

**SPECIAL TOWN BOARD MEETING  
AGENDA  
July 17, 2017**

Town Board Meeting of the Town of Owasco was held on July 17, 2017 at 3:00 PM in the Owasco Town Hall with the following members present:

**CALL TO ORDER: 3:00 PM**

**PLEDGE OF ALLEGIANCE:**

**Present: Supervisor Edward Wagner  
Councilmen Richard Knaul  
Councilmen Timothy Kerstetter**

**Absent: Councilmen Tony Gucciardi  
Councilwomen Ashley Melendez**

**APPROVAL OF AGENDA:**

**RESOLUTION 17-139 approval of Town Board Agenda for July 17, 2017.**

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 17-140 To Declare 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 in furtherance of this Project.**

**WHEREAS, the Town of Owasco has been awarded a grant from the New York State Environmental Facilities Corporation in the amount of approximately \$800,000 to fund the Granular Activated Carbon System 2017 Demonstration Project;**

**WHEREAS, the Project is described as follows: The Town of Owasco is proposing to install a temporary treatment system at the existing Town of Owasco Water Treatment Plant located on 5676 East Lake Road, Auburn, New York 13021. The purpose of the treatment system is to address public health concerns regarding the presence of harmful bacteria in the drinking water and remove microcystin toxin from the water supply. The project involves the installation of a temporary skid mounted treatment system until such time as the Town determines a more permanent solution and completes appropriate improvements. The proposed treatment system will be located in a paved parking area adjacent to existing buildings and does not involve any ground disturbance. The proposed system will utilize above ground piping to connect with existing facilities and requires ancillary electrical improvements in order to power the equipment;**

**WHEREAS, by Resolution 17-033 adopted on January 23, 2017 the Town Board authorized the Town Supervisor to sign a scope of services contract for Engineering Service for treatment of microcystin and for water quality improvements with GHD dated January 6, 2017 in the amount of \$21,700.00.**

**WHEREAS, by Resolution 17-078 adopted on April 28, 2017, the Town Board authorized the Town Supervisor to sign the Professional Engineering Services Proposal Town of Owasco Demonstration Study of Microcystin Treatment dated April 11, 2017 from Stephen Waldvogel, PE of GHD for a total amount of \$225,000.00.**

**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 as was observed in 2016; and**

**WHEREAS, after soliciting proposals from multiple firms the Town of Owasco entered into an Agreement with Calgon Carbon Corporation as of May 4, 2017 to supply products and services for the treatment of algal toxins (microcystins) at the Town of Owasco Water Treatment Plant at 5676 East Lake Road, Auburn, New York 13021; and**

**WHEREAS, by Resolution 17-108 adopted on June 8, 2017 the Owasco Town Board determined that the proposed action for the Town of Owasco Water Quality Improvement Project 2017 for the Granular Activated Carbon System 2017 Demonstration Project is an emergency under General Municipal Law and Town Code 22-5.**

**WHEREAS, the New York State Environmental Facilities Corporation has requested that the Town of Owasco Town Board pass another emergency resolution similar to the first declaration of an emergency specifically citing the Engineering Contract.**

**RESOLVED that the Owasco Town Board declare 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.**

**FURTHER RESOLVED, pursuant to this declaration of an emergency the Owasco Town Board approves and authorizes the Town Supervisor to sign the Agreements with GHD dated January 6, 2017 in the amount of \$21,700.00 and April 11, 2017 in the amount of \$225,000.00.**

**Motion by Councilperson Kerstetter; Second Councilperson Knaul**

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 17-141 to adjourn the meeting: 3:07 PM**

Motion by **Councilperson Knaul**; Second **Councilperson Kerstetter**

Roll call vote:	Councilperson Knaul	<u>Yes</u>	Councilperson Gucciardi	<u>Absent</u>
	Councilperson Kerstetter	<u>Yes</u>	Councilperson Melendez	<u>Absent</u>
	Supervisor Wagner	<u>Yes</u>		