

TOWN OF CONSTANTIA
MINUTES – SPECIAL MEETING - TOWN BOARD-September 25, 2017
12:00 pm Constantia Town Hall

Present: Kenneth Mosley – Supervisor
Richard Colesante, John Metzger, Thomas Moran – Council Members
Clare Haynes – Town Clerk
Warren Bader – Town Attorney
Eric Pond, Dustin Clark and George Kalkowsky – Barton & Loguidice

Absent: Chad Whitney – Council Member

CALL TO ORDER:

At 12:00 pm Mr. Mosley called the special meeting of the town board to order with the pledge of allegiance.

PURPOSE:

The purpose of this meeting is to discuss the Bernhards Bay Water District.

DISCUSSION:

Mr. Mosley called this special meeting to discuss the new information presented at the September 19th town board meeting. At that meeting it was understood that Mr. Kalkowsky was suggesting that the contracting portion of the Bernhards Bay Water District be put out until the spring construction period. The major reason for the delay is there is not a lot of contingency money allotted for this project. Barton & Loguidice has been noticing bids coming in higher than expected on other projects and their concern is the Bernhards Bay Water District will not have enough to award the bids. After continued discussion it was noted that the project will continue on towards the schedule for contracts as noted, along with working with Mr. Goodfriend from Orrick to increase the funding for the Bernhards Bay Water District, the increased funding will take time to complete but Barton & Loguidice believes with the current market the extra funding will be necessary. The following schedule was discussed and agreed upon:

- On or before October 5– Hold special meeting passing resolution scheduling public hearing (allowing 2 days to get ad published)
- After September 27 but no later than October 7 – Publish notice of public hearing (10-20 days before public hearing).
- October 17 (regular board meeting) 7PM – Hold public hearing. After public hearing, pass resolution subject to permissive referendum
- By October 19– Publish notice of permissive referendum
- November 21 (regular board meeting)– 30 days will have passed from publication of permissive referendum. Pass final bond resolution (super majority required I believe). Once bond resolution is passed, the board can award contracts.
- After November 21– Estoppel period – Estoppel period is required before the Town can actually borrow the funds however contracts can be signed committing the funds after the bond resolution is passed.

Doug Goodfriend will prepare resolutions and advertisements. He will need to know asap if he needs to prepare a resolution for the first special meeting with the revised project amount and public hearing date and time. It was decided that this meeting (September 25th) will act as the special meeting, this meeting will be closed and reopened when the proper paperwork is ready.

Schedule for Contracts:

- Work completed: DEC/USACOE permit applications (May), Easements (~50% received), OCWA review, NYSDOT review
- 9/27/17 – Submission to NYSDOH and Oswego County Health Department. Submit revised drawings/specs to OCWA.
- 10/13/17 – Advertisement for bids
- 11/13/17 – Bid opening
- 11/21/17 – After bond resolution, board will be able to award contracts

- 11/21/17 – 12/15/17 – contractor bonds and insurance review. Receive DOH, OCWA, DOT, DEC and USACOE approvals. Have most easements in.
- 12/15/17 – Contract signing
- 1/3/18 – Notice to Proceed, Pre-construction meeting
- September 2018 – Construction completion

Discussion turned to people outside of the district, and how to handle these requests. It was suggested that the town board have a written policy as to how to handle these situations. These extensions if not handled properly can cause problems. One example; some towns make the resident requesting the extension to carry the pipe to the end of their property line, this will make it possible for the next property owner to take the pipe from there. This would be something that would need to be discussed, but it is important to get a policy in place.

SEWER:

Mr. Mosley has received a response from the Village of Cleveland as to the Memorandum of Understanding (MOU). Their attorney requested adding a provision that sets forth who will pay for the Preliminary Engineering Report. The town board members present had no issue with adding a statement to the MOU. The new wording is as follows:

- 3) Engineer Roles
 - *The Preliminary Engineering Report*, project design, permitting, construction administration and oversight will be done by the Town's engineer, Barton & Loguidice DPC (B&L) *and paid by the Town of Constantia*. The Village will have third party review performed by its engineer at the Villages cost.

Mr. Metzger made the motion to authorize Mr. Mosley sign the Memorandum of Understanding with the Village of Cleveland with the changes as indicated, seconded by Mr. Colesante. (Full copy of MOU will be included at the end of these minutes)

Carried: Moran – Yes Colesante – Yes Metzger – Yes Mosley - Yes

Survey discussion followed, Mr. Colesante has created a possible survey to be mailed, Mr. Colesante will send it to Mr. Kalkowsky and board members for review.

CLOSE:

At 2:00 pm Mr. Colesante made the motion to close the special meeting, seconded by Mr. Moran.

Carried: Moran – Yes Colesante – Yes Metzger – Yes Mosley - Yes