

**CLIFTON PARK WATER AUTHORITY**

**BOARD MEETING NOTICE**

**WEDNESDAY, JULY 21, 2021**

**7:00PM**

**661 CLIFTON PARK CENTER ROAD**

**CLIFTON PARK, NY 12065**

**CLIFTON PARK WATER AUTHORITY  
BOARD MEETING**

**Wednesday, July 21, 2021  
7:00 PM**

**AGENDA**

**Privilege of the Floor**

**Old Business**

- Project to Increase Capacity from SCWA
- SCWA Water Purchase Agreement Renewal
- Project to Investigate Capacity Improvements in Preserve
- Verizon Request for Installation of Telecommunications Tower at Boyack WTP
- Water Main Replacement on Plank Road
- DISH Network Request for Installation of Telecommunications Equipment on Knolltop Water Storage Tank
- Verizon Request for Equipment Modification at Knolltop Water Storage Tank

**New Business**

**Other Business**

- Approve Minutes of June 16, 2021 Meeting

## **CLIFTON PARK WATER AUTHORITY**

### **BOARD MEETING MINUTES**

**JULY 21, 2021**

Those present were: Mr. Helmut Gerstenberger, Chairman; Mr. John Ryan, Vice Chairman; Mr. Peter Taubkin, Board Member; Ms. Alexis Osborne, Secretary; and Mr. Donald Austin Jr., Administrator. Absent: Mr. William Butler, Treasurer. Also present: Mr. James Trainor, Attorney; Mr. Anthony Morelli, Town of Clifton Park Liaison; and Mr. Chad Kortz, CT Male Associates.

Mr. Gerstenberger called the meeting to order at 7:06pm.

#### **PRIVILEGE OF THE FLOOR**

Patricia Ford of 484 Waite Road, Rexford spoke to the Board regarding the issues she is having with her well water. She purchased her home two years ago and after a few months she noticed a sulfur smell and learned it had bacteria in it. She spent a couple thousand dollars installing a UV filtration system. Last September they developed a problem with colloidal clay in the water. They had to get rid of the UV system because it no longer worked. They had a colloidal clay flocculation system and a chlorinator put in for \$4,025.00. It worked beautifully until 4<sup>th</sup> of July weekend. That's when she noticed the water went from light gray to a dark murky gray. She now has to flush the flocculation line 3 times a day because the water coming into the house is black. She spoke with Mr. Austin a few weeks ago to inquire about connecting to the water system via the new main on Miller Road but was told she was not eligible because there is no water main on Waite Road. The CPWA policy states a property must front the water main or be directly across the street from the water main. She is requesting that she be allowed a variance in order to install a one-inch line using a directional bore from Miller Road. Mr. Austin explained that if the Board allowed a variance from its policy, the main would be tapped at the corner of Miller and Waite Roads. Ms. Ford would have to get an easement from her neighbor on the corner and then run a water line through that easement to her property. Her other option is to run a water main down Waite Road to her house. The quote she received from a contractor for this option was \$35,000.00. There are two property owners across the street from Ms. Ford that may be interested in connecting to public water as well. Her initial estimate of \$35,000 would be higher due to the water main having to run further down the road to connect the neighbors across the street but they would be able to split the cost between the three of them. The Board asked Ms. Ford to speak with the neighbors across the street and see if they have any interest in connecting to public water. If they are interested, they should get a firmer price on the cost of installing a water main down Waite Road. This will give the Board some better information to

make their decision. Mr. Austin will draw up a sketch of what the CPWA would like to see installed so she can give it to the contractor for pricing.

### **OLD BUSINESS**

#### **PROJECT TO INCREASE CAPACITY FROM SCWA**

Mr. Kortz reported that the pumpstation is being set on Friday. He estimates the project being wrapped up within the next 4-5 weeks. He will give Mr. Austin an updated schedule when he receives it from the contractor.

A **motion** was made by Mr. Ryan approving Payment Request #4 in the amount of \$82,629.10 to Wm. J Keller & Sons Construction Corp; seconded by Mr. Gerstenberger. The **motion** carried 4-0, 1 absent.

#### **SCWA WATER PURCHASE AGREEMENT RENEWAL**

Mr. Trainor had a follow up discussion with the SCWA attorney. The sticking point appears to be the force majeure provision. He feels they have gone pretty far from a traditional force majeure definition. The SCWA is trying to expand it to include the inability to deliver or process sufficient water because of capacity, design, production, or related issues. He feels the contract obligation is to provide water and if you break that it's not a force majeure condition. The SCWA attorney is going to get more guidance from the SCWA board which meets July 29<sup>th</sup>.

#### **PROJECT TO INVESTIGATE CAPACITY IMPROVEMENTS IN PRESERVE**

Mr. Austin reported that we have pumped on one well for about a month and it's not showing very good results on the production side, less than 200 gallons per minute. The goal was to get 400 gallons per minute. Water quality isn't bad but it seems that the well, even though it's right near the river, is more affected by the underwater aquifer that the other wells are connected to, than it is to the river. They shut it down today and moved the equipment to the other well and will see what that well produces.

#### **VERIZON REQUEST FOR INSTALLATION OF TELECOMMUNICATIONS TOWER AT BOYACK WTP**

Mr. Ryan recused himself from this discussion. Mr. Austin reported that they have sent him a Property Plan, Detail Site Plan, and an Elevation drawing of the tower they propose. When he receives the Lease Agreement, he will forward it to Mr. Trainor for review.

#### **WATER MAIN REPLACEMENT ON PLANK ROAD**

Mr. Gerstenberger made a **motion** to approve the expenditure for Plank Road main realignment; seconded by Ms. Osborne.

### **RESOLUTION #15, 2021 – APPROVE EXPENDITURE FOR PLANK ROAD MAIN REALIGNMENT**

**WHEREAS**, the Clifton Park Water Authority owns a 12-inch asbestos-concrete water main on Plank Road, and

**WHEREAS**, the Plank Road water main was originally installed with an insufficient amount of cover to prevent freezing, and

**WHEREAS**, the Plank Road water main is in direct conflict with a box culvert that is being installed by the Town of Clifton Park on Plank Road near the intersection of Bruno Road, and

**WHEREAS**, the Clifton Park Water Authority wishes to remove an approximate 40-foot section of the water main and replace with ductile iron water main installed in a manner that will lower the main's elevation to acceptable depth and avoid conflict with the box culvert, and

**WHEREAS**, the Clifton Park Water Authority wishes to reimburse the Town of Clifton Park for work to accomplish this realignment, which work will be performed as a change order to the Town's contract with its contractor installing the new box culvert, and

**WHEREAS**, the contractor, Carver Construction, has provided a total cost of \$40,378.69 for the work to remove and install water main as described, now, therefore be it

**RESOLVED**, that the Clifton Park Water Authority approves a capital expenditure of \$40,378.69 for reimbursement to the Town of Clifton Park for work performed by their contractor, Carver Construction, to remove and install water main on Plank Road near the intersection with Bruno Road.

Roll Call Vote:

Mr. Gerstenberger	- Aye
Mr. Ryan	- Aye
Mr. Taubkin	- Aye
Mr. Butler	- Absent
Ms. Osborne	- Aye

**DISH NETWORK REQUEST FOR INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT ON KNOLLTOP WATER STORAGE TANK**

Mr. Ryan recused himself from this discussion. Nick Smith from AiroSmith Development spoke to the Board about DISH Network's proposal to put antennas on the Knolltop Water Storage Tank. He presented the Board with an elevation view which shows the proposed location of the wireless antennas on the pedestal of the tank, total lease area of 144 square feet, and an overall site plan showing their proposed 5'x7' equipment platform area, total lease area of 35 square feet. Initially they proposed lease terms of \$785 per month with a 2% annual escalator. They are now proposing lease terms of \$1,500 per month staying with a 2% annual escalator. They realize their terms are lower than the other carriers but they are taking up significantly less space. Mr. Austin and the Board stated the annual escalator should be 3% to be in-line with the other three carriers. Mr. Smith will go back to DISH Network and see if they are willing to increase the escalator to 3%. He also stated a full structural analysis will be completed once they get an ok with the layout and terms and there should be no sound issue because they are using an outdoor equipment cabinet which doesn't have an air conditioner unit. Before the Board can make a decision, they would like to see photo renderings of the proposed antenna arrays. Mr. Austin

requested they use magnetic attachments on the tank. Mr. Smith said there should be no problem designing the tank with the magnetic mounts.

### **VERIZON REQUEST FOR EQUIPMENT MODIFICATION AT KNOLLTOP WATER STORAGE TANK**

Mr. Ryan recused himself from this discussion. Mr. Austin reported that they have not responded to his request for magnetic mounts.

### **NEW BUSINESS**

### **OTHER BUSINESS**

- The Grievance Committee reviewed a request for reduction in water charges at 1377 Route 146. There was a house fire at this location on November 9, 2020, but the CPWA was not informed of this event, nor was there any request to shut the water off to the property at that time. On January 5, 2021, the meter was read which showed 107,800 gallons of water usage since the last quarterly reading on October 1, 2020. On January 20, 2021 the customer called regarding the high bill and a work order was issued to shut off the water. Water was turned off on January 21, 2021 and another meter reading was taken which showed an additional 118,000 gallons of water. The Board understands that usage was unintentional, but requires payment be made for all water passing through the meter. They agreed to adjust the inclining block rate charges and interest from the bills. They suggested offering a deferred payment agreement, so the balance can be paid off over a period of three months. They also questioned whether insurance would cover any of the lost water if it was caused by a leak that resulted from the fire.
- Mr. Taubkin asked what level of access to the network employees have and whether any regular training or education is provided to remind employees of phishing or other cyber security risks, what to look for, not to open, and if someone receives something suspicious who would they report it to. Mr. Austin stated that only the five employees in the office have access to the network. There are restriction access levels on certain program functions set up for individual employees based on the requirements of their job. Most do not have the ability to install software on their machine. A tip sheet is given to employees regarding safe email practices but there is no training at this time. Anytime they see anything suspicious on their workstation computers they notify him and he determines whether to involve our IT people. Mr. Ryan recommended locking down the USB ports and provide cyber security training. Mr. Austin will look into satisfying the Board's recommendations.
- Mr. Gerstenberger made a formal request that our engineering services be put out for bid. Mr. Austin and Mr. Butler have put together a Request for Qualifications and will be sending it out to local engineering firms.
- Mr. Trainor received a letter from CP Rail regarding the Carlton Road water main break. CP Rail is claiming a 150' swath centered on the railroad as its right of way. Mr. Trainor has asked repeatedly for evidence that they own anything in that area. They couldn't provide anything other than a map dating back to the 1800's. According to the map, the road pre-existed the bridge.

- The CPWA has two people that are on our Blue Shield Medicare Advantage Plan. The premiums are high because we are a small group employer and limited to the plan we can choose. Most carriers won't give you a plan for two people. Mr. Austin is looking into the possibility of piggy-backing on the Town of Clifton Park's Medicare Advantage Plan. It is approximately half the cost and has better coverage with lower copays.

**APPROVE MINUTES OF JUNE 16, 2021 MEETING**

A **motion** was made by Mr. Gerstenberger to approve the minutes of June 16, 2021; seconded by Mr. Ryan. The **motion** carried 4-0, 1 absent.

The CPWA's next board meeting is scheduled for Wednesday, August 11, 2021 at 7pm.

A **motion** was made by Mr. Gerstenberger to adjourn the meeting at 9:03pm; seconded by Mr. Ryan. The **motion** carried 4-0, 1 absent.

Respectfully submitted,

*Sheri Collins*

Recording Secretary

cc: CPWA Board of Directors  
Trainor Law PLLC