

**CLIFTON PARK WATER AUTHORITY
BOARD MEETING**

**Wednesday, August 17, 2022
7:00 PM**

AGENDA

- Approve Minutes of July 13, 2022 Meeting

Privilege of the Floor

Old Business

- Project to Increase Capacity from SCWA
- DISH Network Lease Request
- Amend Capital Budget for Hydraulic System Model Update

New Business

- Sprint Lease Termination – Knolltop
- Mountain View Meadows Subdivision
- AT&T Equipment Modification Request

Other Business

Don Austin

From: Jack Vandenabeele <jvandenabeele@airosmithdevelopment.com>
Sent: Wednesday, August 3, 2022 3:49 PM
To: James P. Trainor; Nick Smith
Cc: Don Austin
Subject: RE: DISH Network - New Antennas on Town Tank located at 51 Castle Pines // ALALB00154A

Hi Jim,

We spoke with Dish, and they would be willing to do 15 days for monetary default and 30 days for non-monetary default, they are looking for this buffer in case of any technical glitches with the payments or some unforeseen issue that may delay the payment. We know that there are other carries at this site and the standard language is 15 days and 30 days, if the leases in place are less than that please send me over a copy of that so I can take it to Dish. We are just looking to match the language that is already in place with the water authority leases. Please let me know what you think.

Thank you,

Jack Vandenabeele

Specialist II, Site Acquisition | Airosmith Development
318 West Avenue | Saratoga Springs | NY | 12866
518-527-9116 cell/direct | 518-682-6303 fax
jvandenabeele@airosmithdevelopment.com



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From: James P. Trainor <jamest@trainor-lawfirm.com>
Sent: Wednesday, July 20, 2022 1:58 PM
To: Jack Vandenabeele <jvandenabeele@airosmithdevelopment.com>; Nick Smith <NSmith@airosmithdevelopment.com>
Cc: Terry Scott <terry.scott@dish.com>; Don Austin <daustin@cpwa.org>
Subject: RE: DISH Network - New Antennas on Town Tank located at 51 Castle Pines // ALALB00154A

The provision you're speaking of doesn't read that way. Your language states that you're only considered to be in default 30 days after we've told you that you didn't pay us – it makes no sense. I'm sure a large company such as DISH can figure out for itself when the payments are due and can get them paid on time – you don't need us to tell you that. As I stated on July 11th (below), CPWA will not entertain any changes from what is contained in the document I sent you on that date.

Therefore, please send me a clean version of the redline I sent you signed by DISH no later than August 10th.

Sincerely,
James P. Trainor Esq.
www.trainor-lawfirm.com



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From: Jack Vandenabeele <jvandenabeele@airosmithdevelopment.com>
Sent: Wednesday, July 20, 2022 9:36 AM
To: James P. Trainor <jamest@trainor-lawfirm.com>; Nick Smith <NSmith@airosmithdevelopment.com>
Cc: Terry Scott <terry.scott@dish.com>; Don Austin <daustin@cpwa.org>
Subject: RE: DISH Network - New Antennas on Town Tank located at 51 Castle Pines // ALALB00154A

Hi Jim,

Just wanted to follow up on the below.

Thank you,
Jack Vandenabeele
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From: Jack Vandenabeele
Sent: Wednesday, July 13, 2022 4:57 PM
To: James P. Trainor <jamest@trainor-lawfirm.com>; Nick Smith <NSmith@airosmithdevelopment.com>

Cc: Terry Scott <terry.scott@dish.com>; Don Austin <daustin@cpwa.org>
Subject: RE: DISH Network - New Antennas on Town Tank located at 51 Castle Pines // ALALB00154A

Hi Jim,

Dish accepted most of the proposed changes in the attached draft. Regarding 8.1 Default DISH must have at minimum 20 days before any payment is deemed late. This is logistically challenging for a large company such as Dish.

Please let me know what you think.

Thank you,

Jack Vandenabeele

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From: James P. Trainor <jamest@trainor-lawfirm.com>
Sent: Tuesday, July 12, 2022 12:49 PM
To: Jack Vandenabeele <jvandenabeele@airosmithdevelopment.com>; Nick Smith <NSmith@airosmithdevelopment.com>
Cc: Terry Scott <terry.scott@dish.com>; Don Austin <daustin@cpwa.org>
Subject: RE: DISH Network - New Antennas on Town Tank located at 51 Castle Pines // ALALB00154A

Jack:

I think we're beyond that point – CPWA does not want me to waste any more time on this. The proposal we sent was our final proposal, and it's a fair proposal – we met you at least half way on most items but eliminated our deal-breakers. If it's not acceptable as is then we're done.

Sincerely,

James P. Trainor Esq.

www.trainor-lawfirm.com

A business card for James P. Trainor, Esq., Attorney at Law. The card features the Trainor Law PLLC logo on the left, which includes a stylized American flag and the text "TRAINOR LAW PLLC". To the right of the logo, the name "JAMES P. TRAINOR, ESQ." is printed, followed by "Attorney at Law • West Point/JAG". At the bottom left, contact information is listed: "Tel: 518 899 9200", "Fax: 518 899 9300", "jamest@trainor-lawfirm.com", "2452 US Route 9", "Suite 203 • Malta, NY 12020", and "www.trainor-lawfirm.com". A QR code is located at the bottom right of the card.

* EXCERPT FROM VERIZON WIRELESS LEASE

Notice shall be effective upon mailing or delivering the same to as commercial courier, as permitted above.

25. DEFAULT

In the event there is a default by the LESSEE with respect to any of the provisions of this Agreement or its obligations under it, including the payment of rent, the LESSOR shall give LESSEE written notice of such default. After receipt of such written notice, the LESSEE shall have fifteen (15) days in which to cure any monetary default, and thirty (30) days in which to cure any non-monetary default, provided the LESSEE shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and the LESSEE commences the cure within the thirty (30) day period and thereafter continuously and diligently pursues the cure to completion. The LESSOR may not maintain any action or effect any remedies for default against the LESSEE unless and until the LESSEE has failed to cure the same within the time periods provided in this paragraph, unless shorter time periods are delineated elsewhere in this Agreement. This provision shall be inapplicable in all cases of emergency or where waiting for the afore-mentioned time frames will create a risk to the public's health, safety or welfare.

26. SUCCESSORS

This Agreement shall extend to and bind the heirs, personal representatives,

Clifton Park Water Authority

Resolution # ____, 2022

Amending Resolution # 21, 2021

Amend Capital Budget for Update of Water System Model

WHEREAS, the Clifton Park Water Authority wishes to have Delaware Engineering update the existing water system hydraulic model used for assessing water transmission capabilities, flow rates and pressures throughout the system to assist in long-term planning, and

WHEREAS, Delaware Engineering has provided a cost for updating the existing model of \$5,000.00, and

WHEREAS, the Clifton Park Water Authority Board of Directors passed Resolution #21, 2021 adopting the Capital Budget for 2022, now therefore be it

RESOLVED, that the Clifton Park Water Authority hereby amends the 2022 Capital Budget to add a line item for the updating of the CPWA's existing water system hydraulic model by Delaware Engineering in the amount of \$5,000.00.

Motion By: _____ Seconded By: _____

Roll Call Vote:

	<u>Ayes</u>	<u>Noes</u>
Mr. Gerstenberger	_____	_____
Mr. Ryan	_____	_____
Mr. Taubkin	_____	_____
Mr. Butler	_____	_____



Delaware Engineering, D.P.C.

28 Madison Avenue Extension Tel: 518.452.1290
Albany, New York 12203 Fax: 518.452.1335

August 12, 2022

Don Austin, Water Authority Administrator
Clifton Park Water Authority
661 Clifton Park Center Road
Clifton Park, New York 12065

Re: Professional Engineering Services
 Proposal to Update Water System Model

Dear Mr. Austin:

Delaware Engineering, D.P.C. is pleased to provide this proposal to review and update the existing hydraulic model of the CPWA's water distribution system. Review of the model (developed by CT Male) shows that it was last updated in 2015. As a result, the model does not include any recent improvements to the system, including the booster station which draws water from the SCWA system into the CPWA system. This addition has significant impacts to the CPWA's overall system hydraulics.

The current model is in EPANET format. Delaware Engineering will update this model utilizing EPANET to reflect current conditions. This update will utilize the existing model, as-built plans and existing pump curves. The model will be calibrated utilizing currently available fire flow data.

The purpose of this project is to update and maintain a baseline system model that can be utilized to determine systemwide impacts from various changes that will occur within the system. While the model may be initially utilized to determine the impacts of installing a dedicated watermain on Eastline Road to bypass the Town of Ballston connections and to determine the systemwide impacts of modifying tank operations, the model will be available to determine impacts from future connections. This model will also be available to for use in determining the overall system impacts and developing the design conditions for potential additional water sources. The deliverable will be Delaware Engineering personnel providing a demonstration of an operating model to the CPWA.

While Delaware Engineering will develop and maintain the model on our server, the CPWA will maintain ownership of the overall model.

Engineering Fees

This scope of work can be conducted for a lump sum cost of \$5,000 following the provisions detailed in the March 9, 2022 agreement between the CPWA and Delaware Engineering.

We look forward to working with you on this project. If you have questions or need additional information, please contact me at 518 452-1290.

Sincerely,



Brock Juusola, P.E.
Senior Engineer / Partner

ACCEPTED BY:

Signature

Printed Name and Title

Date



RECEIVED

JUL 28 2022

CLIFTON PARK
WATER AUTHORITY

July 25, 2022

Clifton Park Water Authority
661 Clifton Park Center Road
Donald J. Austin, Jr., Administrator
Clifton Park, New York 12065
Sent Via USPS, TR #9405503699300304933690

RE: Notice of Termination of Water Tower Lease Agreement dated on or about January 21, 2004, as the same may have been amended from time to time ("Agreement"), by and between Clifton Park Water Authority ("Lessor") and SprintCom LLC, a Kansas limited liability company, as successor in interest to Independent Wireless One Leased Realty Corporation ("Lessee").

Site Address: 51 Castle Pines, Clifton Park, NY 12065
Site ID: AB76XC093
Lease ID: AB76XC093-A-001

To Whom It May Concern,

Pursuant to Section 16 of the above-referenced Agreement, this letter serves as written notice that Lessee is terminating the Agreement, effective January 21, 2023.

Lessee requests the return of any security deposit or other funds previously paid to you or any predecessor Lessor. Lessee will and expects that each party will execute any further documentation reasonably requested to evidence the termination of the Agreement, including, but not limited to a release of any bonds or other form of security and release of memorandum of lease.

If you pay additional taxes due to Lessee's equipment or location at the Site, please contact your local taxing authority to have your property re-evaluated, as Lessee is no longer responsible for any additional taxes or assessments once its equipment is removed.

Lessee highly values the relationship that was established with you. I would like the opportunity to contact you in the future should our network or business requirements change. Should you have any questions or need additional information, please send an email to leasing@T-Mobile.com referencing the Site ID and Lease ID noted above in your email subject line, and a representative of the decommission team will contact you.

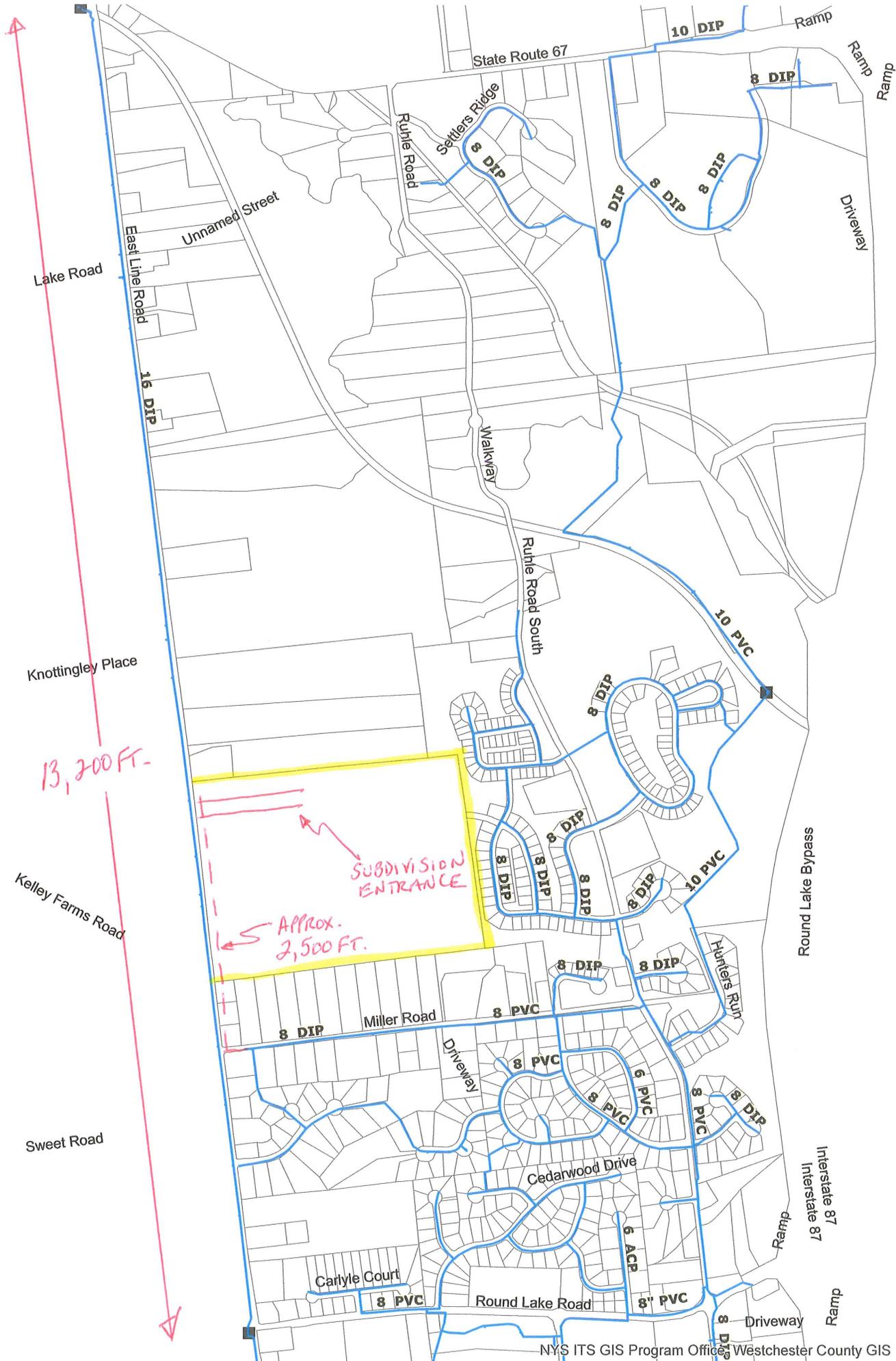
Sincerely,

Susan Hatfield

Susan Hatfield
Technology Sourcing Manager, Divestiture & Decom

Sprint | **T Mobile**

6220 Sprint Parkway - Mailstop KSOPHD0101-Z2650
Overland Park, KS 66251-2650



Don Austin

From: Serra, Kathryn <K.Serra@ctmale.com>
Sent: Friday, January 7, 2022 4:36 PM
To: Don Austin
Cc: Kortz, Chad
Subject: New Malta Subdivision- Hydraulic Modeling

Don:

As discussed, I updated the skeletonized water model we did back in 2016/2017 when investigating the pump sizing options for the new CPWA/SCWA pump station. At that time, I created a skeletonized model of the 16" line on Eastline Road from Route 67 to Main St. in Jonesville to the 20-inch main at Route 146A.

In short, that model from 2016 looked at the possibility of building a 5 MGD pump station to the SCWA and pumping 5 MGD down Eastline Road. The portion of Eastline Road from Route 67 to Round Lake Road sees demand from the Town of Ballston only and that peak demand in 2016 was 0.9 mgd. Let's assume that demand is 1 mgd today for estimation purposes.

You asked me to look at what would need to be done in the future if the CPWA wanted to purchase all water from the SCWA. I looked at a peak of 8 MGD on Eastline Road to Longkill to Main Street, with demands coming off that line at certain neighborhood intersections.

Modeling numbers:

1. As the system currently operates, the Ballston portion of the 16-inch main would demand approximately 1 MGD. I will assume this does not substantially increase based upon current possible zoning updates at the Town of Ballston level.
2. The CPWA/Malta side of Eastline Road/Longkill demands approximately 1 MGD between Round Lake Road and Jonesville. This is unlikely to substantially change in the future as this area is generally built out.
3. If CPWA needs 8 MGD total, and Ballston uses 1 MGD, that would place the demand at the SCWA interconnect at Route 67 near 9 MGD.
 - a. The demand at Jonesville near Main Street would be approximately 7 MGD. (9 MGD at SCWA – 1 MGD for Ballston – 1 MGD for CPWA demand).

I updated the model to add a new parallel line on Eastline Road (on the east side of the road) from the current SCWA interconnect to Raylinsky Road/Leah Court area. South of that point, there are no changes to the 16 inch line that runs down Longkill into Jonesville.

Results:

- To send 7 MGD to Jonesville and the 20-inch main, the size of the new parallel waterline on Eastline Road does not impact the results, i.e. the 16-inch main from Raylinsky Road to Jonesville is the limiting factor in terms of headloss. CPWA would need to install additional upgrades to get 8 MGD solely out of the Eastline Road system.
- I ran the option of sending 6 MGD to Jonesville (7 MGD total to CPWA) and that seemed to produce better results. If you install a **new 24-inch water main on the east side of Eastline Road from Route 67 south 16,000 feet/3 miles to Raylinsky Road**, it is possible to send that much water through the new line and limit the headloss in the existing 16-inch line to a point where pressures in Jonesville are at 40 psi. This is all theoretical in the model as I am assuming the same discharge pressures as are present in the new pump station—this discharge pressure would result in 100-90 psi along the northern part of Eastline Road so you would not want a

higher head pump station. Consideration to an intermediate pump station or more parallel water mains in the Jonesville area may be needed.

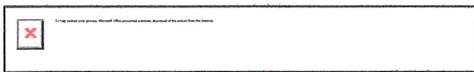
- I ran two models—one with both the existing 16" line and the new 24" line in parallel from the SCWA interconnect to Raylinksy Road and one with the existing 16" line being only for the Ballston system. This would mean that the entire 7 MGD would flow through the new 24" line. The results were the same between the models. This is due to the fact that the 24" line can hydraulically handle so much more flow than the 16" line that the same proportion of flow would flow through the pipes under the two circumstances.
- This option would require upgrades to the recently built CPWA/SCWA pump station.

The end result is that an initial look at installing a parallel 24-inch DIP water main on the east side of Eastline Road could be an option to look at in the future if the CPWA wanted to purchase more water from the SCWA. The ultimate viability of this would need to be discussed further with more intense system wide hydraulic modeling performed.

Please let me know if you have any questions or would like this assessment of hydraulic modeling memorialized in a memo.

Thanks.

Kathryn Serra, P.E.
Project Manager



50 Century Hill Drive, Latham, NY 12110
Phone: 518.786.7651
Mobile: 207-712-1105
Email: k.serra@ctmale.com
www.ctmale.com

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>
