

TOWN BOARD MEETING MINUTES

July 13, 2017

Town Board Meeting of the Town of Owasco was held on July 13, 2017 at 5:00 PM in the Owasco Town Hall with the following members present:

PRESENT: Supervisor Edward Wagner,
Councilperson Richard Knaul
Councilperson Tony Gucciardi
Late: 5:08 Councilperson Ashley Melendez

ABSENT: Councilperson, Tim Kerstetter

OTHERS PRESENT: Gary Colella, Kristina Sherman, Robb Bonilla, Bob Bruno

CALL TO ORDER PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 17-126 approval of Town Board Agenda for July 13, 2017.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Absent Councilperson Melendez Absent
Supervisor Wagner Yes

APPROVAL OF MINUTES:

RESOLUTION 17-127 approval of Town Board Minutes for June 8, 2017 & Special Town Board Meetings June 15, 2017 & June 27, 2017.

Motion by Councilperson Knaul; Second Councilperson Gucciardi,

Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Absent Councilperson Melendez Absent
Supervisor Wagner Yes

PUBLIC PARTICIPATION: Resident Robb Bonilla of 7 Bristol Ave addressed the board regarding the property at 6 Bristol Ave. That is owned by the town. Mr. Bonilla inquired on what the town has planned for the property.

COMMUNICATIONS: the Cayuga County Department of Social Services, Foster Family Summer picnic requesting a fee waiver or reduction in the shelter fee.

The Girl Scouts would like to request a fee waiver or reduction in the shelter fee as well.

NEW BUSINESS: Discussion salary for Richard Knaul.

Resolved by Resolution 17- 136

OLD BUSINESS: Discussion on addition to Town Hall Building.

RESOLUTION 17-128 to authorize the Town Supervisor to sign Change Order No. 11 for the Owasco Sewer System Improvements Project Contract No. 1.

WHEREAS, this Change Order includes the following additional work items:

This change order is the projects over/under change order needed to adjust the current contract quantities to the final contract quantities.

Change Order Cost: The cost of this change order is will be split according to the contract. This change order will result in a cost reduction for all three districts summarized as follows:

District Sharing	Change Order
Sewer District 1	-\$42,601.57
Sewer District 2	-\$11,563.28
Sewer District 3	-\$27,912.83
	-\$82,077.69

See attached paperwork for more information

Time Extension: The contract time is extended to the substantial completion date of February 10, 2017.

Revised Contract Amount:

Original Contract No. 1 Amount:	\$3,845,000.00
Contract No. 1 – Change Order No. 1:	\$19,877.00
Contract No. 1 – Change Order No. 2:	-\$13,500.00
Contract No. 1 – Change Order No. 3:	\$9,500.00
Contract No. 1 – Change Order No. 4:	\$22,314.60
Contract No. 1 – Change Order No. 5:	\$99,450.00
Contract No. 1 – Change Order No. 6a:	\$14,000.00
Contract No. 1 – Change Order No. 6b:	\$25,000.00
Contract No. 1 – Change Order No. 7:	\$0.00
Contract No. 1 – Change Order No. 8:	\$3,500.00
Contract No. 1 – Change Order No. 9:	\$6,624.00
Contract No. 1 – Change Order No. 10:	\$6,500.00
Contract No. 1 – Change Order No. 11: (this Change Order):	<u>-\$82,077.69</u>

Revised Contract No. 1 Amount: ***\$3,956,187.91***

All the work will have been done to the best of our knowledge and belief in accordance with the applicable provisions of the Contract. This Change Order represents full and complete compensation for all costs relative to the change itself and all other impacts that this change may have on the project. The Contractor hereby acknowledges that it has considered and priced into this Change Order impacts beyond the scope of the individual change(s) and waives all claims otherwise.

WHEREAS, upon recommendation of the Town Engineer, Clerk of the Works and the Town Board Liaison

NOW THEREFORE BE IT RESOLVED that the Town Supervisor is hereby authorized to sign Change Order No. **11** for the Owasco Sewer System Improvements Project Contract No. 1 and hereby consents to the Town Engineer signing same Change Order No. **11**.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Absent Councilperson Melendez Yes
Supervisor Wagner Yes**

RESOLUTION 17-129 to authorize the Town Supervisor to sign Change Order No. 2 for the Owasco Water District Improvements: Phase I Contract No.1.

WHEREAS, this Change Order includes the following additional work items:

Description and Reason for Change Order: This Change Order includes the following additional work items:
This change order is for the additional driveway paving that Highlander Construction, Inc. (Highlander) completed as part of this project. The cost of the additional driveway paving was \$13,250.00.
This change also includes a credit of \$5,000 for Highlander’s share of the \$10,000.00 DEC fine.
Change Order Cost: The total cost of this change order is \$8,250
Time Extension: None.
Revised Contract Amount:

Original Contract No. 1 Amount:	\$1,266,333.00
Contract No. 1 – Change Order No. 1:	\$33,608.74
Contract No. 1 – Change Order No. 2: (THIS CHANGE ORDER) \$13,250.00 less \$5,000 for Highlander’s share of the DEC \$10,000.00 fine	<u>\$8,250.00</u>
<i>Revised Contract No. 1 Amount:</i>	<i>\$1,308,191.74</i>

WHEREAS, upon recommendation of the Town Engineer, Clerk of the Works and the Town Board Liaison

NOW THEREFORE BE IT RESOLVED that the Town Supervisor is hereby authorized to sign Change Order No. **2** for the **Owasco Water District Improvements: Phase I Project Contract No. 1** and hereby consents to the Town Engineer signing same **Change Order No. 2**.

Motion by Councilperson Knaul; Second Councilperson Gucciardi,

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Absent Councilperson Melendez Yes
Supervisor Wagner Yes**

RESOLUTION 17-130 to replenish the Petty Cash for the Summer Recreation Program, as needed.

Motion by Councilperson Knaul; Second Councilperson Melendez

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Absent Councilperson Melendez Yes
Supervisor Wagner Yes**

RESOLUTION 17-131 to Approve and Authorize the Town Supervisor to Sign the Third Amendment to Municipal Cooperation Agreement with the City of Auburn

WHEREAS, the Town is in need of a commitment for the treatment of sewage and wastewater and other sewer services by the City to the Town for a period equal to the term of any long-term financing with the New York State Environmental Facilities Corporation (EFC); and

WHEREAS, the City and the Town entered into a Municipal Cooperative Agreement dated January 8, 2013 and amended on June 18, 2015 and January 26, 2017 (together, “the Agreement”) for the purpose of providing treatment of sewage and wastewater and other sewer services to the Town for its use by its customers for a term of 30 years; and

WHEREAS, the City and the Town have deemed it necessary and desirable to extend the term of the Agreement for a period equal to the term of any long-term financing with EFC.

RESOLVED to approve and authorize the Town Supervisor to sign the Third Amendment to Municipal Cooperation Agreement with the City of Auburn.

Motion by Councilperson Knaul; Second Councilperson Melendez

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Absent Councilperson Melendez Yes
Supervisor Wagner Yes**

RESOLUTION 17-132 to approve quote for chain link fencing around the odor control station on Burtis Point Drive from Conner Fence Company.

WHEREAS, The town solicited quotes per the towns procurment policy, and received 5 quotes from vendors.

WHEREAS, Conner Fence, 7221 Mutton Hill Rd, Auburn NY, had the lowest price at \$2496.00 base bid, with a addional quote for privacy slats of \$1100.00 if the town so desires the slats.

Motion by Councilperson Melendez; Second Councilperson Gucciardi,

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Absent Councilperson Melendez Yes
Supervisor Wagner Yes**

RESOLUTION 17- 133 AUTHORIZING THE AWARD OF BID FOR THE TOWN OF OWASCO, OWASCO WATER DISTRICT IMPROVEMENTS PHASE II: LOW LIFT AND HIGH LIFT IMPROVEMENTS, CONTRACT No. 2A – GENERAL CONSTRUCTION AND CONTRACT 2B – ELECTRICAL CONSTRUCTION FOR THE OWASCO WATER DISTRICT.

WHEREAS, the Town of Owasco (Town) owns and operates a water system to meet the water demands within the Town and surrounding areas; and

WHEREAS, various water system infrastructure is showing deficiencies and/or the infrastructure is approaching the end of its useful life; and

WHEREAS, the Town of Owasco (Town) is progressing the Owasco Water District Improvements Project (Project) to address the deficiencies in the Town water system; and

WHEREAS, the Town Board is in receipt of the Owasco Water System Improvements Preliminary Engineering Report May 2015 prepared by the Town Engineer Barton & Loguidice; and

WHEREAS, the Project has been classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, on June 11, 2015, the Town Board by Resolution 15-126 declared its intent to act as Lead Agency and the Town Supervisor was authorized to sign Part 1 of the Full Environmental Assessment Form; and

WHEREAS, on June 11, 2015 by Resolution 15-126 the Supervisor of the Town of Owasco was authorized to sign Part 1 of the Full Environmental Assessment Form (page 13) and that the Town of Owasco Supervisor and the Town Board will circulate said Part 1 of the Full Environmental Assessment Form to the attached list of “Interested and Involved Agencies” under cover of the “Notice of Intent to Establish Lead Agency” letter for purposes of establishing the Town Board of the Town of Owasco as Lead Agency under the SEQRA/SERP; and

WHEREAS, on June 16, 2015 the Town sent letters indicating its intent to act as Lead Agency to the interested and involved agencies identified, namely, New York State Environmental Facilities Corporation, New York State Department of Health, New York State Department of Environmental Conservation, New York State SHPO, New York State Natural Heritage Program, Cayuga County Soil and Water Conservation District, United States Army Corp of Engineers, Cayuga County Health Department, Cayuga County Highway Department, Cayuga County Planning Department, Town of Owasco Town Board, J. Patrick Doyle, CEO of the Town of Owasco, Owasco Planning Board, Town of Sennett and City of Auburn; and

WHEREAS, on July 22, 2016 the Town Board completed SEQRA Part 2 of the Full Environmental Assessment form and Riccardo T. Galbato and Chris Lawton explained the SEQRA process and began the questions for Part 2 with the Town Board Members; and

WHEREAS, by Resolution 15-158 from July 22, 2016 the Town Board Members completed and reviewed Part 2 and Part 3 (including the Part 3 – Supporting Information prepared by the Town Engineers, Barton & Loguidice) of the Full Environmental Assessment Form and have issued a **Negative Declaration** under SEQRA that the project “Owasco Water District Improvements” will result in no significant adverse impacts on the environment; and further that the Town Supervisor was authorized to sign all necessary forms consistent with this Resolution; and

WHEREAS, a Notice of Public Hearing was duly published in The Citizen on July 11, 2015 which stated:

“PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Owasco on Wednesday July 22, 2015 at 4:00 p.m. at the Owasco Town Hall, 2 Bristol Avenue, Auburn, New York 13021 to consider adoption of the Owasco Water District Improvements, Map and Plan dated June 2015 in accordance with Town Law Section 202-b Increase or Improvements of Facilities.

The proposed improvements include a new water storage tank to replace the Melrose Road water tank, new high lift pumps that deliver finished water to the northern portion of the system including the Melrose tank, upgrades to the existing sodium hypochlorite chemical feed system at the WTP, and upgrades to the low lift intake pump station. The locations of the proposed improvements are proposed to construct a new glass

coated, bolted steel ground storage tank near the intersection of Town Hall Road and Melrose Road or on Melrose Road east of Byrne Road. The new storage tank would have a top of water level of 918 feet, a capacity of 500,000 gallons, and would be approximately 30 foot high (dependent on the actual ground elevation of the tank site). Approximately 10,200 feet of 10-inch water main would be installed along Melrose Road to connect the new storage tank to the existing 8-inch water main. After the new tank is constructed and fully operational, the existing Melrose tank would be decommissioned.

The maximum amount to be expended by Owasco Water District would be \$3,668,000.00. The estimated increases in annual user costs for the typical property in the Owasco Water District based on the proposed improvements is \$185.56 per year for 20 years or \$137.51 per year for 30 years.”; and

WHEREAS, a Public Hearing was held on July 22, 2015; and

WHEREAS, by **Resolution 15-159** the Town Board approved the Owasco Water District Improvements Map and Plan dated June 2015 pursuant to Town Law Section 202-b and acquire and construct Water Improvements as set forth therein at a maximum amount to be expended of \$3,668,000.00 which stated in part:

“RESOLVED, the proposed and approved improvements include a new water storage tank to replace the Melrose Road water tank, new high lift pumps that deliver finished water to the northern portion of the system including the Melrose tank, upgrades to the existing sodium hypochlorite chemical feed system at the WTP, and upgrades to the low lift intake pump station. The locations of the proposed improvements are proposed to construct a new glass coated, bolted steel ground storage tank near the intersection of Town Hall Road and Melrose Road or on Melrose Road east of Byrne Road. The new storage tank would have a top of water level of 918 feet, a capacity of 500,000 gallons, and would be approximately 30 foot high (dependent on the actual ground elevation of the tank site). Approximately 10,200 feet of 10-inch water main would be installed along Melrose Road to connect the new storage tank to the existing 8-inch water main. After the new tank is constructed and fully operational, the existing Melrose tank would be decommissioned.

The maximum amount to be expended by Owasco Water District would be \$3,668,000.00. The estimated increases in annual user costs for the typical property in the Owasco Water District based on the proposed improvements is \$185.56 per year for 20 years or \$137.51 per year for 30 years.

FURTHER RESOLVED, that the Town Board approves the Owasco Water District Improvements Map and Plan dated June 2015 pursuant to Town Law Section 202-b to acquire and construct Water Improvements as set forth therein.

FURTHER RESOLVED, that the Town Board determines that it is in the public interest to acquire or construct the proposed Water District Improvements.”; and

WHEREAS, on July 1, 2016 by Resolution 16-154 the Town Board passed a Bond Resolution authorizing the issuance of \$3,668,000.00 Serial Bonds to finance the cost of the Town of Owasco Water District Improvements;

WHEREAS, on August 18, 2016 by Resolution 16-190 the Town of Owasco Town Board awarded Contract 1 for the Owasco Water District Improvements Phase I: Water Mains and Storage Tank Project to Highlander Construction, Inc. in the amount of \$1,266,333.00.

WHEREAS, on May 11, 2017 by Resolution 17-087 the Town of Owasco Town Board directed the Advertisement For Bids for the Town of Owasco **“Owasco Water District Improvements Phase II: Low Lift and High Lift Improvements, Contract No. 2A – General Construction and Contract 2B – Electrical Construction”** and the issuance of bid documents for response to said bids;

WHEREAS, pursuant to New York State Municipal Law, bids for the project were received, publicly opened and read aloud on **June 13, 2017** at the Town of Owasco Town Hall, 2 Bristol Avenue, Auburn New York 13021; and;

WHEREAS, the Town’s Engineering Consultant, Barton & Loguidice, D.P.C., tabulated and analyzed the bids received, and by letter dated **July 10, 2017**, has recommended the following:

“we recommend that the Town Board award Contract No. 2A of the Owasco Water District Improvements Phase II: Low Lift and High Lift Pump Station Improvements to Over and Under Piping for the amount \$1,693,000.00. We also recommend that the Town Board award Contract No. 2B of the Owasco Water District Improvements Phase II: Low Lift and High Lift Pump Station Improvements to Concord Electric Corp. for the amount \$73,000.00.”

NOW, THEREFORE, BE IT RESOLVED, that based on the recommendation of Barton & Loguidice, D.P.C., the Town of Owasco Town Board hereby awards

- 1. Owasco Water District Improvements Phase II: Low Lift and High Lift Improvements, Contract No. 2A – General Construction to Over and Under Piping for the amount of \$1,693,000.00.**
- 2. Owasco Water District Improvements Phase II: Low Lift and High Lift Improvements, Contract 2B – Electrical Construction to Concord Electric Corp. for the amount of \$73,000.00.**

FURTHER RESOLVED that is Resolution is subject to approval from the Bond Counsel of the Town of Owasco and the Town Board approval of any necessary amendments to the Bond Resolution or other required resolutions and statutory notices.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Yes Councilperson Melendez Yes
Supervisor Wagner Yes**

RESOLUTION 17-134 to authorize the Town Supervisor to sign Change Order No. 1 for the Owasco Water District Improvements: Phase II Contract No. 2A.

WHEREAS, this Change Order includes the following additional work items:

This change order is to change the specified VFD’s for the High lift pumps, which results in a cost savings of \$39,312 and also to allow foreign steel in the Low Lift Pump Station, which results in a cost savings of \$9,402.

Change Order Cost: This change order has a cost decrease of \$48,714.

Time Extension: No time extension will be provided through the execution of this Change Order.

Revised Contract Amount:

Original Contract No. 1 Amount:	\$1,693,000.00
Contract No. 1 – Change Order No. 1: (THIS CHANGE ORDER)	\$-48,714.00
<i>Revised Contract No. 1 Amount:</i>	<i>\$1,644,286.00</i>

WHEREAS, upon recommendation of the Town Engineer, Clerk of the Works and the Town Board Liaison

NOW THEREFORE BE IT RESOLVED that the Town Supervisor is hereby authorized to sign Change Order No. **1** for the **Owasco Water District Improvements: Phase II Contract No. 2A** and hereby consents to the Town Engineer signing same **Change Order No. 1**.

RESOLVED, this Resolution approving this change order is contingent upon satisfactory approval Resolution 17-____ which awards Owasco Water District Improvements Phase II: Low Lift and High Lift Improvements, Contract No. 2A – General Construction to Over and Under Piping for the amount of \$1,693,000.00 with contingencies.

RESOLUTION 17- 135 to approve recommended budget modifications for the month of
July **2017.**

Budget Modifications Recommendations

After Closing:June2017

		(-)	(+)
Acct #	Account Description	Debit	Credit
A1420.421	Attorney - Legal Fees Special Projects	\$ 284.00	
A1010.400	Town Board - Contractual	\$ 400.00	
A1220.403	Supervisor - Training	\$ 750.00	
A1410.411	Town Clerk - Training	\$ 350.00	
A599	Appropriated Fund Balance		
A1355.430	Assessors - Legal Fees		\$ 284.00
A1620.231	Buildings - Expansion & Construction		\$ 1,500.00
Totals:		\$ 1,784.00	\$ 1,784.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
DA5112.414	Improvements - Cold Mix	\$ 875.00	
DA5112.415	Improvements - Hot Mix	\$ 875.00	
DA599	Appropriated Fund Balance		
DA1420.421	Attorney - Legal Fees Special Projects		\$ 1,750.00
Totals:		\$ 1,750.00	\$ 1,750.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS1-8110.400	Sewer Administration - Contractual	\$ 395.00	
SS1-8120.410	Sewage Collection - Misc.	\$ 395.00	
SS1-1420.421	Legal - Special Projects		\$ 730.00
SS1-8120.458	Repair		\$ 60.00
Totals:		\$ 790.00	\$ 790.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS2-8120.200	Sewage Collection - Equipment	\$ 265.00	
SS2-1420.421	Legal - Special Projects		\$ 175.00
SS2-8130.410	Sewage Treat & Disposal - Negotiate		\$ 90.00
Totals:		\$ 265.00	\$ 265.00

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS3-8110.400	Sewer Administraction - Contractual	\$ 75.00	
SS3-8120.410	Sewage Collection - Misc	\$ 200.00	
SS3-8130.400	Sewage Treatment - Contractual	\$ 965.00	
SS3-1420.421	Legal - Special Projects		\$ 125.00

SS3-8120.110	Sewage Collection - Personal Services		\$ 1,100.00
SS3-8120.458	Sewage Collection - Repair/Cleaning		\$ 15.00
Totals:		\$ 1,240.00	\$ 1,240.00

Acct #	Account Description	(-)	(+)
		Debit	Credit
SW8310.451	Engineering	\$ 500.00	
SW8320.452	Power & Pumping - Electric Charges	\$ 250.00	
SW8340.458	Water Line Repairs	\$ 320.00	
SW1420.421	Legal - Special Projects		\$ 1,025.00
SW8310.200	Administration - Equipment		\$ 45.00
Totals:		\$ 1,070.00	\$ 1,070.00

To Correct Beginning Budget Numbers

Acct #	Account Description	(-)	(+)
		Debit	Credit
HO-8397.220	Construction Phase I	\$ 1,591,948.45	
HO-8397.240	Engineering	\$ 289,663.27	
HO-5710	BAN Notes		\$ 1,881,611.72
HO-5710	BAN Notes	\$ 1,828,980.00	
HO-8397.220	Construction Phase I		\$ 1,627,818.45
HO-8397.270	Contingency		\$ 197,573.37
HO-9030.800	Social Security		\$ 3,588.18
Totals:		\$ 3,710,591.72	\$ 3,710,591.72

Motion by Councilperson Gucciardi; Second Councilperson Knaul

Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
 Councilperson Kerstetter Absent Councilperson Melendez Yes
 Supervisor Wagner Yes

RESOLUTION 17- 136: to reestablish the salary to Richard Knaul for acting as a liaison to the town for the capital projects of sewer and water, to be retroactive dating back to January 1, 2017.

Motion by Councilperson Gucciardi; Second Councilperson Melendez

Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
 Councilperson Kerstetter Absent Councilperson Melendez Yes
 Supervisor Wagner Yes

RESOLUTION 17-137 AUDIT AND PAYMENT OF CLAIMS: authorizing the audit and payment of the following claims: General and Highway Funds, Special Districts, (Water and Sewer Districts), Capital Project and Reserve Fund claims, and ratifying the payment

of the prepaid claims as authorized by resolution 16-006 adopted January 4, 2016, all in accordance with the attached abstract of claims.

ABSTRACT #7 2017 Vouchers #492-591 in the amount of \$332,485.49

Trust & Agency Voucher #5317-5329 in the amount of \$ 25,273.31

for a grand total of \$357,758.80

Motion by Councilperson Gucciardi; Second Councilperson Knaul

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Absent Councilperson Melendez Yes
Supervisor Wagner Yes**

RESOLUTION 17- 138 to accept the findings of town code officer Patrick Doyle for the proposed new Owasco Fire Departments sign.

Motion by Councilperson Gucciardi; Second Councilperson Melendez

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Absent Councilperson Melendez Yes
Supervisor Wagner Yes**

RESOLUTION 17-139 to adjourn the meeting:

Motion by Councilperson Gucciardi; Second Councilperson Knaul

**Roll call vote: Councilperson Knaul Yes Councilperson Gucciardi Yes
Councilperson Kerstetter Absent Councilperson Melendez Yes
Supervisor Wagner Yes**

Meeting adjourned at 6:19PM