/15	119.90			
CDW15161	NYS Deferred Compensation Plan	Deferred Compensation: Paydate 7/31/15	300.00			
CDW15162	J.D. Johnson Company	Operational Supplies/Equipment	71.76			
CDW15163	Leisure Tech Supply	Chemicals: Chlorine	51.90			
CDW15164	Dig Safely New York, Inc.	Location Request Services: June 2015	116.24			
CDW15164	UPS	Mailing: 07/06/15	12.99			
CDW15165	DC Commissioner of Finance	Dental/Optical Premiums: July 2015	119.58			
CDW15166	Wex Inc.	Fuel for vehicles: July 2015	217.37			
CDW15167	Del Hatt Automotive	2008 F350 Remove/replace all spark plugs/check engine light on	988.00			
CDW15168 *	City of Poughkeepsie	Water purchase: July 2015	130,633.02			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
WARRANT  
August 19, 2015**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
CDW15169	Davies Hardware	mesh safty vest	17.97			
CDW15170	DC Commissioner of Finance	Postage: July 2015	13.42			
CDW15171	UPS	Mailing: 07/24,29/15	12.81			
CDW15173	J.D. Johnson Company	adapter	3.10			
CDW15174	NYS Deferred Compensation Plan	Deferred Compensation: Paydate 8/14/15	300.00			
CDW15175	The Vellano Corporation	Flange ductile iron/accessory pack	613.30			
CDW15176	Paychex, Inc.	Administrative Services: Payroll Period ending 08/07/15	8.05			
<b>SUBTOTAL</b>			<b>140,814.63</b>			
 <b><u>VALLEY DALE SEWER SYSTEM</u></b>						
VDS15038	USA BlueBook	V notch belt	84.31			
VDS15039	VRI Environmental Services, Inc.	Operations and Maintenance: July 2015	1,366.66	16,400.00	9,566.62	58.33%
VDS15040	Central Hudson Gas & Electric	Electric service:6/23/15-7/21/15 (565307022/0700014/0701004)	672.89			
VDS15041	H.A. Schreck, Inc.	Shop testing and Mith + Loveless	150.00			
VDS15042	Radwell International, Inc	Quartech panel	311.55			
VDS15043	Earthcare - All County Division	Sludge removal: 7/21/15	2,748.00			
<b>SUBTOTAL</b>			<b>5,333.41</b>			
 <b><u>VALLEY DALE WATER SYSTEM</u></b>						
VDW15022	VRI Environmental Services, Inc.	Operations and Maintenance: July 2015	516.66	6,200.00	3,616.62	58.33%
VDW15023	Central Hudson Gas & Electric	Electric service: 6/23/15-7/21/15 (56530720004)	661.10			

DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY  
**WARRANT**  
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<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
VDW15024	C&C Fluid Controls & Cond. Inc	Micron cartridge filter	1,658.42			
	<b>SUBTOTAL</b>		<b>2,836.18</b>			
	<b>TOTAL WARRANT</b>		<b>380,352.79</b>			

\* Over \$10,000 - Check Requires Two Signatures

\*\* Construction Voucher -Not All Construction Vouchers Require Board Signature

E/P Procurement Policy Emergency Repair Provision

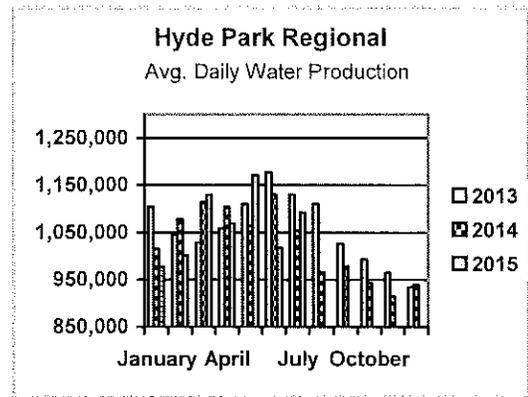
TO: Authority Board  
 FROM: Frederic Zanetti  
 DATE: August 11, 2015  
 RE: July 2015 Operations Committee Report

*Present: B. Doyle, S. Heupler, D. Odell, M. Rowe, P. Scofield,  
 R. Winchester, J. McLaughlin*

**1. Hyde Park Regional  
 (Zones A, B, C, D, L)**

Average daily usage: July- 1,092,000  
 June- 1,018,000 May- 1,172,000  
 All testing aspects are in compliance.  
 Action Items:

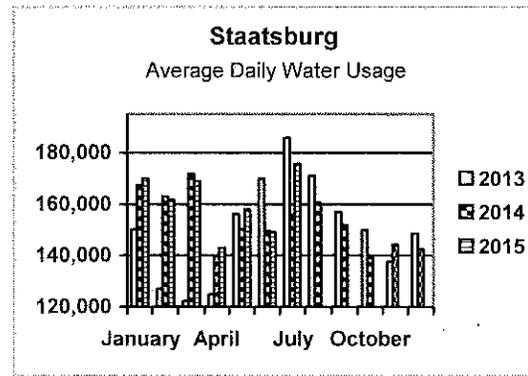
- Hydrant replaced on Fuller Lane.
- Service lines repaired at 19 & 15 Fuller Lane.
- Curb box repaired at 7 Carriage House Court.



**2. Staatsburg Water (Zone C)**

Average daily usage: July- 175,800  
 June- 149,000 May- 157,900  
 All testing aspects are in compliance.  
 Action items:

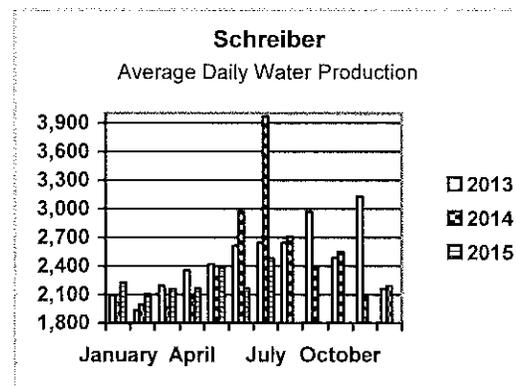
- Routine Operations.
- Main break repaired on Hughes Avenue.



**3. Schreiber Water (Zone E)**

Average daily production: July- 2,484  
 June- 2,167 May- 2,387  
 Action Items:

- Normal operations.
- Blending of well sources continues to be successful in reducing iron levels.
- Monthly system flushing continues
- Well #2 failure. Pulled pump and replaced.



#### 4. Rokeby Water (Zone F)

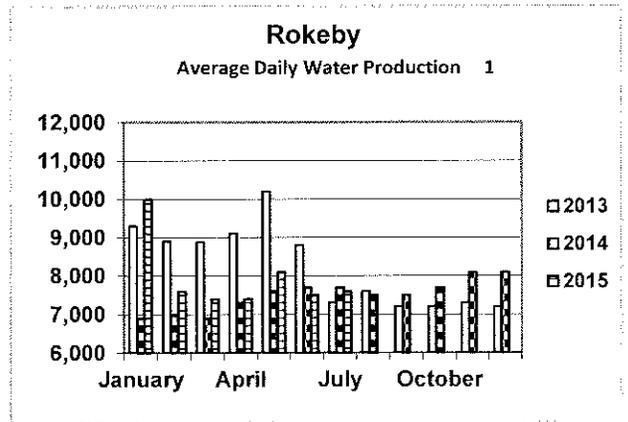
Average daily production: July-7,600

June, 7,500 May, 8,100

All testing aspects are in compliance.

Action items:

- Routine operations.



#### 5. Valley Dale Water

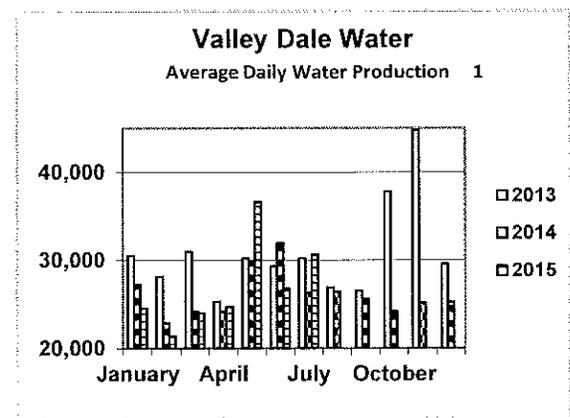
Average daily production: July- 30,647

June- 26,827 May- 36,636

All testing aspects are in compliance.

Action Items:

- Routine operations.
- Changed 5 Micron filters.



#### 6. Valley Dale Wastewater (S.D. #2)

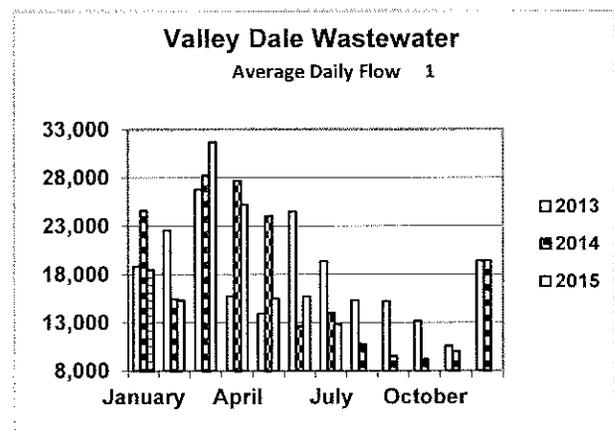
Average daily flow: July- 12,819

June- 15,749 May 15,510

All testing aspects are in compliance

Action Items:

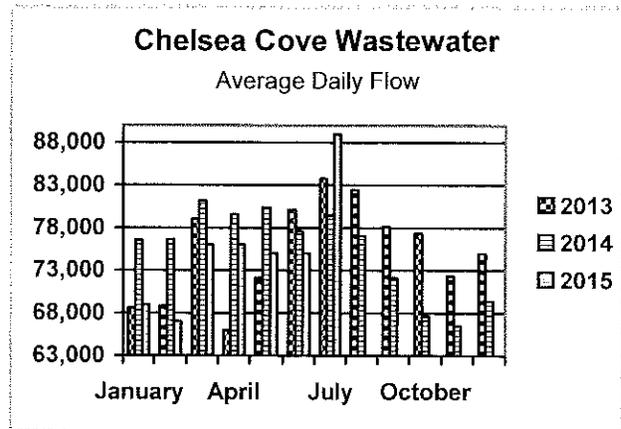
- Routine operations.
- Additional testing being done on system performance.



7. Chelsea Cove Wastewater  
(S.D. #1)

Average daily flow: July-89,000  
 June - 75,000 May- 75,000  
 All testing aspects are in compliance

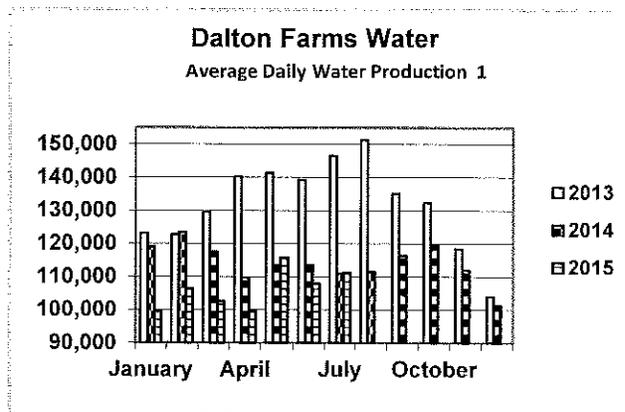
Action Items:  
 - Routine operations.



8. Dalton Farms Water (Zone H)

Average Daily Production: July- 111,200  
 June-108,000 May-115,800  
 All testing aspects are in compliance.

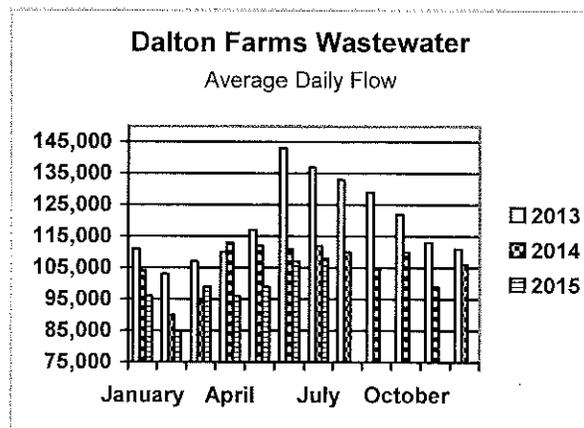
Action Items:  
 - Normal operations.  
 - DOH Inspection  
 - Leak at Green Street RPZ repaired.



9. Dalton Farms Wastewater (S.D. #3)

Average Daily Flow: July-108,000  
 June- 107,000 May-99,000  
 All testing aspects are in compliance except 5 day BOD and Total Suspended Solids.

Action Items:  
 - Normal operations.



## 10. Central Dutchess Water Transmission Line

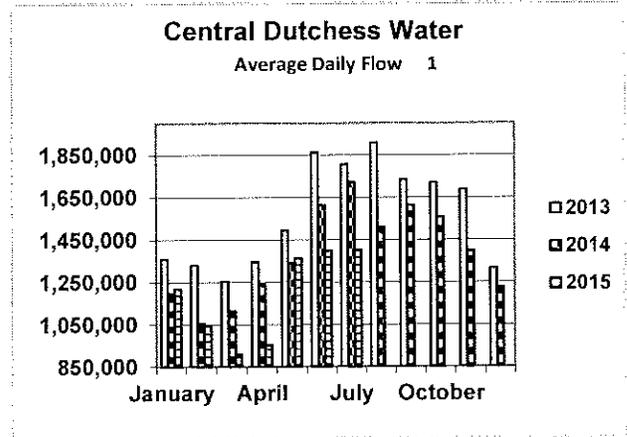
Average Daily Flow: July-1,401,709

June-1,400,300 May-1,364,354

All testing aspects are in compliance.

Action Items:

- Normal operations.



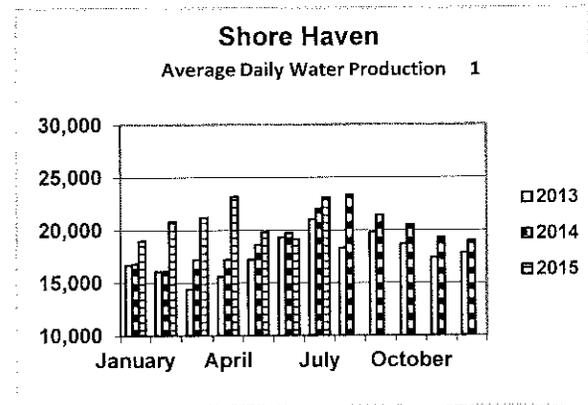
## 11. Shore Haven Water (Zone J)

Average daily production: July- 23,100

June- 19,100 May-19,800

Action items:

- Routine operations.
- DOH Inspection
- System flushing continues.



## 12. Birch Hill Water (Zone K)

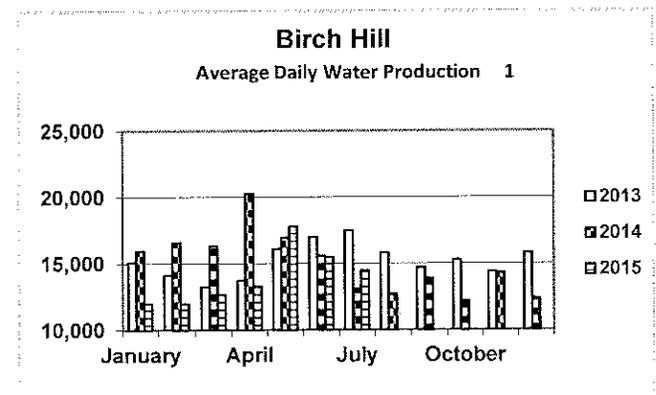
Average daily production: July- 14,500

June- 15,500 May- 17,800

All testing aspects are in compliance.

Action items:

- Normal operations.
- Hydrant flushing completed.



### 13. Fairways Water (Zone M)

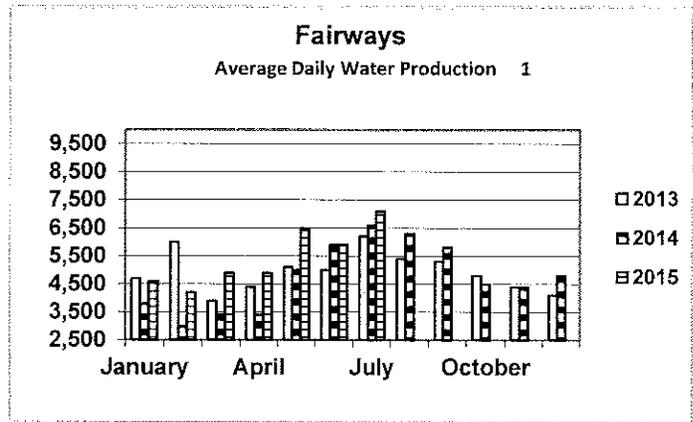
Average daily production: July- 7,100

June- 5,900      May- 6,500

All testing aspects are in compliance.

Action items:

- Normal operations.





TO: Authority Board  
FROM: Bridget Barclay  
DATE: August 14, 2015  
RE: Shore Haven Water System Improvements Status Report

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**1) Disinfection By-Products Levels remain below Drinking Water Standards** - Based on the second quarter sampling results for 2015 (collected 6/2/2015), levels of both Trihalomethanes (THM's) and Haloacetic Acids (HAA5's) continue to be below the Maximum Contaminant Level (MCL) for the required four-quarter rolling average. The second quarter THM level was 30.4 ug/l, bringing the four-quarter rolling average to 37.0 ug/l, compared to a MCL of 80 ug/l. The second quarter HAA5 level was 26 ug/l, bringing the four-quarter rolling average to 32.5 ug/l, compared to a MCL of 60 ug/l. Levels of THM's and HAA5's (Disinfection by-products) have both been below the MCL since September 2012.

The Authority activated the chloramination system on February 25, 2013 at Shore Haven as an interim strategy for treating the water and reducing the occurrence of disinfection by-products in it. Since that time, the four-quarter rolling averages for both THM's and HAA5's have continued to remain significantly below the MCL.

**2) Radiologicals remain below the MCL in 2<sup>nd</sup> Quarter** - Water samples collected on June 2, 2015 indicated a combined radium 226 and radium 228 level of 3.26 pCi/L (pico curies per liter). The quarterly average for radium 226 and radium 228 levels is now 4.15 pCi/L. The Maximum Contaminant Level (MCL) for combined radium 226 and radium 228 is 5 pCi/L.

**3) Lead and Copper Results remain below action levels in first half of year** - Lead and copper samples were collected June 3-9, 2015 from eight houses connected to the Shore Haven Water System. None of the individual sites sampled exceeded the action levels for lead (action level is 15 ug/l) or copper (action level for copper is 1.3 mg/l). The 90<sup>th</sup> percentile results were 7 ug/l for Lead and 0.903 mg/l for copper. *In the current sampling schedule for the system, lead and copper are measured only twice a year. Samples will be taken again in December.*

**4) Iron and Manganese Levels** - Based on the second quarter sampling results for 2015 (collected 6/2/2015), the combined

Iron and Manganese level is .438 mg/l and is below the Maximum Contaminant Level (MCL) of .5 mg/l. The second quarter Manganese level was 0.113 mg/l, compared to a MCL of 0.3 mg/l. The second quarter Iron level was 0.325 mg/l and is above the MCL of 0.3 mg/l. The Dutchess County Department of Health has requested that we notify the public of this exceedance for Iron through the Annual Water Quality Report.

**5) Permanent Water Treatment System** - Savin Engineers continue to move forward with preparing the new design drawings and specifications for the project. On July 20, Savin transmitted their draft plans and specs to the Authority for review. Authority Staff returned their comments back to Savin on July 28. On August 11<sup>th</sup>, Savin transmitted their second draft of the plans and specs to the Authority for review and Authority staff commented back on August 12<sup>th</sup>. On August 14, 2015, Savin submitted the plans and specs for the Treatment System Improvements to the Dutchess County and NYS Departments of Health for regulatory review.

A Request for Proposals for the purpose of hiring a firm to provide Construction Administration services for the Treatment Building and Equipment Installation project was issued this past June and two proposals were received. Authority Staff will provide a contract award recommendation to the Board for its consideration at the August 19<sup>th</sup> meeting.

**6) Distribution System Improvements Design** - On July 21, 2015, Weston & Sampson issued a letter to the NYS Department of Health in response to the 26 regulatory comments provided earlier by the NYS DOH. Weston & Sampson has since updated the design drawings and specifications to address those comments and on August 14<sup>th</sup> delivered its revised drafts to the Authority for further Staff review.

Authority Staff are preparing a Request for Proposals for the purpose of hiring a firm to provide Construction Administration services for the Distribution System Improvement project.

**7) Distribution System Flushing** - Routine maintenance flushing of the distribution system continues on a monthly basis through the summer.

DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY

to

Manufacturers and Traders Trust Company

as Trustee

FIFTH SUPPLEMENTAL TRUST INDENTURE

Dated as of \_\_\_\_\_, 2015

Authorizing

\$ \_\_\_\_\_

DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY

E.F.C. CLEAN WATER FACILITY NOTE – 2015A  
(BOND ANTICIPATION NOTE)

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## FIFTH SUPPLEMENTAL TRUST INDENTURE

THIS FIFTH SUPPLEMENTAL TRUST INDENTURE dated as of \_\_\_\_\_, 2015 by and between the Dutchess County Water and Wastewater Authority, a public benefit corporation of the State of New York (the "Authority"), and Manufacturers and Traders Trust Company, a banking corporation organized and duly existing under the laws of New York, having its principal office and place of business at One M&T Plaza, Buffalo, New York (the "Trustee"), under and supplemental to that certain Amended and Restated Trust Indenture dated as of March 1, 2007 by and between the Authority and the Trustee.

### WITNESSETH:

WHEREAS, the Authority is a body corporate and politic, constituting a public benefit corporation of the State of New York, created under the Act; and

WHEREAS, the Authority and the Trustee have entered into a Trust Indenture (as modified, amended or supplemented, the "Indenture"), to which this Fifth Supplemental Trust Indenture is supplemental; and

WHEREAS, the Authority has resolved to issue its notes for additional costs relating to the Chelsea Cove Sewer System in the aggregate principal amount of \$\_\_\_\_\_ (the "EFC Notes"); and

WHEREAS, the execution and delivery of the EFC Notes and of this Fifth Supplemental Trust Indenture have been duly authorized and all things necessary to make the EFC Notes, when executed by the Authority and authenticated by the Trustee, valid and binding legal obligations of the Authority and to make this Fifth Supplemental Trust Indenture a valid and binding agreement have been done;

NOW, THEREFORE, THIS FIFTH SUPPLEMENTAL TRUST INDENTURE WITNESSETH, that the Authority and the Trustee for good and valuable consideration, receipt and sufficiency of which they each hereby acknowledge, do hereby agree as follows:

## ARTICLE I

### DEFINITIONS

Terms not defined herein shall have the meanings ascribed to them in the Indenture. The following terms shall have the meanings provided below when used in this Fifth Supplemental Trust Indenture.

“Authorized Denominations” means, with respect to the EFC Notes, a minimum denomination of \$5,000 and integral multiples thereof.

“Closing Date” means that date on which the EFC Notes are first authenticated and delivered pursuant hereto.

"EFC Notes" means the Authority's E.F.C. Clean Water Facility Note – 2015A (Bond Anticipation Note).

“Maturity” when used with respect to the EFC Notes means the date on which the principal of such EFC Notes becomes due and payable as therein or herein provided, whether at the final maturity date for the EFC Notes as set forth in Section 2.01 hereof, or declaration of acceleration, call for redemption or otherwise.

“Paying Agent” means the paying agent or paying agents appointed by the Authority under this Fifth Supplemental Indenture, and shall initially mean the Trustee.

The words “hereof,” “herein,” “hereto,” “hereby” and “hereunder” (except in the form of EFC Notes) refer to the entire Indenture.

## ARTICLE II

### THE EFC NOTES

#### Section 2.01. Purpose, Amount, Date, Terms and Issuance of the EFC Notes.

(a) The EFC Notes are hereby authorized to be issued under the Indenture and this Fifth Supplemental Trust Indenture. The purpose of the EFC Notes will be to provide the Authority with additional funds to undertake capital improvements to the Chelsea Cove Sewer System and to pay costs of issuance. The EFC Notes shall be issued in the aggregate principal amount of \$\_\_\_\_\_, and shall contain substantially the terms recited in the Project Finance Agreement. The EFC Notes shall each be dated their date of delivery to EFC.

(b) The Authority shall cause a copy of the text of the opinion of Bond Counsel delivered in connection with the original issuance of the EFC Notes to be delivered to the Trustee.

(c) The Authority shall issue the EFC Notes upon the execution of this Fifth Supplemental Trust Indenture. The Trustee shall authenticate and deliver the EFC Notes upon receipt of written direction from the Authority to do so.

(d) The EFC Notes shall be issued in two series of equal amounts of \$\_\_\_\_\_, one of which shall initially bear no interest and the other shall bear interest at the rate of \_\_\_\_% per annum. EFC Notes shall have the provisions with respect to redemption as provided in the Project Finance Agreement.

(e) The EFC Notes constitute Additional Parity Indebtedness.

Section 2.02. Disposition of Proceeds of EFC Notes. Proceeds of the EFC Notes shall be dispersed as provided for in the Project Finance Agreement.

## ARTICLE III

### MISCELLANEOUS

Section 3.01. Illegal, etc. Provisions Disregarded. In case any provision in this Fifth Supplemental Trust Indenture or the EFC Notes shall for any reason be held invalid, illegal or unenforceable in any respect, this Fifth Supplemental Trust Indenture or the EFC Notes, as the case may be, shall be construed as if such provision had never been contained herein or therein.

Section 3.02. Notices. Except as otherwise provided herein, any notice, request, complaint, demand, communication or other paper shall be sufficiently given and shall be deemed given when delivered or mailed by first class mail, postage prepaid, or sent by telegram or telex, addressed to the parties as follows:

Authority: Dutchess County Water and Wastewater Authority  
27 High Street  
Poughkeepsie, New York 12601  
Attention: Executive Director

Trustee: Manufacturers and Traders Trust Company Corporate Trust  
and Agency Services  
One M&T Plaza  
Buffalo, New York 14203-2399  
Attention: Corporate Trust

The above parties may, by notice given hereunder, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

Section 3.03. Successors and Assigns. All the covenants, promises and agreements in this Fifth Supplemental Trust Indenture contained by or on behalf of the Authority, or by or on behalf of the Trustee, shall bind and inure to the benefit of their respective successors and assigns, whether so expressed or not.

Section 3.04. Headings for Convenience Only. The descriptive headings in this Fifth Supplemental Trust Indenture are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions hereof.

Section 3.05. Counterparts. This Fifth Supplemental Trust Indenture may be executed in any number of counterparts, each of which when so executed and delivered shall be an original; but such counterparts shall together constitute but one and the same instrument.

Section 3.06. Applicable Law. This Fifth Supplemental Trust Indenture shall be governed by and construed in accordance with the laws of the State of New York.

Section 3.07. Designation of Paying Agent for EFC Notes. The Trustee is hereby designated as Paying Agent for the EFC Notes.

IN WITNESS WHEREOF, DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY has caused this Fifth Supplemental Trust Indenture to be executed by its Chairman and its corporate seal to be hereunto affixed, attested by its Secretary, and Manufacturers and Traders Trust Company has caused this Fifth Supplemental Trust Indenture to be executed by one of its authorized officers, all as of the day and year first above written.

(AUTHORITY SEAL)

DUTCHESS COUNTY WATER AND  
WASTEWATER AUTHORITY

Attest: \_\_\_\_\_

By: \_\_\_\_\_

Secretary

Chairman

MANUFACTURERS AND TRADERS  
TRUST COMPANY, as Trustee

By: \_\_\_\_\_

Assistant Vice President





At a regular meeting of the Dutchess County Water and Wastewater Authority, held at 27 High Street, Poughkeepsie, New York, at \_\_\_\_\_ o'clock \_\_\_\_\_, on the 19th day of August, 2015, the following members of the Authority were:

PRESENT:

ABSENT:

ALSO  
PRESENT:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to the issuance and sale of the Authority's proposed Chelsea Cove Sewer Service Agreement Revenue Notes, Series 2015 (EFC).

The following resolution was duly moved, seconded, discussed and adopted with the following members in open session:

AYE

NAY

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF THE  
AUTHORITY'S CHELSEA COVE SEWER SERVICE AGREEMENT  
REVENUE NOTES, SERIES 2015 (EFC) AND THE APPROVAL AND  
EXECUTION OF RELATED DOCUMENTS

WHEREAS, by Title 6-C of Article 5 of the Public Authorities Law of the State of New York (the "Act"), the Dutchess County Water and Wastewater Authority (the "Authority") was created with the authority and power to issue its revenue bonds for the purpose of, among other things, planning, developing, acquiring, constructing and financing the cost of any project (as defined in the Act) owned or operated by or for the benefit of the Authority in accordance with the Act; and

WHEREAS, the Authority has previously authorized the issuance of up to \$2,200,000 in notes to finance capital improvements to the Chelsea Cove Sewer System and to pay costs of issuance; and

WHEREAS, the Authority issued its Chelsea Cove Sewer Service Agreement Revenue Notes, Series 2014 (EFC) pursuant to the Act in the aggregate principal amount of \$2,019,572 for such purpose; and

WHEREAS, due to additional costs, it is now necessary to increase the amount of financing authorized for such project by \$900,000; and

WHEREAS, in order to evidence the loan for such additional costs the Authority will need to issue up to \$900,000 in additional notes (the "Notes") to the New York State Environmental Facilities Corporation ("EFC") and execute various documents in connection therewith; and

WHEREAS, it is now desired to authorize the issuance of the Notes to EFC and to approve and authorize the execution of related documents; NOW, THEREFORE,

BE IT RESOLVED by the Dutchess County Water and Wastewater Authority as follows:

Section 1. The Authority hereby finds and determines:

- (a) By virtue of the Act, the Authority has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act.
- (b) It is desirable and in the public interest for the Authority to issue and sell the Notes, pursuant to a certain Fifth Supplemental Indenture to that certain Amended and Restated Trust Indenture dated as of March 1, 2007 by and between the Authority and Manufacturers and Traders Trust Company (the "Trustee"), as Trustee (the "Trust Indenture" and together with the Fifth Supplemental Indenture, the "Indenture") and in accordance with a Project Finance Agreement to be executed between the Authority and EFC (the "Project Finance Agreement").

Section 2. In consequence of the foregoing, the Authority hereby determines to: (i) issue and sell the Notes to EFC pursuant to the terms and conditions set forth in the Indenture and Project Finance Agreement; (ii) use the proceeds of the Notes as previously described; (iii) enter into each agreement hereafter identified in this resolution; and (iv) execute such other documents and take such other action as may be necessary to effectuate the purposes of this resolution.

Section 3. The form and substance of the Fifth Supplemental Indenture (in substantially the form presented to this meeting) are hereby approved.

Section 4. The Authority is hereby authorized to issue, execute, sell and deliver the Notes to the EFC upon such terms as shall be approved by the Chairman, Vice Chairman, Treasurer or Executive Director and in substantially the form heretofore approved in this Resolution, provided that:

- (a) The Notes hereby authorized to be issued, executed and delivered shall be issued, executed and delivered at such time as the Chairman, Vice Chairman, Treasurer or Executive Director of the Authority shall determine and shall not be issued until prior approval of the terms and conditions thereof shall have been obtained from the State Comptroller, if necessary
- (b) The Notes shall be issued solely for the purposes previously described.
- (c) The Notes and the interest thereon are not and shall never be a debt of the State of New York or any political subdivision thereof other than the Authority, including without limitation Dutchess County, and neither the State of New York nor any political subdivision thereof other than the Authority, including without limitation Dutchess County, shall be liable thereon.

Section 5. (a) The Chairman, Vice Chairman, Treasurer or Executive Director of the Authority are hereby authorized, on behalf of the Authority, to execute and deliver, the Fifth Supplemental Indenture, the Project Finance Agreement and the Notes, all as described above and the Secretary of the Authority is hereby authorized to affix the seal of the Authority thereto and to attest the same, all in substantially the forms thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Treasurer or Executive Director shall approve. The execution thereof by the Chairman, Vice Chairman, Treasurer or Executive Director shall constitute conclusive evidence of such approval.

- (b) The Chairman, Vice Chairman, Treasurer or Executive Director of the Authority are further hereby authorized, on behalf of the Authority, to designate any additional Authorized Representatives of the Authority (as

used or defined in and pursuant to the Indenture) to execute, on behalf of the Authority, any Financing Documents (hereinafter defined).

Section 6. The members, officers, employees and agents of the Authority are hereby authorized and directed for and in the name and on behalf of the Authority to do all acts and things required or provided for by the provisions of either the Notes, the Indenture, or the Project Finance Agreement (collectively the “Financing Documents”), and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the member, officer, employee or agent acting, desirable and proper to effect the purposes of this resolution and to cause compliance by the Authority with all of the terms, covenants and provisions of the Financing Documents.

Section 7. Each of the documents identified in each Section of this resolution is hereby incorporated in this resolution as if set forth at length herein.

Section 8. This resolution shall take effect immediately and the Notes are hereby ordered to be issued in accordance with this resolution.

