

SPECIAL MEETING
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HIGHLAND FALLS
November 9, 2009

A special meeting of the Board of Trustees of the Village of Highland Falls was held in Village Hall, 303 Main Street, Highland Falls, New York on November 9, 2009.

The Meeting was called to order by Mayor D'Onofrio at 8:00A.M.

Members present were:

Mayor Joseph E. D'Onofrio
Trustee Harold Brown
Trustee James DiSalvo
Trustee June Gunza
Trustee Joseph McCormick

Also present were:

Village Clerk, Regina M. Taylor
Wastewater Treatment Plant Operator, John Jones
Wastewater Treatment Plant Operator, Joseph Murphy
Village Engineer, Todd Atkinson (J. Robert Folchetti & Associates) via telephone

Discussion was continued on the proposal from Cherokee Enterprises, LLC, to dispose of ground water extracted from the proposed Prep School site on West Point, into our wastewater treatment system.

Trustee McCormick asked Mr. Murphy or Mr. Jones what would be the cost to the Village if our system had a breakdown due to the additional water disposal. Mr. Murphy responded that a few years ago when the Village ran into a problem, it cost about 13 cents/gal to have an outside agency haul our sludge away. Mr. Murphy commented that he is not familiar with landfill leachate and has had no training regarding its disposal. He did say that a DEC permit is required to dispose of landfill leachate. Our permit does not cover it. He also said it could mean extra work for our plant employees. Mr. Murphy was also concerned about how the disposal would be monitored.

The Mayor responded that Cherokee Enterprises, LLC has indicated they would pay the Village 4.8 cents/gal to dispose of the leachate through our Wastewater Treatment Plant and any engineering, legal and DEC permit fees, associated with the disposal. They would like a cap on the engineering and legal fees. The Mayor also reported that the quantity of the disposals would be monitored by tickets that would be generated on site.

Todd Atkinson, Village Engineer, told the Board he had an informal discussion with the DEC and they indicated that they do not see any issues. They believe it could be "do-able". The monetary costs could run between \$12,000 -\$15,000.00 dollars. It will cost \$1,500.00 application fee to get the necessary DEC permit modification. Mr. Atkinson told the Board that the DEC would like to see test results from current samples taken. Mr. Atkinson also reported that the Army Corp will have someone on site 24/7 monitoring the project.

Mr. Atkinson reminded the Board that test results of any load dropped would not be available until 2 days after it was dropped. If any violations occur, fines could be imposed and it should be something that the Village legally makes Cherokee Enterprises responsible for. Mr. Atkinson further suggested that Cherokee Enterprises put up escrow for the DEC upfront costs.

The Mayor responded that he would ask for a meeting with Todd, (Village Engineer), Ben Gailey, (Village Attorney), Steven Funk, (Cherokee Enterprises) and the whole Village Board as soon as possible this week, since there are still many unanswered questions. Mr. McCormick asked Todd if a DEC representative could also be at this meeting. Todd said he would check into it.

The Mayor asked Trustee DiSalvo to relay to Mr. Gary Boyce that Mr. Sierra's project (65 Schneider Ave.) should not be started until the Spring.

Trustee McCormick motioned to adjourn. The motion was seconded by Trustee Brown and unanimously carried.

The meeting closed at 8:23A.M.

Regina M. Taylor, Village Clerk