

ALSO PRESENT:

Denice A. Hudson, Deputy Town Clerk

Kevin Hickey, C2AE

Eric Gustafson, Peas & Gustafson

Tim Burley, C2AE

Lynn Fountain, Peas & Gustafson

**At 9:09am**, Supervisor Maneely called the meeting to order, noting that all Board Members and the media have been properly notified of this special meeting

### **Public Hearing**

**C2AE** – Kevin Hickey, bids for project came in higher, but received grants to offset. Overall costs are coming down, added NBT to be added to project. Had 15.7 EDUs, ended up with 16.7 EDUs. Kept same formulation that member in the workshop. Use and charge law was to refinance using formula from all participants. Only thing we did was adding NBT Bank because they were not in project and not assigned EDU. Situation is even though in theory the cost goes down; the overall expenditure has gone up with bid. Biggest item that was different from when worked with Aldi was for this program the contractor has to meet 20% MBWB goal. It appears what happened is the part of the project bid out for the MB component used Angelica out of downstate New York (WBE 4) and doing drilling under state Route and price of bard came in significantly higher than price Aldi's contractor. A lot of differential in cost was in that bore and that is what happened. The rest of work is being accomplished by low bidder who is Fiacco & Riley. They did last project. That is what happened to meet program requirement. With that, we applied for the grant and we received grant. The grant program was an incentive to push project forward. We already had EFC listing for project. We have to get application in. The whole reason for process is because the total dollar expenditure got higher. The total is \$396,000.00, but \$70,000 is going to be grants. By law, the total dollar value, not the price of project or cost of the project to individual, the total dollar value. There is a map land report and costs were amended. The budget shows grant, and it is down from previous calculations. Still have to go through process. We want to do before cut contractor loose, is cost is getting spread of the whole district, never the intention, the people along the route agreed to pay for it. Traditionally, you would take a total project, done all the work, pump station, everybody else on project and everybody would have had a benefit and been assigned an EDU. Our district was formed out of adversity because DEC came in and said we are extending service to an area of the community without wild cat line and was totally unacceptable. Town stepped up, took ownership of the line so we could pursue funding, put a district in place was an administrative action. The only concern we have is a mechanism in place where we are having a portion of that district paying for project as they are the only ones with direct benefit. We are not 100% sure who it is going to be interpreted by Comptroller and EFC. Usually you take the total EDUs and spread across the users. The ones not in the project would not be happy. The town put infrastructure in and portion so of it failed, we repair and everyone shares in cost. We do not have initial out of the box traditional district. We just want to be sure before contractor loose to make sure (application not due until February) everyone is okay with proceeding. We do not want to be in a position to have work completed bridge financing through February or March when application is due. Finalize intended use for sewer program in October. We will start submitting. We want to be sure that it does not get to legal and we do not like proceeding and the Town is in a position where we have to bridge finance the project for extended duration.

Town could take and pay why resolve down the road. We would have a little extra interest expense. Interest as expense of \$4,000. If run too long and takes a year, interest may be \$10,000.00.

Supervisor Maneely: We do not have money for this in budget.

Mr. Hickey: Contingency is in Budget. Wanted to make everyone aware not a faux pau in sense of proceeding. The comptroller has been changing opinions on district formation. Districts used to be done as part of one and one on the other and were not connected. Comptroller not allowed this to be done anymore. We do not want to be in a position that bridge financing goes forever.

Councilor Taylor: Cost is always going to go up.

Eric Gustafson: Issuing debt bands is complicated when we do not know what state authorities are going to do with procedure. Statute is you are going to fix infrastructure already there, or you are going to create new district and all is going to be incorporated and cost spread. The district was formed to not to anything and we are going to spend money that was never authorized and bill to small group could cause headache. We want to be sure it is right.

Supervisor Maneely: How long of a delay.

Eric Gustafson: Would be worse to have Comptroller to say okay and Comptroller say no. DO not want to have conflict. We are double checking within the next few days and read that we are okay. Typical cost exceeds Town threshold. Comptroller needs to review. Get to Comptroller in advance and be aggressive. Public hearing we went through. Residents all agree to do use and charge system. Put in some form of law. Have to have a use and charge system. Not like residents did not participate and they are being surprised. They have been engaged through whole process. Town had to do this.

Supervisor Maneely: What is the next Step after this.

Mr. Hickey: At this point, abandoned old line .We have permits from DEC, have permit from DOT, met and tweaked a few things with home owners along way to be sure they were happy. Timing wise is right now if this was explained and everybody accepts you have 30 days, and then can pull trigger. Would issue notice to proceed. Given extension in bid. Can begin processing his shop drawings. Continue on that path. All things okay we could go ahead in 30 days. Hope is having explained, double check, if we had to could do next week, and could lose a week.

Councilor Scharf: We are racing weather here.

Mr. Hickey: This is not a big job, should take about three weeks.

Councilor Taylor: What if we had more people that want to hook-up.

Mr. Hickey: If you look on the route, there is nobody else to add. Everybody put on line in front of, we put into the benefit in repayment.

Councilor Scharf: Where do we go right now.

Eric Gustafson: Need order establishing sewer district improvement.

**Motion** – Councilor Mary Scharf                      **Second** – Councilor Louise Taylor

**Resolved (#173-2013):** Eric Gustafson to prepare Order Establishing Sewer District Improvement consisting of installation of 6” PVC sewer laterals from each business connected to an 8” PVC sewer main, with the maximum amount proposed to be expended \$396,000.00, and the maximum anticipated annual average cost to be \$1,137.00.

**Carried (4-0)** – Supervisor Maneely – Aye; Deputy Supervisor Walbridge – Absent; Councilor Taylor – Aye; Councilor Sullivan – Aye; Councilor Scharf – Aye

Mr. Hickey: All expenses paid by users, not out of Town budget. Town is fiduciary for district.

9:30 declared to come to close.

### **Other Business**

FAA Grant offer. Total of \$730,006. Resolution to sign papers and accept for runway job.

Councilor Taylor: Resolution to allow Town to sign grant paperwork for a total of \$

**Motion** – Councilor Taylor                      **Second** – Councilor Scharf

**Resolved (#174-2013):** that the Malone Town Board authorizes Supervisor Maneely to sign the Grant Agreement from the Federal Aviation Administration for a grant of Federal Funds for a project associated with the Malone-Dufort Airport for Runway 14-32 Rehabilitation.

**CARRIED (4-0)** – Supervisor Maneely – Aye; Deputy Supervisor Paul Walbridge – Absent; Councilor Louise Taylor – Aye; Councilor John Sullivan – Aye; Councilor Mary Scharf – Aye.

### **Representative for County Senior Housing**

Supervisor Maneely: We are in need of a representative from Town of Malone for county senior housing authority. Ruth Demers indicated she could not provide this service as she travels a lot and does not have time. The Adult Center has recommended David Van Ness, who is very active in Adult Center.

**Motion** – Councilor Louise Taylor                      **Second** – Councilor Mary Scharf

**Resolved (#175-2013):** to appoint David Van Ness representative for Town of Malone for the County Senior Housing Authority.

**CARRIED (4-0)** – Supervisor Maneely – Aye; Deputy Supervisor Walbridge – Absent; Councilor Taylor – Aye; Councilor Sullivan – Aye; Councilor Scharf - Aye.

**RESPECTFULLY SUBMITTED,**

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**DENICE A. HUDSON, DEPUTY TOWN CLERK**