

CLIFTON PARK WATER AUTHORITY

BOARD MEETING NOTICE

WEDNESDAY, NOVEMBER 9, 2022

7:00PM

661 CLIFTON PARK CENTER ROAD

CLIFTON PARK, NY 12065

**CLIFTON PARK WATER AUTHORITY
BOARD MEETING**

**Wednesday, November 9, 2022
7:00 PM**

AGENDA

- Approve Minutes of October 5, 2022 Meeting

Privilege of the Floor

Old Business

- Project to Increase Capacity from SCWA
- DISH Network Lease Request
- Mountain View Meadows Subdivision
- 2023 CPWA Operating and Capital Budgets

New Business

- Amend CPWA General Terms and Conditions
- Bond Covenant Resolution

Other Business

- Union Negotiations

CLIFTON PARK WATER AUTHORITY

BOARD MEETING MINUTES

NOVEMBER 9, 2022

Those present were: Mr. Helmut Gerstenberger, Chairman; Mr. John Ryan, Vice Chairman; Mr. Peter Taubkin, Board member; Mr. William Butler, Treasurer; Ms. Heather Brondi, Board member; Mr. Donald Austin Jr., Administrator; Mr. Ronald Marshall, Superintendent; Mr. James Trainor, Attorney; and Mr. Brock Juusola, Engineer.

Mr. Gerstenberger called the meeting to order at 7:03pm.

APPROVE MINUTES OF OCTOBER 5, 2022 MEETING

Mr. Gerstenberger made a **motion** to approve the October 5, 2022 board meeting minutes; seconded by Mr. Taubkin. The **motion** carried 4-0, 1 abstain.

PRIVILEGE OF THE FLOOR

Mark Stanton of 31 Dorsman Drive, a resident near the Boyack Water Treatment Plant, stated that at last month's meeting he was under the impression that the CPWA would not allow Verizon to sublet space on its telecommunication tower. Mr. Trainor stated the question was raised but he doesn't believe anyone on the Board said we would not sublet. Mr. Trainor read paragraph 18 of the Verizon Lease Agreement which states "Lessee (Verizon) may not sublet the premises without the Lessor's prior written consent." Mr. Stanton provided the Board a copy of the Town Code Section 208-95 A section 4, which states the Town "promotes and encourages, wherever possible, the sharing and/or co-location of communication towers, antennas and accessory communications structures among service providers." Mr. Trainor explained that this code section tries to minimize the number of tall structures throughout the Town, therefore, encouraging communication developers to co-locate on existing structures. Mr. Stanton is concerned because he believes AT&T will eventually remove their equipment off the water tower and place it onto the Verizon telecommunication pole resulting in a loss of revenue for the CPWA. Mr. Trainor stated that Verizon and AT&T have lease agreements with specific terms and obligations. The CPWA would have to approve any changes on Verizon's tower as well as amend the lease agreement terms and conditions.

OLD BUSINESS

PROJECT TO INCREASE CAPACITY FROM SCWA

Mr. Austin reported they still continue to have meter output issues. He has given up trying to get the Badger meter to work and instead is going to change the programming to change how the system operates. The station will be operated off of tower level, valve position, and pump speed rather than a feedback loop from the flow meter. He is waiting on a response from the

programmer for the pumpstation manufacturer for the cost associated with this change and who will pay for it.

DISH NETWORK LEASE REQUEST

A **motion** was made by Mr. Ryan to enter into the proposed lease agreement with DISH Wireless LLC for location on Knolltop water storage tank, contingent upon DISH providing Exhibit A; seconded by Mr. Butler.

RESOLUTION# 26, 2022 – ENTER INTO PROPOSED LEASE AGREEMENT WITH DISH WIRELESS LLC FOR LOCATION ON KNOLLTOP WATER STORAGE TANK

WHEREAS, DISH Wireless LLC, a Colorado Limited Liability Company, has submitted a proposed lease agreement for the installation of wireless communication service systems or receiver equipment on the Knolltop Water Tank, and

WHEREAS, the proposed lease has been reviewed and approved by the Clifton Park Water Authority’s Attorney,

NOW THEREFORE BE IT

RESOLVED, that the Lease Agreement submitted by DISH Wireless LLC shall be and hereby is approved, and it is further

RESOLVED, that the Clifton Park Water Authority Chairman is hereby authorized to execute the lease, the memorandum of the lease, and any other documents necessary to facilitate this agreement.

Roll Call Vote:

- Mr. Gerstenberger - Aye
- Mr. Ryan - Aye
- Mr. Taubkin - Aye
- Mr. Butler - Aye
- Ms. Brondi - Aye

MOUNTAIN VIEW MEADOWS SUBDIVISION

Mountain View Meadows is a proposed subdivision of 120 homes in the Town of Malta off of Eastline Road, just north of Miller Road. The developer planned to connect the subdivision to the back of the Avendale subdivision. As part of the CPWA’s requirements for this project, they would also be required to make a secondary connection to loop the system to Eastline Road down to Miller Road.

Eastline Road has a 16-inch water main that comes from the Eastline Road pumpstation to the Round Lake Road meter pit. In between the two stations, the Town of Ballston has a large number of customers that draw off the 16-inch main as well. In a three-month period during the summer, 17% of the water passing through the Eastline Pump Station was taken by Ballston’s

customers before ever made it into the CPWA system at the Round Lake Road station. Eventually, the CPWA may want to run a separate, larger water main down Eastline Road to bypass Ballston's system and to increase its capacity from the SCWA. So as part of the review of this project, the CPWA should be thinking about having a larger water main installed along Eastline Road for the future. Mr. Austin would like to see a 24-inch water main installed. A discussion needs to be had as to how it will be funded. He feels that it shouldn't all be put on the developer because they don't need that large of a water main to supply their subdivision. Delaware Engineering and the developer's engineer, Lansing Engineering, prepared cost estimates for an 8-inch and 24-inch water main. The 24-inch main estimates were pretty close. The 8-inch water main estimate from Delaware Engineering was significantly higher than Lansing Engineering's estimate. The challenge now is how to figure out the best way to approach this to make sure that the delta is at the true value. Mr. Austin is going to sit down with Lansing Engineering and discuss how we can come to a true value to calculate the CPWA's our participation.

Mr. Juusola discussed the cost benefit to the CPWA. He stated that there is approximately 13,000 feet of water main from the Eastline Road pumpstation to the Round Lake Road metering pit. This project is about 2,500 feet of water main, 20% of the total length. In today's dollars, he estimates the total construction costs of the 13,000 feet of water main at 9.5 million dollars, minus the 2,500 feet, he estimates 7.8 million dollars.

2023 CPWA OPERATING AND CAPITAL BUDGETS

Mr. Austin noted the budget includes an 8% water rate increase. He also noted the CPWA is currently in contract negotiations with the union, which may affect the wage line items.

A **motion** was made by Mr. Gerstenberger adopting the 2023 Operating and Capital Budgets; seconded by Mr. Ryan.

RESOLUTION #27, 2022 - ADOPTING 2023 OPERATING AND CAPITAL BUDGETS

NOW, THEREFORE BE IT

RESOLVED, that the Clifton Park Water Authority Board of Directors hereby adopts the 2023 Operating Budget and Capital Budget as attached, effective, January 1, 2023.

Roll Call Vote:

Mr. Gerstenberger	- Aye
Mr. Ryan	- Aye
Mr. Taubkin	- Aye
Mr. Butler	- Aye
Ms. Brondi	- Aye

NEW BUSINESS

AMEND CPWA GENERAL TERMS AND CONDITIONS

A **motion** was made by Mr. Butler to amend the CPWA General Terms and Conditions of Service; seconded by Mr. Gerstenberger.

RESOLUTION #28, 2022 – AMEND CPWA GENERAL TERMS AND CONDITIONS OF SERVICE

WHEREAS, the CPWA Board of Directors previously adopted General Terms and Conditions of Service, which apply to all customers of the CPWA, and

WHEREAS, CPWA wishes to amend those General Terms and Conditions of Service to include rules and responsibilities regarding backflow prevention devices, now therefore be it

RESOLVED, that the Clifton Park Water Authority hereby amends its General Terms and Conditions of Service to include the following:

3. Backflow Prevention

- a. All newly constructed residential and commercial buildings shall include backflow prevention devices as deemed necessary by NYS Building Code and the Clifton Park Water Authority.
- b. Backflow prevention devices in commercial buildings shall be tested annually, with reports submitted to the CPWA through its designated online reporting system.
- c. All required testing, repair and/or replacement of commercial backflow prevention devices shall be the responsibility of the property owner. Failure to comply with any requirements to test, repair or replace a commercial backflow prevention device may result in fines and/or termination of water service. If the water account for the property is not in the name of the property owner, failure on the part of the property owner to complete any required testing, repair or replacement of a commercial backflow prevention device may result in revocation of the courtesy granted in Section (6)(a) of these General Terms and Conditions of Service, with responsibility for the water account then being transferred permanently into the name of the property owner.

Roll Call Vote:

Mr. Gerstenberger - Aye
Mr. Ryan - Aye
Mr. Taubkin - Aye
Mr. Butler - Aye
Ms. Brondi - Aye

BOND COVENANT RESOLUTION

A **motion** was made by Mr. Ryan approving the resolution on the adequacy of the rates to sufficiently comply with the rate covenant; seconded by Mr. Taubkin.

RESOLUTION# 29, 2022 – RESOLUTION ON THE ADEQUACY OF THE RATES OF SUFFICIENTLY COMPLY WITH THE RATE COVENANT

WHEREAS, the Clifton Park Water Authority has completed a review, taking into consideration the completion of any uncompleted water projects and issuance of future series of bonds if necessary to finance the completion of such water projects, of its financial condition for the purpose of estimating whether the net revenues for fiscal years 2022 and 2023 will be sufficient to comply with the rate covenant contained in subsection (b) of section 7.12 of the water system revenue bond resolution adopted November 16, 1993. Now, therefore be it

RESOLVED, that the Clifton Park Water Authority has estimated that its net revenues for fiscal years 2022 and 2023 will be sufficient to comply with the rate covenant contained in the subsection (b) of section 7.12 of the water system revenue bond resolution adopted November 16, 1993, and it is further

RESOLVED, that the Clifton Park Water Authority Board of Directors hereby authorizes a copy of this resolution, certified by its chairman, an authorized officer, setting forth a reasonably detailed statement of the actual and estimated revenues, operating expenses, aggregate debt service, and any other estimates or assumptions upon which such determination was based, to be filed with the bond trustee.

Roll Call Vote:

Mr. Gerstenberger	- Aye
Mr. Ryan	- Aye
Mr. Taubkin	- Aye
Mr. Butler	- Aye
Ms. Brondi	- Aye

OTHER BUSINESS

- Mr. Austin discussed the Synergy Tech Park, which is one mile south of Northway Exit 10 and borders Route 9, Kinns Road and the Northway. The original project was approved with a connection to the line running under the Northway from Pierce Road. The developer purchased the neighboring piece of property, which was to be developed as Synergy Park Phase 2, and wants to add more buildings. At that time, Mr. Austin told the developer he would need to add a second connection, approximately 3,800 feet of 8-inch water main to loop the system on Route 9. After some negotiations, Mr. Austin stated he would allow a certain amount of square footage to be built out in total between the two projects, which was less than half of the overall build-out for the two projects. Once they get to that point, that would trigger the requirement for the installation of the additional 8-inch water main. They are at that point now, and have presented Mr. Austin with an estimate of \$1.7 million for this connection. Mr. Juusola estimates it to be \$1.2

million. The developer is now asking if this connection will benefit the CPWA in any way and whether the CPWA would contribute to the cost of the water main as a result of this potential system benefit.

Mr. Juusola explained that there are two lines crossing under the Northway. One is the line from Pierce Road and the other is at the Northway rest area. The part of the water system supplied by the line at the rest area has a secondary connection to the Halfmoon water system at The Crossings, providing redundancy in the event of an emergency. The part of the CPWA system supplied by the line from Pierce Road doesn't have a secondary connection. If something were to happen to the transmission line from Pierce Road, the customers on the east side of the Northway in this location would all be without water until repairs could be made. With the proposed addition of over 1,000,000 square feet of commercial building space within the Synergy footprint, the CPWA is concerned that a water outage to that area will now affect too many customers and a secondary connection is required to mitigate this risk. As for the question of a system benefit to the CPWA, the installation of the secondary connection would provide redundancy to the system, but the need for this redundancy is created by the addition of this project and the general feeling of the Board is that the CPWA should not contribute to the construction of the water line for that reason. Mr. Ryan stated that this is not residential, this is industrial that they are serving and the water main is solely for the benefit of their industrial complex. Mr. Gerstenberger will reach out to the developer tomorrow and share with them that they will have to bear the cost of this project.

- Mr. Austin shared some photos of the CPWA field crew installing the access road improvements in the Vischer Ferry Nature Preserve.

UNION NEGOTIATIONS

Mr. Gerstenberger, Mr. Butler, and Mr. Austin met with the members of the CSEA bargaining unit earlier today. They will be meeting again over the next few weeks and hope to come to a mutual agreement before the end of the year.

The CPWA's next board meeting is scheduled for Tuesday, December 13, 2022 at 7pm.

The Christmas luncheon is scheduled for Friday, December 16, 2022.

A **motion** was made by Mr. Gerstenberger to adjourn the meeting at 8:20pm; seconded by Mr. Ryan. The **motion** carried 5-0.

Respectfully submitted,

Sheri Collins

Recording Secretary

cc: CPWA Board of Directors
Trainor Law PLLC

**CLIFTON PARK
WATER AUTHORITY**



**PROPOSED BUDGET
FISCAL YEAR 2023**

OPERATION AND MAINTENANCE EXPENSES

CODE	DESCRIPTION	<u>2023</u> PROPOSED	<u>2022</u> ADOPTED	<u>2021</u> ACTUAL	CHANGE (%)
5000	WAGES	\$ 777,536	\$ 722,049	\$ 702,051	7.68
5001	OVERTIME	\$ 60,000	\$ 55,500	\$ 64,029	8.11
5002	SEASONAL EMPLOYEES	\$ 23,000	\$ 14,500	\$ 7,138	58.62
5010	FICA + MEDICARE	\$ 65,051	\$ 60,592	\$ 56,599	7.36
5020	RETIREMENT	\$ 116,056	\$ 98,894	\$ 127,511	17.35
5125	HEALTH INSURANCE	\$ 291,274	\$ 252,393	\$ 239,727	15.40
	SUBTOTAL	<u>\$ 1,332,916</u>	<u>\$ 1,203,928</u>	<u>\$ 1,197,055</u>	10.71
5310	CONSULTANT FEES	\$ 1,000	\$ 1,000	\$ 1,100	0.00
5320	LAB FEES	\$ 40,000	\$ 40,000	\$ 34,803	0.00
5330	EDUCATION	\$ 3,000	\$ 3,000	\$ 985	0.00
5400	ELECTRICITY	\$ 285,000	\$ 275,000	\$ 264,469	3.64
5405	GAS & OIL	\$ 40,000	\$ 30,000	\$ 20,169	33.33
5500	TREATMENT CHEMICALS	\$ 265,000	\$ 190,000	\$ 193,745	39.47
5610	SUPPLIES	\$ 8,000	\$ 7,500	\$ 5,750	6.67
5700	REPAIRS & MAINTENANCE	\$ 300,000	\$ 220,000	\$ 230,435	36.36
5710	SMALL TOOLS	\$ 5,200	\$ 5,200	\$ 4,090	0.00
5715	CONTRACTED REPAIRS	\$ 60,000	\$ 60,000	\$ 46,217	0.00
5730	UNIFORMS	\$ 6,000	\$ 6,000	\$ 6,306	0.00
5805	VEHICLE MAINTENANCE	\$ 16,000	\$ 16,000	\$ 14,578	0.00
5810	MILEAGE	\$ 500	\$ 1,100	\$ -	(54.55)
5901	PRESERVE RENTAL	\$ 62,000	\$ 61,000	\$ 61,518	1.64
5902	NPDES PERMIT	\$ 2,500	\$ 2,500	\$ 2,500	0.00
5903	PURCHASED WATER	\$ 1,000,000	\$ 900,000	\$ 872,079	11.11
5910	EQUIPMENT RENTAL	\$ 1,500	\$ 1,500	\$ 2,153	0.00
5950	PROPERTY TAXES - MALTA	\$ 70,000	\$ 80,000	\$ 63,490	(12.50)
6000	MISCELLANEOUS	\$ 9,000	\$ 9,000	\$ 9,630	0.00
	SUBTOTAL	<u>\$ 2,174,700</u>	<u>\$ 1,908,800</u>	<u>\$ 1,834,017</u>	13.93
TOTAL O & M		<u>\$ 3,507,616</u>	<u>\$ 3,112,728</u>	<u>\$ 3,031,072</u>	12.69

GENERAL AND ADMINISTRATIVE EXPENSES

<u>CODE</u>	<u>DESCRIPTION</u>	<u>2023</u> <u>PROPOSED</u>	<u>2022</u> <u>ADOPTED</u>	<u>2021</u> <u>ACTUAL</u>	<u>CHANGE (%)</u>
7000	WAGES	\$ 381,944	\$ 356,917	\$ 358,875	7.01
7010	FICA + MEDICARE	\$ 28,980	\$ 27,075	\$ 25,503	7.04
7020	RETIREMENT	\$ 54,274	\$ 46,009	\$ 62,744	17.96
7125	HEALTH INSURANCE	\$ 120,313	\$ 114,114	\$ 107,954	5.43
	SUBTOTAL	<u>\$ 585,511</u>	<u>\$ 544,115</u>	<u>\$ 555,076</u>	7.61
7100	INSURANCE, GENERAL	\$ 41,000	\$ 38,000	\$ 34,837	7.89
7105	WORKERS COMPENSATION	\$ 38,873	\$ 44,370	\$ 37,322	(12.39)
7310	CONSULTANT FEES	\$ 7,000	\$ 6,000	\$ 6,706	16.67
7320	DUES	\$ 600	\$ 600	\$ 424	0.00
7330	EDUCATION	\$ 1,000	\$ 1,000	\$ -	0.00
7400	OFFICE SUPPLIES	\$ 30,000	\$ 26,000	\$ 28,533	15.38
7410	POSTAGE	\$ 32,000	\$ 31,000	\$ 28,922	3.23
7420	AUDIT & ACCOUNTING	\$ 37,000	\$ 36,000	\$ 36,594	2.78
7425	LEGAL FEES	\$ 25,000	\$ 23,000	\$ 16,840	8.70
7430	ENGINEERING FEES	\$ 16,000	\$ 11,000	\$ 19,277	45.45
7600	SERVICE CONTRACTS	\$ 27,000	\$ 27,000	\$ 24,113	0.00
7700	TELEPHONE EXPENSES	\$ 18,000	\$ 16,500	\$ 17,419	9.09
7705	TECHNICAL SUPPLIES	\$ 2,500	\$ 2,500	\$ 1,244	0.00
7710	UTILITIES OFFICE	\$ 8,200	\$ 7,000	\$ 7,950	17.14
7810	MILEAGE	\$ 200	\$ 200	\$ -	0.00
7815	TRAVEL	\$ 500	\$ 500	\$ 104	0.00
7820	BAD DEBT EXPENSE	\$ 2,000	\$ 4,000	\$ 228	(50.00)
7822	COLLECTION AGENCY FEE	\$ 300	\$ 300	\$ 90	0.00
7824	BANK SERVICE CHARGE	\$ 7,000	\$ 6,360	\$ 6,815	10.06
7990	MISCELLANEOUS	\$ 3,000	\$ 4,000	\$ 2,241	(25.00)
	SUBTOTAL	<u>\$ 297,173</u>	<u>\$ 285,330</u>	<u>\$ 269,659</u>	4.15
	<u>TOTAL GENERAL & ADMINISTRATIVE</u>	<u>\$ 882,684</u>	<u>\$ 829,445</u>	<u>\$ 824,735</u>	6.42

BUDGET SUMMARY

	<u>2023</u> <u>PROPOSED</u>	<u>2022</u> <u>ADOPTED</u>	<u>2021</u> <u>ACTUAL</u>	<u>CHANGE (%)</u>
<u>EXPENSES</u>				
WAGES AND BENEFITS	\$ 1,918,426	\$ 1,748,043	\$ 1,752,131	9.75
ADMINISTRATION EXPENSES	\$ 297,173	\$ 285,330	\$ 269,659	4.15
O & M EXPENSES	\$ 2,174,700	\$ 1,908,800	\$ 1,834,017	13.93
TOTAL OPERATIONAL COSTS	\$ 4,390,299	\$ 3,942,173	\$ 3,855,807	11.37
DEBT SERVICE COSTS	\$ 1,989,513	\$ 1,987,013	\$ 1,991,413	0.13
TOTAL EXPENDITURES	<u>\$ 6,379,812</u>	<u>\$ 5,929,186</u>	<u>\$ 5,847,220</u>	7.60
<u>REVENUES</u>				
METERED WATER SALES	\$ 4,850,000	\$ 4,450,000	\$ 4,542,324	8.99
BULK SALES	\$ 61,500	\$ 50,000	\$ 62,994	23.00
HYDRANT CHARGES	\$ 542,226	\$ 528,643	\$ 508,177	2.57
PRIVATE FIRE	\$ 35,000	\$ 35,000	\$ 34,841	0.00
HOOK UP FEE	\$ 70,000	\$ 70,000	\$ 71,650	0.00
BASIC SERVICE CHARGE	\$ 1,066,300	\$ 1,066,300	\$ 1,054,644	0.00
LEASE INCOME	\$ 140,652	\$ 140,652	\$ 137,849	0.00
INTEREST ON CAPITAL	\$ 5,000	\$ 5,000	\$ 3,039	0.00
MISCELLANEOUS*	\$ 30,000	\$ 30,000	\$ 57,721	0.00
TOTAL REVENUE	<u>\$ 6,800,678</u>	<u>\$ 6,375,595</u>	<u>\$ 6,473,239</u>	6.67
RESERVED, CAPITAL	\$ 420,866	\$ 446,409	\$ 626,019	
DEBT SERVICE RATIO	1.21	1.22	1.31	

Miscellaneous Revenues include charges and fees such as: Inspection Fees, Interest Charges, Plan Review Fees, Hydrant Permit Fees and others.

**Clifton Park Water Authority
2023 Capital Budget**

<u>Item</u>	<u>Estimated Cost</u>
Brass Goods	\$ 34,000
Water Meters (Includes Routine Meter Replacements and Scheduled Replacements)	\$ 160,000
SCADA Work and Computer Upgrade	\$ 10,000
Hydrant Flags	\$ 5,200
Tank Inspections - Blue Spruce, Boyack, Miller, Barney	\$ 10,000
Turbidimeters (3) - Boyack WTP	\$ 11,000
Well Redevelopment	<u>\$ 32,000</u>
Total	<u><u>\$ 262,200</u></u>
CPWA Fund Balance (as of 10/3/22)	\$ 2,331,335