

SPECIAL MEETING-BOARD OF TRUSTEES-DECEMBER 30, 2008-10:00 A.M.

PRESENT: DEPUTY MAYOR JOHN MURPHY, TRUSTEES: KENNETH BAKER, JOHN BASILE; MAYOR ERNEST W MARTIN*

ALSO PRESENT: ATTORNEY, JAMES PELUSO; SUPT. OF PUBLIC WORKS, ROBERT GERASIA; EPA, DAVID KING; MALCOLM PIRNIE, TODD MINEHARDT; NYS DEPT OF HEALTH – KRISTINE WHEELER, PATRICK PALMER, WILLIAM GILDAY, LLOYD WILSON

Deputy Mayor Murphy called the meeting to order and explained Mayor Martin was absent to attend a meeting at Saratoga County with FEMA.

David King from EPA and Todd Minehardt from Malcolm Pirnie spoke about the latest preliminary information from the well field studies. Currently the results are being validated by EPA so the numbers are not final; the study was performed to determine the hydraulic connection between the Hudson River and the WTP. Samples were collected throughout the well field areas, from the well heads, and seven monitoring wells were installed.

Summary of geology: sand, silt, and fine silt below 28' with hydrology indicating there is a connection between the River and the wells.

Summary of lab results: No PCBs found in well mounds, none in sediment of backwash, low levels in three of the surface samples but none in the remaining seventeen. Organic carbon was detected and it was noted that PCB's are attracted to high organic carbon.

Trustee Basile asked what this means to a layman and Mr. King responded the soil in the well field is not a PCB source but because we draw from the river, that's where the PCB's are coming from. The fact that our test results have gone up and down is related to temperature changes – the higher the temperature of the water, the higher the level of PCB's. There is a two month lag in ambient temperature so when the temperature peaked in August; it took from 70 to 110 days to infiltrate the wells.

Supt. Gerasia spoke about his current work with DOH regarding settling iron etc., and asked if polymers assist in PCB removal and was told some reduction is possible.

Deputy Mayor Murphy stated he was troubled by the December 15 correspondence because it didn't address the fact that we have no alternate water source and we are not interested in carbon or short term solutions.

Mr. King responded the river needs to be cleaned and they're set to go in Spring, 2009. Carbon will deal with the current PCB's but it's not long term. There are only two options: isolate, pump, and treat or an alternate system which the responsible party must pay for. Therefore, discussions continue with GE and indicate if Phase I goes well, things will proceed. During Phase I, carbon is enough protection but it will not be once Phase II begins. Mr. King agrees an alternate system is needed but it has not been approved by GE.

Mr. Murphy stated a year ago we had no PCB's and now we do. Mr. King disagreed and said they were always there, they were just undetected. Mr. Murphy responded we are being held hostage, we have no options, and questioned the April, 2009 dredging date. Mr. King said it's been delayed several times; it must be done now, and would in fact improve the quality of our well field.

Mr. King stated other towns with the same issue were drawing directly from the river and the cost was comparable to lay a pipeline; the Village of Stillwater

situation is different because our well field is contaminated but he assured the Board carbon would keep us safe. Mr. Murphy remained unconvinced.

Further discussion was held on why prior testing was negative with Mr. King saying he believed PCB's had been present for years and the positive results are due to the detection method being used. DOH will continue to collect samples once dredging is underway and if the 500ng/l limit is reached, dredging will stop. Some PCB's will continue down river although the Village will be on carbon and safe, Waterford and Halfmoon will be notified to switch to their alternate water source. Supt. Gerasia asked if real time analysis would be done and Mr. King said samples will be taken at 15 minute intervals, 24 hours a day, with results available in six hours.

Discussion was held on the amount of time it would take the contamination to travel from there to here and it was agreed since our monitoring wells are still in place, perhaps additional samples could be used for data collection to estimate lag time.

Lloyd Wilson from DOH said PCB's are an issue but we also have GWUDI issue which remains a major concern for DOH.

Todd Minehardt explained how the carbon system would work; water would be drawn off after our existing treatment, run through the carbon system, and then returned to distribution. One change would be required: we currently pre-chlorinate and carbon removes chlorination so it will be necessary to begin post chlorinating. We'll also need to add a new backwash pump; using de-chlorination can cause a build up of carbon so we may need an additional backwash cycle. Frak tanks will be installed to handle the backwash. Trustee Basile asked what would be in the backwash and Mr. Minehardt said carbon and PCB's.

The Board asked who is responsible for disposing of the backwash and where it will go but that is to be determined depending on the levels.

Trustee Basile asked what remains to finalize the design and what changes have been made to the proposed layout. Mr. Minehardt said additional work is needed regarding the tie in and management of backwash water and changes were made after last week's visit to the field to verify locations; modifications made regarding tie ins and line to backwash. He added the location can be negotiated and integrated into our backwash design.

Deputy Mayor Murphy said they were waiting for Village approval but what if it wasn't granted. Mr. King said we'd have another meeting but he was looking to avoid an adversarial position.

Trustee Basile asked how the EPA was able to work so quickly and was told technical work is still necessary but administrative is not because it's Superfund and EPA has its own subcontractors so there is no need to bid. Mr. Wilson added that DOH approval was needed for everything, the EPA can do what they want but the Village of Stillwater would need permits. He urged cooperation as the first concern is safe water by May 1, 2009.

Discussion was held on how much evaluation was done on the capacity of our pumps and Mr. Minehardt said the capacity exists and discharge volume and pressure will remain constant and that the existing alarm system can cover the carbon system issues.

*Mayor Martin arrived

Trustee Basile asked what's needed from the Village: Frak tank location, pipeline locations, and routing of chlorine line in our chemical feed room.

Trustee Basile asked about the involvement of the Army Corp of Engineers and was told Malcolm Pirnie is a subcontractor of the Army Corp, and the Army Corp is a subcontractor of EPA. He went on to say Page 3-1 of the report is a concern since we haven't agreed to anything. In our November 24 letter, we said we need an alternate water source in place before we can allow this system to be installed and asked why if the Troy line was so quick, why not us and why not delay dredging until the line is in place? Mr. King suggested it might be time for an attorney to attorney discussion, even though he was in agreement with our long term wishes. Mayor Martin requested GE representatives attend as well.

Work on the report will continue with DOH and DEC reviewing prior to finalizing and a hard copy will be sent to all agencies for input. The Village requested three copies for their use and everyone was in agreement the next step is receipt of the report and a January meeting between attorneys with GE present.

Deputy Mayor Murphy adjourned the meeting at 11:50am