

CCWSA BOARD MEETING
Minutes from August 19, 2020 at 1:00pm
7413 County House Road, Auburn, NY

Board of Directors

Present: Paul Dudley- Chair, Mike Quill – Vice Chair, Christie Waters- Treas., John Miller (1:13), Francis Mitchell, Herbert Marshall, Peter Adams, Charles Ripley and Andrew Rindfleisch

Administration & Advisors

Present: Jeanine Wilson, Director; Pat Baum, Senior Acct Clerk' Doug Selby, Advisor; Jay Sawyer, CSD2 Contractor (virtual); Mark Colopy, Financial Advisor (virtual); David Doyle, MRB Engineering; Rick Galbato, Attorney (virtual); and Karl Rindfleisch - Water/Sewer Ops.

Approval of Agenda – Fran Mitchell made a motion to approve the agenda and Charlie Ripley 2nd the motion. The motion was unanimously approved and carried.

Approval of Minutes, July 24, 2020 - Fran Mitchell made a motion to approve the minutes from the July 24, 2020 meeting and Herb Marshall 2nd the motion. The motion was unanimously approved and carried.

Welcome: David Doyle, MRB

MRB met with Doug and Jeanine in regard to public participation piece of the Master Plan, which is a big component of the Map Plan Report. We will schedule a kickoff meeting to really start scoping out the project and set up the parameters. We are planning that the Map Plan project will take around 3-4 months and then the public participation part might continue on a few months after that. We are going to work with the Steering Committee for the Public Participation section of the plan which is under way; we will most likely have meetings in the different locations.

Reports

Water Operations (Rindfleisch)

We have completed our work in Union Springs including the restoration; the seeding and the blacktop are all done. There might be a few items that come up in the next year as things settle. We should leave a little money set aside in the budget for those unexpected elements of the project. The final bills for the black top work should be coming in soon so Fran and Pat should be able to wrap that project up shortly.

Karl and Joe dug test holes out on Genesee Street for when we put a 12-inch line on the north side of Genesee Street. We dug 5.5 feet deep and we did not hit any rock or material that we can't dig through. There will be parts of that job that we will have to bid out like the casing pipe going under the state highway. There will need to be a meter station and a re-chlorination station so that building will have to be facilitated by the engineers. We can do the digging and laying the main pipeline. Herb would like to see this started in the next few weeks. We already approved the engineer, and he gave us a preliminary drawing, but we do not have this project outlined in the budget. We had applied for a grant to help us through this, but we are still waiting to hear back the outcome of the application for funding. At least one of our grants that we applied for has been denied and we are checking to see if it was Genesee Street or North Street project. We still need to have more done by the engineers. We have several projects on the table and the chances of us getting grants for all of them are slim. Herb stated that we have been talking about this project for 3 years. Herb feels that if we could come up with the money to do this project, we should start doing it as soon as possible. We need to wait for the engineering reports. Doug stated that the total project was \$1,000,000 and soft costs are usually around 30% of that. We only were given a very rough estimate from MRB just to get the grant applied for. We need more precise figures and we do not have that in our budget.

Karl and Joe performed flushing with Jay in Fair Haven again which is working nicely. They also installed a new water service tap in Aurelius on Pinckney Road, District 3.

County Sewer District 2 (Sawyer)

Joe and Jay are scheduling jetting of the sewer mains for the middle of September. Additional flushing was performed on West Bay Road which has helped a lot, lowering the pressures. Everything else is on the report presented prior to the meeting.

County Infrastructure Report/Master Plan (Selby)

MRB is working on the Master Plan; an idea of developing a steering committee was built into their contract in order to engage the municipal leaders from the 17 municipalities within the proposed district. Work is being done on the public outreach efforts. Voting on the project will come from all the property owners within the district. These owners may not even live in the district. We need to reach out to the people that will actually vote on the referendum. That is in its very early stages on how that is going to get funded and how that will be structured. It takes 100 people or 5% to create a referendum which would not be hard to do so; we will approach it as if it is a referendum. The vote will happen at the conclusion of MRB's work when we have actual numbers with proposals of cost on individual parcels. These projected costs will allow the people to be able to make informed decisions. MRB should complete their report by the end of the year. We will continue our outreach to educate the public that will be involved in the project. We will work with the County Legislature to set a referendum.

John Miller asked if we could do a single referendum with nothing else on the ballot and how does this voting work with non-resident owners. Rick Galbato stated that for any type of vote there are standards that are set by the state comptroller's office when it comes to referendums for water and sewer districts for a county, a town or a village. The governing body would create voting requirements based on the controller's opinion. It is not residents but property owners which are defined as those individuals or entities that are on a deed. If it is a husband and wife they each have a vote; if it is one person on the deed it is one vote; if the property is owned by a limited liability company that is one vote and they need to present a resolution by the LLC or Corporation to authorize one particular person to cast the vote. If the property is in a trust and there are two trustees, then both of the trustees get to vote. If it is a property that four children own but the mother has life time use than the four on the deed have a vote and Rick believes the one that has life use also has a vote (he will research). It is not the resident that matters it is the property owner on the deed that has the right to vote on a referendum. Usually the non-resident owners do absentee voting depending on the standards adopted by the governing body sets up. There is a time frame on when the referendum has to be held, like 45-60 days. The county legislature sounds like they want the control of this referendum; because they assume that it is going to become a referendum anyways they want a straight mandatory referendum. You will easily get 100 people to create a petition for a referendum, if done through a permissive referendum. The county legislatures obviously approve of the project. There needs to be a lot of education, advertising and meetings to get support and to help the people to see not just that if they vote yes it is going to raise their cost of water, we need them to understand the great benefits of the project to get them to vote to proceed with the project.

The Master Plan (now County Water District) is going to be a County District so in that case the county law would apply; it would not be town law. A County District has to have at least two municipalities but has many of the same governing laws regarding formation are similar and that goes for a referendum as well. A town can form a municipal district with people petitioning to have a referendum through the Town Clerk. It is similar for a county district in which there would be a petition on the proper form submitted to the Clerk of the County Legislature. Another way to form a district is to have a mandatory referendum where the governing body chooses to have the referendum and not wait the 45-60 days to see if the people file a petition as a permissive referendum. If the county is the lead agency it does not require each town to hold their own separate referendum. Usually we do not form a district before we have the towns pass a motion resolution stating their intention to agree to the project. Rick stated that it is nice to have these resolutions, but it may not be required. John Miller asked if the County decided to create a water district and that district includes a certain town, can that town reject it and require a referendum to accept the project. Rick stated that since this would be a County District the towns do not have the veto power over it. He surmised that if a town requested a referendum that it may be persuasive on the County Legislature. In this case it will be a county water district and historically we would request a resolution from the town stating they have no objections and we agree with the forming of a county water district, but it is not necessary. Resolutions stating support are not mandatory for formation, but shows goodwill and cooperation. But if a project passes

by the property owners with the straight mandatory referendum then the funding agencies will accept that. If it has to pass by a county wide vote, it has to pass by a county wide majority. Herb feels that we have a good chance, but he would like a commitment from the County Legislature as to what role they want to take in this project. Herb would like to see MRB set a timeline for with the Plan and the PR portion. Rick can get a more definite answer for us in regard to the voting.

Current Activities/Project Updates (Wilson, Director)

Jeanine presented her report prior to the meeting and asked if anyone had questions, concerns or comments. Most of the items have already been discussed.

Financial – Christie Waters (Treasurer); Fran Mitchell (Audit Cte Chair)

Christie Waters presented the August 19, 2020, Accounts Payable Reports and Pre-approved payment report for approval.

Andy Rindfleisch made a motion to approve the invoices for payment and Fran Mitchell 2nd the motion. The motion was unanimously approved and carried.

Fran Mitchell, Audit Chairman made a motion to approve the Reconciliation reports for July 31, 2020 bank accounts and Herb Marshall 2nd the motion. The motion was unanimously approved and carried.

Fran Mitchell made a motion to approve the 6-month Budget vs. Actual (presented at July meeting for review) and Mike Quill 2nd the motion. The motion was unanimously approved and carried.

Legal – Attorney Riccardo Galbato, Galbato Law Firm – Updates

Rick's stated that all of his items had already been discussed during this meeting.

New Business/Old Business Updates

Fran and Jeanine are working on a draft budget and they will schedule a Committee meeting to review the projected FY21 budget before it is provided to the entire board. The draft of the proposed budget will be sent to the entire board before the next meeting. Fran said he believes it should be the Finance Committee that reviews it. The meeting of the Finance/Project Management Committee is scheduled for the first Wednesday of the month.

Herb asked for the price for the engineering for the water line in Aurelius and Jeanine said she will bring it to the Project Committee meeting. She handed out the updated committee list that has contact information, term dates and committee designations; please let her know if there were any changes that need to be made.

Doug Selby stated that there is a revolving loan fund which is through the state. This is federal money that they loan out and then get back. That is for clean water and sewer infrastructure and prevention of pollution. There is another program out of the same revolving funds for drinking water. Those are all on tract and we would need to get on an intended use plan and prepare preliminary engineering and district formation to apply for those funds. There is a State WIIA fund which is an allocation of funds, but they have not set a time for applications, this is still up in the air. There is also the REDC (Regional Economic Development Council) where we can apply for funds but that has also been delayed. Some funds are loans, and some are grants. Many of the grants are reserved for low income and this year they added an Environmental Justice category. Hardship communities the Environmental Justice communities can also apply for these funds.

Next Meeting

☐ **September 16, 2020**, 7413 County House Road at 1pm

Adjourn

Respectfully Submitted,
Patricia Baum
Senior Account Clerk