

Steven Vegliante, Town Supervisor

Nathan Steingart, *Deputy Supervisor*
Michael Weiner, *Councilperson*
Joe Levner, *Councilperson*
Rebecca Pratt, *Councilperson*



Town of Fallsburg
P.O. Box 2019, 19 Rail Road Plaza
South Fallsburg, New York 12779
(P) (845) 434-8810
(F) (845) 434-5883
www.townoffallsburg.com

Monday, April 6, 2020

**The Town of Fallsburg Town Board
Will Conduct a Legislative Meeting via Video Conference Call
19 Railroad Plaza, South Fallsburg, NY
6:00 pm**

Present:

**Supervisor Steven Vegliante
Councilperson Nathan Steingart
Councilperson Mike Weiner
Councilperson Rebecca Pratt**

**Town Clerk Donna Akerley
Attorney for the Town Paula E. Kay
Supervisor's Secretary Melissa Melko
Code Enforcement Officer Mollie Messenger
Comptroller Scott DuBois**

Steven Vegliante: Sorry about that I was muted. Can we get a motion to open up the town of Fallsburg Work Session agenda please?

Michael Weiner: Motion.

Rebecca Pratt: Second.

Steven Vegliante: All in favor.

Rebecca Pratt: I.

Michael Weiner: I.

Steven Vegliante: We're doing the Pledge to the Flag, Nate would you lead us please.

Pledge to the Flag.

Steven Vegliante: Thank you for joining us today everyone, I do have a notice that I've been asked to read.

With regard to the meetings for the time being, until we are past this crisis, we will not be having public meetings, the meetings will be in this fashion, either by Zoom or call in. so I'm going to read:

PLEASE TAKE NOTICE, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board will not be holding in-person meetings. Until further notice, all future Town Board meetings (including public hearings) will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, the public will not be permitted to attend at the remote locations where the Town Board members may be situated. The public, however, will be able to fully observe the videoconferencing meeting and comment at appropriate times. To the extent internet access is not available; the public can attend via telephone by dialing (929 205 6099 (New York) Meeting ID: 548 420 343). The Town Board's agenda is available online in advance of the meetings at www.townoffallsburg.com and the public can email written comments or questions by 5pm on the day of the meeting addressed to mmelko@Fallsburgny.com. Any member of the public who has questions should contact the Secretary to the Supervisor in advance of the meeting at 845-434-8810 x5 or mmelko@Fallsburgny.com. Anyone having difficulty connecting to the meeting should contact Zoom for IT assistance during the meeting.

PLEASE TAKE FURTHER NOTICE, that any Executive Session of the board will be initiated with the Board first convening on the public videoconferencing site, adopting a motion to go into Executive Session and then returning to the public videoconferencing site once the Executive Session has concluded.

PLEASE TAKE FURTHER NOTICE, that the Town Board Work Session of April 6, 2020 held at 6:00pm can be accessed at:

Join Zoom Meeting

<https://zoom.us/j/548420343>

Dial by your location

+1 929 205 6099 US (New York) Meeting ID: 548 420 343

In addition with regard to the previously scheduled public hearing on the Grand View properties please be advised that we have decided as a board that we will not be holding that in person meeting tonight. That public hearing has been adjourned without date. The Town will still maintain the record in that any member of the public that wishes to provide comment can do so in writing, by email or written mail, and any comment received will be part of the official record and the matter will be taken up again when we can have an in person meeting. We will properly notice same and have a full Public Hearing and give everybody the opportunity to participate. Alight, with all that being said we can move on to the agenda.

I do want to make a very quick statement – we have a light agenda tonight and with all that's going on it would feel like the town is busier than ever and that's for the most part true but it's busy with your general day to day operational stuff. We have really curtailed any additional items or anything out of the ordinary that the town board would normally authorize doing during this period of time. I want to give a lot of credit and thank publicly all of our department heads who I speak to every day by zoom meeting. They are working under really difficult circumstances but are performing like total and complete rock stars. I know the board would join me in saying this but I want to thank every single one of our department heads and every single one of our rank and file employees because everything that we do as a town continues to get done under this crisis and under really tough circumstances and there's only one way to do that, it's with dedication and resolve and basically putting your shoulder into it and getting it done and that's what we're getting from every single one of our department heads so thank you, guys.

With regard to Coronavirus, we are working through different protocols every single day. We're trying our best to keep both our town workforce as well as our residents, as safe as we can possibly make them. That's not always fun and that's not always comfortable. We are committed to maintaining our open spaces, our parks, keeping them open. I have done my best to try to let the public know they are available as a safety from cabin fever. I encourage everyone to utilize our walking trails, the exterior portions of our parks, we are working. I'm going to ask Nate to give us a rundown of it; we're working on opening our golf course and doing it in a way that's safe for both, our employees and people to come to visit it. There will be a system and set of protocols in place and we hope to be announcing an opening day relatively quickly and I don't know if were prepared to do it tonight but in the next week or so we hope to have an opening date on our golf courses and we won't do it until were comfortable as a group and as a town that doesn't put our employees at risk. We are continuing to monitor our water, our sewer, our building department employees are all out. We are not aware of any seasonal opportunities or camps opening at this point. If they do we will hold them to the (*Break up*) set forth by the governor and his executive orders. The governor has given our town through our police department and out building code officials the ability to write tickets, they're criminal tickets, I guess, that enforces the orders that he has passed with regard to the previous emergency order that was provided by the Department of Health. It was a conversation that I will continue to have with New York State and the Governors Office, however I do want to point out that we are in a crisis and it is my position that much of what I put in my order was covered by the governors order, wherever possible we will enforce the order for public safety. And most importantly we are in a crisis, we are what I would considered to be war time and we have a chain of command that needs to be followed, and this town will follow the chain of command lead by our Governor, Department of health, and wherever possible we will give our input to try to let him know what the fact is here is on the ground and hopefully he will listen to that, his departments will listen to that, but wither way, we will speak with one voice, clear and concise and we will support the governor and the officials on the state level to the extent we can.

Okay, that's my coronavirus, kind of, update. I would like to call on Jonathan Supranowitz. He is an official with the US Census Bureau and he can get us an update on where we stand with the Census responses.

Jonathan Supranowitz: Steven, thanks for having me, Melissa also thank you for setting this up. I'll try to make this as fast as possible so you can get back to your town business. If you do have any questions for me maybe it would be best if you wait until the end of my little presentation, I'm going to get through it in about ten minutes, I'm going to share my screen with you to show you some facts about the census. I need you to know that the US Census bureau is still up and running. Our field operations is on pause right now, but going forward, making sure everyone gets counted is still operational right now. So I'm going to go through this presentation, if you have questions maybe take notes, ask me afterward, and I'll answer all the questions that I can for you. First thing I'm going to do is share my screen so bear with me for one second. Alright I'm hoping that you can see my screen, give me a thumbs up if you can see it please. Thank you, appreciate it.

Again, my name is Jonathan Supranowitz, I am a Senior Partnership Specialist. I've been assigned to Sullivan County, so I work your entire county, including Fallsburg. All 15 towns and 5 villages is what I cover. So you know, US Census Bureau is the largest statistical agency in our country, not only do we do the decennial census that you know, that happens every ten years, there's over 130 different surveys that our bureau does and I have a feeling that most of you have seen at least one other survey on my list there. Maybe the American Community survey, the Current Population survey. There's all kind of great information that we provide data that we provide to everyone in the United States on lots of different subjects. Just so you know, as in anything, there's always a concern about fraud – if you think you've been asked to participate in any survey besides decennial and you think it may not be accurate there's phone numbers, there's websites to help you verify that everything is on the up and up. And at the end of this presentation, I'm going to share this presentation with Melissa so by all means you do not need to write anything down all those links will be shared with her and she can share with the entire board.

The mission of the Census is to count everybody once, only once, and in the right place. There's over 140 housing units that we are predicting that we need to count at this point. It's been mandated by the US constitution, it's been happening since 1790, every ten years we count everyone. I'm going to explain very quickly now why the census is safe, why it's easy, and why it's important. This is why it's important and these are the things I've been sharing with your town supervisor, that there's \$675 Billion dollars in federal funding that gets allocated every single year. And how do we allocate those numbers? They look at the data of the US Census. So if you're being undercounted that money is not getting to you, the appropriate money is not getting to you. Its Medicaid, its SNAP, its section 8 housing, it's all these programs, grants that your local community applies for all that gets decided by the data of the US Census.

Now let me tell you why it's safe. We do not share any of your private information with any other arm of the government. No other agency gets the share of the information we have. We share information on a general sense, percentages, but any specific information does not get shared. If anybody that's ever dealt with the federal government knows that one arm never knows what the other arm is talking about, we never speak. But this is a confidentiality that does not get broken. And as a US Census, as every employee of the US Census Bureau we have taken an oath. And the oath says that "for my lifetime I cannot share anyone's personal information- if I do share someone's information I could go to jail for up to five years and, or both, I could get fined up to a quarter of a million dollars, if I do share that information".

Now there are four ways to respond to the Census and this is the easy part, and it is extremely easy for the first time in our history, that anybody can fill out their questionnaire online. For the first time in our history you can go online to our website, you can call up a toll free number that I'll share with you in a second, you can do the paper questionnaire, the old fashioned way, or at the very least an enumerator is going to come to your house and ask you that information, now that is the absolute last resort. And this is the information that we're going to ask you. Going to ask you your name, date of birth, your race and origin, if you're Hispanic, your relation to the head of household in that house, your gender and a population count. We will never ask for a social security number, we'll never ask for money or donations, we'll never ask you about your political party and we'll certainly never ask for a credit card number. Another way that it's easy. The census can be answered in 12 different languages, including English, we think that covers 99% of the Country. That's 12 different languages that you can go online and fill out the questionnaire. Here is the toll free numbers that I will share with Melissa so she can have so if some of your people living in Fallsburg does not have internet access, but they have their cell phone, they have their landline, they can call that 844 number and a census employee will be on the other side of the phone and you can dictate the answers to that person. That person has taken the same oath that I have, they will not share that information with anybody, it's confidential. There's also a total of 59 languages that we help at, so on top of those 12 languages there are then 47 other languages that we can help guide you through the questionnaire. So I have a feeling that of the 59 languages you probably could not think of another one that would stop you from filling out your questionnaire. So here's a timeline: so you should have, if you received mail at your home, you would've received an invitation in the mail. There would've been a code on the letter saying go online with your code and fill it out. And then if you don't do it, you get a reminder letter, and then if you don't do it then you get a post card, and we keep reminding you to do it. In a second we're going to go over what happens if you don't get mail delivered to your home or post office box, because I know a lot of people in Fallsburg, that's the case. For people that are looking for jobs, and I know this is a huge deal right now, we are still hiring as a bureau. We're hiring enumerator, recruiting assistants, census field supervisors, there's a whole list of other jobs, and so you know we pay about \$23/hour. That is above the minimum wage. Here's a timeline: now some of these milestones have been changed because of the coronavirus situation and I'll go over that in a second. There's lots of websites, there's lots of things that I can do to help you get your numbers up. So Melissa and I were talking and Steven, we've posted lots of things on your Facebook page and on your town page so if any of your residents go to your town page, do whatever they'd normally do, there's a link in the upper right hand corner that says fill out your census, go to this website. And you click on it and it will take you right there so there's all kinds of things that I can give you to support and get the numbers up. We've had lots of initiatives over the last month and a half; we've gone into the schools, we've talked to churches, we've talked to lots of people in different communities to get the numbers up. Now we have certain tools that we use to figure out is it going to be hard to get people to respond? This data that I'm going to show you in a second is available to everybody – anyone in the country with internet access can go on the website, pull up this map of Fallsburg and see all this information. Now if you own a business in Fallsburg, if you work in a community center, all of this information is available to you and I would think you find it very interesting. This is one census track in Fallsburg, there are multiple tracks in your town, but this is one in particular that I pulled up. You can see in this census track the populations about 4,500 people, it is what we've estimated it to be and there's lots of good information in there. There's race, there's total number of housing units. This is interesting, on the lower left-hand corner, renter occupied housing units. In this census track you guys have 19.43% of the houses are renters. Traditionally that is a low responding number, renters sometimes don't think they have to fill out the census, they think that the landlord fills out the census but in fact everybody has to fill out the census. Here's another interesting on the right hand side, that second yellow thing that I highlighted. Vacant housing units, 57% of the housing units in this track we predicted are vacant. But here's another thing that I've always heard, that lots of reasons people aren't responding they don't have internet access. Well we

predict in this tract alone, you can see on the bottom, almost 80% of the people have some sort of computing device that they can fill out their census, and that's a laptop, that's a smart phone. So 80% in that tract has capability. Now this is the thing I look at every day and I've sent Steven a couple emails and I'm sure he rolls his eyes sometimes when I'm sending him multiple emails, but here take a look, this is updated from today. So as a nation, 45% of the population has responded to the census so far. In the state of New York, 39.5%, in your town 8.9% of the people have responded to the census. Now anytime you want to track this you can. This is all made to the public, you can look at it every day. We update it at 3:00, 3PM every day. I go on this and I look at all 15 towns in Sullivan county to see who's responding. Now here's something, once we get through the census, once we get through the coronavirus crisis, all this information is available to you. There's lots of information. We have experts, we have statisticians, all these things that you can call us and give you information that will help your business, that will help your community. You can see on the bottom the census.gov/academy, you can go on that website and learn all about the different data that we have available. This is something that I've been talking to Melissa about and many towns is about social media right now. Right, you and I cannot meet, cannot meet face to face, I can't come to your town, I can't come to your meetings, but I can say to you, maybe you need to go to facebook.com, that's where all your residents are going to get their information, your daily information. Is that where kids in your town are going to? Are they going to Instagram and if they see something from your town about the census, maybe they're telling their parents and their parents are telling their friends.

So that is my presentation, I'm going to stop sharing my screen. I'm going to ask you if there are any questions, anything I can help you with, anything we can talk about to get those numbers up in Fallsburg because as you can see it's alarming how low you guys, your numbers are right now.

Michael Weiner: I got a question. We have some seasonal residents where one spouse might be registered to vote in this area and one spouse might be registered to vote in New York City. How does that work?

Jonathan Supranowitz: So our records have nothing to do with registered voters, so it's all about the households. So when I filled out my census questionnaire, after I filled out my name and I filled out who lives in my house it then asked me do I have another home that I live at either part time or more than part time. So I would've put that address down if I had a second home in Sullivan county. Now let's say some of your residents have already filled out their questionnaire and didn't do that. They can go back and fill it out a second time for their part time residence, and then it will ask you is this your full time residence, and the answer would be no, it's not my full time residence. So we count households, we do not count voters.

Nathan Steingart: So I have a question also, that one number that struck me was the 50% of the rental units that were vacant. Could that be due to the seasonal nature of the area, it seems like it couldn't be that high.

Jonathan Supranowitz: So it wasn't, I don't think it was 50% of rentals was vacant, let me go back to it and share it again. Let's take a look.

Okay, so, vacant housing units in this census tract, so it's just a part of Fallsburg, is 57%. We are predicting that nobody is living there, and how did we predict that? We used the American communities survey and when we went around to towns and looked, we may have knocked on doors and nobody answered the door so were predicting that it's vacant. Now if no one was home and we came while everyone is in their other house, then certainly that number would be very high.

Steven Vegliante: So that's a misleading statistic, Jonathan. We have a big second home community and if you're not here in ten weeks during the summer you're probably not going to see residents however they're not housing stock that's available to the general public. I don't know how we can address it but its not an accurate statistic.

Jonathan Supranowitz: Well they way we address it is we get those people to fill out their census and we make sure they put their second homes down.

Steven Vegliante: Okay, well think of how to do that. One of the things that I've done in the past for the board, not sure if you noticed, wed send out at least one newsletter with regard to the census, I'd like to do that again next week. Jonathan how long do people have to actually fill out the census?

Jonathan Supranowitz: We have through the summer, until the end of July. By December we need to give those numbers to the Executive Branch of our federal government so by the end of July is really what we're looking at.

Steven Vegliante: Okay, anyone have any questions for Jonathan or thought?

Joe Levner: I have a question. This is maybe a simplistic question that I just don't get. You said that less than 9% of the people have responded, but what is that based on?

Jonathan Supranowitz: Right, so less that 9% of the households have responded to our questionnaire. So we know how many households there are in Fallsburg, less than 9% of those households have filled out a questionnaire.

Michael Weiner: But you don't know how many are seasonal.

Jonathan Supranowitz: No.

Rebecca Pratt: So, how many households did you send out the questionnaire? I guess that would help us understand sort of the numbers.

Jonathan Supranowitz: Right, so anyone who receives mail to their home should have received either a letter or a paper questionnaire already.

Rebecca Pratt: Right, do you know how many have been sent out in our community in Fallsburg? How many households?

Jonathan Supranowitz: I do not have that number, no.

Rebecca Pratt: Okay, because that would help us understand what the 9% would be.

Michael Weiner: Jonathan, I have one other question. You're going to have people go door-to-door eventually, to follow up, correct? Now will that time frame be somewhere in the summer?

Jonathan Supranowitz: Yes, most likely. Now if you don't receive mail at your home then what should've happened, which it's been delayed because of the virus crisis, a census employee should've left a questionnaire on your doorknob. On your doorstep we would have put a paper questionnaire but that's been delayed so we haven't been able to do that. So that certainly can explain a low number as well if you have a lot of residents that don't receive mail delivery. But that's what makes doing everything online so much better now. You do not need that invitation, you or I can go online now and fill out the census without it.

Joe Levner: So if you're going to do that over the summer how do you ensure that somebody's not counted twice, or a family's not counted twice. If they've already completed one.

Jonathan Supranowitz: Right, so if they've completed a questionnaire for a household we will not go to that house. We will not knock on that door. Sorry Joe I can see you're talking -

Joe Levner: - but if I'm a city resident- (cut off)

Rebecca Pratt: Are these available in the post offices for people?

Jonathan Supranowitz: No, they are not.

Rebecca Pratt: Hm, Okay.

Jonathan Supranowitz: Try again Joe, I'm sorry.

Joe Levner: Yeah, just a follow up on what I asked. If I live in the city but I come up for the summertime and you come knocking on my door how does that process work in terms of assurance that I'm not counted twice.

Jonathan Supranowitz: Right, so if we came knocking on your door it means that you did not report that address on your census form while you were in the city. So all the people in our field operation will know who has responded and who hasn't responded. Remember, the invitation is not sent to an individual person, so when you get an invitation in the mail it does not say "Joe, please fill out the questionnaire" it says "resident at 21 Main Street, fill out your questionnaire".

Michael Weiner: And somebody might say to you "I filled it out in New York.". Then what?

Jonathan Supranowitz: Well, either they didn't do it correctly then. If we sent an enumerator to your house and we think you haven't done it, that means the person either hasn't done it correctly or they don't want to fill it out.

Rebecca Pratt: Now, when people knock on doors, we have a Hispanic community here and some people may have difficulty with English and may be concerned about filling out census so do are they able to speak Spanish? How do you connect to a community like that?

Jonathan Supranowitz: Right, so we have data that will tell us: is it a high speaking Spanish population. And we will send an enumerator to that area that is bilingual.

Rebecca Pratt: Right, Okay.

Steven Vegliante: I'm going to continue to put out newsletters with regard to this Jonathan. I do a video address during this crisis during the day, many days during the week, so I'll mention it a couple more times. Is there anything else specifically that you'd like to see us do as far as essentially marketing the census to people?

Jonathan Supranowitz: Sure, I did see your message on Facebook. I thought it was absolutely tremendous. I think that's the way to do it. Any way to connect to your residents, make them aware that this is something that they really need to do for the betterment of their community. Anything you can do is a good thing. And again I'm here to support you and everyone in the county. So if you can think of anything I can do. If you want to create a couple people and we can brain storm once a week, once every other week, see how to get those numbers up, count me in. I am here for you.

Rebecca Pratt: I think what's really helpful is that people understand the benefits because obviously people have a lot of fear, or can have fear and I think you addressed those fears very clearly and what the benefits are for them and the community. Some people may or may not understand that wholly, but I do think that that would provide more incentive.

Jonathan Supranowitz: Rebecca, if you could think of some organization that deals with groups of people that might be afraid. If you want to connect me with them I can get with them and help them. Because they're the ones that have the trusted voice in the community. Right so, if I walk into one of your villages, don't know who I am, but they may know who a priest is or a reverend, or a someone who works at a local community center and they're spreading the word out, that would be a lot more successful than me doing it.

Rebecca Pratt: That's great, thank you.

Jonathan Supranowitz: Yes, so what we do is we send people to those homes. We send them to colleges; we send them to group homes. Anywhere where there's large groups of people living there full time we send enumerator there and we deal with them directly and get all of those numbers.

Steven Vegliante: Alright, I think we're going to continue to do our homework and get more people to participate. It is so vitally important. Especially when were up against, if it is not accurate, things like that, vacancy rate, wind up working against us in certain grant funding when its just not accurate. In my private life I am very much involved in the real estate community here in Sullivan county and I can tell you there's virtually no housing stock for workforce level housing. There's no apartments, there's really very little available. when you see a 50% number, we dealt with it in a recent property tax case where if you have a lot of condos, the only way they can determine value is the fair rental value. So when the census shows a 50% vacancy rate it affects the theoretical value of all those condos. So to not have a correct, or even close to correct rate, and I understand why, its noting against the census, but when you don't have the correct rate its collateral damage to not having the correct statistic. I appreciate you coming on today.

Jonathan Supranowitz: Steve, I'm sorry, just one last chart if I can share with the group, I shared it with you today. Just let me share my screen and get there so you can see. You can see the numbers in your county. I think this is kind of jarring.

Steven Vegliante: Yea, were one of the worst.

Jonathan Supranowitz: Yeah I mean when I started tracking this on March 20th and only 2.6% had responded from your town but its certainly grown, its growing every day, we just need it to grow a little bit more.

Steven Vegliante: Okay we'll do our best to get the word out.

Jonathan Supranowitz: I know you will.

Steven Vegliante: Jonathan thank you so much for your time, we appreciate it.

Jonathan Supranowitz: Thank you, its my pleasure and like I said I'm going to share this presentation with Melissa so she can share it with everybody else and by all means contact me if you need me.

Melissa Melko: Yep, anything else I can do let me know please.

Steven Vegliante: Thanks Jon. Alright, next ill recognize Ken Ellsworth, he's going to give us the lowdown on our WHOO Plant, the sewer treatment plant in Fallsburg.

Kenneth Ellsworth: Hi everybody. I hope everybody can hear me, this is my first Zoom meeting and I appreciate you guys letting me to participate. So everybody all set, you can hear me?

Steven Vegliante: Yes. If you're not speaking everyone please mute so it doesn't get background noise.

Kenneth Ellsworth: So what we did is, we have two things that were sent to everybody. There is a plan and there is some key points regarding low study. So what I wanted to do is just go through things relatively quickly and it's a little bit harder with a Zoom meeting but all of the information's there if you had a chance to take a look at it. So the plan, what we did is we showed on the plan all of the current projects that are under construction in the town right now and then we also showed all of the projects that are currently in planning. And so the town is currently divided up into 17 different service areas for sewer and by doing this we were able to determine which projects went to what sewer district which then went to what sewer plant. So it divided up all the projects. We then went through and estimated all the flows or if we had information from the engineers, which we do on the current projects, we used that data and if not we used data that is in the planning stages now. What (lost connection) four-matic or and it had everything on it everything on it from pump station to size of lines and the direction things flows and the good reason to have there to fold the new project into town and they eventually go through some type of pump station and those pump stations will need grades, maybe large pumps, different (Lost Connection) in the wells and (Lost Connection) so we're able now to track every problem that comes into town and exactly what does that do to our infrastructure and what improvements should we be asking our developer to make for our town facilities as opposed to hoping that our systems are sized correctly and taking a look at that. Then on that map also is tables and in the tables are listed the projects. Each treatment plant projects are under construction and projects in planning and then they total out so that's all shown on the map. It's a very busy map so you can get lost a little bit in it and then we put together the next thing, is some key points for you guys to look at, trying to summarize all the information that we gathered together to do that. So some of the key points, and I wish I was tricky enough to share my screen like the previous gentlemen but I want prepared to do that because I don't know how to do that.

Melissa Melko: Ken, I can share mine.

Kenneth Ellsworth: Oh that would be great.

Melissa Melko: Okay let me know what you need.

Kenneth Ellsworth: It's the second part of it, it's the key points and the flow study. Not the map one. No that's the map one. There you go, that's the one. Okay so now everybody can focus on that a little bit. And Mike, certainly Mike is the expert at the WHOO treatment plant so Mike if you want to jump in at any time certainly do so. The WHOO Well has capacity of .02 millions gallons per day. So Mike gave me information for monthly averages for July and August for the years '17, '18 and '19 and those are shown there on the first line. So in '17 in July, the monthly average was 3.08 Million gallons. Then as you go across you can see that August of '18 was the high, we almost hit our capacity at 3.25 and then the low is August of '19 at 2.75. So then the next line down is the remaining capacity of simple math. You minus the flow minus 3.26 and gives you the capacity and a lot of people understand gallons per day as opposed to millions of gallons per day but you could see that again the high, or the benefit that you had at one point of August '19, you still had 500 thousand gallons remaining that the treatment plant was going to be able to treat but then in August of '18 you have a low of 10,000 gallons so again we came very very close in August of '18 to meeting our capacity at the plant. So I showed that because as you look at that table the projects that are under construction now represent 334,180 gallons of flow, of additional flow, coming into the WHOO Treatment Plant. That puts you into a couple of things: 1 under your best capacity which was where you had August of '19 you still had 165,820 gallons left to go, or you still had 33.2% capacity. But if you go to your worst case scenario which was August of '18 and these projects hit online, when they came online you would be over capacity by 324,180 gallons, so there's quite a range as you can see with those numbers that fluctuate and you guys know these high numbers always occur on Friday and Sunday and as you all know too we don't have a problem during the rest of the year, this is a July August problem. So on the right side of that chart, what's scary is projects that are in planning represent another 334,952 gallons so almost the same amount that we have currently under construction and they total, six hundred sum thousand gallons as a total that are now in planning that are heading towards the WHOO treatment plant which it will not meet that capacity. So why the variances that have happened, and its across the board, we took a look at a couple different things to try to explain that and we have precipitation each day and you try to correlate a high rain event with high flow event and its not directly correlated. There were sometimes where we had significantly high rain events but then we had no increase in volume and a couple times the increase in volume went down. So when the day to back it up what that tell us is that this is a ground water issue, the I and I. its not surface water so when the rain hits the ground and it runs off its not running directly into our system but that eventually gets into the ground and various grounds have different permeability and various soils so by the time that hits to some opening in our lines or breaks in our lines its hard to predict when its going to hit. So you'll have some high flows but its all associated with ground water, its not surface water. So anyway, we now at any given time as a project comes up, we can predict what that does to our treatment plants and what that does to our utilities for our sewer. Couple other key points, the WHOO Treatment Plant is an old plant. Mike's doing his best to McGuyver it and keep it running, he's doing a great job with that from what I can see. Five years ago there was a cost put together to repair the treatment plant and it was \$12 million. It is now obviously going to exceed \$12 million, it'll probably be closer to \$20 million. So one of the questions is, why don't we fix what we have. The problem is its too expensive and the technology's outdated. So the new effluent limits that are coming out, our current technology that we're applying there, will not get us the treatment effluent levels that we will be forced to deal with. So we've had Delaware Engineering helping us in taking a look at some upgrades to the WHOO Treatment Plant with a change in technology and they've put together a brief study that's going to be used for funding later on and they can increase the capacity of the WHOO Plant to 4.5 million gallons per day

and its going to be a cost, rough cost of about \$23,100,000. So it's inevitable that the WHOO Plant needs help, needs something to happen and we have about a five year window to make that happen and finish construction and as you've seen by the construction going on there now it takes a lot of time to make that happen. So we are in, still in a good time frame, but we don't have a year to wait to get something started. And the last part of this puzzle that Scott knows all too well is the financing, and when that can happen, and how does that happen. And this all has to tie in together as a group which we've been working on. And I'll stop for there. Thank you.

Michael Herbert: So Ken, I just want to double on what you were saying. I did a quick study as well today on the same months of the same years that that flow chart is put together on for the biological factor on our affluent limits. The only thing we have right now to compare to what our limits are going to be is our Shelldrake speedies permit on the new plant which is going to the same river, discharge limits are going to be very comparable and on ammonia phosphorus TKN nitrate, DOD, and TSS we have failed to meet the Shelldrake limit for what we've qualified with the WHOO plant every single time of all three years, all two months of the summer. It doesn't even come close to meeting. So biologically you can't just invest in fixing what we have, you have to update for, what you were saying, the new technology.

Kenneth Ellsworth: Thank you Mike, I agree.

Steven Vegliante: Mike, just to be clear, with the new technology in Shelldrake that's not an issue anymore?

Michael Herbert: No, were meeting everything really well over in Shelldrake. We were having issues with nitrate removal for a short period of time but we worked with the DRBC and we were able to get it to a mass based limit, rather than a concentration, and we are free and clear of any issues as of right now.

Steven Vegliante: Okay, and I just have a quick question, this is for Ken. So just to be clear, on a timeline basis, are we going to be out of compliance when we get our license renewal? And that's in 2022?

Kenneth Ellsworth: Yes. Chances are they'll update your affluence limits. The only way you won't be out of compliance is if they don't but according to Delaware what another (lost connection) which you're going to be unable to meet.

Steven Vegliante: So, I know you and I talked, we sort of spit-balled it a little bit, there's going to be an amount of money we have to spend at WHOO without getting any further capacity. How much different is that than adding capacity?

Kenneth Ellsworth: I mean we are within probably a couple million dollars. You know, (lost connection) adding by spending a couple million dollars you're adding about 1.2 million gallons per day to the capacity of the WHOO plant, you're going from 3.26 to 4.5 and that should take you well into the future for capacity. And were also going to be pursuing the I and I issue, which I think would represent somewhere between 2 and 250,000 gallons per day (lost connection).

Rebecca Pratt: So Ken, just to be clear, you're saying that the 4.5 gallon a day increase, if we put in \$23,000 that would take us a long way. You're thinking that will take us into the future, is that what you're saying.

Kenneth Ellsworth: I do, I do and its, like I said, 1.2 million gallons more and as you can see from the chart we have 600,000 planned to come into that district. Of course you know Mike had mentioned at one point in time

it's a tough situation when you're putting that kind of money in and the projects that you currently have are taking half of that capacity already.

Rebecca Pratt: Exactly.

Michael Weiner: And Scott I have a question. Are we eligible for any state help or federal help on this and how much?

Scott Dubois: I don't know, Michael. I mean we still have the EFZO financing, a portion of that, because it's the 5-year roll-over. Just as long as, this is where it goes into the Census report a little bit or whatever else where they get the numbers from for the community. We're still eligible for the hardship money so it's 0 financing and after our current upgrade that we're doing I think I still have about \$15 million of the additional five year roll. So if we're considering this construction projects going to start, I don't know, 2-3 years down the road I might be into the next, hopefully they'll give me another \$20 million and we'll be able to get the 0 financing –

Mollie Messenger: The goal here is to, sorry Scott, the goal here is to make a plan and then move forward with the engineering so that we can apply for a bunch of grants that will be out there in the end of the year. So, with Ken explaining everything and Mike going over the numbers with all of you we now have to either go out for a RFP with an engineering company to put us in line to get some of these grants or move forward in a direction but we need to pick one at this point.

Steven Vegliante: Well the board isn't going to take any action tonight but we should get a couple different proposals.

Mollie Messenger: No, I'm not saying that but we need to think about it.

Rebecca Pratt: Okay, I have another question, Ken because we do have a number of projects that are under construction, I mean you're anticipating obviously projects and planning, you're thinking about the whole picture. Now with the projects under construction in terms of the timeline of upgrading the plan, I mean bringing in new technology. Are there stages of upgrading that actually allow for more flow or does it take a certain amount of time to get to that capacity? Do you understand?

Kenneth Ellsworth: Yeah, that's an excellent question because the plan would be able to be built in stages. So as they would, as flow would be added or the need would be added we would be adding more tanks. And Mike go over the technical part a little bit better than I can but it's a staged construction, correct. We don't have to do it all at once but there is some economics to it as well.

Joe Levner: Didn't we also discuss an option for just a seasonal type of technology?

Steven Vegliante: Joe, you're going to be spending the bulk of the money, within a couple million dollars, just to get an existing plant to basically meet its affluent limit. So even a seasonal additional plant may not.

Michael Herbert: So that goes back to, our renewal is in 2022 so even if we did a seasonal plant the DEC is very likely to hit us with stricter limits and to meet those limits I cannot do it. The way that facility was built back in the 80's was as simple as possible, it was a very good process back then but I cannot meet the limits that they're

going to require us to do based on the limits that they're hitting the other facilities with. So its kind of like trying to catch the process before it arrives when it comes to the seasonal idea.

Rebecca Pratt: Another question because, were focusing on, oh sorry –

Joe Levner: I was just going to add that you know, were going to spend an incredible amount of money for two months of the year that really needs the additional flow so that's a problem for me.

Steven Vegliante: Well, Joe, keep in mind, I don't think that's the case anymore. In 2022 whether it was a gallon or so many million gallons we were going to have to spend that \$20 million figure on WHOO just the way it sits, without a gallon more capacity.

Mollie Messenger: Mike, correct me if im wrong but I think that sewer plants only have a 30-year shelf life, isn't that what you said a while back?

Michael Herbert: Right, so I was in contact with a bunch of engineers, one of which that was the guy who designed this one from Delaware, Robert Flores. And I was asking him- they base everything off of, the funding- the funding, they wont even fund a plant for over 30 years because the shelf life on the equipment; the concrete, the tanks, every bit of its got a shelf life which is 30-35 years and were over that already. We are lucky to be running. Half of my tanks are split down the middle right now. I cant do the basic operation maintenance to them and like Steve was saying you either need to put the money into what we have, millions of dollars, as Ken said but that's 35 years ago or move ahead with the next form of technology. But yes, Mollie, you're 100% right.

Rebecca Pratt: Yes, so my question is holistically, I mean were looking at the WHOO plant and what about some of the other plants that we have? Because we are going to be putting a lot of money out for this plant, what are the projection for the next ten years including the other plants? Because that could be another expense.

Michael Herbert: So, Loch Sheldrake was just completely redesigned with, they did a study before they did that design and they anticipated already more flow than what we have there so we're really ahead of the game as far as Loch Sheldrake. Mountain Dale is Mountain Dale. There's not much you can do there without a full redesign but that facility had a study done as well and it was under \$5 million for the most expensive redesign there. I don't remember exactly what the flow increase was but were doing alright in Mountain Dale. Woodridge is their own facility, they just did a full redesign in 2012 it went online and they're kind of maxed out but that's not the town of Fallsburgs issue. But as far as our facilities were alright for the next X amount of years except for the WHOO district is the one that really really needs attention.

Rebecca Pratt: And the anticipated flow from Mountain Dale in planning is 146,000 that's the anticipated but that's a good report, thank you.

Steven Vegliante: Keep in mind, just one second Nate, keep in mind that you know the level of growth that we've seen in the last 30 years is not something based on our new zoning code and honestly lack of available property in the districts isn't going to continue so were sort of reaching the end of that as far as big upgrades go. I mean I'll ask Mike, I mean there's just not more developable land that could lead to the amount of gallonage. I mean I think this would probably be the last upgrade for quite some time.

Michael Herbert: I would say so, Steve, unless they're going to start building up instead of out but I don't foresee that happening.

Steven Vegliante: Oh, G-d.

Nathan Steingart: Quick question, and I think I know the answer. Upgrades that were doing now, that's regardless of what plant that's speeding that's basically the flow going into the plant so that's not wasted money, is that correct?

Michael Herbert: Right so that design was actually build, it was a very good move on CDMs end. They built it anticipating a future upgrade. That plant is capable of handling I want to say 7.2 million gallons a day for the headworks which is a major part of that and our new press will handle this new design from Delaware and the digestors are also in capacity of the new design.

Nathan Steingart: So that's something that regardless of what we do we had to do it.

Michael Herbert: Yes, absolutely. None of that will go to waste.

Nathan Steingart: Okay.

Steven Vegliante: Alright, Ken did you want to add anything now that we've had this chat?

Kenneth Ellsworth: No I think I'm good and I appreciate the opportunity to present and wish it was under better circumstances but everybody stay safe in the process.

Nathan Steingart: You too.

Rebecca Pratt: Thanks Ken.

Steven Vegliante: Alright well in that case I will move on. We do have some executive session matters, couple of –

Joe Levner: Steve, can I ask you a question before?

Steven Vegliante: Absolutely.

Joe Levner: Steve, can you just explain to me what the difference, what's permitted in terms of construction now? I'm getting a lot of questions about that and I drive around town and I see some areas that are under construction but like the school is under order not to be under construction so can you shed some light into that?

Steven Vegliante: Well, my understanding of it and the problem is that some of the orders are pretty vague. My understanding is as far as what's considered to be essential construction is anything that's municipal based, anything that is toward with regard to the COVID crisis, and then there are limited situations such as to prevent damage. So if you're building you can basically button up a building. Maintenance is allowed, new construction is not allowed – go ahead Paula.

Paula Kay: There's also – sorry – there's also a category: if you're building senior housing, low income housing, housing for the homeless those are all allowed to continue.

Steven Vegliante: Can you repeat that because you kind of broke up a bit.

Paula Kay: Yep, if you're building senior housing, if you're building housing for the homeless or the elderly and actually I think that's it, those three categories. So senior, affordable, homeless housing.

Steven Vegliante: Okay.

Mollie Messenger: The only other places they're working are where there's environmental constraints where they have to make sure they're not causing any hazards so they're doing swift maintenance and trying to grow grass and those kind of things too.

Steven Vegliante: Does that answer? So we didn't really give you an answer but were doing our best to try and stop it.

Joe Levner: I know.

Paula Kay: And also a homeowner doing work on their house or with a single contractor doing work on a single family home.

Michael Weiner: That's legal?

Paula Kay: Yes.

Joe Levner: Okay.

Steven Vegliante: It's the swiss cheese ordinance.

Joe Levner: Thank you.

Steven Vegliante: Okay so I need a motion to go into executive session we have a couple employment matters and pending litigation to discuss.

Michael Weiner: Motion.

Joe Levner: Second.

Steven Vegliante: All in favor.

Rebecca Pratt: I.

Steven Vegliante: I don't expect us to come back and do any business following this but if we do well be back on this zoom call –

Joseph Perello: Hey Steve, its Joe here. Id like to talk to the board tonight about our discussions we had with the county and I want to know what your feelings are with the town and where I sit and hopefully were on the same page. So I – remember were having a special meeting tomorrow to discuss this and send a letter out like I

suggested 10 days ago to the governor with the backbone of the counties and maybe after what you said today got through thick skulls so you're having another place you go on or are you going to use the same Zoom for your executive?

Steven Vegliante: Well, I can add that to our executive if we were talking about pending litigation you can join us, that's not what we were going to discuss. I will point out Joe, I think we were not on the same page only on one small item. Overall, publicly let me thank Joe and I really think he's been really trying to lead with regard to COVID-19 and our joint responses so thank you. The only place where I would say I don't agree right this minute is the closing of our parks – I don't see the value of closing our parks in general. We are closing interior buildings and things like that but it is what I believe to be a pretty necessary kind of safety valve for people. Other places in the county are somewhat rural, our hamlets are not and not having the parks to allow people out is not a step that I think is warranted just yet.

Joseph Perello: Right it may not be warranted but when – can we talk on this line now?

Steven Vegliante: This is a public meeting right now.

Joseph Perello: Oh, a public meeting, okay. So maybe when you go into executive you invite me again and I'll just have a couple words and buzz off.

Steven Vegliante: Yeah if it's regarding litigation we can. And that's where honestly when it comes to our conversations with the governor, since litigation is always a possibility it's not something we were planning at this point but it's a possibility, Paula is that something we can discuss in Executive? ... you're muted.

Paula Kay: Yes, there is pending litigation depending on the town's action.

Steven Vegliante: Okay, so I need a motion to go into executive session.

Michael Weiner: Motion.

Rebecca Pratt: Second.

Steven Vegliante: All in favor.

Michael Weiner: I.