

TOWN OF CONSTANTIA  
**MINUTES – JOINT SEWER MEETING – AUGUST 6, 2019**  
6:00 pm Constantia Town Hall

Present: Richard Colesante, John Metzger, Thomas Moran, Frank Tomaino – Council Members  
Clare Haynes – Town Clerk  
Warren Bader – Town Attorney  
Laureen Tackman – Mayor – Village of Cleveland  
Julie Simpson – Village Clerk  
Zach Avery – DPW Super  
Rebekah Prosachik – Village Attorney  
Dustin Clark, David Powers, John Condino – Barton & Loguidice, PC  
Paul Baxter – Tug Hill Commission

Absent: Kenneth Mosley – Town Supervisor  
All other village trustees

**CALL TO ORDER:**

At 6:00 pm Mr. Moran called the meeting to order with the pledge of allegiance.

**SEWER:**

This meeting is to review the changes made to the IMA at the July 23<sup>rd</sup> meeting, an updated agreement was given to the board members, changes were highlighted in red with items to be removed also in red but with a single line thru the item. The agreement being reviewed tonight is titled:

IMA Draft No. 2

Date: 7/24/2019

Mr. Clark started the meeting recognizing Ms. Prosachik questions which will be reviewed and discussed after the initial changes are reviewed.

1.4 & 2.7 - Discussion on the sewer board when and what powers that board should have. By agreement this board will consist of at a minimum of 2 Council Members and 2 Village Trustees. Mr. Clark believes having the sewer board in place and the board having the power to approve changes is ideal but it is the responsibility of the Town Board to authorize all payments. Mr. Colesante is comfortable giving the board pre authorization up to a dollar amount they can approve, for the last water project, Mr. Mosley was authorized to approve change orders up to \$10,000.00. Maybe to keep the project moving the sewer board or just maybe the Mayor and the Town Supervisor will review and approve drawings and specs. More discussion is needed as this does not have to be decided now. This agreement can be modified as long as both boards agree on the changes.

Mr. Smith – Village Engineer – BCA Engineering via email - asked who would be responsible for the flow meter. The flow meter measures the affluent that directly comes from the Town of Constantia. Ms. Tackman indicated that if in the future the Town of Vienna makes an agreement with the Village, they will need to have the same type of meter. The members of the town board present all agree this will be the responsibility of the Constantia-Bernhards Bay SD.

Mr. Moran asked why does the agreement reference Constantia and then Constantia-Bernhards Bay SD? This will allow an extension within Constantia without having to create another agreement.

4.4 – This gives the Village authorization to come into Constantia to fix an issue if it is deemed necessary and they are not getting cooperation from the Town. The Village can then bill Constantia Constantia-Bernhards Bay SD for the service. This makes Mr. Moran uncomfortable, if the Village can then put a lien or bill the SD this could impact the EDU charge. Mr. Condino explained that if this were to happen, it would be a big issue and quite frankly at this point both parties would be going to court to handle the situation.

Mr. Moran asked about the residents in the Town that are currently being serviced by the Village of Cleveland. As these properties are not in the new SD they are not part of this agreement and will still be serviced by the Village. (Gale Rd, Martin Rd and Center St)

Mr. Bader is concerned with the wording of 6.1 as it pertains to the definition on the first page, effective date is when the document is signed. This just might leave this agreement short by a few years to cover the bonding. Ms. Prosachik suggested the wording to be, term of 40 years after the initial issuance of the bond. Mr. Bader was agreeable with the change.

Mr. Avery asked about Doris Park and flooding, are the sewer pits above the mean high water mark? Yes, when there is flooding it usually enters thru the vent. When in lower areas vents are usually run higher than in areas that are not prone to flooding.

Section 2.8 – What happens when there is a major equipment fail or something happens that there is not enough in the reserves to pay for the issue, mainly concerning the wwtp. After discussion, it was decided this should be handled by an EDU basis. To this point Mr. Clark discussed the importance of asset management principles that are outlined in the map plan & report. These principals will help the district and the Village as it pertains to the

wwtp to create a healthy capital reserve which will handle maintenance issues as they arise. Grinder pumps are a big issue, the Town will want to have enough reserve to be able to replace them when needed, their life expectancy is about 18 years.

**OTHER DISCUSSION:**

Without any more questions, Mr. Clark and Mr. Powers will make the proposed changes to the IMA and get copies to the respective boards asap. The agreement needs to be approved at the August 13th Village meeting and the August 20<sup>th</sup> Town Board meeting. Six copies of the agreement should be signed by the Village and then forwarded to the Town for their signatures.

The next sewer board meeting will be January 15, 2020, 6:30 pm at the Constanta Town Hall.

**ADJOURN:**

At 8:00 pm the meeting adjourned.