



## CLIFTON PARK WATER AUTHORITY

### BOARD MEETING MINUTES

APRIL 11, 2017

Those present at the Clifton Park Water Authority board meeting were: Mr. Helmut Gerstenberger, Chairman; Mr. John Ryan, Vice Chairman; and Mr. Peter Taubkin, Secretary. Absent: Mr. George Peterson, Treasurer; and Mr. William Butler, board member. Also present: Mr. Donald Austin Jr., Administrator; and Mr. Neil Weiner, Attorney.

Mr. Gerstenberger called the meeting to order at 7:08pm.

#### PRIVILEGE OF THE FLOOR

No members of the public present.

#### OLD BUSINESS

##### BERRYFARM WELL

A **motion** was made by Mr. Ryan to amend the Capital Budget for the Berryfarm well installation; seconded by Mr. Taubkin.

#### **RESOLUTION # 20, 2017 – AMENDING RESOLUTION #31, 2016 AMENDING CAPITAL BUDGET FOR BERRYFARM WELL INSTALLATION**

**WHEREAS**, the Clifton Park Water Authority wishes to replace the production well at the location known as Berryfarm due to fine sand migration through the well screen of the existing well, and

**WHEREAS**, bids were received for the installation of a new production well with a low bid of \$69,470.00 submitted by Smith Well Drilling, and

**WHEREAS**, the Authority wishes to have professional engineering services performed by CT Male Associates, including construction observation and administration and a hydrogeological report, and

**WHEREAS**, CT Male has provided a proposal for these services in the amount of \$10,320.00, and

**WHEREAS**, the Clifton Park Water Authority Board of Directors passed Resolution #31, 2016 adopting the Capital Budget for 2017, now therefore be it

**RESOLVED**, that the Clifton Park Water Authority hereby amends Resolution #31, 2016 to add a \$79,790.00 line item for professional services related to the installation of a new production well at the Berryfarm to the 2017 Capital Budget.

Roll Call Vote:

Mr. Gerstenberger - Aye  
Mr. Ryan - Aye  
Mr. Peterson - Absent  
Mr. Taubkin - Aye  
Mr. Butler - Absent

### **TANK MIXERS – KNOLLTOP, BLUE SPRUCE AND MILLER RD WATER TANKS**

Mr. Austin stated the contracts were just signed. He expects to have a pre-construction meeting in the next few days. The electrical work should start soon.

### **SCWA INTERCONNECT IMPROVEMENTS**

Mr. Gerstenberger made a **motion** to move into executive session at 7:27pm to discuss ongoing contract issues with Saratoga County Water Authority and potential contracts with other municipalities; seconded by Mr. Ryan. The **motion** carried 3-0, 2 absent.

Mr. Gerstenberger made a **motion** to move out of executive session at 8:00pm; seconded by Mr. Taubkin. The **motion** carried 3-0, 2 absent.

### **NEW BUSINESS**

### **OTHER BUSINESS**

- Mr. Austin received an email from the Authority Budget Office which recommends that board members participate in refresher training upon re-appointment to the Board or at least every three years. The board asked Mr. Austin to forward them information for the online training.
- Mr. Weiner reviewed the NYS Canal Corporation lease agreement. He noted it expires on February 17, 2018. The lease may be extended for two additional successive terms of ten years each upon the same terms and conditions except for the adjustment of rental as provided by written notice of the CPWA given to the Canal Corporation. Such notice to be given six months prior to the end of the then expiring term.
- Mr. Austin received a letter from the Department of Labor (DOL) regarding the Public Work Enforcement Fund (PWEF). It stated that it is our responsibility to contribute to the PWEF as established by Chapter 511 of the Laws of 1995 (as amended by Chapter 513 of the Laws of 1997, Chapter 655 of the Laws of 1999, Chapter 376 of the Laws of 2003, and Chapter 407 of the Laws of 2005).

This Law requires each State agency or public benefit corporation (e.g. public authority) that enters into a public work contract to pay one tenth (0.1) of one percent (0.01) of the total cost of the contract to this Fund.

Mr. Austin read the following from a press release dated May 31, 2013 from the NYS Comptroller's Office: "DiNapoli's auditors found only eight of the more than 500 state and local authorities that exist in NYS reported public work projects from April 1 2008 through February 7, 2011." The auditors found DOL does not have a process for determining which public authorities are required to remit this fee and for which contracts. As a result, DOL is not receiving all required fees.

Mr. Austin signed and returned the affirmation notice attesting to his review of the supplied information and the Authority's responsibility concerning the PWEF.

- Mr. Austin reminded the Board that the Ballston Lake Water District (BLWD) contract allows us to review and modify the rates that are charged to the BLWD customers every five years. May 23, 2017 is the five year mark. He noted a discrepancy between the amounts being charged by the Town of Ballston through the big meter and what we're billing on the meters within the district. He questioned if the additional usage could be from the fire department in that water district using a hydrant which is unmetered. Mr. Austin will have the numbers for what has been charged to the customers and what we have paid to the Town of Ballston at next month's meeting.

#### **APPROVE MINUTES OF MARCH 21, 2017 MEETING**

A **motion** was made by Mr. Gerstenberger to approve the minutes of March 21, 2017; seconded by Mr. Ryan. The **motion** carried 3-0, 2 absent.

The Authority's next board meeting is Wednesday, May 10, 2017 at 7pm.

A **motion** was made by Mr. Gerstenberger to adjourn the meeting at 8:10pm; seconded by Mr. Ryan. The **motion** carried 3-0, 2 absent.

Respectfully submitted,  
*Sheri Collins*  
Recording Secretary

cc: CPWA Board of Directors  
Neil Weiner