

**A Special Town Board Meeting of the Town of Owasco was held on April 23, 2020 at 4:00 PM Via Zoom videoconference with the following members present:**

**PRESENT IN THE TOWN HALL VIA ZOOM WITH SEPERATION**

Supervisor Edward Wagner  
Town Clerk Tammy Flaherty  
Councilperson Gucciardi  
Councilperson Mike Vitale  
**Highway Superintendent Bob Bruno**

**PRESENT OUTSIDE OF OFFICE VIA ZOOM:**

Councilperson, Tim Kerstetter  
Councilperson Fred Cornelius  
Town Attorney Riccardo Galbato  
Dan Hamlin-GHD  
Stephen Waldvogel-GHD  
Jeremy VeVone  
Ron Podolak  
Walt Aikman  
Dave Kalabanka  
David Bowman  
D Britton  
Jan  
S Bush

**CALL TO ORDER: 12:30 PM**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF AGENDA:**

**RESOLUTION 20- 071-A approval of Town Board Agenda for April 23, 2020**

**Motion by Councilperson Gucciardi; Second Councilperson Vitale**

Roll call vote: Councilperson Cornelius	<u>Yes</u>	Councilperson Gucciardi	<u>Yes</u>
Councilperson Kerstetter	<u>Yes</u>	Councilperson Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**PUBLIC PARTICIPATION:**

**COMMUNICATIONS:**

**NEW BUSINESS**

**RESOLUTION 20-072 To Declare and Reaffirm that the Town of Owasco Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project is an Emergency.**

**WHEREAS**, the Town of Owasco owns and operates its own drinking water treatment plant. The Town has operated the water treatment plant for many years and provides potable water supply to approximately 1,573 service connections within the Town and 850 connections in the neighboring Town of Fleming;

**WHEREAS**, in 2016, harmful algal blooms contaminated the Town's supply of raw water and cyanotoxins were detected in the finished drinking water. These toxins are very harmful to human health and are expected to be present in the Town's water supply during future years. Moreover, it was observed that the existing water treatment plant technology is not effective at removing the toxins produced by the harmful algal blooms and that additional treatment will be required to protect public health;

**WHEREAS**, on 7.17.17 by Resolution 17-140, the Town Board declared that the Town of Owasco Water Quality Improvement Project 2017 for the Granular Activated Carbon System 2017 Demonstration Project is an Emergency for purposes of all agreements and contracts in furtherance of this Project;

**WHEREAS**, on 6.14.18 by Resolution 18-090, the Town Board declared that the Town of Owasco Water Quality Improvement Project 2018 for the 2018 Temporary Granular Activated Carbon Treatment for Microcystin Project is an Emergency under General Municipal Law and Owasco Town Code 22-5;

**WHEREAS**, the Town of Owasco Engineer, GHD, has issued an Engineering Report titled Permanent Granular Activated Carbon Microcystin Treatment System Engineering Report Town of Owasco and a Map, Plan and Report – Town of Owasco Permanent Granular Activated Carbon Microcystin Treatment System dated August 31, 2018;

**WHEREAS**, the Project is described as follows:

**“The proposed improvements will include the construction of a new pumping station, a new below ground suction wet well, a new GAC service building, a new underground piping system, a new chlorine system, and various supporting elements.**

**To implement the permanent GAC upgrade, filtered water will be diverted from the anthracite filter effluent line to a new underground wet well. New pumps will be installed to boost the filtered water from the wet well to the pressurized GAC vessels. After passing through the GAC vessels, the treated water will be directed to the existing underground clearwells where a new chlorine feed system will provide disinfection. The new pumps and underground suction wet well will be generally located between the existing filter building and clearwells. The GAC vessels will be housed in a new above-grade building to provide protection from the elements and easy maintenance. A plan view of the proposed permanent GAC system is shown in Figure 2.**

**The Town's two GAC vessels are approximately 19 feet tall and 10 feet in diameter and are currently supported by a temporary stone foundation. There is a temporary aboveground pipe and valve manifold that allows the vessels to be run in parallel or series and to be backwashed. To protect the vessels and piping manifold from the elements, a new service building will be constructed. The new building will include power, lighting, HVAC, and a foundation to accommodate up to three GAC vessels and supporting electrical equipment. The proposed building will be designed to accommodate potential growth by providing a footprint large enough to install a third future GAC vessel, which could be operated in series with the existing vessels in future years.**

**The new pumps will be incorporated into the Town's existing treatment system and be synchronized with the Town's existing raw water and high service pumping sequences. There will be three pumps for redundancy, each sized for approximately 800 gpm to match capacity of the raw water pump station.**

**The addition of a permanent GAC treatment system will require a new sodium hypochlorite feed system and location such that the GAC media is not regularly exposed to**

chlorinated water. If the GAC is in contact with chlorinated water for prolonged periods or at high concentrations, the media can be damaged and treatment capacity impaired. Furthermore, the chlorine may be consumed more rapidly when in contact with the GAC. To avoid these issues, the sodium hypochlorite injection point will be relocated downstream of the GAC vessels but prior to the clearwells.

In addition, the sodium hypochlorite system will be upgraded to improve performance and health and safety conditions for the Town's WTP staff. Since the new injection point will require a much longer run of chemical piping, the chemical pumps will be upgraded and integrated with the existing SCADA system. A bulk storage will be installed in the existing chlorine room which will eliminate the frequent loading/unloading of multiple 55-gallon drums into the WTP each week. Currently, the Town uses approximately 25 gallons of sodium hypochlorite per day, averaging 3.5 drums per week. To accommodate the bulk storage tanks, several building improvements may be required, such as installation of an overhead door and modification/relocation of existing electrical and HVAC equipment." Map, Plan and Report – Town of Owasco Permanent Granular Activated Carbon Microcystin Treatment System pages 2 and 3;

WHEREAS, General Municipal Law Section 103 (4) states:

**“Notwithstanding the provisions of subdivision one of this section, in the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let by the appropriate officer, board or agency of a political subdivision or district therein”;**

WHEREAS, General Municipal Law Section 6-e (1) (i) defines a Public emergency as:

**“ ‘Public emergency’ means an epidemic, conflagration, riot, storm, flood or other sudden, unforeseen or unexpected occurrence or condition which requires the immediate expenditure of moneys to protect the public health, safety or welfare of the inhabitants of the municipal corporation”;**

WHEREAS, Owasco Code Section 22-5 (B) states:

**“Emergency purchases pursuant to § 103, Subdivision 4, of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately, and a delay in order to seek alternate proposals may threaten the life, health, safety and welfare of the residents. This subsection does not preclude alternate proposals if time permits”;**

WHEREAS, the Town's Consulting Engineer, GHD has recommended that the Town of Owasco declare this project an emergency due to potential microcystin toxin contamination of the drinking water supply and due to potential supply and construction delays related to the COVID19 pandemic;

WHEREAS, on 12.13.18 by **Resolution 18-170** the Town Board declared that the Town of Owasco Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project is an Emergency under General Municipal Law and Owasco Town Code 22-5;

WHEREAS, on 11.7.19 by **Resolution 19-169** the Town Board declared that the Town of Owasco Water Quality Improvement Project for the “Temporary Pumping System” for the Granular Activated Carbon Microcystin Treatment System Project is an Emergency; and

WHEREAS, some of the improvements in this project are already completed.

**BE IT RESOLVED, that the Town Board of the Town of Owasco declares and reaffirms that the Town of Owasco Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project is an Emergency under General Municipal Law and Owasco Town Code 22-5.**

**Motion by Councilperson Cornelius; Second Councilperson Gucciardi**

**Roll call vote: Councilperson Cornelius Yes      Councilperson Gucciardi Yes  
Councilperson Kerstetter Yes      Councilperson Vitale Yes  
Supervisor Wagner Yes**

**RESOLUTION 20-073 To approve the Professional Engineering Services Amendment Proposal with Town Engineer GHD dated 4.23.20 for the Town of Owasco Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project.**

**WHEREAS**, on 9.5.18 by Resolution 18-126 the Owasco Town Board approved the Agreement Addendum with GHD by letter from Stephen Waldvogel, PE of GHD dated 8.31.18 and the Standard Terms for Professional Services to provide professional engineering services for the Town of Owasco Water District for the Town of Owasco Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project and authorize the Town Supervisor to execute same;

**WHEREAS**, on 9.5.18 by Resolution 18-127 the Town Board authorized the Town Engineer GHD and Town Supervisor to submit and sign (1) the New York State Environmental Facilities Corporation New York State Revolving Funds Financing Application (Municipal) (DWSRF Financing Application) and (2) the Grant Application New York State Water Infrastructure Improvement Act (WIIA) & New York State Intermunicipal Water Infrastructure Grants Program (IMG) Drinking Water (WIIA Grant Application) and any other accompanying documents regarding the Town of Owasco Water District for the Town of Owasco Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project;

**WHEREAS**, on 12.13.18 by Resolution 18-170 the Town Board declared the Town of Owasco Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project an Emergency under General Municipal Law and Owasco Town Code 22-5;

**WHEREAS**, pursuant to Resolution 18-126 Supervisor Ed Wagner executed said letter proposal with GHD on 9.5.18;

**WHEREAS**, the scope of work shall include the Program Requirements and Bid Packet for Non-Construction Contracts effective 10.1.17 and issued by the New York State Environmental Facilities Corporation and, as such, an Agreement Addendum must be executed;

**WHEREAS**, at an emergency meeting on 3.5.19 the Town Board by **Resolution 19-051** approved the Agreement Addendum with GHD and authorized the Town Supervisor to execute same;

**WHEREAS**, pursuant to **Resolution 19-055** adopted on 3.15.19 the Town reaffirmed **Resolution 19-051** adopted 3.5.19 and approved the Agreement Addendum with Town Engineer GHD for the Town of Owasco Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project;

**WHEREAS**, pursuant to **Resolution 19-193** adopted 12.11.19 the Town authorized the Town Supervisor to sign the Professional Engineering Services Proposal for the Water Treatment Plan 2019 Temporary GAC Treatment System for Microcystin dated 12.10.19 from GHD in the amount of \$16,667.99;

**WHEREAS**, GHD has submitted to the Town a Professional Engineering Services Amendment Proposal dated 4.23.20 which stated in part:

“GHD Consulting Services Inc. (GHD) is pleased to submit this proposal to the Town of Owasco (Town) for additional engineering services in support of the above-referenced

project. During the design, bidding and construction of the permanent Granular Activated Carbon (GAC) system at the Town’s water treatment facility, various unforeseen circumstances and challenges have required additional engineering effort and expenses. These have generally included; delays in manufacturer delivery, emergency temporary system design and operational support, discovery of contaminated soils, collection of numerous samples based on regulator guidance, laboratory analysis, revised designs to protect from contamination, soils disposal difficulties and environmental requirements, revised bidding schedules to accommodate limited contractor interest, revised project schedule to manage supply and seasonal limitations, developing carbon evaluation and renewal strategies, coordinating around COVID19 challenges and others. GHD has been actively working with the Town, the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYDOH), the Cayuga County Department of Health (CCDOH), the New York State Environmental Facilities Corporation (NYSEFC), North County Construction, Town staff and various other contractors to address the project needs. To keep the project moving GHD has been in regular contact with the Town to review and coordinate many of these additional services. At this time, we have expended most of the previously approved project budget and respectfully request an addendum to perform the remaining construction related engineering services.”

**WHEREAS**, on this date, by **Resolution 20-072**, the Town declared and reaffirmed that the Town of Owasco Water Quality Improvement Project for the Permanent Granular Activated Carbon Microcystin Treatment System Project is an Emergency under General Municipal Law and Owasco Town Code 22-5; and

**RESOLVED**, that the Town Board of the Town of Owasco approves the Professional Engineering Services Amendment Proposal from Stephen C. Waldvogel, PE of GHD, dated 4.23.20 for the Town of Owasco Permanent Granular Activated Carbon Treatment System for additional engineering services not to exceed \$69,700.00 and authorizes the Town Supervisor to execute same.

Motion by **Councilperson Gucciardi**;    Second **Councilperson Vitale**

Roll call vote: Councilperson Cornelius **Yes**    Councilperson Gucciardi **Yes**  
Councilperson Kerstetter **Yes**    Councilperson Vitale **Yes**  
Supervisor Wagner **Yes**

**RESOLUTION 20-074** at the request of the town assessor to approve the adjusted sliding scale for low income and disabled residents for the Town of Owasco’s property tax, this would coincide with the county and take effect for the 2021 tax year.

Sliding Scale Income Levels									
<u>50%</u>	<u>45%</u>	<u>40%</u>	<u>35%</u>	<u>30%</u>	<u>25%</u>	<u>20%</u>	<u>15%</u>	<u>10%</u>	<u>5%</u>
19,400	20,400	21,400	22,300	23,200	24,100	25,000	Owasco Currently		
29,000	30,000	31,000	32,000	32,900	33,800	34,700	35,600	36,500	37,400
									County new levels

Motion by **Councilperson Gucciardi**;    Second **Councilperson Vitale**

Roll call vote: Councilperson Cornelius **Yes**    Councilperson Gucciardi **Yes**  
Councilperson Kerstetter **Yes**    Councilperson Vitale **Yes**  
Supervisor Wagner **Yes**

**OLD BUSINESS:**

**Detail discussion of the DEC remediation for the wetland project with GHD.**

**\* The Town was cited by the DEC for encroaching onto the wetlands behind the highway garage located 6346 East Lake Rd. It is now required even though it was many years ago when the building was first built that the issue began that remediation must be performed.**

**The town highway department under the guidance of the DEC & the engineering firm GHD will begin the restoration process. The material covering the wetlands will need to be graded off and replanted with a specific planting Walt Aikman forestry consultant will assist with the plant materials for the project.**

**RESOLUTION 20-075 to approve outstanding payment to North Country for removal of contaminated soil, per contract 1A, voucher #334 in the amount of \$79,701.57.**

**Motion by: Councilperson Gucciardi. Second Councilperson Kerstetter**

Roll call vote:	Councilperson Cornelius <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Kerstetter <u>Yes</u>	Councilperson Vitale <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

**ADJOURNMENT:**

**RESOLUTION 20-076 to adjourn the meeting:**

**Motion by Councilperson Vitale; Second Councilperson Gucciardi**

Roll call vote:	Councilperson Cornelius <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Kerstetter <u>Yes</u>	Councilperson Vitale <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

**Meeting adjourned at 1:42 PM**

Respectfully submitted,  
Tammy Flaherty  
Town Clerk