

CCWSA BOARD MEETING
MINUTES – June 15, 2022 at 1:00 pm
7413 County House Road, Auburn, NY

Board of Directors

Ben Vitale, Chair (1:15PM) David Schenck, Vice-Chair (Absent) Christie Waters, Treas. (Remote)
John Miller Francis Mitchell Herbert Marshall Andrew Rindfleisch (Absent) Robert Shea
Brian Dahl

Administration & Advisors & Misc.

J. Wilson, Dir.; S. Phillips Admin. Assistant; P. Schoonmaker, Sr. Clerk; Riccardo Galbato, Attorney; Doug Selby, Advisor; Mark Colopy, Financial Advisor –Remote; Tim Carpenter, MRB Engineering; Carlos Ruiz, Weedsport Speedway-Remote

Approval of Agenda- A motion was made by Brian Dahl to approve the agenda, Robert Shea 2nd the motion. The motion was unanimously approved and carried.

Approval of Minutes April 20th, 2022 & May 25th, 2022- A motion was made by Brian Dahl to approve the minutes from April 20th, 2022 and May 25th, 2022, as presented. Robert Shea 2nd the motion. The motion was unanimously approved and carried.

Financial- Christie Waters (Treasurer) & Francis Mitchell (Audit Cmte. Chair)

Francis Mitchell- Conditional approval of the checking accounts reconciliations through May 31, 2022, due to the fact that there had to be some corrections made.

A motion was made by Francis Mitchell to conditionally approve the reconciliations of checking accounts through May 31, 2022. John Miller 2nd the motion. The motion was unanimously approved and carried.

A motion was made by Robert Shea to pay the bills as presented. Brian Dahl 2nd the motion. The motion was unanimously approved and carried.

Reports—Current Activities/Project Updates

Tim Carpenter-MRB

Regional project - the SEQRA has been posted to the engineer news bulletin. It has to run for 30 days to inform people that may be interested but were not aware of the project and that we have completed the SEQRA. This puts us on a couple of paths forward with the regional project. One is to move towards district formation, which was phase one of the larger project and involves leasing the water mains from the various towns and villages in forming the regional district. If just that one phase went forward it would be between 10 and 15 million dollars to complete that. Another option is to apply for grant funding for the larger project or for phase one. And the last is to keep talking with the county and see if the county wants to take more ownership of the process or if they want the process to stay here with the Authority. The board needs to make a decision on how to proceed.

Jeanine Wilson- During the Public Works meeting they did ask that question and I was cautious in my reply. It is unknown to me how the board wants to proceed after the SEQRA item is completed.

John Miller- If the county doesn't want to lead and we decide that we do, do we have the legal authority to bond 25-30 Million dollars? And if we don't what do we need to get it and why don't we have it?

Riccardo Galbato- I think that we do have to ability; but any lender to us would want a memorandum of understanding between the county of Cayuga and the Authority in regard to the proposed County Water District 4. There would have to be some agreement for us to take the lead and at that point we would be able to bond.

There was continued discussion of CCWSA placement in the county government and what steps could be taken to move the project forward.

Tim Carpenter-

Honoco Rd- The water and sewer engineering reports have been with EFC for some months now with revisions to their initial comments. We are waiting for final approval on those which may play into future projects on Honoco Rd. Mark is pursuing funding for projects.

West Genesee St- I have reviewed the plans with Karl, we have made revisions to the design and the plan is going over to the Department of Health for review and approval this week. Their typical time for review is about 2-3 months.

North Street/Potter Rd Improvements- Jeanine and I have been working on a proposal to design the project. CCWSA received a potential grant for that for next year. That is the Congressional "Community Program" grant. We want to be sure it made sense to start the engineering on that. There will be a proposal in front of the board soon.

Water Operations & County Sewer District 2, Operations (Jeanine Wilson; Karl Rindfleisch; Jay Sawyer)
Karl Rindfleisch- We have spent a lot of time up in Fair Haven with some ongoing issues. We have had some valves to replace; the guys are spending more time up there than usual.

County Infrastructure Report/ Master Plan- (Doug Selby, Advisor; Tim Carpenter, MRB; Mark Colopy, FA)

Addressed above

Finance/Project Mgmt. Committee Report (Herbert Marshall, Chair)
Herbert Marshall-

Weedsport Speedway- I met with Karl, Jeanine and Joe. Karl is in the process of setting up a meeting with the owners of the Speedway to come up with some kind of proposal that is good with everyone. We would bring the proposal back to the board for approval.

W. Genesee St. Waterline- Discussion above.

Aurora Sewer- Tim Carpenter has presented his assessment of the sewer plant to the village. They are already in the process of applying for funding for repairs. Tim felt that it was time to sit down with the village that is under new administration and review where we are and what we need.

Tim Carpenter- I talked with Ken Tetter, Village of Aurora's engineer this morning. They have some other things going on with water and the communications have been easier the last few weeks, we should have a meeting in the coming weeks to figure out some of these items.

Cayuga Milk Ingredients- The IDA had a meeting with the new manager of the milk plant, some members of their board and their engineer. They have sent a resolution to the county chairman that they intend to go ahead with the expansion. Rick has drafted a proposal to accept the \$400,000 from the county for the sewer line.

Legal- Attorney Riccardo Galbato, Galbato Law Firm- Updates

Riccardo Galbato- It was authorized last month for me to prepare an agreement for this board and the IDA board. I am the general counsel for both boards. There is a special counsel for the IDA and I think he should look at it as well. On May 24th 2022 the county legislature passed a resolution granting \$400,000 to CCWSA and said monies to be held by the county for the sewer project; pending execution of an expansion project commitment documents between the expansion project owner (CMI) and the IDA and the developmental negotiation approval and execution of an agreement between the IDA and CCWSA relating to the sewer project. I have prepared a simple agreement that references the \$400,000 grant as well as that upon the satisfactory completion of the sewer project with the execution of the bill of sale and the presentation of as built drawings, exception reports, all necessary documentation; the IDA will convey to CCWSA all their ownership and interests in the sanitary sewer facilities that have been constructed/repared including the pump station. There after CCWSA will assume all responsibility for operation, maintenance, repairs and future construction of the sewer facilities. CCWSA will be responsible for pricing, billing, collection of sanitary sewer service within the sewer project in the industrial park. Unless otherwise agreed to earlier by the parties upon this transfer CCWSA will pay to the IDA the \$400,000. Both sides agree to provide each other with all necessary information and documentation to effectuate this agreement. The agreement can only be modified in writing. After discussion I am hoping that the board will authorize the chairman to sign this agreement subject to my approval with the understanding that Justin Miller will look this over as special counsel for the IDA and Fred Westfall has to sign off on this.

Francis Mitchell- is there any reasonable possibility to expect any liens on this property?

Riccardo Galbato- No, any out of pocket expenses by the IDA will be taken out of their accounts and they are not going to be getting any debt that would have these lines as collateral.

There will have to be an easement agreement between the IDA and CCWSA.

A motion was made by Herbert Marshall to authorize and approve the CCWSA Chairman to sign the agreement for the \$400,000 from Cayuga County for the IDA/Aurelius Industrial Park sewer line upgrade, contingent on Attorney Galbato's approval of any changes made by the County. Robert Shea 2nd the motion. The motion was unanimously approved and carried.

Discussion regarding the Federal Government's SAM.gov program – Mark Colopy contacted his congressional liaison in Genesee County to assist with issues within the Systems Awards Management project. This program is necessary to be actively registered in to meet criteria of any federal government funding award. The UEI (Unique Entity Identifier) number was issued, but the system couldn't be unlocked and remained "inactive" until assistance from the contact at the congressional level. The system is now in working order. Mr. Bottar at the CNY Regional Economic Development Planning Board was notified, and the grant administrators are aware that the detail was finalized.

Personnel Committee Report (David Schenck, Chair)

Herbert Marshall stated that it is his understanding that David received one application for someone interested in the director's position.

Jeanine Wilson- David put the ad for the Director position in a couple of newspapers for two weeks, I added it to our website, and it will be on the County Civil Service website.

Herbert Marshall- David and Karl have been working with Sterling to try to get an agreement. Karl has found someone who may be available to hire. Karl Rindfleisch stated that one of the glitches we have is that no one at CCWSA has a Ilb water operator's license yet. There is a gentleman that may be looking to switch positions that does have that license. He is well qualified and I am hoping he will come to us. I think we need to discuss this at the personal committee. Karl also stated that we had a good discussion with Sterling, and they aren't sure what direction they want to go in.

New Business/Old Business Update

Tim Carpenter-

Throop- We assisted them by preparing Map Plan report for Centerport Road for an extension of a water line. That was completed that last year. I had prepared the SEQRA documents for Parts 1, 2 & 3. I attended several meetings to go over those documents with the town board. During those meetings the board was more interested in talking about the project and didn't address the SEQRA. In January we left the SEQRA documents with them understanding that their attorney and their board would act on them if they wanted to move forward. They have engaged Mark Colopy to prepare a funding application for that project. One of the application items that needs to be completed is the completion of the SEQRA. Now there are some questions on whether this board is supposed to be completing the SEQRA for the Town of Throop, or not. My notes from a previous meeting show that the ball was in the Town of Throop's court. It may have just been a misunderstanding, but the town needs to act on this themselves.

Jeanine Wilson- I presented the new water rate schedule. The schedule shows the increase as of January 1, 2023, it would be to add a \$1.15 to everyone's rate based off of the city's direct increase. I drafted a letter and I want the board to review. I wanted to be sure to add in detail stating that it is a direct line increase from the city of Auburn.

A motion was made by Francis Mitchell that the present letter for water rate is adequate. John Miller 2nd the motion. The motion was unanimously approved and carried.

Discussion was done about possible new equipment (camera) for sewer as requested by Jay Sawyer. Jay was not present to discuss. This is tabled.

Jeanine mentioned that the Personnel Committee had reviewed and discussed a new payroll company that includes the availability of HR services. She recommended that the CCWSA Handbook be review and updated to meet current standards.

A motion was made by Herbert Marshall to adjourn the meeting and move into executive session to discuss negotiations regarding the Weedsport Speedway. Brian Dahl 2nd the motion. The motion was unanimously approved and carried.

A motion by Herbert Marshall to move back to regular session. Second by Fran Mitchell. Unanimously approved. Carried. No decisions made.

Chairman Ben Vitale stated that it is his intention to resign immediately.

Next Meeting July 20, 2022 at 1:00 pm, 7413 County House Road

Respectfully Submitted:

Susan Phillips, Administrative Assistant