

DUTCHESS COUNTY

WATER AND WASTEWATER AUTHORITY



27 High St. 2nd Floor
Poughkeepsie
New York, 12601
(845) 486-3601
Fax (845) 486-3610
dcwwa@dutchessny.gov
www.DCWWA.org

DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WEDNESDAY, June 15, 2016
3:30 P.M.

PROPOSED AGENDA

Authority Board Members

Thomas LeGrand
Chairperson

Vincent DiMaso
Vice-Chairperson

Rudy Vavra
Treasurer

Lawrence R. Knapp
Secretary

Michael Cotton

Ex officio Members

Brian Scoralick
Acting Executive Director
Soil and Water Conservation District

Eoin Wrafter
Commissioner
D.C. Dept. of Planning & Development

Staff

Bridget Barclay
Executive Director

Mary C. Morris
Deputy Director

1. Meeting Open – Introductions
2. Public Comment
3. Approval of Minutes
 - May 18, 2016 Board Meeting (R2016.06.A)
4. Chairman’s Report
5. Operations Report
 - Global Foundries Assignment Request
6. Finance Report
 - Approval of Warrant (R2016.06.B)
 - Bonding Resolution – VDS and CCS Long Term bonds (R2016.06.C)
7. Capital Projects
 - Award SHW Distribution System Construction Contract (R2016.06.D)
 - Award VDS - WWTP Rehabilitation Project General Construction Contract (R2016.06.E)
 - Award VDS - WWTP Rehabilitation Project Electrical Construction Contract (R2016.06.F)
 - Award VDS - WWTP Rehabilitation Project Plumbing Construction Contract (R2016.06.G)
 - Authorize Amendment No. 1 – GFS Engineering Design Agreement (R2016.06.H)
 - Award Hyde Park WTF Instrumentation and Control Phase 1 Engineering Design Agreement (R2016.06.I)
8. Community Projects
 - SHW Project Status
9. Open Executive Session regarding proposed acquisition of real property (R2016.06.J)
10. Close Executive Session (R2016.06.K)
11. Approval of Confidentiality Agreement (R2016.06.L)

12. Set next meeting date to award SHW Treatment System Project bids- Week of June 27, 2016
13. Confirm next Board Meeting date - Wednesday, July 20, 2016
14. Adjourn

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

Resolution Package – Not for Release

Summary of Possible Motions for June 15, 2016 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 – May 18, 2016 Board Meeting (R2016.06.A)
2. Approval of Warrant (R2016.06.B)
3. Bonding Resolution – CCS Long Term bonds (R2016.06.C)
4. Bonding Resolution – VDS Long Term bonds (R2016.06.D)
5. Award SHW Distribution System Construction Contract (R2016.06.E)
6. Award Valley Dale Sewer - WWTP Rehabilitation Project General Construction Contract (R2016.06.F)
7. Award Valley Dale Sewer - WWTP Rehabilitation Project Electrical Construction Contract (R2016.06.G)
8. Award Valley Dale Sewer - WWTP Rehabilitation Project Plumbing Construction Contract (R2016.06.H)
9. Authorize Amendment No. 1 – GFS Engineering Design Agreement (R2016.06.I)
10. Award Hyde Park WTF Instrumentation and Control Phase 1 Engineering Design Agreement (R2016.06.J)
11. Open Executive Session regarding proposed acquisition of real property (R2016.06.K)
12. Close Executive Session (R2016.06.L)
13. Approval of Confidentiality Agreement (R2016.06.M)

RESOLUTION NO. 2016.06.A

**Authority Board – DCWWA
June 15, 2016 meeting**

_____ offers the following resolution and moves its adoption:

APPROVAL OF MINUTES – MAY 18, 2016 BOARD MEETING

Seconded by _____

<u>Record of Vote:</u>	<u>Aye</u>	<u>Nay</u>
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Michael Cotton	___	___

RESOLUTION NO. 2016.06.B

**Authority Board – DCWWA
June 15, 2016 meeting**

APPROVAL OF WARRANT

_____ offers the following resolution and moves its adoption:

Approval of warrant, as presented

Seconded by _____

<u>Record of Vote:</u>	<u>Aye</u>	<u>Nay</u>
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Michael Cotton	___	___

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF THE AUTHORITY'S
CHELSEA COVE SEWER SERVICE AGREEMENT REVENUE BONDS, SERIES 2016
(EFC) AND THE APPROVAL AND EXECUTION OF RELATED DOCUMENTS**

_____ offers the following resolution and moves its adoption:

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 \$3,100,000 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; in order to permanently finance such notes and evidence the loan for the remaining costs of such project (including costs of issuance and any reserve funds) the Authority will issue up to \$3,100,000 in bonds (the "Bonds") 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 Bonds to EFC and to approve and authorize the execution of related documents,

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 Bonds, 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 Bonds to EFC pursuant to the terms and conditions set forth in the Indenture and Project Finance Agreement; (ii) use the proceeds of the Bonds 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 Bonds 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 Bonds 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 Bonds shall be issued solely for the purposes previously described.
- (c) The Bonds 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 Bonds, 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 Bonds, 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 Bonds are hereby ordered to be issued in accordance with this resolution.

At a regular meeting of the Dutchess County Water and Wastewater Authority, held at 27 High Street, Poughkeepsie, New York, at 3:30 o'clock PM, on the 15th day of June, 2016, 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 Bonds, Series 2016 (EFC).

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

AYE

NAY

Thomas LeGrand

Vincent DiMaso

Rudy Vavra

Larry Knapp

Michael Cotton

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

I, the undersigned Executive Director of the Dutchess County Water and Wastewater Authority, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Dutchess County Water and Wastewater Authority, including the resolution contained therein, held on June 15, 2016, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Authority had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
--	-------------------

IN WITNESS WHEREOF, I have hereunto set my hand on the 15th day of June, 2016.

EXECUTIVE DIRECTOR

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF THE
AUTHORITY'S VALLEY DALE SEWER SERVICE AGREEMENT
REVENUE BONDS, SERIES 2016 (EFC) AND THE APPROVAL AND
EXECUTION OF RELATED DOCUMENTS**

_____ offers the following resolution and moves its adoption:

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 \$2,250,000 in notes to finance capital improvements to the Valley Dale Sewer System and to pay costs of issuance, and

WHEREAS; the Authority issued its Valley Dale Sewer Service Agreement Revenue Notes, Series 2014 (EFC) pursuant to the Act in the aggregate principal amount of \$1,299,195 for such purpose, and

WHEREAS; in order to permanently finance such notes and evidence the loan for the remaining costs of such project (including costs of issuance and any reserve funds) the Authority will issue up to \$2,000,000 in bonds (the "Bonds") 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 Bonds to EFC and to approve and authorize the execution of related documents,

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 Bonds, pursuant to a certain Third 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 Third 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 Bonds to EFC pursuant to the terms and conditions set forth in the Indenture and Project Finance Agreement; (ii) use the proceeds of the Bonds 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 Third 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 Bonds 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 Bonds 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 Bonds shall be issued solely for the purposes previously described.
- (c) The Bonds 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 Third Supplemental Indenture, the Project Finance Agreement and the Bonds, 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 Bonds, 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 Bonds are hereby ordered to be issued in accordance with this resolution.

At a regular meeting of the Dutchess County Water and Wastewater Authority, held at 27 High Street, Poughkeepsie, New York, at 3:30 o'clock pm, on the 15th day of June, 2016, 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 Valley Dale Sewer Service Agreement Revenue Bonds, Series 2016 (EFC).

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

AYE

NAY

Thomas LeGrand

Vincent DiMaso

Rudy Vavra

Larry Knapp

Michael Cotton

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

I, the undersigned Executive Director of the Dutchess County Water and Wastewater Authority, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Dutchess County Water and Wastewater Authority, including the resolution contained therein, held on June 15, 2016, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Authority had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
--	-------------------

IN WITNESS WHEREOF, I have hereunto set my hand on the 15th day of June, 2016.

EXECUTIVE DIRECTOR

AWARD SHW DISTRIBUTION SYSTEM CONSTRUCTION CONTRACT

_____ offers the following resolution and moves its adoption:

WHEREAS; Bids were received at 2:00 PM on June 1, 2016 at the Authority’s office at 27 High Street, Poughkeepsie, NY for Contract No. SHW-PWC-2015-DS1 - General Construction Contract for the Shore Haven Water Distribution System Improvements in accordance with the Authority’s procurement policy for public works with a contract value greater than \$35,000.00, as follows:

	<u>Bidder</u>	<u>Amount</u>
1.	Grant Street Construction, Inc., Cortland, NY	\$966,000.00
2.	Casale Construction Services, Inc., Wynantskill, NY	\$987,540.00
3.	Sun-Up Enterprises, Inc. Wappinger Falls, NY	\$1,054,480.00
4.	McNamee Construction Corp., Lincolndale, NY	\$1,238,759.00
5.	Joken Development Corp., White Plains, NY	\$1,982,810.00

WHEREAS; Weston & Sampson, the Authority’s consulting engineer for this Project, has reviewed the apparent low bidder’s proposal and qualification documents and has made a recommendation to the Authority, and

WHEREAS; based upon this review, the Authority Staff recommends that Contract No. SHW-PWC-2015-DS1 be awarded to the lowest responsible bidder, Grant Street Construction, Inc., Cortland, NY, in the amount of \$966,000.00, and

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

THEREFORE BE IT RESOLVED THAT; Contract No. SHW-PWC-2015-DS1, General Construction, Shore Haven Water Distribution System Improvements, be awarded to Grant Street Construction, Inc., Cortland, NY, and

BE IT FURTHER RESOLVED THAT; the Executive Director or Deputy Director is authorized to execute the agreement and all related project documents with Grant Street Construction, Inc., Cortland, NY in the amount of \$966,000.00 for Contract No. SHW-PWC-2015-DS1 - General Construction, Shore Haven Water Distribution System Improvements.

Seconded by _____

<u>Record of Vote:</u>	<u>Aye</u>	<u>Nay</u>
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Michael Cotton	___	___

**AWARD OF VDS-WWTP- REHABILITATION PROJECT GENERAL
CONSTRUCTION CONTRACT**

_____ offers the following resolution and moves its adoption:

WHEREAS; the Authority received two bids on April 6, 2016 for Contract No. VDS-PWC-2015-01 – General Construction for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project as follows:

- | | | |
|----|---|----------------|
| 1. | OCS Industries, Inc., Middletown, NY | \$953,500.00 |
| 2. | Eventus Construction Co., Inc., Amawalk, NY | \$1,013,000.00 |

WHEREAS; OCS Industries, Inc., Middletown, NY submitted the lowest responsible bid in the amount of \$953,500.00, and

WHEREAS; the consulting engineer, Lawrence J. Paggi, PE, PC (Paggi), has reviewed the bid, qualification statement, experience and references provided by OCS Industries, Inc. and finds no reason not to award the contract to OCS Industries, Inc., and

WHEREAS; the staff has reviewed the recommendation of Paggi and recommends the award of Contract No. VDS-PWC-2015-01 – General Construction for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project to the lowest responsible bidder, OCS Industries, Inc., and

WHEREAS; the Board has reviewed the staff recommendation and finds the award of Contract No. VDS-PWC-2015-01 to OCS Industries, Inc. is in the best interests of the Authority.

THEREFORE BE IT RESOLVED THAT; the bid received on April 6, 2016 from OCS Industries, Inc. for Contract No. VDS-PWC-2015-01 for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project in the amount of \$953,500.00 be accepted, and that the Executive Director or Deputy Director is authorized to execute the contract and the notice to proceed upon receipt of executed contract and insurance certificates from the proposed Contractor.

Seconded by _____

<u>Record of Vote:</u>	<u>Aye</u>	<u>Nay</u>
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Michael Cotton	___	___

**AWARD OF VDS-WWTP- REHABILITATION PROJECT ELECTRICAL
CONSTRUCTION CONTRACT**

_____ offers the following resolution and moves its adoption:

WHEREAS; the Authority received one bid on April 6, 2016 for Contract No. VDS-PWC-2015-02 – Electrical Construction for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project as follows:

- 1. Whalen Electric, LLC, Kingston, NY \$79,800.00

WHEREAS; Whalen Electric, LLC, Kingston, NY submitted the lowest responsible bid in the amount of \$79,800.00, and

WHEREAS; the consulting engineer, Lawrence J. Paggi, PE, PC (Paggi), has reviewed the bid, qualification statement, experience and references provided by Whalen Electric, LLC and finds no reason not to award the contract Whalen Electric, LLC, and

WHEREAS; the staff has reviewed the recommendation of Paggi and recommends the award of Contract No. VDS-PWC-2015-02 – Electrical Construction for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project to the lowest responsible bidder, Whalen Electric, LLC, and

WHEREAS; the Board has reviewed the staff recommendation and finds the award of Contract No. VDS-PWC-2015-02 to Whalen Electric, LLC is in the best interests of the Authority.

THEREFORE BE IT RESOLVED THAT; the bid received on April 6, 2016 from Whalen Electric, LLC for Contract No. VDS-PWC-2015-02 for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project in the amount of \$79,800.00 be accepted, and that the Executive Director or Deputy Director is authorized to execute the contract and the notice to proceed upon receipt of executed contract and insurance certificates from the proposed Contractor.

Seconded by _____

<u>Record of Vote:</u>	<u>Aye</u>	<u>Nay</u>
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Michael Cotton	___	___

**AWARD OF VDS-WWTP- REHABILITATION PROJECT PLUMBING
CONSTRUCTION CONTRACT**

_____ offers the following resolution and moves its adoption:

WHEREAS; the Authority received three (3) proposals on June 7, 2016 for Contract No. VDS-PWC-2015-03 – HVAC Construction for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project as follows:

- | | | |
|----|--|-------------|
| 1. | OCS Industries, Inc., Middletown, NY | \$32,969.00 |
| 2. | Dutchess Plumbing & Heating, Inc., Staatsburg, NY | \$37,200.00 |
| 3. | S&O Construction Services, Inc., Pleasant Valley, NY | \$65,510.00 |

WHEREAS; OCS Industries, Inc. submitted the lowest responsible proposal in the amount of \$32,969.00, and

WHEREAS; the Staff has reviewed the proposal of the lowest responder and recommends the award of Contract No. VDS-PWC-2015-03 – Plumbing Construction for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project to the lowest responsible responder, OCS Industries, Inc., and

WHEREAS; the Board has reviewed the staff recommendation and finds the award of Contract No. VDS-PWC-2015-03 to OCS Industries, Inc. is in the best interests of the Authority.

THEREFORE BE IT RESOLVED THAT; the proposal received on June 7, 2016 from OCS Industries, Inc. for Contract No.VDS-PWC-2015-03 for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project in the amount of \$32,969.00 be accepted, and that the Executive Director or Deputy Director is authorized to execute the contract and the notice to proceed upon receipt of executed contract and insurance certificates from the proposed Contractor.

Seconded by _____

Record of Vote:	Aye	Nay
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Michael Cotton	___	___

RESOLUTION NO. 2016.06.I

**Authority Board – DCWWA
June 15, 2016 meeting**

AUTHORIZE AMENDMENT No. 1 – GFS ENGINEERING DESIGN AGREEMENT

_____ offers the following resolution and moves its adoption:

WHEREAS; the Authority has entered into an agreement dated April 21, 2016 with T&B Engineering, PC for Professional Engineering Services for the Greenfields Sewer System – Treatment Plant Rehabilitation Project, and

WHEREAS; Resolution 2016.04.E incorrectly stated due a staff error that the Contract cost was not to exceed as \$177,300.00 instead of \$179,100.00, and

WHEREAS; the Authority Staff recommends that Resolution 2016.04.E be amended to reflect a contract cost not to exceed \$179,100.00, and

WHEREAS; a change in NYS SPDES Permit for the facility's discharge since the execution of the agreement has reduced the Total Chlorine Residual to 0.02 mg/L which requires an additional evaluation of dechlorination of the discharge not included in the Scope of Services, and

WHEREAS; T&B Engineering, PC has requested additional compensation in the amount of \$2,800.00 to perform the additional evaluation, and

WHEREAS; the Authority staff has reviewed T&B Engineering, PC additional compensation request and found it reasonable for the additional work scope required, and

WHEREAS; the Authority Staff recommends that Amendment No. 1 to the agreement with T&B Engineering, PC for the Greenfields Sewer System – Wastewater Treatment Plant Rehabilitation Project - Professional Engineering Services Contract in the amount of \$2,800.00 be authorized by the Board, and

WHEREAS; the Authority Board has considered the benefits to the Authority.

THEREFORE BE IT RESOLVED THAT; Resolution 2016.04.E is amended to reflect a contract cost not to exceed \$179,100.00, and

BE IT FURTHER RESOLVED THAT; the Executive Director or Deputy Director is authorized to execute Amendment No. 1 with T&B Engineering, PC in the amount not to exceed \$2,800.00 for a revised Contract cost of \$181,900.00 the Greenfields Sewer System – Treatment Plant Rehabilitation Project Professional Engineering Services.

Seconded by _____

Record of Vote:	Aye	Nay
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Michael Cotton	___	___

**AWARD HYDE PARK WTF INSTRUMENTATION AND CONTROL PHASE 1
ENGINEERING DESIGN AGREEMENT**

_____ offers the following resolution and moves its adoption:

WHEREAS; the Authority staff has solicited revised proposals for Engineering Services in accordance with the procurement policy for Professional Engineering Services for the Hyde Park Water Treatment Plant Instrumentation and Control Replacement – Phase 1 Project (the Project) in the Town of Hyde Park, NY from three (3) firms, and

WHEREAS; the Authority received proposals on May 25, 2016 from the following firms:

- 1. Delaware Engineering, DPC, Albany, NY
- 2. T&B Engineering, PC, Red Hook, NY

WHEREAS; HDR Architects & Engineers, PC did not respond citing that they would not be cost competitive, and

WHEREAS; the Authority Staff has evaluated the proposals considering each firm’s project approach, project organization, project staff experience, firm organization, firm experience, not to exceed cost and hourly rates, and

WHEREAS; the Authority Staff recommends that the firm of T&B Engineering, PC be awarded the Professional Engineering Services for the Hyde Park Water Treatment Instrumentation and Control Replacement Project – Phase 1 Project Contract for a cost not to exceed of \$93,500.00, and

WHEREAS; the Authority Board has considered the benefits to the Authority.

THEREFORE BE IT RESOLVED THAT; the Executive Director or Deputy Director is authorized to execute an agreement with T&B Engineering, PC in the amount not to exceed \$93,500.00 for the Professional Engineering Services for the Hyde Park Water Treatment Instrumentation and Control Replacement Project – Phase 1 Project Professional Engineering Services.

Seconded by _____

<u>Record of Vote:</u>	<u>Aye</u>	<u>Nay</u>
Thomas LeGrand	_____	_____
Vincent DiMaso	_____	_____
Larry Knapp	_____	_____
Rudy Vavra	_____	_____
Michael Cotton	_____	_____

RESOLUTION NO. 2016.06.K

**Authority Board – DCWWA
June 15, 2016 meeting**

**OPEN EXECUTIVE SESSION REGARDING PROPOSED ACQUISITION OF REAL
PROPERTY**

_____ offers the following resolution and moves its adoption:

Enter into Executive Session for the purpose of discussing acquisition of real property.

Seconded by _____

<u>Record of Vote:</u>	<u>Aye</u>	<u>Nay</u>
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Michael Cotton	___	___

RESOLUTION NO. 2016.06.L

**Authority Board – DCWWA
June 15, 2016 meeting**

CLOSE EXECUTIVE SESSION

_____ offers the following resolution and moves its adoption:

Close Executive Session and resume Public Session.

Seconded by _____

<u>Record of Vote:</u>	<u>Aye</u>	<u>Nay</u>
Thomas LeGrand	_____	_____
Vincent DiMaso	_____	_____
Larry Knapp	_____	_____
Rudy Vavra	_____	_____
Michael Cotton	_____	_____

APPROVAL OF CONFIDENTIALITY AGREEMENT

_____ offers the following resolution and moves its adoption:

WHEREAS; the Dutchess County Water and Wastewater Authority (the Authority), the County of Dutchess (the County), the City of Poughkeepsie (the City) and the Town of Poughkeepsie (the Town and collectively with the Authority, the County and the City, the “Parties”) have entered into negotiations for (i) the Authority’s acquisition of the City’s interest in the Joint Water Plant and (ii) in the event such acquisition is consummated, certain revisions to the terms and conditions of the IMA (the “Potential Transaction”), and

WHEREAS; each of the Town, City, County and Authority has received and/or may in the future receive from the other Parties certain information considered to be confidential, and

WHEREAS; the Parties acknowledge and agree that the Parties are subject to the Open Meetings Law (Article 7 of the New York Public Officers Law) and the Freedom of Information Law (Article 6 of the New York Public Officers Law) and that, as result, certain information will be, or may become, accessible by the public at large, and

WHEREAS; notwithstanding the foregoing, the Parties agree that it is to the mutual benefit of the Parties that each Party’s confidential information remain confidential, and

WHEREAS; the Parties have agreed to maintain the confidentiality of information exchanged in accordance with the terms and conditions of the attached Confidentiality Agreement,

THEREFORE BE IT RESOLVED THAT; the Authority Chairman is authorized to execute the Confidentiality and Non-Disclosure Agreement in substantially the form presented in this meeting.

Seconded by _____

Record of Vote:	Aye	Nay
Thomas LeGrand	___	___
Vincent DiMaso	___	___
Larry Knapp	___	___
Rudy Vavra	___	___
Michael Cotton	___	___

DUTCHESS COUNTY



27 High St. 2nd Floor
Poughkeepsie
New York, 12601
(845) 486-3601
Fax (845) 486-3610
dcwwa@dutchessny.gov
www.DCWWA.org

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
UNAPPROVED MINUTES OF MAY 18, 2016**

Authority Board Members

Thomas LeGrand
Chairperson

Vincent DiMaso
Vice-Chairperson

Rudy Vavra
Treasurer

Lawrence R. Knapp
Secretary

Michael Cotton

Ex officio Members

Brian Scoralick
Acting Executive Director
Soil and Water Conservation District

Eoin Wrafter
Commissioner
D.C. Dept. of Planning & Development

Staff

Bridget Barclay
Executive Director

Mary C. Morris
Deputy Director

Board Members Present

Tom LeGrand
Vince DiMaso
Rudy Vavra
Larry Knapp
Mike Cotton

Staff Present

Bridget Barclay
Jackie Burger
Peter Fadden
Ed Mills
Mary Morris
Doug Odell

Ex-Officio Member

Eoin Wrafter – Commissioner, Dutchess County Planning
and Development

Others Present

Don Sagliano – Legislative Liaison
Christian Cullen – Dutchess County Attorney's Office

Meeting Open

Tom LeGrand opened the meeting at 3:30 p.m. and asked for any public comment. There were no members of the public present.

Approval of Board Meeting Minutes

Tom requested a motion to approve the minutes of the April 20, 2016 board meeting. The motion was made by Rudy, seconded by Larry; voted on and passed unanimously with Vince abstaining. (Res. 2016.05.A/01)

Chairman's Report

Tom said we are looking into the purchase of the City of Poughkeepsie's share of the Poughkeepsie Joint Water Facility, which will benefit the County long term.

Operations Report

The operations report was included in the package.

Global Foundries Assignment Request

Bridget advised the Board that Global Foundries is requesting that it's water sale agreement be assigned to the Town of East Fishkill. Global Foundries is making this request as part of the ongoing subdivision of it's property into multiple lots. Global Foundries does not want to be in the business of selling water to the other properties. There was discussion of the issues surrounding the assignment request. Tom indicated he wanted the Authority, not the Town of East Fishkill, to be the entity to distribute the water. Bridget responded that she would advise Global Foundries and the County about the Board's position.

Finance Report – Approval of Warrant

Vince made a motion to accept the warrant as presented. The motion was seconded by Larry voted on and passed unanimously. (Res. 2016.05.B/02)

Capital Projects – HPR and CDWTL Building Exterior Maintenance – Contract Award

Rudy made a motion that the Executive Director or Deputy Director is authorized to execute a contract with PCC Contracting, Inc., Schenectady, NY, in the amount of \$157,200.00 for the HPR & CDWTL Pump Station Buildings' Repair & Maintenance Project Contract No. PWC-G-2016-01 and to execute a Notice to Proceed upon receipt of executed contracts, bonds and certificates of insurance from PCC Contracting, Inc., Schenectady, NY. This was seconded by Larry and passed unanimously. (Res. 2016.05.C/03)

Award Engineering Services Contract for GFS WWTP Rehabilitation Project

Rudy made a motion that the Executive Director or Deputy Director is authorized to execute Amendment No. 1 to the Professional Services Agreement with Swartz Architecture, DPC for the Professional Architectural Design Services for the HPR & CDWTL Pump Station Buildings Repair & Maintenance Project in the not-to-exceed amount of \$6,394.00 to increase the total agreement price for an amount not to exceed from \$33,210.00 to \$39,604.00. This was seconded by Larry and passed unanimously. (Res. 2016.05.D/04)

Community Projects – Shore Haven Water Project Status

Bridget advised the Board that the bid documents are out for the distribution system work. We are now out to bid for the treatment system. System water quality continues to be good.

Hoffman (Red Hook Acres) Water and Sewer

Bridget said there is an update on this project in the Community Projects memo. We

have not been able to negotiate an agreement to purchase water from the Village of Red Hook and the project sponsor is now looking into developing a well on the site.

Beekman Elementary School Water Line

Bridget said Arlington Central School District approached the Authority in the past regarding establishing a connection between the Beekman Elementary School and the Dalton Farms Water System due to high chloride levels in the water at the school. They initially wanted to do the design and construction of the inter-connection themselves. They now prefer that Authority constructs the water line on their behalf and they will fund it.

Vanderburgh Cove Sewer Acquisition

Bridget said an update was included in the Community Projects memo. Everything is in place for the transfer of ownership. The Legislature has established a Part-County sewer district. We have an approved service agreement between the Authority and the County and a transfer agreement with the municipalities. There is an outstanding loan for the upgrades made to the treatment plant which Environmental Facilities Corporation (EFC) will transfer to the Authority.

Executive Session – Litigation and Property Acquisition

Tom asked for a motion to enter into executive session. Rudy made the motion. This was seconded by Larry and passed unanimously. (Res. 2016.05.E/05)

Executive Session

At 4:25pm Larry made a motion to close executive session. This was seconded by Rudy and passed unanimously. (Res. 2016.05.F/06)

Public Comment

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

Confirm next meeting date

Tom confirmed the next meeting date of June 15, 2016 at 3:30pm.

Motion to adjourn

At 4:30pm Tom asked for a motion to adjourn; Rudy made the motion: seconded by Larry and passed unanimously. (Res. 2016.05.G/07)

Respectfully submitted,



Jackie Burger
Senior Typist

Resolutions

- | | |
|-------------------|---|
| Res. 2016.05.A/01 | Motion to approve minutes from the April 20, 2016 board meeting |
| Res. 2016.05.B/02 | Motion to approve the warrant as presented |
| Res. 2016.05.C/03 | Motion to approve HPR and CDWTL Building Exterior Maintenance Contract Award |
| Res. 2016.05.D/04 | Motion to approve Amendment No. 1 to Design Agreement for HPR and CDWTL Building Exterior Maintenance |
| Res. 2016.05.E/05 | Motion to enter into executive session |
| Res. 2016.04.F/06 | Motion to close executive Session |
| Res. 2016.04.G/07 | Motion to adjourn |

TO: Authority Board

FROM: Bridget Barclay

DATE: June 9, 2016

RE: Global Foundries Requested Assignment

We have received the attached letter from Global Foundries requesting an assignment of its rights and obligations under the Water Supply Agreement to either the Town of East Fishkill or Dutchess County (note – in communication with Global Foundries they have clarified that by “County” they mean the DCWWA.) The request specifies that Global Foundries will agree to retain the obligation to pay for any portion of the “Take or Pay” purchase obligation that is not used by other parties. Additionally, Global Foundries would agree to keep in place the financial security established when Global Foundries accepted the Assignment of the original Water Sale Agreement from IBM.

The Board’s position that it wants the “assignment” to be to DCWWA rather than the Town of East Fishkill was communicated to both the Office of the County Executive and Global Foundries after the May Board meeting. Working with Ron Hicks of the County Executive’s office, staff is in the process of scheduling a meeting to discuss the assignment with Town of East Fishkill Supervisor John Hickman.

Global Foundries states in its letter its intent that the assignee of the Water Supply Agreement will become the regulated public water supplier to each of the subdivided parcels. However it is Global Foundries intent to retain ownership and control over the on-site distribution and storage infrastructure by which water is delivered to each of the separate parcels. This raises questions of how the water supplier (be it DCWWA or another public entity) can be responsible for delivery of water to end users, without being able to control the infrastructure that will impact final water quality, continuity of supply, quantity of supply available, and water pressure at the delivery point. Preliminary discussions are underway with Global Foundries to better understand the distribution and storage network on site. A request has been made to the Environmental Health Services Division of the County Department for Behavioral and Community Health for guidance on the on-site regulatory compliance obligations, including water quality sampling protocols, that would apply to the public water supplier.



May 27, 2016

Mr. Thomas LeGrand
Chairperson, Dutchess County Water & Wastewater Authority ("DCWWA")
27 High Street
Poughkeepsie, NY 12601

RECEIVED

MAY 31 2016

DCWWA

Dear Mr. LeGrand:

I respectfully request your support for the assignment of all the rights and obligations under the water sale agreement between GLOBALFOUNDRIES and DCWWA to the Town of East Fishkill or the County of Dutchess ("County") on or before July 5, 2016. However, GLOBALFOUNDRIES shall retain the responsibility to pay for the unused portion of the two million gallons per day under the "take or pay" provision until such "take or pay" provision is eliminated. It is my understanding that DCWWA and the County are diligently working to establish a plan to remove the "take or pay" provision from the DCWWA's contract with the Poughkeepsie Joint Water Board.

If the County becomes the assignee for water sale agreement then the County shall provide water volumes sufficient to supply the following, which is estimated to be approximately three million gallons per day:

- o GLOBALFOUNDRIES and any subsequent owner's need for the 460 acre campus
- o John Jay High School
- o Sports Dome Complex
- o Any new developments on the old IBM West Campus
- o The Town of Fishkill water district currently affected by high road salt chlorides

It is also understood that upon assignment of the agreement, the assignee of the water sale agreement shall become the public water supplier and will lease from GLOBALFOUNDRIES the Building 350 back flow preventers for the GLOBALFOUNDRIES portion of the system along with the distribution and storage systems, which GLOBALFOUNDRIES will continue to own, maintain and operate.

I would like to confirm that the assignment of this agreement will continue to allow the Town of East Fishkill, GLOBALFOUNDRIES and any subsequent owners of the land currently referred to as the Hudson Valley Research Park to be exempt from the \$0.37 per 1,000 gallons bond pay-back provision to New York State for up to 5.07 million gallons per day.

If you need any additional information, please contact me directly at 845-894-3242.

Sincerely,

Robert J. Newhard
GLOBALFOUNDRIES Site Operations

May 26, 2016

cc: Mr. John Hickman
Mr. Rob Rollison
Mr. Todd Tancredi
Ms. Bridget Barclay
Mr. Ronald Hicks
Mr. Randy Alstadt

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
<u>Arbors Water System</u>						
ABW16013	Smith Environmental Laboratory	Labs: April 2016	554.75			
ABW16014	Byrnes Message Bureau, Inc.	Answering service: June 2016	44.90			
SUBTOTAL			599.65			
<u>Benefit Assessment</u>						
BEN16006	Drake, Loeb, Heller, etal.	Professional services: T-Rex	105.00	30,000.00	7,205.53	24.02%
SUBTOTAL			105.00			
<u>Birch Hill Water System</u>						
BHW16030	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	858.00	10,296.00	4,290.00	41.67%
BHW16031	Smith Environmental Laboratory	Labs: April 2016	699.10			
BHW16032	USA BlueBook	Hach ascorbic acid power	177.25			
BHW16033	VRI Environmental Services, Inc.	Power failure	80.00			
BHW16034	Frontier Communications	Telephone service: 5/25/16 -6/24/16 (226 5492)	42.36			
BHW16035	VRI Environmental Services, Inc.	Install unions: 05/19/16	520.00			
BHW16036	Star Gas Prod., Inc.	Propane: 256.9 gal@1.89 (5/11/16)	489.21			
BHW16037	Amrex	Chemicals: Sodium tripolyphosphate	936.96			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
BHW16038	VRI Environmental Services, Inc.	Electronic backwash valve problem: 05/18/16	106.25			
SUBTOTAL			3,909.13			
<u>Chelsea Cove Sewer System</u>						
CCS16063	Royal Carting Service Co.	Monthly Refuse Removal: May 2016	76.59			
CCS16064	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	2,858.58	34,303.00	14,292.90	41.67%
CCS16065	Frontier Communications	Telephone service: 5/7/16-6/6/16 (2265492)	42.36			
CCS16066	NYSEG	Electric service:4/13/16-5/10/16 (10010243847)	1,693.83			
CCS16067	Earthcare - All County Division	Sludge removal: 5/5/16+5/10/16	2,500.00			
CCS16068	VRI Environmental Services, Inc.	Leak in air line: 04/29/16	214.28			
CCS16069	VRI Environmental Services, Inc.	Drum filter issues: 05/01/16	160.00			
CCS16070	VRI Environmental Services, Inc.	Drum filter pump not working: 05/1/16	140.00			
CCS16071 *	Morris Assoc Engineering Consultants, PLLC.	Prof Services: CCS WWTP Construction Administration (#5)	11,281.20	137,220.00	38,617.10	28.14%
CCS16072	Amrex	Chemicals: Hypochlorite	250.00			
CCS16073	Earthcare - All County Division	Sludge removal: 5/18/16	1,000.00			
CCS16074	Amrex	Chemicals: Sodium tripolyphosphate	151.57			
CCS16075	VRI Environmental Services, Inc.	30 gal waste oil drums	118.00			
SUBTOTAL			20,486.41			
<u>Dalton Farms Sewer System</u>						
DFS16073	Royal Carting Service Co.	Monthly Refuse Removal: May 2016	163.35			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
DFS16074	VRI Environmental Services, Inc.	Operations and Maintenance: May1 2016	3,602.42	43,229.00	18,012.10	41.67%
DFS16075	Frontier Communications	Telephone service: 5/7/16-6/6/16 (223 3038)	47.55			
DFS16076	Gentech LTD	Maintenance to generator	475.00			
DFS16077	NYSEG	Electric service: 4/12/16-5/10/16 (1001 0243 581)	153.81			
DFS16078	Verizon	Telephone service: 5/7/16-6/6/16 (7243574)	24.17			
DFS16079	VRI Environmental Services, Inc.	Sand Filter Panel Down: 05/10/16	93.39			
DFS16080	VRI Environmental Services, Inc.	High level alarm: 05/06/16	360.00			
DFS16081	Fuss and O'Neill of New York, P.C.	Professional services: Alaina Estates Connection to DFS #4	55.08	14,200.00	14,200.00	100.00%
DFS16082	VRI Environmental Services, Inc.	No power/transfer switch stuck: 05/26/16	400.00			
DFS16084	Earthcare - All County Division	Sludge removal: 5/24/16	4,000.00			
DFS16085	J. Angelo Industries	Sludge hauling: 6-1+6-2 2016	3,520.00			
DFS16086	Frontier Communications	Telephone service:5/25/16-6/24/16 LD	11.33			
DFS16087	Frontier Communications	Telephone service: 5/24/16-6/24/16	2.70			
SUBTOTAL			12,908.80			
 <u>Dalton Farms Water System</u>						
DFW16026	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	1,462.75	17,553.00	7,313.00	41.66%
DFW16027	Frontier Communications	Telephone service: 5/7/16-6/6/16 (223 7653)	33.47			
DFW16028	Amrex	Chemicals: Ammonium Hydroxide	116.00			
SUBTOTAL			1,612.22			
 <u>Fairways Sewer</u>						
FAS16009	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	238.25	2,859.00	1,191.25	41.67%
FAS16010	VRI Environmental Services, Inc.	Replace valve pump #1/check pump #2	889.49			
SUBTOTAL			1,127.74			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
<u>Fairways Water</u>						
FAW16009	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	551.67	6,620.00	2,758.35	41.67%
FAW16010	Central Hudson Gas & Electric	Electric service:4/1/16-5/3/16(56742480017)	288.54			
SUBTOTAL			840.21			
<u>Greenbush Water</u>						
GBW16014	Amity Construction Corp	Water repair West Dorsey Lane:	2,264.06			
SUBTOTAL			2,264.06			
<u>Greenfields Sewer</u>						
GFS16023	FedEx	Overnight delivery: 5/24/16 Sue Serino	29.17			
GFS16046	Royal Carting Service Co.	Monthly Refuse Removal: May 2016	117.00			
GFS16047	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	3,655.50	42,568.89	16,980.39	39.89%
GFS16048	Central Hudson Gas & Electric	Electric service: 4/4/16-5/4/16 (5662 0740 01 1)	462.09			
GFS16049	Smith Environmental Laboratory	Labs: April 2016	410.25			
GFS16050	Amrex	Chemicals: Hypochlorite	32.00			
GFS16051	Amrex	Chemicals: Hypochlorite	216.00			
GFS16052 *	Luzon Environmental Services	Tank removal/samples/remediate	13,419.60			
GFS16053	Drake, Loeb, Heller, etal.	Professional services: Review Greenfields material	131.25	30,000.00	7,336.78	24.46%
GFS16054	VRI Environmental Services, Inc.	Install outside spigot in lab bldg/remove old switches: 05/18/16	212.50			
SUBTOTAL			18,685.36			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
<u>Greenfields Water</u>						
GFW16018	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	1,872.25	21,802.65	8,696.90	39.89%
GFW16019	Central Hudson Gas & Electric	Electric service: 4/1/16-5/4/16 (5662 0750 01 0)	396.98			
GFW16020	VRI Environmental Services, Inc.	Water storage tank over flow: 05/15/16	160.00			
GFW16021	USA BlueBook	Gloves/Hach PhosVer	158.70			
GFW16022	Radwell International, Inc	Pressure sensor	166.67			
GFW16024	Constellation New Energy inc	Electric service: 1-7FP-2490	111.02			
	SUBTOTAL		2,865.62			
<u>General</u>						
GEN16093 *	Employee Benefits Division	Health Insurance Premium: June 2016	18,434.22			
GEN16094	Del Hatt Automotive	NYS Inspection: 2005 Ranger	21.00			
GEN16095	AFLAC	Insurance Coverage: April 2016	464.22			
GEN16096	DC Commissioner of Finance	Storeroom supplies April 2016	68.16			
GEN16097	DC Commissioner of Finance	Printing services April 2016	100.00			
GEN16098	NYS Deferred Compensation Plan	Deferred Compensation: Paydate 5/20/16	1,445.00			
GEN16099	Van DeWater & Van DeWater, LLP	Professional services:General/ SHW improvements	792.75	30,000.00	4,960.25	16.53%
GEN16100	NYS & Local Emp. Ret. System	Retirement System Monthly Reporting: May 2016	2,039.92			
GEN16101	Paychex, Inc.	Administrative Services: Pay Period ending 05/13/16	730.07			
GEN16102	Paychex, Inc.	Administrative Services: Pay Period ending 05/27/16	730.07			
GEN16103	Bentley Systems, Inc.	Annual Subscription	65.00			
GEN16104	Safeguard Business Systems	Checks 1000	228.62			
GEN16105	Rose and Kiernan, Inc.	Multiple property & GL locations corrections	170.46			
GEN16106	DC Commissioner of Finance	Copier/Telephone Service: April 2016	340.73			
GEN16107	DC Commissioner of Finance	April 2016 Computer services	900.00			
GEN16108	Drake, Loeb, Heller, etal.	Professional services: Route 9G Commercial Sewer District	350.90	30,000.00	7,687.68	25.63%

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
GEN16109	NYS Deferred Compensation Plan	Deferred Compensation: Paydate 6/3/16	1,445.00			
GEN16110	AFLAC	Insurance Coverage: May 2016	309.48			
GEN16111 *	Rose and Kiernan, Inc.	July 2016 Commercial package policy	16,629.00			
GEN16112	Drake, Loeb, Heller, etal.	2016 Water Bonds COI	175.00	30,000.00	7,862.68	26.21%
GEN16113	MVP Health Care, Inc.	June 2016 Health insurance	5,580.19			
GEN16114	New York Water Environment Association, Inc	Training: R.Winchester 6/15/16	140.00			
GEN16115	DC Commissioner of Finance	Storeroom supplies May 2016	59.85			
GEN16116	Staples Credit Plan	Manilla folders/envelopes/labels	37.49			
GEN16117	DC Commissioner of Finance	Mail May 2016	1,718.57			
SUBTOTAL			52,975.70			
 <u>Hyde Park Regional Water System</u>						
HPW16004	The Bank of New York	Annual Trustee Services Series1998-1+2 (6/17/16-6/16/17)	1,925.00			
HPR16122	Royal Carting Service Co.	Monthly Refuse Removal: May 2016	41.40			
HPR16123	Ulster Uniform Service, Inc.	Uniforms: May 2016	218.00			
HPR16124	Central Hudson Gas & Electric	Electric service:4/14/16-4/29/16 (5327 2710 00 4)	181.72			
HPR16125	Home Depot Credit Services	Miscellaneous Supplies: April 2016	158.93			
HPR16126	Swartz Architecture, DPC	Prof Serv: Exterior Maintenance and Repair of Buildings	672.50	33,210.00	18,786.25	56.57%
HPR16127	Northside Supplies, LLC	2 Pails karnack	87.12			
HPR16128	JCI Jones Chemicals, Inc.	Chlorine	535.41			
HPR16129	Protective Power Systems & Controls, Inc.	Major maintenance on generator	600.00			
HPR16130	Smith Environmental Laboratory	Labs: April 2016	357.00			
HPR16131	NOCO Distribution LLC	Non detergent 20 5 galpp/mobil gear/jax magna plate	157.02			
HPR16132	NOCO Distribution LLC	JAX FGH-AW 32 5galpp	113.40			
HPR16133	NOCO Distribution LLC	Mobil DTE hvy 5galpp	91.51			
HPR16134 E	Protective Power Systems & Controls, Inc.	Emergency service generator	875.00			
HPR16136	Cablevision	Internet service: 5/16/16-6/15/16	209.69			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
HPR16137	Central Hudson Gas & Electric	Electric service:3/9/16-5/11/16 (5324 2580 00 8)	84.04			
HPR16138	Amity Construction Corp	Repair leak at crumwold 5/12/16	1,833.76			
HPR16139	Ti-Sales	Neptune meter 2"/flange kit	1,910.63			
HPR16140	Amity Construction Corp	Trench paving	2,809.16			
HPR16141	USA BlueBook	Hach sample	54.66			
HPR16142	Verizon	Telephone service: 4/10/16-5/9/16 (2291117/2299233/7243574)	141.57			
HPR16143	Verizon Wireless	Cell phone service: 5/13/15/-6/12/16	190.79			
HPR16144	Central Hudson Gas & Electric	Electric service:4/13/16-5/13/16 (56640195006)	258.80			
HPR16145	Ti-Sales	Neptune meter	1,343.40			
HPR16146	Seaway Diving & Salv Co., Inc.	Diving services 5/18/16	3,760.00			
HPR16147	Chemtrade Chemicals Corporation	Chemicals: Alum Sulfate liquid	2,812.97			
HPR16148	USA BlueBook	Control Pulsatron E plus	957.88			
HPR16149	Wex Inc.	Fuel for vehicles: May 2016	1,309.53			
HPR16150	Conway's Lawn & Power Equipmnt	Blade/bolt/oil/filter/repair & service trash pump	559.94			
HPR16151	Amrex	Chemicals: Sodium tripolyphosphate	1,700.00			
HPR16152	Central Hudson Gas & Electric	Elec Serv:4/27/16-5/25/16(56171635016/3730013/4600017)	6,069.03			
HPR16153	Chickery's Auto Repair	Change oil/check brakes/inspection	107.95			
HPR16154	VOID		0.00			
HPR16155	Amity Construction Corp	Trench paving 5/19/16	2,976.37			
HPR16156	Verizon Wireless	Modem: 4/24/16-5/23/16	14.08			
HPR16158	Leisure Tech Supply	Chlorine	53.85			
HPR16159	Chickery's Auto Repair	R&R taillight wiring/tire plugged	91.56			
HPR16160	Williams Lumber & Home Centers	Miscellaneous equipment and supplies: May 2016	719.55			
HPR16161	Jeff Daley & Sons Oil Ser Inc.	91.1 gal Diesel @1.75	159.43			
HPR16162	M&O Sanitation, Inc.	1-3" suction hose assembly	373.50			
	SUBTOTAL		36,516.15			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
<u>Pinebrook Sewer System</u>						
PBS16025	VRI Environmental Services, Inc.	Operations and Maintenance: May1 2016	1,534.58	18,415.00	7,672.90	41.67%
PBS16026	Central Hudson Gas & Electric	Electric service: 4/10/16-5/13/16 (56640248037)	413.64			
SUBTOTAL			1,948.22			
<u>Pinebrook Water System</u>						
PBW16021	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	1,023.08	12,277.00	5,115.56	41.67%
PBW16022	VRI Environmental Services, Inc.	Pull and inspect well pump #2: April 2016	3,991.99			
PBW16023	Central Hudson Gas & Electric	Electric service:4/13/16-5/13/16 (5664 0245 03 3)	310.85			
SUBTOTAL			5,325.92			
<u>Quaker Hills Water</u>						
QHW16017	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	752.25	9,027.00	3,761.25	41.67%
QHW16018	USA BlueBook	High security lock	77.90			
QHW16019	VRI Environmental Services, Inc.	Service line shut off: 05/20/16	75.00			
SUBTOTAL			905.15			
<u>Rokeby Water System</u>						
RKW16014	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	618.50	7,422.00	3,092.50	41.67%

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
RKW16015	Frontier Communications	Telephone service: 5/1/16-5/31/16 (758 9223)	55.18			
RKW16016	Central Hudson Gas & Electric	Electric service:3/24/16-5/24/16 (5810 1880 01 9)	215.38			
SUBTOTAL			889.06			
 <u>Schreiber</u>						
DSW16010	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	482.67	5,792.00	2,413.35	41.67%
DSW16011	NYSEG	Electric service: 4/12/16-5/10/16 (10011912549)	186.81			
SUBTOTAL			669.48			
 <u>Shore Haven Water System</u>						
SHW16023	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	860.92	10,331.00	4,304.60	41.67%
SHW16024	Veith Enterprises, Inc.	Replace broken Junction box on utility pole/add GFCI outlet in pit	532.48			
SHW16025	Poughkeepsie Journal	Legal notice: Ads for Bids for SHW	183.40			
SHW16026	Poughkeepsie Journal	Legal notice: Ads for Bids for SHW	168.60			
SUBTOTAL			1,745.40			
 <u>Central Dutchess Water Transmission Line</u>						
CDW16035	Town of Poughkeepsie	As per agreement with Poughkeepsie Jt water	5,000.00			
CDW16092	Royal Carting Service Co.	Monthly Refuse Removal: May 2016	36.23			
CDW16093	Central Hudson Gas & Electric	Electric service: 3/31/16-5/3/16 (56852136011/2135013)	1,972.59			
CDW16094	Home Depot Credit Services	Miscellaneous Supplies: April 2016	57.97			
CDW16095	Swartz Architecture, DPC	Prof Serv: Exterior Maintenance and Repair of Buildings	672.50	33,210.00	19,458.75	58.59%
CDW16096	Hach Company	DPD chlorine rgt	495.97			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
CDW16097	Smith Environmental Laboratory	Labs: April 2016	234.50			
CDW16098 *	City of Poughkeepsie	Water: April 2016	124,916.26			
CDW16099	NYS Deferred Compensation Plan	Deferred Compensation: Paydate 5/20/16	500.00			
CDW16100	MVP Health Care, Inc.	June 2016 Health insurance	1,594.34			
CDW16101	Arlington Auto & Tire	Rear brakes, pads, calipers	1,044.44			
CDW16102	Cablevision	Internet service: 5/23/16-6/22/16	141.50			
CDW16103	Verizon	Telephone service:5/10/16-6/9/16 (4710917)	225.83			
CDW16104	Time Warner Cable	Internet service: 5/19/16-6/18/16 (8150410150093567)	103.97			
CDW16105	NYS & Local Emp. Ret. System	Retirement System Monthly Reporting: May 2016	315.53			
CDW16106	Paychex, Inc.	Administrative Services: Payroll Period ending 05/13/16	9.87			
CDW16107	Paychex, Inc.	Administrative Services: Payroll Period ending 05/27/16	9.87			
CDW16108	Wex Inc.	Fuel for vehicles: May 2016	168.97			
CDW16109	NYS Deferred Compensation Plan	Deferred Compensation: Paydate 6/3/16	500.00			
CDW16110	Arlington Auto & Tire	Oil change/power steering fluid/tire rotation	191.97			
CDW16111	Poughkeepsie Journal	Legal notice: Ads for Bids	126.70			
SUBTOTAL			138,319.01			

VALLEY DALE SEWER SYSTEM

VDS16032	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	1,370.75	16,449.00	6,853.75	41.67%
VDS16033	VRI Environmental Services, Inc.	Pumps not creating suction	170.00			
VDS16034	VRI Environmental Services, Inc.	Tightened riser pipes	255.00			
VDS16035	USA BlueBook	Hach sample/gloves	108.03			
VDS16036	FedEx	Overnight delivery: 5/10/16	137.83			
VDS16037	VRI Environmental Services, Inc.	Dosing pumps running/EQ high	160.00			
VDS16039	Amrex	Chemicals: Hypochlorite	210.00			

**DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY
WARRANT
June 15, 2016**

<u>VOUCHER</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CONTRACT</u>	<u>TO DATE</u>	<u>PERCENT</u>
VDS16040	Central Hudson Gas & Electric	Electric service: 4/21/16-5/23/16 (56530702002/0700014/004)	1,395.91			
SUBTOTAL			3,807.52			
<u>VALLEY DALE WATER SYSTEM</u>						
VDW16018	VRI Environmental Services, Inc.	Operations and Maintenance: May 2016	518.25	6,219.00	2,591.25	41.67%
VDW16019	Amrex	Chemicals: Hypochlorite	54.00			
VDW16020 **	Landworks of Hudson Valley	VDW North well access drive: Retainage Release	1,400.00	45,844.00	45,844.00	100.00%
SUBTOTAL			1,972.25			
<u>Violet Ave Water</u>						
None this warrant						
SUBTOTAL			0.00			
TOTAL WARRANT			310,478.06			

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

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

E/P Procurement Policy Emergency Repair Provision

DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY

to

Manufacturers and Traders Trust Company

as Trustee

FIFTH SUPPLEMENTAL TRUST INDENTURE

Dated as of _____, 2016

Authorizing

\$ _____

DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY

E.F.C. CLEAN WATER FACILITY BOND – 2016A
(CHELSEA COVE)

TABLE OF CONTENTS

Page

ARTICLE I DEFINITIONS

ARTICLE II THE EFC BONDS

Section 2.01.	Purpose, Amount, Date, Terms and Issuance of the EFC Bonds	2
Section 2.02.	Disposition of Proceeds of EFC Bonds	3

ARTICLE III MISCELLANEOUS

Section 3.01.	Illegal, etc. Provisions Disregarded	4
Section 3.02.	Notices	4
Section 3.03.	Successors and Assigns.....	4
Section 3.04.	Headings for Convenience Only.....	4
Section 3.05.	Counterparts.....	4
Section 3.06.	Applicable Law.....	4
Section 3.07.	Designation of Paying Agent for EFC Bonds.....	5

FIFTH SUPPLEMENTAL TRUST INDENTURE

THIS FIFTH SUPPLEMENTAL TRUST INDENTURE dated as of _____, 2016 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 Bonds for costs relating to the Chelsea Cove Sewer System in the aggregate principal amount of \$_____ (the "EFC Bonds"); and

WHEREAS, the execution and delivery of the EFC Bonds and of this Fifth Supplemental Trust Indenture have been duly authorized and all things necessary to make the EFC Bonds, 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 Bonds, a minimum denomination of \$5,000 and integral multiples thereof.

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

"EFC Bonds" means the Authority's E.F.C. Clean Water Facility Bond – 2016A (Chelsea Cove).

“Maturity” when used with respect to the EFC Bonds means the date on which the principal of such EFC Bonds becomes due and payable as therein or herein provided, whether at the final maturity date for the EFC Bonds 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 Bonds) refer to the entire Indenture.

ARTICLE II

THE EFC BONDS

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

(a) The EFC Bonds are hereby authorized to be issued under the Indenture and this Fifth Supplemental Trust Indenture. The purpose of the EFC Bonds will be to permanently finance notes previously issued by the Authority to EFC and 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 Bonds shall be issued in the aggregate principal amount of \$_____, and shall contain substantially the terms recited in the Project Finance Agreement. The EFC Bonds 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 Bonds to be delivered to the Trustee.

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

(d) The EFC Bonds constitute Additional Parity Indebtedness.

Section 2.02. Disposition of Proceeds of EFC Bonds. Proceeds of the EFC Bonds 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 Bonds shall for any reason be held invalid, illegal or unenforceable in any respect, this Fifth Supplemental Trust Indenture or the EFC Bonds, 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 Bonds. The Trustee is hereby designated as Paying Agent for the EFC Bonds.

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

DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY

to

Manufacturers and Traders Trust Company

as Trustee

THIRD SUPPLEMENTAL TRUST INDENTURE

Dated as of _____, 2016

Authorizing

\$ _____

DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY

E.F.C. CLEAN WATER FACILITY BOND – 2016A
(VALLEY DALE)

TABLE OF CONTENTS

Page

ARTICLE I DEFINITIONS

ARTICLE II THE EFC BONDS

Section 2.01.	Purpose, Amount, Date, Terms and Issuance of the EFC Bonds	2
Section 2.02.	Disposition of Proceeds of EFC Bonds	3

ARTICLE III MISCELLANEOUS

Section 3.01.	Illegal, etc. Provisions Disregarded	4
Section 3.02.	Notices	4
Section 3.03.	Successors and Assigns.....	4
Section 3.04.	Headings for Convenience Only.....	4
Section 3.05.	Counterparts.....	4
Section 3.06.	Applicable Law.....	4
Section 3.07.	Designation of Paying Agent for EFC Bonds.....	5

THIRD SUPPLEMENTAL TRUST INDENTURE

THIS THIRD SUPPLEMENTAL TRUST INDENTURE dated as of _____, 2016 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 Third Supplemental Trust Indenture is supplemental; and

WHEREAS, the Authority has resolved to issue its Bonds for costs relating to the Valley Dale Sewer System in the aggregate principal amount of \$_____ (the "EFC Bonds"); and

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

NOW, THEREFORE, THIS THIRD 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 Third Supplemental Trust Indenture.

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

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

"EFC Bonds" means the Authority's E.F.C. Clean Water Facility Bond – 2016A (Valley Dale).

“Maturity” when used with respect to the EFC Bonds means the date on which the principal of such EFC Bonds becomes due and payable as therein or herein provided, whether at the final maturity date for the EFC Bonds 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 Third Supplemental Indenture, and shall initially mean the Trustee.

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

ARTICLE II

THE EFC BONDS

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

(a) The EFC Bonds are hereby authorized to be issued under the Indenture and this Third Supplemental Trust Indenture. The purpose of the EFC Bonds will be to permanently finance notes previously issued by the Authority to EFC and to provide the Authority with additional funds to undertake capital improvements to the Valley Dale Sewer System and to pay costs of issuance. The EFC Bonds shall be issued in the aggregate principal amount of \$_____, and shall contain substantially the terms recited in the Project Finance Agreement. The EFC Bonds 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 Bonds to be delivered to the Trustee.

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

(d) The EFC Bonds constitute Additional Parity Indebtedness.

Section 2.02. Disposition of Proceeds of EFC Bonds. Proceeds of the EFC Bonds 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 Third Supplemental Trust Indenture or the EFC Bonds shall for any reason be held invalid, illegal or unenforceable in any respect, this Third Supplemental Trust Indenture or the EFC Bonds, 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 Third 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 Third 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 Third 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 Third 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 Bonds. The Trustee is hereby designated as Paying Agent for the EFC Bonds.

IN WITNESS WHEREOF, DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY has caused this Third 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 Third 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

MEMORANDUM

June 9, 2016

To: Authority Board

From: Bridget Barclay

Subject: Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation
Contract No. VDS-PWC-2015-02 – Electrical Construction
Contract Award Recommendation

Bids were received at 11:00 AM on April 6, 2016 at the Authority's office at 27 High Street, Poughkeepsie, NY for Contract VDS-PWC-2015-02 – Electrical Construction for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project.

One bid was received as follows:

1. Whalen Electric, LLC, Kingston, NY \$79,800.00

The revised project budget for the scope of work included in the proposed contract is \$80,652.00 without project contingencies.

The proposer submitted with the bid the required bid security, qualification statement and non-collusion affidavit.

The bid was reviewed by Lawrence J. Paggi, PE, PC, (Paggi) as part of its design services contract. Paggi's investigation found no reason not to award the contract to Whalen Electric, LLC, Kingston, NY.

The staff reviewed Paggi's recommendation and the apparent low bidder's proposal and qualification documents for the contract. Based upon Paggi's recommendation and staff review, the staff recommends that Contract No. VDS-PWC-2015-02 – Electrical Construction be awarded to the lowest responsible bidder, Whalen Electric, LLC, Kingston, NY, in the amount of \$79,800.00.

Further, the staff requests that upon the receipt of executed contracts and the respective bonds and insurance certificates from Whalen Electric, LLC, that either the Executive Director or Deputy Director be authorized by the Board to execute the contract and issue "Notice to Proceed" to the Contractor.

Attach: Bid Analysis

Xc: D. Odell
M. Morris
P. Fadden

VDS WWTP Electrical Construction Bid Comparison

				Whalen Electric, LLC	
Item No.	Description	Estimated Quantity	Unit	Unit Price	Total Price
1A	Mobilization	1	LS	\$ 800.00	\$ 800.00
1B	Bonds	1	LS	\$ 2,000.00	\$ 2,000.00
1C	Insurance	1	LS	\$ -	\$ -
1D	Permits	1	LS	\$ 450.00	\$ 450.00
1E	Photographic Documents	1	LS	\$ 1,500.00	\$ 1,500.00
1F	Submittals	1	LS	\$ 500.00	\$ 500.00
1G	Temporary Construction Services	1	LS	\$ 1,000.00	\$ 1,000.00
1H	Close Out Documentation	1	LS	\$ 800.00	\$ 800.00
1I	Demobilization	1	LS	\$ 600.00	\$ 600.00
2A	Furnish all Materials, Supplies and Equipment	1	LS	\$ 1,950.00	\$ 19,500.00
2B	Demolition	1	LS	\$ 1,400.00	\$ 1,400.00
2C	Install all Materials, Supplies and Equipment	1	LS	\$ 37,250.00	\$ 37,250.00
2D	System Start Up	1	LS	\$ 1,600.00	\$ 1,600.00
2E	Operator Training	1	LS	\$ 400.00	\$ 400.00
4	Additional Testing & Inspection	1	LS	\$ 2,000.00	\$ 2,000.00
5	Additional Work	1	LS	\$ 10,000.00	\$ 10,000.00
Base Bid Total					\$ 79,800.00

MEMORANDUM

June 9, 2016

To: Authority Board

From: Bridget Barclay

Subject: Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation
Contract No. VDS-PWC-2015-01 – General Construction
Contract Award Recommendation

Bids were received at 11:00 AM on April 6, 2016 at the Authority's office at 27 High Street, Poughkeepsie, NY for Contract VDSS-PWC-2015-01 – General Construction for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project.

Two bids were received as follows:

- | | | |
|----|---|----------------|
| 1. | OCS Industries, Inc., Middletown, NY | \$953,500.00 |
| 2. | Eventus Construction Co., Inc., Amawalk, NY | \$1,013,000.00 |

The revised project budget for the scope of work included in the proposed contract is \$592,064.00 without project contingencies.

All proposers submitted with the bid the required bid security, qualification statement and non-collusion affidavit.

The lowest bid was reviewed by Lawrence J. Paggi, PE, PC, (Paggi) as part of its design services contract. Paggi's investigation found no reason not to award the contract to OCS Industries, Inc., Middletown, NY.

The staff reviewed Paggi's recommendation and the apparent low bidder's proposal and qualification documents for the contract. Based upon the Paggi's recommendation and staff review, the staff recommends that Contract No. VDS-PWC-2015-01 – General Construction be awarded to the lowest responsible bidder, OCS Industries, Inc. in the amount of \$953,500.00.

Further, the staff requests that upon the receipt of executed contracts and the respective bonds and insurance certificates from OCS Industries, Inc., that either the Executive Director or Deputy Director be authorized by the Board to execute the contract and issue "Notice to Proceed" to the Contractor.

Attach: Bid Analysis

Xc: D. Odell
M. Morris
P. Fadden

VDS WWTP General Construction Bid Comparison

				OCS Industries		Eventus	
Item No.	Description	Estimated Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price
1A	Mobilization	1	LS	\$ 28,881.00	\$ 28,881.00	\$ 25,000.00	\$ 25,000.00
1B	Bonds	1	LS	\$ 11,250.00	\$ 11,250.00	\$ 25,000.00	\$ 25,000.00
1C	Insurance	1	LS	\$ 11,250.00	\$ 11,250.00	\$ 25,000.00	\$ 25,000.00
1D	Permits	1	LS	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -
1E	Photographic Documents	1	LS	\$ 1,200.00	\$ 1,200.00	\$ 1,000.00	\$ 1,000.00
1F	Submittals	1	LS	\$ 3,500.00	\$ 3,500.00	\$ 50,000.00	\$ 50,000.00
1G	Temporary Construction Services	1	LS	\$ 188,112.00	\$ 188,112.00	\$ 50,000.00	\$ 50,000.00
1H	Close Out Documentation	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 2,000.00	\$ 2,000.00
1I	Demobilization	1	LS	\$ 14,440.00	\$ 14,440.00	\$ 5,000.00	\$ 5,000.00
2A	Furnish all Materials, Supplies and Equipment	1	LS	\$ 284,190.00	\$ 284,190.00	\$ 460,000.00	\$ 460,000.00
2B	Demolition	1	LS	\$ 76,145.00	\$ 76,145.00	\$ 76,500.00	\$ 76,500.00
2C	Install all Materials, Supplies and Equipment	1	LS	\$ 228,434.00	\$ 228,434.00	\$ 230,000.00	\$ 230,000.00
2D	System Start Up	1	LS	\$ 7,000.00	\$ 7,000.00	\$ 5,000.00	\$ 5,000.00
2E	Operator Training	1	LS	\$ 7,000.00	\$ 7,000.00	\$ 1,000.00	\$ 1,000.00
3	Removal & disposal of Rock	10	CY	\$ 200.00	\$ 2,000.00	\$ 2,500.00	\$ 2,500.00
4	Additional Testing & Inspection	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
5	Additional Work	1	LS	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
Base Bid Total					\$ 925,902.00		\$ 1,013,000.00

MEMORANDUM

June 9, 2016

To: Authority Board

From: Bridget Barclay

Subject: Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation
Contract No. VDS-PWC-2015-03 – Plumbing Construction
Contract Award Recommendation

Proposals were received at 4:00 PM on June 7, 2016 at the Authority's office at 27 High Street, Poughkeepsie, NY for Contract VDS-PWC-2015-03 – Plumbing Construction for the Valley Dale Wastewater System – Wastewater Treatment Plant Rehabilitation Project in accordance with Procurement Policy for construction Contracts less than or equal to \$35,000.00.

Three (3) bids were received as follows:

- | | | |
|----|--|-------------|
| 1. | OCS Industries, Inc., Middletown, NY | \$32,969.00 |
| 2. | Dutchess Plumbing & Heating, Inc., Staatsburg, NY | \$37,200.00 |
| 3. | S&O Construction Services, Inc., Pleasant Valley, NY | \$65,510.00 |

The revised project budget for the scope of work included in the proposed contract is \$26,880.00 without project contingencies.

All proposers submitted with the bid the required bid security, qualification statement and non-collusion affidavit.

The staff reviewed the apparent low bidder's proposal and qualification documents for the contract. Based upon the staff review, the staff recommends that Contract No. VDS-PWC-2015-03 – Plumbing Construction be awarded to the lowest responsible bidder, OCS Industries, Inc., Middletown, NY, in the amount of \$32,969.00.

Further, the staff requests that upon the receipt of executed contracts and the respective bonds and insurance certificates from OCS Industries, Inc., Middletown, NY, that either the Executive Director or Deputy Director be authorized by the Board to execute the contract and issue "Notice to Proceed" to the Contractor.

Attach: Bid Analysis

Xc: D. Odell
M. Morris
P. Fadden

VDS WWTP Plumbing Construction Bid Comparison

				OCS Industries, Inc.		Dutchess Plumbing & Heating, Inc.		S&O Construction Services, Inc.	
Item No.	Description	Estimated Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1A	Mobilization	1	LS	\$ 500.00	\$ 500.00	\$ -	\$ -	\$ 1,750.00	\$ 1,750.00
1B	Bonds	1	LS	\$ 550.00	\$ 550.00	\$ 2,000.00	\$ 2,000.00	\$ 5,500.00	\$ 5,500.00
1C	Insurance	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 1,800.00	\$ 1,800.00	\$ 2,975.00	\$ 2,975.00
1D	Permits	1	LS	\$ 150.00	\$ 150.00	\$ -	\$ -	\$ -	\$ -
1E	Photographic Documents	1	LS	\$ 50.00	\$ 50.00	\$ -	\$ -	\$ 250.00	\$ 250.00
1F	Submittals	1	LS	\$ 100.00	\$ 100.00	\$ -	\$ -	\$ 475.00	\$ 475.00
1G	Temporary Construction Services	1	LS	\$ 100.00	\$ 100.00	\$ -	\$ -	\$ 1,500.00	\$ 1,500.00
1H	Close Out Documentation	1	LS	\$ 50.00	\$ 50.00	\$ -	\$ -	\$ 1,500.00	\$ 1,500.00
1I	Demobilization	1	LS	\$ 500.00	\$ 500.00	\$ -	\$ -	\$ 1,750.00	\$ 1,750.00
2A	Furnish all Materials, Supplies and Equipment	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 13,300.00	\$ 13,300.00	\$ 19,460.00	\$ 19,460.00
2B	Demolition	1	LS	\$ 6,000.00	\$ 6,000.00		\$ -	\$ 2,000.00	\$ 2,000.00
2C	Install all Materials, Supplies and Equipment	1	LS	\$ 8,000.00	\$ 8,000.00	\$ 16,100.00	\$ 16,100.00	\$ 21,650.00	\$ 21,650.00
2D	System Start Up	1	LS	\$ 1,000.00	\$ 1,000.00		\$ -	\$ 1,100.00	\$ 1,100.00
2E	Operator Training	1	LS	\$ 969.00	\$ 969.00		\$ -	\$ 1,600.00	\$ 1,600.00
4	Additional Testing & Inspection Allowance	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
5	Additional Work Allowance	1	LS	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
Base Bid Total					\$ 32,969.00		\$ 37,200.00		\$ 65,510.00

TO: Authority Board
FROM: Bridget Barclay
DATE: June 9, 2016
RE: Shore Haven Water System Improvements Status Report

1) Disinfection By-Products Levels remain below the MCL in 1st Quarter - Based on the first quarter sampling results for 2016 (collected 3/14/2016), 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 first quarter THM level was 27.4 ug/l, bringing the four-quarter rolling average to 22.5 ug/l, compared to a MCL of 80 ug/l. The first quarter HAA5 level was 39 ug/l, bringing the four-quarter rolling average to 27.3 ug/l, compared to a MCL of 60 ug/l.

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 1st Quarter - Water samples collected on March 14, 2016 indicated a combined radium 226 and radium 228 level of 1.87 pCi/L (pico curies per liter). The quarterly average for radium 226 and radium 228 levels is now 2.78 pCi/L. The Maximum Contaminant Level (MCL) for combined radium 226 and radium 228 is 5 pCi/L.

3) Lead and Copper Results - 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 90th percentile results were 7 ug/l for Lead and 0.903 mg/l for copper. *The sampling schedule for lead and copper has been adjusted by the Dutchess County Dept. of Health for the Shore Haven Water System. Lead and copper will now only be measured once a year. The next samples will be taken later this month during the week of June 13.*

4) Iron and Manganese results for 1st Quarter - Based on the first quarter sampling results for 2016 (collected 3/14/2016), the combined Iron and Manganese level is 0.272 mg/l and is below the Maximum Contaminant Level (MCL) of 0.5 mg/l. The first quarter Manganese level was 0.091 mg/l, compared to a MCL of 0.3

mg/l. The first quarter Iron level was 0.181 mg/l and is below the MCL of 0.3 mg/l

5) Permanent Water Treatment System Design - The Project is currently out to public bid. A pre-bid meeting and site visit occurred on Monday, May 23 and 15 contractors attended both mandatory events. The Bid Opening will take place on Tuesday, June 14. Savin Engineers, the design firm for the Project, will review the bids and provide an award recommendation for consideration at a Special Meeting of the Board possibly for later this month.

6) Distribution System Improvements -The Bid Opening for the Project occurred on Wednesday, June 1. Five bids were received. Weston & Sampson, the design engineer for the Project, has reviewed the bids and provided a contract award recommendation for consideration at the June Board meeting. See separate memo and resolution in this month's Board packet.

Authority Staff have been actively pursuing construction and/or permanent easements from 26 property owners along the proposed route of the distribution system improvements. An easement agreement has recently been negotiated with the Crescent Drive Property Owners Association by their attorney and we are awaiting its final execution by the Association. Three other property owners have since indicated a willingness to now provide easements. However, there remain three property owners whom have declined or have not responded to the Authority's multiple easement requests. Proceedings are being initiated against these three property owners to obtain the easements through condemnation pursuant to the New York Eminent Domain Procedure Law. The matter will be further discussed at the June Board meeting.

7) Distribution System Flushing - Maintenance flushing will be temporarily suspended during the construction of the Distribution System Improvements.

MEMORANDUM

June 9, 2016

To: Authority Board
From: Bridget Barclay
Subject: Shore Haven Water Distribution System Improvements
Contract No. SHW-PWC-2015-DS General Construction Contract
Contract Award Recommendation

The Project's Advertisement for Bids was published in the Poughkeepsie Journal on April 13, 2016 and a notice about the Project was uploaded then to the internet site, Bid Net. Further, Authority Staff transmitted the Project's Advertisement for Bids on April 8, 2016 to 16 applicable M/WBE firms for our region.

Eleven firms obtained project documents prior to the bid opening. Eight firms attended both the May 12th mandatory pre-bid meeting and site visit afterwards.

Five bids were received by 2:00 PM on June 1, 2016 at the Authority's office at 27 High Street, Poughkeepsie, NY for the aforementioned contract as follows:

	<u>Bidder</u>	<u>Amount</u>
1.	Grant Street Construction, Inc., Cortland, NY	\$966,000.00
2.	Casale Construction Services, Inc., Wynantskill, NY	\$987,540.00
3.	Sun-Up Enterprises, Inc. Wappinger Falls, NY	\$1,054,480.00
4.	McNamee Construction Corp., Lincolndale, NY	\$1,238,759.00
5.	Joken Development Corp., White Plains, NY	\$1,982,810.00

A detailed analysis of the bids received is attached.

Weston & Sampson, the Project's design Engineer, reviewed the bids and qualifications of the two lowest bidders. As indicated in Weston & Sampson's contract award recommendation letter dated June 7, 2016 and attached hereto, Weston & Sampson found no reason not to award the contract to Grant Street Construction, Inc., of Cortland, NY, in the amount of \$966,000.00.

Staff has reviewed the apparent low bidder's proposal and qualification documents and Weston & Sampson's recommendation. Based upon this review, Staff recommends the award of Contract No. SHW-PWC-2015-DS to the lowest responsible bidder, Grant Street Construction, Inc., of Cortland, NY, in the amount of \$966,000.00.

Attachments: Bid Analysis; W&S Contract Award Recommendation Letter

June 7, 2016

Mr. Ed Mills
Project Facilitator
Dutchess County Water and Wastewater Authority
27 High Street
Poughkeepsie, NY 12601

**RE: Shore Haven Water Distribution System Improvements
General Construction Contract No. SHW-PWC-2015-DS1
Recommendation of Contract Award Letter**

Dear Mr. Mills,

Weston & Sampson has reviewed the five (5) bids received by the Dutchess County Water and Wastewater Authority (Authority) and opened on June 1, for the Shore Haven Water Distribution System Improvements General Construction Contract No. SHW-PWC-2015-DS1. The bid totals are tabulated below:

<u>Bidder</u>	<u>Amount</u>
Grant Street Construction, Inc.	\$966,000.00
Casale Construction	\$987,540.00
Sun-Up Enterprises	\$1,054,480.00
McNamee Construction	\$1,238,759.00
Joken Development	\$1,982,810.00

The two lowest bid packages were in general conformance with the bid submittal requirements (the three highest bids failed to include some of the required items). Therefore, in accordance with the bid evaluation process, we reviewed the apparent low bidder to assess their qualifications and ability to satisfactorily perform the work. This review considered such aspects as experience, performance on other projects, financial condition in relation to the size and scope of work for the project, as well as contacting references.

Based on our review, we believe that the lowest bidder, could satisfactorily perform the work and therefore recommend that the Dutchess County Water and Wastewater Authority proceed with award of the Shore Haven Water Distribution System Improvements General Construction Contract No. SHW-PWC-2015-DS1 to **Grant Street Construction, Inc., 48 Grant St., Cortland, NY 13045** for a total as-bid project cost of \$966,000.00.

Mr. Ed Mills

June 7, 2016

Page 2

If you have any questions or require further information please call us at 845-454-3344.

Very truly yours,
Weston & Sampson, PE, LS, LA, PC



Aaron S. Pethic, P.E.
Project Manager



Carl W. Stone, P.E.
Team Leader

Cc: Project File

Item No.	Description	Unit	Quantity	W&S estimate		Grant Street		Casale		Sun-Up		McNamee		Joken Development	
				Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost						
1A	Mobilization	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 10,255.00	\$ 10,255.00	\$ 21,500.00	\$ 21,500.00	\$ 5,400.00	\$ 5,400.00	\$ 62,900.00	\$ 62,900.00	\$ 150,000.00	\$ 150,000.00
1B	Bonds	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 20,000.00	\$ 20,000.00	\$ 17,500.00	\$ 17,500.00	\$ 4,300.00	\$ 4,300.00	\$ 22,900.00	\$ 22,900.00	\$ 18,000.00	\$ 18,000.00
1C	Insurance	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 35,000.00	\$ 35,000.00	\$ 17,500.00	\$ 17,500.00	\$ 4,300.00	\$ 4,300.00	\$ 1,000.00	\$ 1,000.00	\$ 10,000.00	\$ 10,000.00
1D	Permit & Fees	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 4,000.00	\$ 4,000.00	\$ 10,000.00	\$ 10,000.00	\$ 3,200.00	\$ 3,200.00	\$ 2,000.00	\$ 2,000.00	\$ 10,000.00	\$ 10,000.00
1E	Photographic Documentation	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 3,000.00	\$ 3,000.00	\$ 5,000.00	\$ 5,000.00	\$ 1,100.00	\$ 1,100.00	\$ 1,200.00	\$ 1,200.00	\$ 10,000.00	\$ 10,000.00
1F	Submittals	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 1,100.00	\$ 1,100.00	\$ 4,800.00	\$ 4,800.00	\$ 10,000.00	\$ 10,000.00
1G	Temporary Facilities	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 3,000.00	\$ 3,000.00	\$ 2,500.00	\$ 2,500.00	\$ 4,300.00	\$ 4,300.00	\$ 23,200.00	\$ 23,200.00	\$ 10,000.00	\$ 10,000.00
1H	Survey and Construction Layout	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 16,000.00	\$ 16,000.00	\$ 11,500.00	\$ 11,500.00	\$ 7,600.00	\$ 7,600.00	\$ 10,000.00	\$ 10,000.00	\$ 30,000.00	\$ 30,000.00
1I	Closeout Documentation	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 540.00	\$ 540.00	\$ 4,800.00	\$ 4,800.00	\$ 10,000.00	\$ 10,000.00
1J	Demobilization	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 8,000.00	\$ 8,000.00	\$ 7,500.00	\$ 7,500.00	\$ 5,400.00	\$ 5,400.00	\$ 9,000.00	\$ 9,000.00	\$ 10,000.00	\$ 10,000.00
	Total Item 1				\$ 127,000.00		\$ 108,255.00		\$ 103,000.00		\$ 37,240.00		\$ 141,800.00		\$ 268,000.00
2	Clearing & Grubbing	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 42,978.00	\$ 42,978.00	\$ 22,500.00	\$ 22,500.00	\$ 22,000.00	\$ 22,000.00
3	Environmental Protection	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 7,500.00	\$ 7,500.00	\$ 5,400.00	\$ 5,400.00	\$ 22,900.00	\$ 22,900.00	\$ 33,000.00	\$ 33,000.00
4	Test Pits	CY	25	\$ 200.00	\$ 5,000.00	\$ 128.00	\$ 3,200.00	\$ 100.00	\$ 2,500.00	\$ 153.00	\$ 3,825.00	\$ 97.00	\$ 2,425.00	\$ 5,000.00	\$ 125,000.00
4A	Test Pits - exploration of Water Service Lines	CY	50	\$ 125.00	\$ 6,250.00	\$ 160.00	\$ 8,000.00	\$ 100.00	\$ 5,000.00	\$ 230.00	\$ 11,500.00	\$ 145.00	\$ 7,250.00	\$ 200.00	\$ 10,000.00
5A	4" DIP - State Highway (asphalt)	LF	625	\$ 110.00	\$ 68,750.00	\$ 200.00	\$ 125,000.00	\$ 216.00	\$ 135,000.00	\$ 232.00	\$ 145,000.00	\$ 197.00	\$ 123,125.00	\$ 350.00	\$ 218,750.00
5B	4" DIP - Local Road (asphalt)	LF	515	\$ 100.00	\$ 51,500.00	\$ 200.00	\$ 103,000.00	\$ 171.00	\$ 88,065.00	\$ 165.00	\$ 84,975.00	\$ 192.00	\$ 98,880.00	\$ 325.00	\$ 167,375.00
5C	4" DIP - Gravel Surface	LF	1115	\$ 90.00	\$ 100,350.00	\$ 85.00	\$ 94,775.00	\$ 140.00	\$ 156,100.00	\$ 139.00	\$ 154,985.00	\$ 186.00	\$ 207,390.00	\$ 300.00	\$ 334,500.00
5D	4" DIP - Grass Surface	LF	650	\$ 80.00	\$ 52,000.00	\$ 105.00	\$ 68,250.00	\$ 135.00	\$ 87,750.00	\$ 155.00	\$ 100,750.00	\$ 299.00	\$ 194,350.00	\$ 285.00	\$ 185,250.00
6	4" Gate Valve	EA	21	\$ 1,000.00	\$ 21,000.00	\$ 800.00	\$ 16,800.00	\$ 1,000.00	\$ 21,000.00	\$ 860.00	\$ 18,060.00	\$ 2,350.00	\$ 49,350.00	\$ 1,010.00	\$ 21,210.00
7	Additional Fittings	LB	200	\$ 25.00	\$ 5,000.00	\$ 6.00	\$ 1,200.00	\$ 8.00	\$ 1,600.00	\$ 11.00	\$ 2,200.00	\$ 25.00	\$ 5,000.00	\$ 11.00	\$ 2,200.00
8	Flushing Hydrant w/gate valve	EA	4	\$ 2,500.00	\$ 10,000.00	\$ 2,500.00	\$ 10,000.00	\$ 2,500.00	\$ 10,000.00	\$ 2,900.00	\$ 11,600.00	\$ 4,576.00	\$ 18,304.00	\$ 7,800.00	\$ 31,200.00
9	Water Service Connections	EA	31	\$ 2,000.00	\$ 62,000.00	\$ 2,000.00	\$ 62,000.00	\$ 2,000.00	\$ 62,000.00	\$ 2,700.00	\$ 83,700.00	\$ 2,070.00	\$ 64,170.00	\$ 4,000.00	\$ 124,000.00
9A	Temporary Water Service Connections	EA	31	\$ 4,000.00	\$ 124,000.00	\$ 100.00	\$ 3,100.00	\$ 1,000.00	\$ 31,000.00	\$ 2,600.00	\$ 80,600.00	\$ 1,370.00	\$ 42,470.00	\$ 2,100.00	\$ 65,100.00
10	Pressure Reducing Valve w/underground valve station	EA	2	\$ 30,000.00	\$ 60,000.00	\$ 30,000.00	\$ 60,000.00	\$ 38,000.00	\$ 76,000.00	\$ 36,700.00	\$ 73,400.00	\$ 16,600.00	\$ 33,200.00	\$ 26,000.00	\$ 52,000.00
11	Abandon existing water mains & remove existing yard hydrants	LB	1	\$ 5,000.00	\$ 5,000.00	\$ 1,500.00	\$ 1,500.00	\$ 15,000.00	\$ 15,000.00	\$ 10,500.00	\$ 10,500.00	\$ 3,150.00	\$ 3,150.00	\$ 25,000.00	\$ 25,000.00
11A	Provide Tie-in of 2-inch line for uphill neighbors (Rocky Mt Way)	EA	1	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 14,000.00	\$ 14,000.00	\$ 3,800.00	\$ 3,800.00	\$ 11,270.00	\$ 11,270.00	\$ 90,000.00	\$ 90,000.00
12	Add 'I NYSDOT 37 MM Base Course (State Highway)	TN	20	\$ 100.00	\$ 2,000.00	\$ 400.00	\$ 8,000.00	\$ 115.00	\$ 2,300.00	\$ 303.00	\$ 6,060.00	\$ 176.00	\$ 3,520.00	\$ 190.00	\$ 3,800.00
13	Add 'I NYSDOT 19 MM Binder Course (State Highway)	TN	20	\$ 100.00	\$ 2,000.00	\$ 400.00	\$ 8,000.00	\$ 115.00	\$ 2,300.00	\$ 304.00	\$ 6,080.00	\$ 176.00	\$ 3,520.00	\$ 190.00	\$ 3,800.00
14	Add 'I NYSDOT 12.5 MM Top Course (State Highway)	TN	20	\$ 100.00	\$ 2,000.00	\$ 350.00	\$ 7,000.00	\$ 115.00	\$ 2,300.00	\$ 246.00	\$ 4,920.00	\$ 176.00	\$ 3,520.00	\$ 190.00	\$ 3,800.00
15	Add 'I Type Binder (local roads)	TN	50	\$ 100.00	\$ 5,000.00	\$ 400.00	\$ 20,000.00	\$ 110.00	\$ 5,500.00	\$ 290.00	\$ 14,500.00	\$ 170.00	\$ 8,500.00	\$ 190.00	\$ 9,500.00
16	Add 'I Type 6F Top (local roads)	TN	50	\$ 100.00	\$ 5,000.00	\$ 340.00	\$ 17,000.00	\$ 112.00	\$ 5,600.00	\$ 293.00	\$ 14,650.00	\$ 168.00	\$ 8,400.00	\$ 190.00	\$ 9,500.00
17	White Epoxy Reflector Pavement Stripes (State Highway)	LF	500	\$ 1.00	\$ 500.00	\$ 2.00	\$ 1,000.00	\$ 3.00	\$ 1,500.00	\$ 2.10	\$ 1,050.00	\$ 1.00	\$ 500.00	\$ 1.50	\$ 750.00
18	Yellow Epoxy Reflector Pavement Stripes (State Highway)	LF	1000	\$ 1.00	\$ 1,000.00	\$ 2.00	\$ 2,000.00	\$ 4.00	\$ 4,000.00	\$ 2.10	\$ 2,100.00	\$ 1.00	\$ 1,000.00	\$ 1.50	\$ 1,500.00
19	NYSDOT Cold Milling Bituminous Concrete (State Highway)	SY	850	\$ 5.00	\$ 4,250.00	\$ 15.00	\$ 12,750.00	\$ 9.00	\$ 7,650.00	\$ 15.00	\$ 12,750.00	\$ 23.00	\$ 19,550.00	\$ 22.00	\$ 18,700.00
20	NYSDOT 12.5 MM Top Course (State Highway)	SY	850	\$ 12.00	\$ 10,200.00	\$ 20.00	\$ 17,000.00	\$ 27.00	\$ 22,950.00	\$ 20.50	\$ 17,425.00	\$ 16.00	\$ 13,600.00	\$ 28.00	\$ 23,800.00
21	Tack Coat (State Highway)	GN	80	\$ 5.00	\$ 400.00	\$ 19.00	\$ 1,520.00	\$ 10.00	\$ 800.00	\$ 5.40	\$ 432.00	\$ 13.00	\$ 1,040.00	\$ 15.00	\$ 1,200.00
22	Rock Excavation & Disposal	CY	225	\$ 90.00	\$ 20,250.00	\$ 300.00	\$ 67,500.00	\$ 125.00	\$ 28,125.00	\$ 150.00	\$ 33,750.00	\$ 257.00	\$ 57,825.00	\$ 225.00	\$ 50,625.00
23	Add 'I earthwork at direction of Owner	CY	300	\$ 50.00	\$ 15,000.00	\$ 180.00	\$ 54,000.00	\$ 40.00	\$ 12,000.00	\$ 40.00	\$ 12,000.00	\$ 45.00	\$ 13,500.00	\$ 75.00	\$ 22,500.00
24	Provide add 'I processed gravel (crushed run)	CY	50	\$ 30.00	\$ 1,500.00	\$ 53.00	\$ 2,650.00	\$ 40.00	\$ 2,000.00	\$ 65.00	\$ 3,250.00	\$ 35.00	\$ 1,750.00	\$ 75.00	\$ 3,750.00
25	Provide Add 'I Testing & Inspection Services at the Direction of Owner	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
26	Provide Add 'I Work at the Direction of Owner	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
	TOTAL BID				\$ 845,450.00		\$ 966,000.00		\$ 987,540.00		\$ 1,054,480.00		\$ 1,238,759.00		\$ 1,982,810.00

TO: Authority Board
 FROM: Frederic Zanetti
 DATE: June 7, 2016
 RE: May 2016 Systems Operation Report

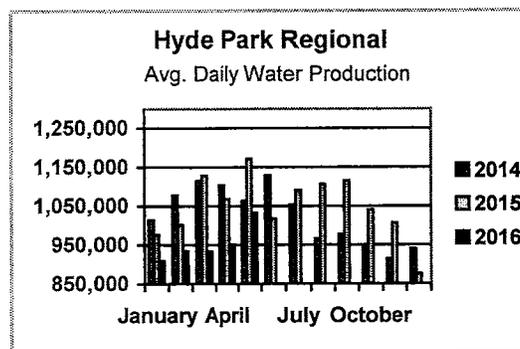
*Present: F. Dongo, G. Goettel, S. Heupler, J. McLaughlin, D. Odell, S. Osborne,
 P. Scofield, R. Winchester, F. Zanetti*

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

Average daily usage: May- 1,032,000
 April- 952,000 March- 934,000
 All testing aspects are in compliance.

Action Items:

- Leak repair on 4 Crumwold Place.
- Power outage at raw water pump station
- Divers in at raw pump station intake for chemical feed line

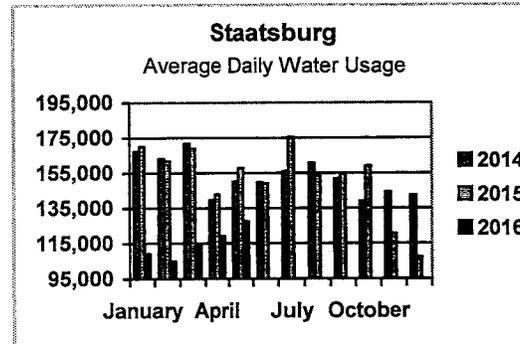


2. Staatsburg Water (Zone C)

Average daily usage: May- 127,600
 April- 119,200 March- 113,500
 All testing aspects are in compliance.

Action items:

- Routine Operations.

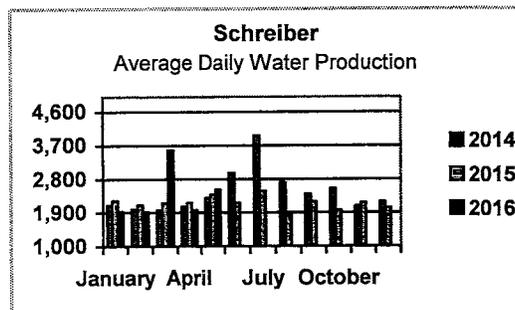


3. Schreiber Water (Zone E)

Average daily production: May- 2,516
 April- 1,967 March- 3,581

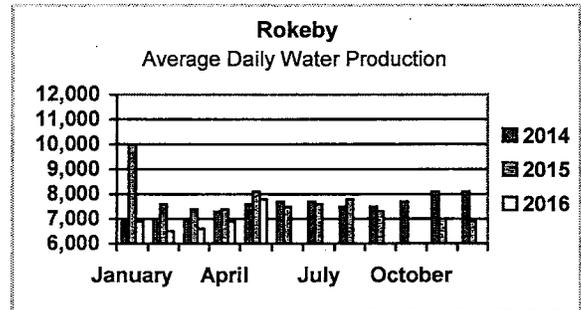
Action Items:

- Normal operations.
- Blending of well sources continues to be successful in reducing iron levels.



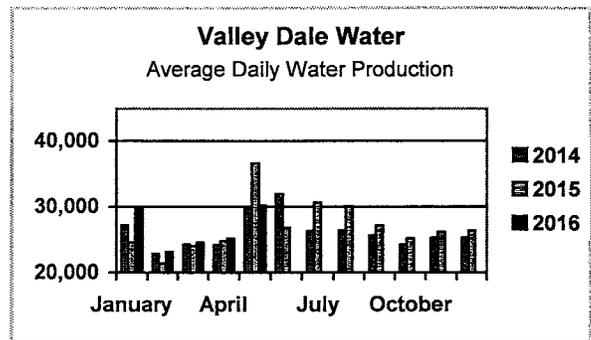
4. Rokeby Water (Zone F)

Average daily production: May- 7,800
 April- 6,900 March- 6,600
 All testing aspects are in compliance.
 Action items:
 - Routine operations.



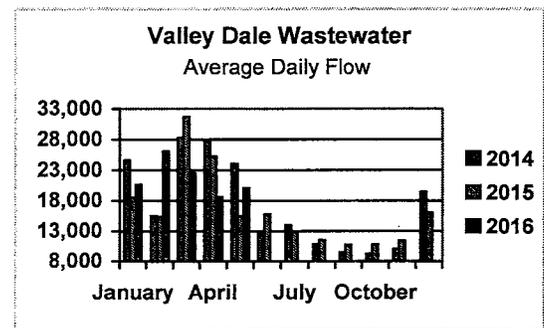
5. Valley Dale Water

Average daily production: May- 30,181
 April- 25,151 March- 24,568
 All testing aspects are in compliance.
 Action Items:
 - Routine operations.
 - Changed all micron filters.



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

Average daily flow: May- 20,128
 April- 18,627 March- 22,522
 All testing aspects are in compliance.
 Action Items:



- Routine operations.
- Overflow of partially treated sewage from Equalization tank reported to DEC.

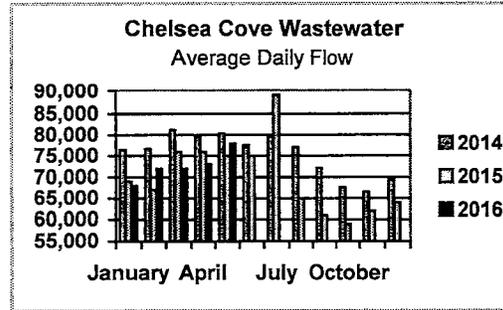
7. Chelsea Cove Wastewater (S.D. #1)

Average daily flow: May- 78,000
 April- 73,000 March- 72,000

CBOD, NH3, and Fecal above permit limits.
 Fecal exceedance due to failed chlorine pump.

Action Items:

- Routine operations.
- Upgrade construction continues.
- RBC bearing repair being scheduled.

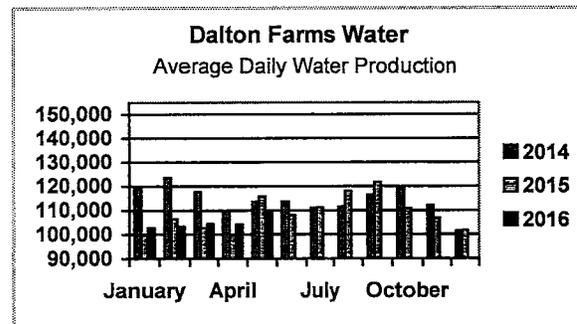


8. Dalton Farms Water (Zone H)

Average Daily Production: May- 109,700
 April- 104,000 March- 104,300
 All testing aspects are in compliance.

Action Items:

- Normal operations.

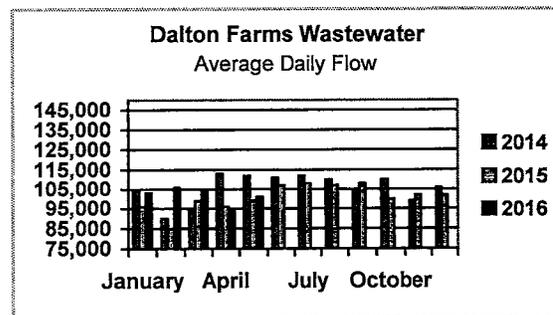


9. Dalton Farms Wastewater (S.D. #3)

Average Daily Flow: May- 101,000
 April- 95,000 March- 104,000
 All testing aspects are in compliance

Action Items:

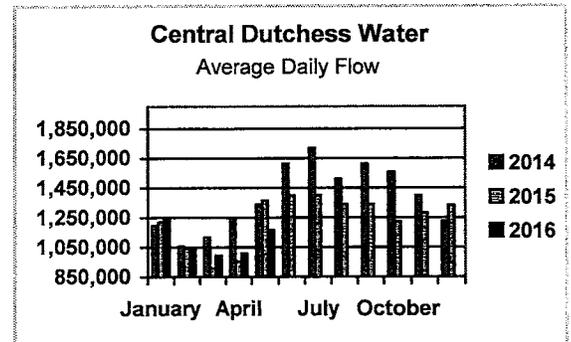
- Normal operations.
- Process sampling continues.



10. Central Dutchess Water Transmission Line

Average Daily Flow: May- 1,167,968
 April- 1,007,933 March- 992,903
 All testing aspects are in compliance.
 Action Items:

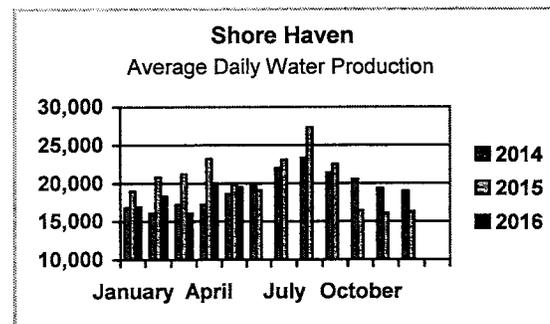
- Normal operations.



11. Shore Haven Water (Zone J)

Average daily production: May- 19,470
 April- 20,040 March- 16,100
 All testing aspects are in compliance.
 Action items:

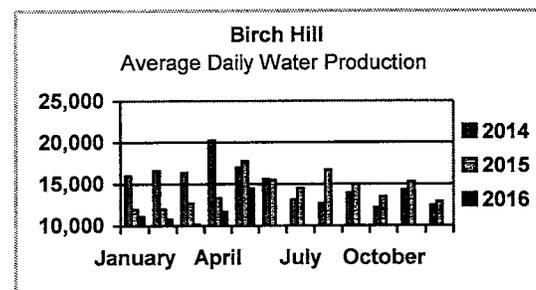
- Routine operations.



12. Birch Hill Water (Zone K)

Average daily production: May- 14,500
 April- 11,700 March- 10,200
 All testing aspects are in compliance.
 Action items:

- Copper testing results have noted an increase in Copper corrosion in some homes.
- Analysis being conducted to determine cause.

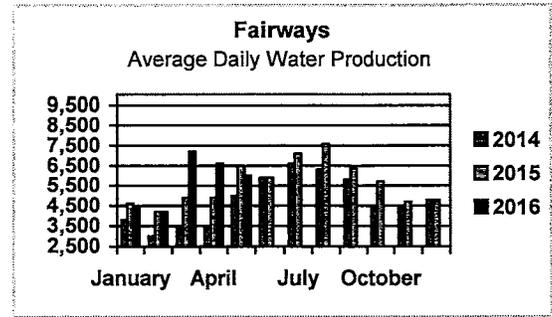


13. Fairways Water (Zone M)

Average daily production: May- 6,000
 April- 6,600 March- 7,200
 All testing aspects are in compliance.

Action items:

- Routine operations



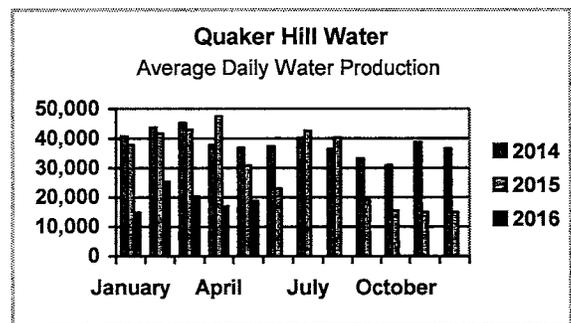
14. Quaker Hill Water (Zone U)

*Transferred from the Town of Hyde Park on September 15, 2015.

Average daily production: May- 18,794
 April- 16,943 March- 20,281
 All testing aspects are in compliance.

Action items:

- Normal operations.



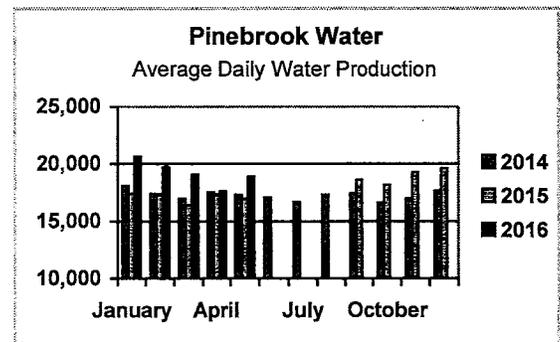
15. Pinebrook Water (Zone R)

*Transferred from the Town of Hyde Park on September 15, 2015.

Average daily production: May- 18,900
 April- 17,620 March- 19,060
 All testing aspects are in compliance.

Action items:

MCL exceedance for Chlorides, Water quality analysis for all three wells completed.
 Softener treatment testing to be scheduled.



16. Pinebrook Wastewater (S.D. #7)

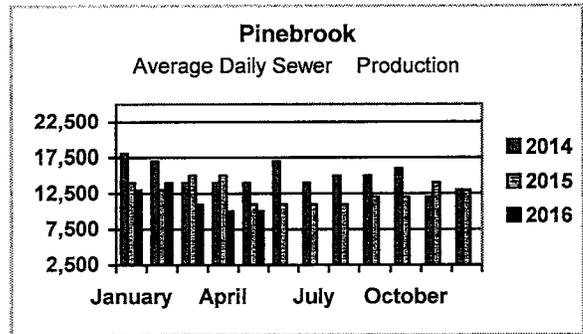
*Transferred from the Town of Hyde Park on September 15, 2015.

Average daily production: May- 10,000
 April- 10,000 March- 11,000

All testing aspects are in compliance except for CBOD.

Action items:

Repaired RBC now in service.



17. Fairways Wastewater (S.D. #6)

*Transferred from the Fairways HOA on September 1, 2015.

No issues. (Wastewater flow is not metered.)

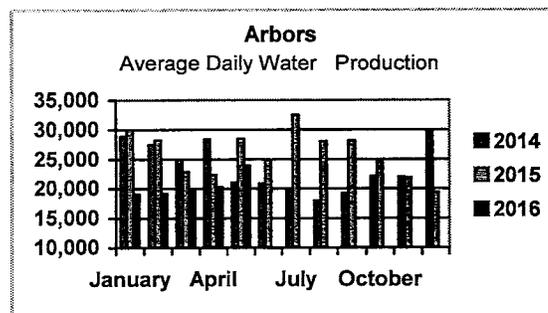
18. Arbors Water (Zone O)

*Transferred from the Town of Hyde Park on September 15, 2015.

Average daily production: May- 23,900
 April- 20,300 March- 20,000

All testing aspects are in compliance.

Action items: - Normal operations.



19. Greenfields Wastewater (S.D. #8)

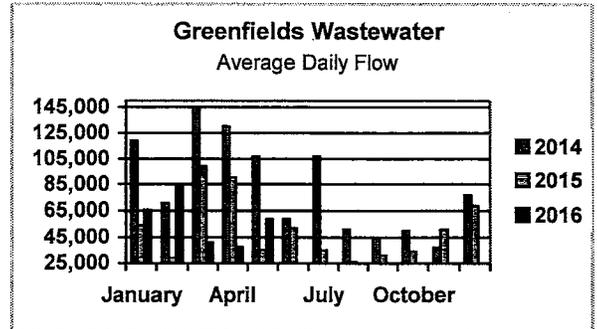
*Transferred from the Town of Hyde Park on January 11, 2016.

Average Daily Flow: May- 58,677
 April- 37,467 March- 41,032

All testing aspects are in compliance.

Action Items:

- Normal operations.



20. Greenfields Water (Zone S & T)

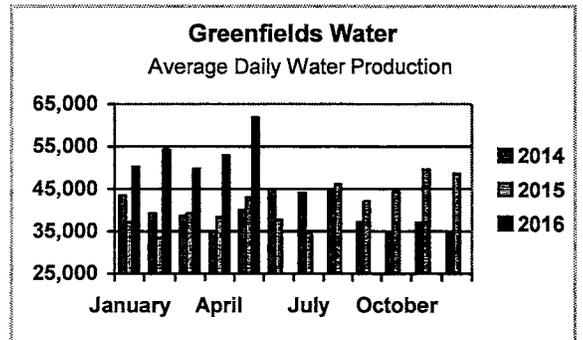
*Transferred system operation from the Town of Hyde Park on January 11, 2016.

Average Daily Production: May- 61,865
 April- 52,887 March- 49,739

All testing aspects are in compliance with the exception of Manganese.

Action Items:

- Faulty Tank level transducer replaced
- Well water quality data being gathered to optimize treatment process.



21. Greenbush Water/Violet Ave. (Zone Q)

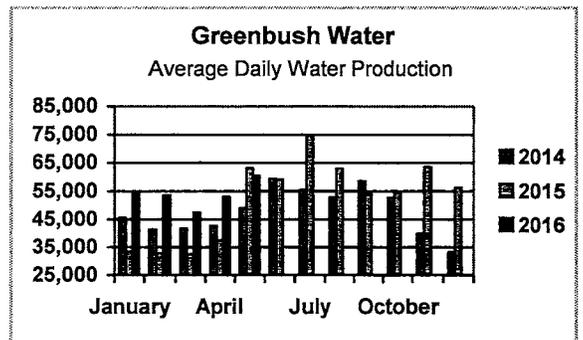
*Transferred from the Town of Hyde Park on February 19, 2016.

Average daily production: May- 60,400
 April- 53,000 March- 47,300

All testing aspects are in compliance.

Action items:

- Routine operations.



TO: Authority Board
FROM: Bridget Barclay
DATE: June 10, 2016
RE: Community Projects Status
New Information is presented in Bold.

Arlington Central School District – Beekman elementary Water Supply

The Arlington Central School District (ACSD) and the Authority executed a Memorandum of Understanding (MOU) on June 28, 2011 to provide water to the ACSD Beekman Elementary School from the Dalton Farms Water System. Under this MOU, the ACSD was responsible for the construction, testing and disinfection of the main prior to the Authority accepting the main for ownership.

Since the time of the MOU signing, approval has been obtained from DC DOH and the Authority has obtained the easements over private property for the water main at the ACSD expense. Approval of the project by the NYS Education Department (NYS ED) is still pending. ACSD has advised that the funds for constructing the line are in the proposed 2016-2017 budget which is up for voter approval May 17, 2016.

Since the project inception, there have been multiple changes in the District's Assistant Superintendent for Business (ASB) who is responsible for implementing the project. Based upon the current ASB's experience with NYS ED, the ASB expects the NYS ED will resist approving the project if constructed under direct contract with ACSD. The ASB requested on 5/9/16 that the Authority take responsibility for the construction of the project with all management, construction administration and contract costs reimbursed by the ACSD. ACSD proposed to provide draft language to amend the MOU and has requested Authority staff develop a schedule for bidding award, construction and testing; and a cost estimate for management, construction administration and contract efforts to construct the line to the ACSD Beekman Elementary School property line. **Staff is preparing the schedule and cost estimates as requested. A draft amendment to the MOU has been provided to the ACSD.**

Obercreek Subdivision, Town of Wappinger

In 2011 the Authority was approached by the property owner and developer of a proposed 15 lot cluster subdivision to be located on a 34 acre in the Town of Wappinger's New Hamburg area, to consider ownership and operation of the proposed community subsurface disposal system. The MOU has now been finalized and approved by the Authority Board. An update on the proposed first year operational budget has been provided to the developer. Staff will now begin the process to establish a County Sewer District.

The Project Engineer has submitted documents to DCDOH and DCWWA for review. Review is ongoing. Received from Project Engineer revised documents submitted on April 7, 2015 to DC DOH in response to DC DOH comments. DC DOH letter dated May 2, 2016 advised Engineer of additional comments and requested corrections and resubmittal of plans.

Hoffman Property in Red Hook

Staff has met with representatives of the Kirchhoff Companies regarding the proposed development of 102 residential units on the "Hoffman farm property" in the Town of Red Hook. At the request of the Red Hook Town Supervisor, a letter was submitted to the Town Board on October 30, 2014 notifying the Town of the Authority's intent to assume ownership of the water distribution system to be constructed within the proposed Hoffman Farm Project, and provide

water on a retail water sales basis to the future properties and occupants therein. In April, 2015 DCDOH arrived at design flows for the project based on 75 gpd per person, requiring a total flow of 47,736 to meet maximum day conditions. The Village has confirmed its intent to provide water to the project.

DCWWA has provided to Kirchoff a draft MOU to encompass the design and construction of the water distribution system, transfer of ownership to DCWWA, establishment of a new Zone of Assessment in the County Water District, and negotiation of a water purchase agreement between DCWWA and the Village of Red Hook. Kirchoff provided a modified MOU under which the developer would own, and DCWWA would operate the water system with DCWWA to make lease payments to owner, with a future option to purchase the system. By consensus decision the Authority Board agreed to move forward with this approach, with further details to be negotiated.

DCWWA staff reviewed the Village Water Budget and recommended a pricing structure for water sales to Hoffman that would be beneficial for all parties. A presentation was made at a Village Board meeting on September 14th. DCWWA staff has drafted a memorandum outlining issues to be addressed in a water supply agreement (See 10/15/ 2015 board memo.) A meeting was held on January 27, 2016 to discuss water pricing and draft terms of a water sale agreement. DCWWA staff and representatives of the Hoffman project attended the Village Board meeting on February 11, 2016 to continue the discussions. The Village has not responded to several subsequent requests regarding the status of its deliberations on water availability and rate.

In light of the lack of responsiveness from the Village, Kirchoff is pursuing the option of developing on-site wells as the source of water supply for the project. Representatives of DCWWA, Kirchoff and DCDOH met on April 14th 2016, to discuss potential options for a combined Kirchoff/Rokeby system. Kirchoff has obtained a permit from DCDOH to drill a test well on-site and is proceeding with drilling the test well.

The project sponsor has officially requested that the Authority be the ultimate owner of the community septic system. The Town Board adopted a resolution requesting the Authority involvement with consideration of options for the establishment of a public wastewater disposal system or creation of a private sewer corporation with the Authority as a party to the agreement. Staff is beginning negotiations with Kirchoff of an MOU to address the construction and ownership of the community septic system. Kirchoff has proposed the same ownership/operation/lease structure as proposed for the water system. DC Department of Health issued a flow confirmation letter on September 30, 2015 to allow the subsurface disposal system to proceed to final design. Kirchoff's Engineer is proceeding with design. Authority staff indicated we would strongly prefer a system that included a pretreatment module prior to discharge to an absorption field. The project sponsor is opposed to the inclusion of a pretreatment module as part of the design. Staff has submitted a draft sewer O&M budget to Kirchoff. Project Engineer has submitted water and sewer plans to DC DOH for approval prior to resolution of Authority Staff comments. DC DOH provided comments to Project Engineer on 1/26/16. Staff met with sponsor and sponsor's engineer to review DCWWA water and sewer design comments on 2/23/16, and met with sponsor's engineer and DCDOH on 2/25/16 to review DCDOH comments.

Hyde Park Water and Sewer System Acquisitions

The final closing and transfer of the physical property of the Greenfields Water System is expected mid-year following approval of parkland alienation by the NYS Legislature for necessary easements. Said system is currently administered and operated by the DCWWA through an inter-municipal agreement with the Town of Hyde Park.

Village of Tivoli Water and Sewer

We have been requested by the Village of Tivoli Board of Trustees to conduct an evaluation of the Village's Water and Sewer Systems, to assist the Board in evaluating a potential transfer of the systems to the Authority.

With the assistance of the Authority, the Village obtained a County Municipal Consolidation and Shared Services Grant award in the amount of \$80,000. Authority staff is assisting Tivoli in obtaining and overseeing consultant services to complete a full evaluation of the water and sewer systems. In response to an RFP for engineering services the Village received 9 proposals, and in August, 2015 awarded the contract to T&B Engineering, P.C. A workshop is scheduled for October 21st to review the Phase 1 systems evaluation. Authority Staff attended the October 21st workshop which presented the findings of the field investigation stage. Staff has recommended to Tivoli that any surplus funds be used to address: 1) determination of presence of lead paint on the exterior and interior of the water tower, 2) Video inspection of problem areas of the sewer collection system. The Engineer has requested the Village for a time extension due to the extensive amount of information that is needed to be included in the final report. The Village is in the process of requesting an extension from Dutchess County. Information provided by DC Planning & Development indicates that an extension will be granted.

Cleaning and video inspection of a problematic section of the trunk sewer to the Treatment facility occurred in January 2016. Trunk sewer was found to have extensive root penetration at pipe joints.

DCCWA has received from T&B preliminary draft technical sections of the Water and Wastewater reports for review and comment. Comments to the Wastewater report have been returned. **DCWWA has reviewed the financial section of the report and has requested a meeting with the Village to review historical expenses in greater detail, in order to prepare an estimate for the O&M budget under DCWWA ownership.** Staff awaits the legal sections of the reports for review. The Village is making plans for public presentation of the reports' findings.

Vanderburgh Cove Sewer Districts 1 & 2

Chairman LeGrand and Authority staff were contacted in August 2014 by the Rhinebeck Town Supervisor regarding the possibility of the Authority assuming ownership of the two Vanderburgh Sewer Districts, one in the Town of Rhinebeck and the other in the Town of Hyde Park. The Town of Rhinebeck operates the sewer districts under an inter-municipal agreement with the Town of Rhinebeck. In 2014, the agreement was amended with the Town of Rhinebeck becoming responsible for all the financial activities for the two districts. The system serves 40 residential properties in the Towns of Rhinebeck and Hyde Park There are two distinct collection and treatment systems. The Town Board adopted a resolution at its November 23, 2015 meeting stating its intent to transfer the sewer system to the DCWWA. The Transfer Agreement has been executed by all parties. The County Legislature held a public hearing at its March 14th board meeting, and approved resolutions to create the district and authorize the Service Agreement. The permissive referendum period for the creation of the Sewer District expired on Sunday May 1st with no petition submitted. DCWWA staff is in discussion with NYS EFC regarding the transfer of outstanding Sewer District debt. **Staff is proceeding with the necessary survey and easement procurement work, and has requested legal counsel to obtain a title report and prepare the closing documents.**

Preserve at Lakes Kill

In 2010 the Authority was approached by the property owner and developer of a proposed eleven lot cluster subdivision to be located on a one hundred acre lot in the Town of Red Hook. The developer requested the DCWWA consider taking ownership and operation of the proposed community subsurface disposal system. The project was recently revived following conditional Town Site Plan approvals. The Authority, DC DOH and developer's representative met on April 7, 2015 to discuss technical matters on the proposed sewage treatment system. The Authority staff has developed Rules and Regulations for the proposed sewer district as well as a Memorandum of Understanding for the Project. The Authority Board has approved a Negative Declaration for the SEQR review of the project, and authorized execution of the MOU. The Authority staff has been in discussions with the Developer's engineer about the claims of adjacent property owner of DC DOH denial of a well permit. The engineer has responded to staff's inquiry as to the developer's position on any changes to the approved site plan and subsurface disposal field's location. Staff expects a submission for review in the near term. Consultant scheduled to submit documents for review by 7/10/15. Consultant submitted approximately 70% complete drawings and revised Engineer's Report to DC Department of Health and DCWWA for review on 11/6/15. DCWWA has reviewed these documents and provided comment to Engineer and DCDOH. DC DOH returned comments to the Engineer on December 2, 2015. Staff met with sponsor's engineer and DCDOH on 3/1/16 to review DCWWA and DOH comments on the STEP collection system and treatment system. Final drawings are projected to be delivered by the end of the month. Project Engineer met with DC DOH and DCWWA on 3/1/16 to review and resolve comments. DCWWA received on 4/1/16 copy of Project Engineer's 3/22/16 response letter to DC DOH comments which included revised Engineering Report and Drawings.

Meadows at Pawling

At the request of the Town of Pawling, the developer of the proposed Meadows at Pawling, a 41 unit adult (age 55 and over) residential development located in Pawling, has requested that DCWWA enter into a three-party MOU as a condition of the Town's approval of the transportation corporations for the development's water and sewer systems. Pursuant to the MOU, DCWWA will review plans and specifications, and inspect construction of the water and sewer systems. In the event of a default, DCWWA will accept ownership of the systems. The Town Supervisor has expressed his support for DCWWA involvement in the project, and confirmed that the Town does not want to approve private water and sewer corporations absent DCWWA involvement.

**CONFIDENTIAL MEMORANDUM
FOR DISCUSSION IN EXECUTIVE SESSION**

TO: Authority Board
FROM: Bridget Barclay
DATE: June 8, 2016
RE: Potential DCWWA Acquisition of City of Poughkeepsie Share of the Poughkeepsie Joint Water Treatment Facility

DCWWA, Dutchess County, the City of Poughkeepsie, and the Town of Poughkeepsie have entered into discussions of the potential acquisition by DCWWA of the City of Poughkeepsie's share of the Poughkeepsie Joint Water Treatment Facility and, should that transaction proceed, revisions to the terms and conditions of the Inter-Municipal Agreement governing the City and Town joint ownership and administration of the Water Treatment Facility.

All parties have agreed to execute a Confidentiality and Non-Disclosure Agreement related to information exchanged in the context of these discussions (See proposed Resolution 2016.06.L.)

The Poughkeepsie Water Treatment Facility (PWTF) is jointly owned and administered by the Poughkeepsie Joint Water Board (PJWB), which was established in 1995 by the Inter-Municipal Agreement (IMA.)

The PWTF is a 19.3 MGD water filtration plant, that draws its water from the Hudson River, and wholesales water to both the City and Town of Poughkeepsie, each of whom are responsible for the distribution and retail sale of water to individual customers within their respective service areas. Via "Third Party Sales Agreements" the PWTF also provides water to the DCWWA (for distribution through the CDWTL), and to the DCWWA's Arbors, Greenbush and Violet Avenue Water Systems located in the Town of Hyde Park. According to the 2015 Annual Water Quality Report, the PWTF provides water to a total of 75,000 individuals.

The PWTF is located on a 5 acre parcel of land on the Hudson River, within the Marist College Campus on Route 9 in the City of Poughkeepsie.

Acquisition Evaluation Process:

It is recommended that the initial steps of the evaluation process include the following:

Retention of a Financial Consultant:

Based on preliminary discussions and comments at the recent City Council meeting, the City is hoping to benefit from the sale of its share of the Water Treatment Facility by the realization of a revenue that will help ease the City's financial condition. But at the same

time, City Council members have expressed their concern that the sale not result in an increase in water rates to City customers.

Any purchase price the DCWWA would pay to the City would first go to defease the City's outstanding debt obligation. Only the portion of the purchase price above what is needed to defease the bonds would truly be a revenue that would benefit the City. DCWWA will, in turn, bond for the cost of the purchase, and assess the cost of the debt service back onto the City customers/property owners (either through a benefit assessment or as a component of the water cost.)

So in order to meet the City's two objectives, one or more of several things have to happen;

- DCWWA is able to borrow at favorable terms such that the debt service on our new bonds is less than the City's current debt service, and/or
- The transfer of ownership results in significant savings in operational expenses thereby reducing the cost to produce water, and/or
- Water sales to "3rd parties" (outside of the City and Town) allow fixed operational and debt service costs to be spread over a larger customer base, and/or
- There is some outside source of grant funds (County/State/Federal) that offsets at least a portion of the purchase price paid for the treatment plant.

Staff is currently preparing a Request for Proposals to procure the services of a financial advisor to complete this analysis.

Legal Analysis:

The water treatment plant is jointly owned by the City and Town under the terms and conditions of the 1995 City/Town Inter-municipal Agreement for the Joint Water Project. Together, the City and Town own an "undivided interest in the water treatment facility and the land on which it is located." The rights of either party under the Agreement cannot be assigned without the written consent of the other party.

Under the terms of the Agreement, it appears that, with the Town's consent, the City could assign its rights and interests in the Plant to DCWWA; we would then take the City's seats on the Joint Water Board. However, all parties have preliminarily expressed a willingness to consider a different ownership structure that may mitigate some of the institutional inefficiencies inherent in the Joint Water Board structure.

Further discussions are needed on the source(s) of funding to support these analyses.

Background Information:

Current Joint Water Board Membership:

- Current City Members:
 - Mayor Robert Rolison, Vice-Chair
 - Chris Gent (City Engineer)

- Vacant Seat
- Current Town Members:
 - Supervisor Todd Tancredi (to be replaced by Town Board Member Jay Baisley)
 - Mark Newton, Chair
 - William Carlos
- Legal Counsel – Scott Volkman (Stenger, Roberts, Davis & Diamond)

Summary of Key Provisions of the City/Town Intermunicipal Agreement (IMA) for the Pok Joint Water Project (1995):

- The IMA established the Joint Water Board to oversee capital improvement projects to increase the Plant capacity, and to oversee operation of the Plant.
- The City and Town (Parties) own, in fee simple absolute, an undivided interest in the Water Treatment Facility and the land on which it is located.
- At this time, the Water Treatment Facility (WTF) has a capacity of 19.3 MGD;
 - The City’s reserved capacity is 10.66 MGD (55%)
 - The Town’s reserved capacity is 8.63 MGD (45%)
- The City and Town each appoint 3 members to the Joint Water Board (JWB), each for a 3 year term.
 - All Board members have one vote.
- The Board annually selects a Chair, Vice-Chair and Secretary.
 - The Chair and Vice-Chair shall be selected one from the City and one from the Town.
- The IMA may not be assigned by either party without the express written consent of the other party.
- In most instances, including the following, the power of the JWB is limited to making recommendations to the City and the Town, with final approval by the Common Council and Town Board;
 - Establishing the Annual Operating Budget for the WTF,
 - Authorizing capital improvement projects,
 - Apportioning the capital costs to each party,
 - Hiring and discharging the Water Plant Administrator,
 - Negotiation agreements for 3rd party water sales.
 - Either party has the option to provide up to 50% of the amount of water requested by a 3rd party from their reserved capacity or by modifying the WTF to provide the capacity.
- The City administers the Operating Fund, and is compensated for its expenses.
- The parties decide which party will administer capital funds for any capital improvement project.
- The City and Town each pay for water delivered to their distribution systems based on the same water rate.

In 2004 the IMB was amended to establish that the WTF staff are employees of the City. Treatment plant staff are members of a union.

Valuation of the Water Treatment Plant

The IMA established the following formula to determine Adjusted Present Worth Value (APWV):

- $APWV = \text{Past Value} \times [1 + (\text{net of appreciation/depreciation}) \times \text{years}]$
 - Appreciation to be determined by change to the Engineering News Report Construction Cost Index
 - Depreciation determined to be 2% per year.

A preliminary, order-of-magnitude estimate of the value of the City's share of the WTF was calculated to be \$32 - \$36 million, based on values and formulas found in the IMA, more recent City Official Statements, and PJWB meeting minutes. (Lower value based on 3%/yr depreciation versus 2%.)

This estimate does not take into account any recent or ongoing capital improvements that may have been made to the WTF between 1995 and current day. The total cost (City and Town share) of the current upgrade is estimated at about \$18 million.

Plant Capacity versus Demand; Surplus Available for 3rd Party Sales:

Based on the 2015 Annual Water Quality Report average daily Plant production was 9.28 MGD. The Maximum Day production was 13.98 MGD.

- Approximately 4.72 MGD of water was delivered to the Town, out of its 8.6 MGD capacity.
- Approximately 3.22 MGD was delivered to the City, out of its 10.7 MGD capacity.
- Approximately 1.31 MGD was delivered to 3rd Party Users.

MEMORANDUM

June 9, 2016

To: Authority Board

From: Bridget Barclay

Subject: Hyde Park Water Treatment Plant Instrumentation and Control Replacement – Phase 1
Professional Engineering Services Agreement Award Recommendation

A request for proposal for Professional Engineering Services was issued on April 21, 2016 in accordance with the Authority Procurement Policy for Professional Services greater than \$35,000.00. Proposals were solicited from 3 firms as discussed at the Board Meeting of April 20, 2016:

1. Delaware Engineering, DPC, Albany, NY
2. HDR Architects & Engineers, PC, White Plains, NY
3. T&B Engineering, PC, Red Hook, NY

Proposals were received on May 25, 2016 from the following firms:

<u>Firm</u>	<u>Amount</u>
1. T&B Engineering, PC, Red Hook, NY	\$93,500.00
2. Delaware Engineering, DPC, Albany, NY	\$88,650.00

HDR Architects & Engineers, PC did not respond citing that they would not be cost competitive; The Staff reviewed the proposals in consideration for firm experience, proposed staff and organization, project approach, proposed not to exceed hours and price.

The Staff, during an interview with Delaware, found their instrumentation and control organization is heavily reliant upon one person who is involved in multiple ongoing projects.

The Staff has worked with T&B Engineering, PC (T&B) on multiple projects funded by municipalities. T&B is currently working with the Authority on the Greenfields Sewer System Wastewater Treatment Plant Rehabilitation Project. T&B performed the evaluation phase of the facility's instrumentation and control which resulted in this Request for Proposal. Due to its first-hand knowledge of the needs of the facility and the Authority personnel, T&B will be able to initiate and execute the project quickly. The Staff has found T&B to be efficient in its work and to produce a quality product with minimal revisions, thereby minimizing demands on Authority resources.

The Staff acknowledges the cost difference between Delaware Engineering, DPC and T&B of \$4,850.00 but believes that the overall value of T&B offsets the increase in cost.

The Staff recommends to the Board that the firm of T&B Engineering, PC, Red Hook, NY be awarded the GFS – Wastewater Treatment Plant Rehabilitation Project - Professional Engineering Services Contract for a cost not to exceed of \$93,500.00.

Attach: Price Proposal Comparison
Hourly Rate Comparison

Xc: D. Odell
M. Morris
P. Fadden
J. Churins

Item No.	Item Description	Delaware Engineering, DPC		T&B Engineers, PC	
		Est. Hours	Estimated Cost	Est. Hours	Estimated Cost
1	Initiating Activities				
1.1	Determination of Changes in Status of Instruments and Controls	NA	\$ 2,080.00	NA	\$ 700.00
1.2	Update Equipment Data Base	NA	\$ 1,410.00	NA	\$ 400.00
1.3	Generate List of Items to be Procured and Installed by Authority forces	NA	\$ 1,200.00	NA	\$ 900.00
2	Engineering - Authority Procured and Installed Items	24	\$ 2,640.00	33	\$ 5,400.00
3	Engineering Services - Contracted Work				
3.1	Instrumentation Installation	30	\$ 3,240.00	22	\$ 2,800.00
3.2	VFD's, Speed Drives & Controllers Installation	12	\$ 1,620.00	16	\$ 2,100.00
3.3	MOV's Installation	24	\$ 3,480.00	36	\$ 4,300.00
3.4	Distributed Control System Installation	64	\$ 8,640.00	120	\$ 17,000.00
4	Opinion of Construction Cost - Contracted Work	NA	\$ 5,150.00	NA	\$ 1,800.00
5	Progress Reporting	NA	\$ 2,050.00	NA	\$ 700.00
6	Meetings	NA	\$ 4,620.00	NA	\$ 5,200.00
7	Bidding Phase - Contracted Work	NA	\$ 8,960.00	NA	\$ 5,400.00
8	Services during Authority Installation	16	\$ 1,760.00	16	\$ 4,200.00
9	Services During Construction				
9.1	Submittal Review	NA	\$ 2,880.00	NA	\$ 4,300.00
9.2	Responses to RFI's	20	\$ 2,700.00	20	\$ 3,300.00
9.3	Preconstruction Meetings	NA	\$ 2,640.00	NA	\$ 1,300.00
9.4	Biweekly Project Meetings	100	\$ 13,500.00	100	\$ 16,800.00
9.5	Final Update Equipment Data Base	NA	\$ 2,120.00	NA	\$ 700.00
10	Systems Manual	NA	\$ 2,560.00	NA	\$ 4,200.00
11	Additional Services	NA	\$ 10,000.00	NA	\$ 10,000.00
12	Reimbursable Costs	NA	\$ 5,400.00	NA	\$ 2,000.00
	Total	290	\$ 88,650.00	363	\$ 93,500.00

		Delaware Engineers, DPC	T&B Engineers, PC
Item No.	Position Title	Hourly Rate	Hourly Rate
1	Principal/Corporate Officer	\$ 195.00	\$ 225.00
2	Director/Department Manager	\$ 185.00	\$ 175.00
3	Senior Professional - Project Manager, Engineer, Scientist, Geologist, Architect, Surveyor	\$ 175.00	\$ 175.00
4	Professional Level II - Project Manager, Engineer, Scientist, Geologist, Architect, Surveyor	\$ 170.00	\$ 170.00
5	Professional -Level I - Project Manager, Engineer, Scientist, Geologist, Architect, Surveyor	\$ 160.00	\$ 160.00
6	Assistant Professional Level II - Engineer, Scientist, Geologist, Architect, Surveyor, CADD Specialist	\$ 145.00	\$ 130.00
7	Assistant Professional Level I - Engineer, Scientist, Geologist, Architect, Surveyor, CADD Specialist	\$ 135.00	\$ 100.00
8	Technician III - Survey Field Crew Technician	\$ 130.00	\$ 100.00
9	Techniciaqn Level II - Engineering, Science, Geologist, Architecture, Surveyor, CADD	\$ 120.00	\$ 95.00
10	Techniciaqn Level I - Engineering, Science, Geologist, Architecture, Surveyor, CADD	\$ 110.00	\$ 90.00
11	Clerical	\$ 70.00	\$ 77.00
12	Survey Crew & Equipment - Prevailing Wage Rate	\$ 205.00	\$ 208.00
13	Survey Crew & Equipment - Non-Prevailing Wage Rate	\$ 185.00	\$ 208.00