

# POPE & SCHRADER, LLP

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September 14, 2009

Edward Crumb, Chairman  
Binghamton – Johnson City  
Joint Sewage Board  
4480 Old Vestal Road,  
Vestal, New York 13850

RE: Village of Johnson City Dissolution Report  
Our File No. 856-7150

Dear Mr. Crumb:

I am the Town Attorney for the Town of Union and was asked to respond to certain paragraphs of your letter of August 18, 2009 letter to Mr. William Klish. Before responding to the individual paragraphs of your letter, let me assure you that the Town of Union has spent an inordinate amount of quality time and effort at all levels from the Supervisor and Board Members to department heads and staff over a several month period to analyze, understand, and provide information and support data to the Dissolution Study Committee and the Village of Johnson City related to the myriad of issues concerning the issue of dissolution.

With respect to your paragraph #1, the Town of Union is certainly aware of the nature and extent of the services. The Town Comptroller will be prepared to provide and/or receive and analyze whatever is required in terms of information.

With respect to your paragraph #2, as Town Attorney I have already met with the Village Attorney and have had numerous discussions about the various Memorandums of Understanding related to the Village of Johnson City. As you correctly point out, this is not a simple task, but the process has begun and is being worked on.

With respect to your paragraph #3, I have begun my discussions with the appropriate attorneys to understand the nature of the various legal services that would be required of the Town of Union. You may not be aware of this, but I have a Civil and Environmental Engineering Degree from Clarkson University and devoted much of my law career with a concentration on construction law and construction litigation. I feel quite comfortable with the issues you raise in your paragraph #3, but I will continue my plan to speak to attorneys Paniccia, Perticone, Westfall and Steflik, all of whom I know quite well.

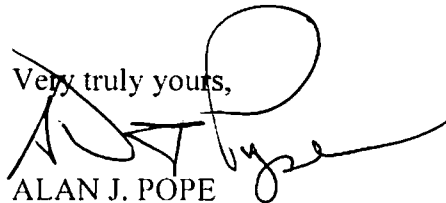
With respect to your paragraph #4, as you may know. the Town of Union already has a relationship with Bob Bennett. As you probably observed in your review of the Report and Plan, it speaks of this existing relationship with Bob Bennett. The Town of Union has enjoyed the working relationship with Bob Bennett, but if for some reason he was unwilling or unavailable to take on those responsibilities that you note. the Town of Union would simply advertise for an alternate qualified person to take on these responsibilities.

With respect to your paragraph #5. I can state that the Town of Union is aware and so notes your comments.

With respect to your paragraph #8. the Town of Union has discussed this and fully understands the obligations and is prepared to carry out such obligations.

With respect to your paragraph # 13. the Town of Union is certainly aware of this topic and that it would need to be implemented. Our thinking is that with the transition. it would make sense for the Town of Union to begin such in the year 2012, but, of course, this all must await further discussion on this topic.

Thank you for your identification of issues, but in closing, let me again assure you that the Town of Union is not only well aware of these issues, but has been very proactive in making early analyses and working towards quality decisions on these topics.

Very truly yours,  
  
ALAN J. POPE

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cc: Town of Union Supervisor and Board Members  
Mr. William Klish, Chairman