

**MINUTES BOOK\*\*TOWN OF COEYMANS  
December 9, 2014 – Special Town Board Meeting – 6:00pm**

**A Special Town Board Meeting was held Tuesday, December 9, 2014, at 6:00pm at Town Hall, 18 Russell Avenue, Ravena, New York**

**TOWN BOARD:** Stephen D. Flach, Supervisor  
Thomas E. Dolan, Councilman  
Peter E. Masti, Councilman  
George E. Langdon, IV, Councilman  
Kenneth A. Burns, Councilman

**ALSO PRESENT:** Diane L. Millious, Town Clerk  
Larry Conrad Sewer Administrator

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Supervisor Flach opened the meeting and led the Pledge of Allegiance.

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**NOTICE  
SPECIAL  
TOWN BOARD MEETING**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Coeymans has scheduled a Special Meeting for Tuesday, December 9, 2014 at 6:00pm. The purpose of the meeting is to discuss proposed Sewer Rates for 2015. The meeting will be held at Town of Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

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**SEWER DISCUSSION**

Supervisor Flach stated that they needed to go over some dates and he didn't realize that for a Notice it has to be advertised 5 days before a Public Hearing then asked if it would be possible for the Board to meet with the Village next Wednesday, December 17<sup>th</sup> and he is waiting to hear back from the Mayor on that date.

Sewer Administrator Conrad stated that he had given the Board two proposed sewer budgets, one based on 75/25% split and the other based on 80/20% split.

Supervisor Flach asked if everyone agreed to have a Public Hearing on December 29<sup>th</sup> at 6:00pm to set the Sewer Rates and added that he would not be present but everyone else would be. He continued by saying that if they can get the Village to agree with one of the two proposals, they will be able to lower the rates.

Sewer Administrator Conrad stated that he had also given them a copy of last year's budget. He added that he wanted to point out that the meters have been working since July so at the end of December they will have six months of readings and the last time they had six months they pushed them to hold off until mid-year or April to make the meter readings so it is probably going to be another issue with the Village. He continued by saying that it promoted a problem and they are seeing money in the bank account this year because they based their whole year on 60/40 when the first two months of it was 65/35 so he is assuming that the money left over in the Sewer Funds, they have not determined what portion of it is Town only and Village shared. He went on by saying that he has to work that out because he just got November vouchers and once he gets them put in the system he will have a better idea of where they stand with those numbers. He added that at the meeting in June they didn't accomplish a whole lot as far as the trunk sewer line and he is now giving them some information to look at prior to the Joint Meeting with the Village, which includes the proposal where they proposed the trunk sewer line once again. He continued by saying that as they know, they have been approved by DEC to get out of the

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moratorium provided they stick with the now approved plan, which is the proposed plan that includes upgrades to the trunk sewer line, which the Hamlet can't afford to do and without that the trunk sewer outside the gate will not be improved. He added that he and Trustee Bailey have looked over the situation down at the Sewer Plant and because they are relocating manhole 2, he has agreed to allow the 180 feet of pipe to go in from manhole 1 down next to where it goes into the plant to manhole 2 just inside the gate and reiterated that he has agreed to that as being part of the Shared Services Agreement. He went on by saying that everything from manhole 2 out, is a negotiable item and it would be nice if they could get them to at least look at it, otherwise they are going to be done in short order with their upgrades to the plant sometime next year and DEC won't be happy with them.

Councilman Dolan asked what portion of the overall project is to manhole 2.

Sewer Administrator Conrad stated that it is a major portion and will get the Hamlet out of trouble. He continued by saying that all of the Town's violations have been at the plant, they have not been written up for anything outside the plant, it has been all overflow. He added that to date all of the concrete structures are at the Sewer Plant and have been unloaded, the valving and pumps are in the process of being shipped and should be here within the next couple of weeks but the weather change isn't going to make it easy for getting some of those things in the ground but they still have to attempt to do it. He went on by saying that even if it is done in early spring, they will be in position enough to where they can tap manhole 2 into the old system and still bypass pump into the lagoon and take care of their overflow problem, hopefully it will take care of 90% of it. He continued by saying that they may end up with an overflow in some of the manholes up the line someplace but hopefully it will relieve a lot of the problem and they won't know until they see how it goes and the ultimate way is to get at least up through manhole 5 where the flattest part of the flow is and it would definitely take care of most of their problem because that is the section of line where it so flat that it surges and backs up, it would be great if they could get at least that part done, which would include 1,200 feet of two foot pipe but they really should go manholes 6,7,8 & 9 and that would bring them up to manhole 10 at Route 144 and James Drive where the two foot is supposed to end. He added that the Board has the proposed amendment, which relocated as they have discussed, going up through the property that the Town acquired and the only remaining piece is the mobile home that is still a loose link out there that needs to be resolved and those items should be discussed as well as the rates and he would encourage at the very least because the meter readings are strong enough that they should ask for 75/25% until they have a full year's worth of readings and then set the rate based on that at the very least, which he is hopeful will stay at the 80/20 mark but if not they will continue on with the 75/25%. He went on by saying that it becomes an issue for the rates at the Public Hearing and whether they should go with 75/25% or 80/20% or somewhere in the middle and it would be helpful if they could negotiate a finalized percent.

Councilman Dolan stated that the contract says that they should do it based on a year's worth of readings and then asked if the contract provides for changing the rates mid-year.

Sewer Administrator Conrad stated that the contract actually says every two years but they have ignored that to this point and been doing yearly and last year because the meters were down, they arbitrarily extended it and never did an amendment to the contract, which they should have done to virtually verify that fact. He added that it has been done for a 1 ½ years at 60/40% and the other half of the year at 65/35% but it is basically what they agree on and they can agree to any term they want but that makes it tough for budget purposes.

Councilman Dolan asked what the likelihood is that the Village will agree to 75/25% or agree to change it 6 months into a two-year contract and if he had any sense of that.

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Sewer Administrator Conrad stated that he knows as many of them know and has been dealing with them long enough to know that they may just want to stay at 60/40% and they wanted the Town to sign a 20 year contract at 60/40%.

Supervisor Flach asked Councilman Dolan if he has spoken with Trustee Bailey at all.

Councilman Dolan stated that he hadn't.

Sewer Administrator Conrad stated that he talked to Trustee Bailey about it and he understands where they are at with the rates but they don't have a year's worth of readings and then they went all over the place from there. He added that Trustee Bailey is not the only person on the Village Board, there are four other members, however they rely on him, which he understands because he is probably the one that has the most knowledge of the system. He continued by saying that ultimately they have already eaten 60/40% for an additional year because they had problems with the meters but he does not think that 60/40% is a fair rendition by any means.

Councilman Dolan interjected that he wouldn't mind staying 60/40% six months into the contract if they could change it to what the new numbers are now.

Sewer Administrator Conrad stated that they are averaging 81/19%.

Supervisor Flach stated that the other thing is that during the winter you don't get as much I&I because it is drier.

Councilman Langdon interjected that in the spring it is the heaviest I&I of the whole year.

Sewer Administrator Conrad stated that he has provided them something to think about and negotiate with the Village as they do whatever they can do but they have to come up with something before the Public Hearing and reiterated that he put together two budgets, which do not have fund balances and he assumes that there is going to be some kind of a fund balance either in Town only or both at this point because originally they looked at a premium of \$67,000.00 in Town only, which is why the rates were up there. He added that the part about it that is really a dilemma is if they can pay down the debt, which is what they are trying to do on the district and one bond that is Town debt is the stop-gap of the whole thing and causing them trouble, it was \$320,000.00 and now down to \$280,000.00 and they are forecast to pay another approximately \$20,000.00 on principal, which they could increase if they have additional money to pay that debt down a little further. He continued by saying that they don't dare do that until they are sure of what they have for a budget.

Councilman Dolan asked if the \$323.00 is per unit for a household.

Sewer Administrator Conrad stated that it is based on that rate or \$273.00 based on the 80/20%, which would be the minimum that they have to collect for that budget and it does not take into account if there are any fund balances coming forward and it doesn't take into account what the Village is going to end up agreeing to pay and if they are going to pay 60/40%, he is going to have to prepare another budget.

Supervisor Flach stated that it is \$525.00 annually right now.

Councilman Langdon asked if the Village and Town pay the same sewer rate.

Sewer Administrator stated that they don't and the Village pays next to nothing.

Supervisor Flach stated that the Town charges the Village based on 60%.

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Sewer Administrator Conrad stated that it is \$21,154.30 a month.

Councilman Langdon stated that they take 60% of the shared budget and split it among their 1,600 users and then the 40% is split among the Town's 400 users.

Ms. Regina Palmer asked why if there are a total of 2,000 using the sewer, why they would not divide the total due by how many people are using it.

Councilman Dolan stated that it is not how it works because it is a Sewer District.

Ms. Palmer stated that their district has more units.

Sewer Administrator Conrad stated that they don't have a district, they have a contract and the Village usually holds the Town at bay for months until they browbeat them to agree on something because they get tired of arguing with them.

Ms. Palmer asked if the Town does the same thing to them with the water.

Sewer Administrator Conrad interjected that the Village owns the water.

Ms. Palmer asked if they own everything that runs down the sewer.

Sewer Administrator Conrad stated that they do.

Councilman Langdon stated that his argument is why they don't take all the water and sewer, make it its own district, which should be governed by another whole new Board and the water and sewer should be treated as an entity.

Councilman Dolan stated that they don't own the water, they don't have that option.

Councilman Langdon stated that the Town should give them the sewer.

Sewer Administrator Conrad stated that they don't want it and they come to the table that they have to negotiate the best deal that they can for their Village residents and the Town goes to the table trying to negotiate the best deal but they get tired of it.

Councilman Langdon asked how much money the Town charges the Village in taxes to have the water facility in the Town.

Sewer Administrator stated that there is no charge.

Councilman Langdon asked why they don't and continued by saying that he believes that the Town should tax the Village.

Sewer Administrator Conrad interjected that he thinks the water mains should be taxed.

Councilman Masti asked why they always look at how much rainfall they have to affect the I&I.

Sewer Administrator Conrad stated that depending on how the rainfall comes, typically what has happened in the past until Oakbrook started their flows, the I&I was mostly them but now that they have fixed all but a couple of lines and other minor problems that they had here and there, their I&I has become much less but it hasn't gone away, it is still there. He added that in the Hamlet, they are still full with I&I someplace but they haven't found it yet.

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Councilman Masti asked if someplace means that there is a break in the storm water or something similar like that, which means there is an outside source getting into the sewer lines increasing the I&I.

Sewer Administrator Conrad stated that most of it is footing drains, gutter drains and sump pumps.

Councilman Masti stated that it really doesn't have anything to do with sewage produced by the individual units and to him, the only thing that makes sense, which he has been preaching for three years, is that it should be unit based split evenly among everyone and if they don't like it, they should give an option.

Sewer Administrator Conrad stated that they did give an option, meters and forced the Town into spending money on them.

Councilman Dolan stated that he has a meter in his house that has never been read.

Councilman Langdon reiterated that they should tax them on their water.

Sewer Administrator Conrad stated that the Water Board pays taxes for the Alcove Reservoir.

Supervisor Flach stated that the other thing that they need to consider and he has said it at other meetings, their waste is going through the Town's lines, all 1,600.00 users, but the Town is responsible for the lines.

Sewer Administrator Conrad stated that it was pointed out in a letter dated October 2<sup>nd</sup>, and basically the last two contracts, the 1967 original and the 1999 had paragraph eight that said any increase in the trunk sewer line, and even back then they realized the trunk sewer line was a shared thing, and any need to increase that would be on a benefit derived basis. He added that then Supervisor Youmans, at his midnight meetings, without anyone else having too much input on the contract, negotiated that paragraph 8 out in 2010, which Mr. Bailey is quick to point out so that piece is gone away but bottom line is that it is still a shared line that they want to reroute, which is described in the new agreement that they have discussed many times. He continued by saying that it is a much more proficient route and hopefully it will take care of all the back-ups and problems that they have had from the Village and they will be able to get rid of the VanHoesen Street overflow, which is what they engineered with DEC and DEC agrees with the models that have been provided by C.T. Male, that this will overcome their issues.

Councilman Burns asked if the Town rents the line that goes down Main Street.

Sewer Administrator Conrad stated that they did until 2010 when that was the one thing that was given up.

Supervisor Flach interjected that it is 1/3 of the length and it has 60 users to their 1600 users and then asked if they have legal recourse with their line and charging a flow-through charge.

Sewer Administrator Conrad stated that if they negotiate it, they probably could.

Councilman Dolan interjected that they could sue them.

Councilman Langdon stated that they could take it to court and see what a judge would have to say about something like this.

Sewer Administrator Conrad reiterated that they don't have a contract.

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Supervisor Flach asked how long the contract is good for.

Sewer Administrator Conrad stated that there are two ten-year extensions after this one so it is 30 years total and has been in place since July 2010.

Supervisor Flach stated that it is until 2020.

Sewer Administrator Conrad stated that they can opt out of it.

Councilman Dolan stated it isn't all about past Supervisor Youmans and he doesn't know enough about it to be pointing fingers.

Sewer Administrator Conrad stated that he does and Supervisor Youmans negotiated a bad deal and also forgot to include \$62,000.00.

Councilman Dolan stated that it was ridiculous and that he wasn't going to stand for it.

Councilman Masti interjected that Councilman Dolan should just leave.

Councilman Dolan stated that he wasn't going to leave.

Sewer Administration Conrad stated that the facts are the facts and the Town has been abused for years.

Councilman Burns asked if they were to try and negotiate a new sewer rate, if the Village has something to fall back on that says they don't have to do it for another year.

Supervisor Flach stated that the Town does not have a whole lot of leg to stand on.

Sewer Administrator Conrad stated that right now they have five months of meter readings and this is what they have got.

Councilman Burns stated that the Village could say that they want to wait another 6-8 months to see what the meters say then.

Sewer Administrator Conrad stated that they could.

Councilman Masti asks what happens at the end of that.

Sewer Administrator Conrad asked what they should do until then and if they should stay at 60/40%.

Councilman Burns asked if they could put something in stone saying that if they are going to have to wait an additional 6-8 months, are they are going to go by what the meters say.

Sewer Administrator Conrad stated that hopefully they would still work and his biggest fear is it has been so unreliable at the point that it is causing them the issues and it has been one thing after another and finally this is the first month that they haven't had a glitch in it and during the past two months prior to this, every once in a while when it gets to high flows it goes to 34 million gallons per minute, which can't fit through a 15 inch line at the point so they black that day out and divide by the remaining days and come up with an average. He added that it has happened on two occasions and they have the people who sold the meter working on it and they aren't even sure what is causing it and in December, with a higher flow, there was 1.74 inches of

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rain and it didn't happen. He concluded by saying that they are stuck in the dark and they need negotiate something.

Councilman Dolan asked what is more important for the Sewer District users, to get them to agree to the trunk line or a new negotiated tougher split.

Sewer Administrator Conrad stated it would be a tougher split in his opinion because they have settled their agreement with DEC and their agreement is going to be upon having an agreement with the Town of Coeymans, so they have them over a barrel and they are going to spend their money of VanHoesen Street.

Councilman Dolan interjected that in his opinion it would be pointless.

Sewer Administrator Conrad stated that it is also his opinion. He added that they left the 10 foot section of pipe out on Blaisdell Avenue for a reason, so they can't get through there until they sign some kind of a contract and it is basically what separates them from the Blaisdell to Colvin fix, which they have done already and going the rest of the way down, they have to still go from Colvin to Main Street, which is another project and another part of the trunk sewer that the Hamlet can't afford to do anymore. He continued by saying that \$525.00 does not seem like a lot for one unit, but it is those that have 2-3-and four that is killing them

Supervisor Flach interjected that there are some with 10 units.

Sewer Administrator Conrad interjected that there is one with 27.

Councilman Langdon asked who has 27.

Sewer Administrator Conrad stated that it is Civil Senior Housing.

Ms. Regina Palmer asked if they are charged by unit.

Sewer Administrator Conrad stated that they are.

Supervisor Flach stated that it is \$525.00 a unit.

Councilman Masti interjected that it is also only one person per unit.

Sewer Administrator Conrad stated that another dilemma that they have is that Mr. Dilella called them and informed that next year the Town may not re-levy any sewer or water, which is \$105,000.00 that will go on the 2015 tax bills.

Town Clerk Millious stated that he told her this year they can but probably not next year, they have to be metered to be re-levied.

Sewer Administrator Conrad stated that there is a bill in the legislature and unless everything is metered, they cannot re-levy so they may have another issue brewing for cash flow and it is an issue that Trustee Bailey doesn't believe and he advised that he should speak with Mr. Dilella. He added that he had spoken with Mr. Dilella and asked why it is going to be for sewer, which is done on a per unit basis in accordance with General Municipal Law, which put him over the barrel and he was going to speak with legal counsel to discuss it and hopefully they will still be able to re-levy the sewer.

Councilman Masti stated that sewer is per unit and then asked why they would be paying based on meters.

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Councilman Dolan stated that they are a different kind of meter, Sewer Administrator Conrad is talking about meters in an individual house and the things that they meter are in the line itself and not in individual homes.

Sewer Administrator Conrad stated that there are meters in three sections and they are monitoring the point where it comes from the Village into the Town and two points where they say it comes into the Village, with one section, 9W north, not even being in the Sewer District.

Councilman Dolan stated that typically sewers are not metered and it is based on water usage, water in equals water out, which is not an exact science but it is usually how it is done.

Sewer Administrator Conrad stated that it is up to 40,000 per household.

Councilman Dolan interjected that they don't meter the water, so they don't meter the sewer.

Sewer Administrator Conrad stated that this year they have to be even more careful how they used the words 80,000 gallons and it needs to stay out of the resolution the next time.

Councilman Dolan asked why.

Sewer Administrator Conrad stated that if they indicate that there is any kind of meter reading, it can be a problem and the few commercial that they do read, they do look at the water usage and it is how they determine multiple units for places like restaurants that use over 80,000 gallons and it is how they did it with the school, they based it on how many units went through their meter. He continued by saying that they gave Pieter B. Coeymans Elementary back to the Village because it goes into their line and flows through the meters as well as Rite Aid, which is in the Town but flows into a Village sewer line and they weren't going to meter it separately as well as 6-8 people who have been negotiated back in the Village system that they no longer have. He added that they have not checked the Village units since 2006 when they came up with the 1,160 count when he and Village Building Inspector Burns went through and did a survey of the district to come up with that number for the Village.

Supervisor Flach asked if Trustee Bailey gave any indication that they would use the proposed percentage for six-months.

Sewer Administrator Conrad stated that he acted like he was going to look for a full year.

Councilman Dolan asked what was now on the table and if they had to come up with a rate for a Public Hearing.

Sewer Administrator Conrad interjected that they have to come up with a budget number at the very least.

Supervisor Flach stated that when they meet with the Village they have to ask if they are willing to budge on the rate.

Councilman Dolan stated that his first instinct is to set it lower than the \$523.00 but not so low that it is a problem if the Village stiffes them and he thinks it is worse to go to a Public Hearing with a higher number than they put up first.

Sewer Administrator Conrad stated that they were hoping to drop the rate a little bit.

Councilman Dolan stated that he would rather not have to go up.

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Supervisor Flach stated that they need to go to the Village and ask what they are willing to do on the 80/20% and meet them somewhere in there and once they find that out, they will have 12 days before the Public Hearing to set a rate and hopefully the Village will agree to 75/25% and they will be able to lower the rate somewhat but they have outstanding things that they have to pay off. He continued by saying that even if they could save folks \$25.00, it would be something and anything at this point would be good..

Sewer Administrator Conrad stated that he has given them enough information, the 75/25% and if they tell him they want 60/40% he will develop the rates based on that and basically the 100% for Town only stays the same and the 60/40% share just changes on their overall budget so they can pretty much figure it out for themselves and he put how he arrived at the formula based on the vacant parcel charge, which remains the same each time and the 448 units is the same number but he has not gone through the addresses and changes yet.

Supervisor Flach stated that he has a question about the options with the Village.

Sewer Administrator Conrad stated that they should go in asking for 80/20% and will be lucky if they come out with 75/25% and his opinion is that Trustee Bailey is going to look for 60/40% until there is a year worth of readings.

Supervisor Flach stated that Sewer Administrator Conrad had previously stated that Trustee Bailey is only one person so maybe they can convince the others that they have to do something and meet them somewhere on a number and maybe in six-months they will read them again, which will be one year and then asked if they could change it then.

Sewer Administrator Conrad stated that they can do anything that they agree to.

Councilman Dolan stated that the contract says two different things, it is based on a year worth of reading but it also says it is a two-year contract.

Sewer Administrator Conrad interjected that they could say they have 2 years as of March because it started in April so if they read it in another three months, it would be two years at the rate of 60/40%.

Supervisor Flach stated that if they ask at the end of six months, which is June and from June to the next reading if it is 75/25% or 80/20%, which is a year and if they can do it for two years.

Sewer Administrator Conrad stated that it is basically what the contract says.

Supervisor Flach stated that this is what they should try to go for, in his opinion.

Councilman Langdon asked Sewer Administrator Conrad if Trustee Bailey will have the realization that it is really 80/20% and will end up with that eventually.

Sewer Administrator Conrad stated that he won't and his excuse is that they have not had much rain and he is looking for the wet months to see where it comes out.

Councilman Langdon stated that Sewer Administrator Conrad knows the numbers better as to whether it is conceivable if they agree to 75/25% for a little more extended period of time and then asked if the Village was looking for 4-5 years.

Supervisor Flach stated that it was 60/40%.

Sewer Administrator Conrad stated that it was also to share the trunk sewer line.

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Councilman Langdon stated that if they truly know that the meters will show 80/20% and that is the way that it is going to go, would 4-5 years makes sense, which would give them the relief that they need now.

Sewer Administrator Conrad stated that it won't give them much relief.

Councilman Langdon stated that he wanted to know if it was worth it to them to consider an offer like that.

Sewer Administrator Conrad stated that the bottom line is the units and it should be 80/20 based on the units and not the I&I.

Councilman Langdon interjected that he just trying to negotiate.

Sewer Administrator Conrad stated that the contract says it is supposed to be a 2 year rate, so far they had a 1-year rate and then a 1 ½ year rate and reiterated that they can do anything that they want but he would try to keep it down to a 2 year rate at the max. He added that he would rather it be done like the contract says, which is based on what the meters read.

Supervisor Flach stated that if they go six months at 80/20% and can work some kind of figure between 60/40% and 80/20% for six months, at the end of those six months they will have a year's worth of readings and in June determine the percent and then go with that for 2 years.

Sewer Administrator Conrad stated that it would be great and as far as he is concerned, it is what the contract says but they have to determine what they are going to charge in the interim because they can't wait 6 months to bill them.

Supervisor Flach stated that they have to put it all on the table with the Village; they know that it is not going 60/40% and that it has to be changed.

Sewer Administrator Conrad reiterated that he would be happy to get 75/25% for 6 months and then whatever the meters say from there.

Councilman Burns stated that they keep playing Russian Roulette with the meters and then asked how far they have gone in trying to find the I&I leaks in the system and if they have gone house to house with dye.

Sewer Administrator Conrad stated that they are never going to get all the I&I and you just have to learn to deal with it, so much are footing drains, as they come across them they eliminate them but as he knows they have been shutting off water lines that have been leaking and every house down there has foundation drains, floor drains and sump pumps into the sewer. He reiterated that they are never going to get it all and as fast as they disconnect it, they hook it back up when they leave.

Councilman Dolan interjected that it isn't every house.

Sewer Administrator Conrad stated that it is a lot of them.

Councilman Langdon interjected that there are apparently houses with their sewer going into the storm drain.

Sewer Administrator Conrad stated that there are still a few someplace that they have not tracked down and another issue on the other side of the coin is as they find them, they will put them back in. He added that they took 7 services out of the storm sewer from Colvin to Blaisdell and they

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assume that based on the smell and issues down at the park that there are still more someplace that they have not tracked down and they have to continue going through the storm sewer all the way up through there but it requires a shared agreement because they have to negotiate a couple of easements that they really aren't ready to negotiate at this point in time until they know that the Village is going to share it with them. He continued by saying that it is nice that they got a chance to talk beforehand but as they can see, what they have on the Town side alone, when you look at the two figures and they come together there, if you do 60/40 the Village is paying about the same for 1,660 units as the Hamlet is for 448. He went on by saying that the debt is going to start to come up a little more, right now they are only at \$500,000.00 of the 3 million and at some point they have to start paying more on that, this year they are going to pay a piece of it and hopefully they will get most of it in under that number at this point to get them through the plan and that it is enough but they still have to put the tanks in the ground, 180 feet of pipe and make the tie-in to the old system.

Councilman Burns asked if they have everything that they need to do that.

Sewer Administrator Conrad stated that they don't, they don't have the pipe because they have been hoping that the Village would come onboard and they could order it all at once because it is a special order to bring it in out of Massachusetts. He added that the numbers that he has given them is a minimum amount.

Councilman Dolan stated that with the debt they are looking at for the Hamlet Sewer District, regardless of how it is split, it would be irresponsible to drop the rate too much because it happened to them once before as they know.

Supervisor Flach stated that they went crazy with dropping the rate and it went from \$380.00 to one-hundred something.

Ms. Regina Palmer interjected that she is afraid that the rates will go back up.

Sewer Administrator Conrad stated that it makes it hard to raise it back up.

Councilman Burns stated that it hurts the people to raise it back up.

Councilman Dolan stated that they have to raise it, it is the math and it is the amount of money that you have to raise divided by the number of users and there is nothing else in there except that.

Sewer Administrator Conrad stated that unfortunately because of DEC and the Consent Order they are handcuffed.

Councilman Dolan interjected that they don't have the ability to add new users.

Supervisor Flach asked Councilman Dolan if he had gotten a general consensus about the \$525.00.

Councilman Dolan stated that people don't like it.

Ms. Regina Palmer stated that if you have more than one unit, like she does, they are paying over \$1,000.00 a year for sewer.

Sewer Administrator Conrad stated that he will as well.

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**December 9, 2014 – Special Town Board Meeting – 6:00pm**

Supervisor Flach stated that New Baltimore pays more than that and Bethlehem pays a lot more than that.

Ms. Palmer stated that New Baltimore does not have water rents and she would guess that they have a lot less units. She continued by saying that she is confused by the contract wording and then asked how it is that it wouldn't be based on the total of number of units that are using it because if someone builds a house in Ravena, she would think that they would have to pay their fair share.

Sewer Administrator Conrad stated that he could give her a copy of the contract.

Councilman Dolan interjected that it makes for some interesting reading.

Ms. Palmer stated that she would like to look at it and continued by saying that if it wasn't negotiated in the best interest of the people paying, couldn't they as a Hamlet say that whoever negotiated it on their behalf screwed them.

Councilman Dolan stated that she is welcome to say that but they negotiated it a long time ago.

Ms. Palmer stated that regardless of who did it, it wasn't done in the best interest of people who use it.

Sewer Administrator Conrad stated that the first contract was 1967 but even then, those people who negotiated the contract had the foresight that if the trunk sewer had to be fixed or maintained, it said would be on a benefit derived basis, which would be units, meters or whatever. He continued by saying that going back as far as when the District was first started, the Village has never paid anything toward Capital Improvements and in 1967 the contract said that they pay a minimum of 20%, maximum of 30% of Capital Improvements but they paid 85/15% toward Operations and Maintenance and in 1969 they amended it to 40% for Capital Improvements, in 1973 they had a Review Board because prices were out of hand, which went nowhere and in 1974 the debt was raised to 46.2% for a new Bond but they were still paying the 80% for Operation and Maintenance. He added that in 1999, then Trustee John Neri finally negotiated a contract between the Village and Town and the debt went to 50/50% and they were still paying 85% of the Operations and Maintenance. He went on by saying that they have never paid their share of Capital Improvements and now the Capital Improvements on a 45 year old plant are going through the ceiling and it is why past Supervisor Youmans thought the contract was great because he finally got them to agree to pay whatever percent the meters say for both Capital Improvements and Operations and Maintenance, which was a great deal. He continued by saying that the problem was that they hadn't paid the Town in over a year and a half, it was \$355,000.00 that they owed the Town in Operations and Maintenance and \$62,000.00 in Capital Improvements and when the contract got done the \$355,000.00 made it in but the \$62,000.00 went by the wayside so the District ended up eating \$62,000.00 more in that debt that belonged to the Village and they refused to pay it.

Ms. Palmer asked if the Sewer District send out their own invoices.

Sewer Administrator Conrad stated that they do but it is a monthly bill for the Village for \$21,000.00 based on the contract.

Ms. Palmer asked why the Sewer District doesn't bill the Village users.

Sewer Administrator Conrad stated that the Town has no jurisdiction over anything to do with the Village and the Village is its own entity even though it is totally within the Town, they are not subject to any of the Town's Local Laws or anything.

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Ms. Palmer stated that her water line broke, which means between the main and the house.

Sewer Administrator Conrad interjected that it is her problem.

Ms. Palmer asked what would happen if her sewer line broke between the main and the house.

Sewer Administrator Conrad stated that it would be her problem.

Ms. Palmer stated that it says up to the house.

Sewer Administrator Conrad stated that he assures her that it does not say that and it says to the main and she would have to get a permit and pay \$100.00 and he will inspect it when they put it in.

Supervisor Flach stated that it is usually that way.

Ms. Palmer stated that she didn't think when she was reading it that it said that.

Sewer Administrator Conrad stated that he would gladly go over it with her.

Councilman Burns stated that the Village used to fix the water and sewer lines and charge for parts and a certain amount of labor but then a lot of outside contractors complained that the Village was taking work away from them so they stopped doing it.

Ms. Palmer stated that they were nice enough to do theirs and they paid them.

Sewer Administrator Conrad stated that there is a policy that they passed saying that they wouldn't do it anymore.

Councilman Burns asked if there is a shared contract for the Water Plant and if the Town has to pay a certain amount for it upkeep.

Councilman Dolan stated that the Town doesn't pay anything.

Sewer Administrator Conrad stated that they pay 150% of whatever the Village pays.

Councilman Masti asked why.

Councilman Dolan stated that it is their water and they can charge whatever they want.

Councilman Masti interjected that the Town should charge the Village more for their sewage going down the Town's pipes.

Councilman Dolan stated that currently the Village pays approximately \$253,000.00, they can collect whatever they want from their Village residents to pay for that and over the years they have charged their people such a low percentage compared to the number of users but still charged them more than they actually need to and banked the money.

Ms. Palmer asked how that was right or fair.

Sewer Administrator Conrad stated that they raised it 4 or 5 years ago and it was the first time in 20 years and they have such huge fund balances on sewer and water that it is pathetic.

Councilman Masti stated that with extortion techniques, that usually happens.

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Supervisor Flach stated that the Town should build its own Water Plant.

Sewer Administrator Conrad stated that he guesses they were better negotiators than the Town and they have done well for the Village residents and you have to give them that, they have done well.

Councilman Burns stated that it is a great idea to build their own and at one time it was \$18.00 for a million gallons to build a Water Treatment Plant.

Sewer Administrator Conrad stated that it still is.

Councilman Burns stated that if they can get the water from where they think they can, he does not think that it will take that much to filter it.

Sewer Administrator Conrad stated that it would take a chlorinator and that's it.

Councilman Burns stated that problem would be running the water.

Sewer Administrator Conrad stated that it would be a 5 mile water line.

Ms. Palmer interjected that she thinks they should look for a grant to combine because it is ridiculous that they have two municipalities.

Sewer Administrator Conrad stated that the Village is looking into another grant for water and have hired an engineer firm to do a study and part of the grant is to include a new supply line from Deans Mill Road to the plant. He added that on the other side of the coin, Mr. Laraway applied for a grant and it is supposedly being awarded for 1 million dollars to the Town of Coeymans.

Councilman Burns asked if it would be for a water line to go down Main Street.

Sewer Administrator Conrad reiterated that it would be awarded to the Town of Coeymans and it is his understanding that the Governor is supposed to make the announcement and as they recall, Mr. Laraway paid for all of the engineering and hired the attorney's to do the work and the Town of Coeymans had to sign a form to participate but the money is coming to the Town of Coeymans for the upgrades.

Councilman Langdon stated that Sewer Administrator Conrad looked upset and then asked what the problem was.

Sewer Administrator Conrad stated that he is not upset and he is just wondering how they are going to deal with it.

Councilman Burns asked if the Town can take over the water lines.

Sewer Administrator Conrad stated that 1 million dollars won't go far and the idea was originally to upgrade the main on Main Street from Railroad Avenue to Willis Avenue, down Willis to Carver's property and it is why he paid to do the work. He continued by saying that there apparently is a problem between Railroad and Willis, which the Village knows, they just don't know what or where it is but it is only a 8 inch line from Railroad down that was going to be improved to a 12 inch going down Willis to feed the Industrial Park. He added that it is the Village's call, it is their system and he is wondering how they deal with the 1 million dollars and he is waiting to see how it plays out, because it is not the Town's line.

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**December 9, 2014 – Special Town Board Meeting – 6:00pm**

Councilman Burns stated that it could be the Town's first step in starting their own Sewer District.

Sewer Administrator Conrad interjected that they have their own Sewer District, they need a Water District.

Councilman Burns stated that it is what he is saying.

Councilman Langdon interjected that the problem is that if Carver is paying for it, he will be expecting a supply down there.

Sewer Administrator Conrad stated that he does not want to get too far carried away with it and he wants to make sure that it does not say Village of Ravena on the check first and there is someone else who is just as astounded that it is going to say Town of Coeymans.

Supervisor Flach stated that they are willing to start from Railroad Avenue and go down but they need a little help.

Sewer Administrator Conrad stated that they might have a lever.

Supervisor Flach stated that it would be the only one that they have.

Sewer Administrator Conrad stated that he found out earlier in the day that the Governor is making an announcement tomorrow and no one has heard a word.

Ms. Palmer stated that she thinks it is hilarious that the person funding the grant is the one that is going to do this.

Sewer Administrator Conrad stated that it had to be joint venture in order to qualify and the Village had to do the same thing in agreeing to it as well as Carver having to agree to it and it is something that will benefit all three parties.

Councilman Langdon interjected that anyone on the outside would have looked at this scenario and said the Town of Coeymans is the all-encompassing entity, which in some ways should be that way but it's not.

Sewer Administrator Conrad stated that they will find out soon and reiterated that they have more than enough to deal with and now they need to do a motion to reschedule the Public Hearing and then asked if Supervisor Flach heard from Mayor Misuraca.

Supervisor Flach stated that he hadn't.

Sewer Administrator Conrad stated that the Village will have to post a Notice for a Joint Meeting.

Discussion ensued regarding possible dates for a Joint Meeting and Public Hearing.

Sewer Administrator Conrad asked if they can schedule one tentatively.

Councilman Dolan interjected that he thinks they should make the motion and if necessary they will cancel it.

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**MOTION**

On motion of Councilman Masti, seconded by Councilman Dolan, to schedule a Joint Meeting with the Village of Ravenna on December 17, 2014 at 6:00pm

Sewer Administrator Conrad stated that they also need to set a date for a Public Hearing.

**MOTION**

On motion of Supervisor Flach, seconded by Councilman Dolan, to schedule a Public Hearing for December 29, 2014 at 6:00pm.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Discussion ensued amongst Supervisor Flach, Sewer Administrator Conrad and Town Clerk Millious regarding posting in the paper.

Supervisor Flach asked that Sewer Administrator Conrad work with Village Trustee Bailey on this.

Ms. Palmer interjected that he is only one of four.

Councilman Langdon stated that he really does know the whole infrastructure and in listening to him and Sewer Administrator Conrad arguing, it is obvious that they are the two who really know what is going on.

Sewer Administrator Conrad stated that if it wasn't for the 60 units and they should give the Village everything west of 9W so all they have is the Hamlet to worry about and then they don't have the flow through because north of 9W is outside the District anyway. He added that plus now the issue is going to come up and is being discussed, on extending the District now that Carver has put the new bridge in and he put the sleeves through the bridge to deal with the sewer and bring it across Rte. 144. He continued by saying that the Tappan Zee has agreed to ante up with the Clearwater Sloop's approval, \$50,000.00 to do a project of which he proposed a lift-station and line from Stone House Hill up to Carver's new bridge to tie it in and it should be extended into the District or else it will be an out-of-district user again.

Councilman Dolan stated that he would be in favor of extending it.

Sewer Administrator Conrad stated that they should do the Water District the same way so they are both contiguous because right now they are not the same bounds, which is part of the problem and it is what the Village is giving them a hard time over because some of the water users aka P&M are outside the Water District. He added that this is another thing that is being discussed and looked at as far as a Map Plan and a petition will be submitted sometime next year to deal with that part of the sewer, which is ok with DEC provided they stay on course with their program. He continued by saying that it was under a hardship over there so they would probably approve it anyway, especially if \$50,000.00 was coming from Tappan Zee and if they don't spend it, they would be fools.

Councilman Langdon asked if \$50,000.00 would do a lift-station.

Sewer Administrator Conrad stated that they may not have to do a lift-station if they are lucky, they may have to put injector pumps into it and let it flow from there, they don't know and have to do some survey work in order to get that determined. He added that they have contacted him and he has given them the footages and there are other things that they looked at and agreed to

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the project so they have to push forward at some point but he does not know how to proceed. He continued by saying that he got an e-mail that he has to respond to.

Supervisor Flach stated that basically they are going to add the other side of the creek to the Sewer District.

Sewer Administrator Conrad stated that it is a sewer main extension that is going to have to be approved by DEC, it has to be drawn up and DEC has to approve the whole project and reiterated that hopefully they can get it accomplished in the \$50,000.00 range.

Councilman Dolan stated that those homes should be tied into the Sewer District.

Sewer Administrator Conrad stated that it goes back to the 1960's and they were originally intended to be part of the District but it never came about and their sewer goes into the creek.

Councilman Dolan stated that when the bridge was rebuilt there were plans to include the homes.

Sewer Administrator Conrad stated that it escalated to \$150,000.00 to put the sleeve across the bridge and Carver already put it in his and it is ready to go and the manhole is already on the other side of the bridge to make connections.

Councilman Masti asked how those houses are allowed to put raw sewage into the creek when DEC is so worried about their project.

Sewer Administrator Conrad stated that at one point the Health Department and DEC told the Town that they had to fix it and their reply was that it is not in their District, there have been so many meetings on how to deal with it and they were going to make them put in a Community Sewer over there but then they found out they were below poverty level and could not afford it. He added that the bottom line is that if they can get a manhole at the end of Stone House Hill, they can put in an ejector pump, which is \$4,000.00 to start with and that does not include putting it in and he does not know to what extent they are going to get involved with that, if any or just give them a way to hook into it at this point. He continued by saying that the apartment house on the other side is so low that he would have to use an ejector pump to get into it and the question is, do they need to build a lift-station there and if they do, they can build it so they can naturally flow into it, the lines on Stone House Hill running across the creek are deep and probably 4-5 feet below grade and the pipes actually stick out the bank. He went on by saying that he just wants everyone to be up to speed on what is going on and he doesn't even know where that project came from but he has to deal with it and now they are going to have to do something formally and he doesn't know who is doing the engineering, whether Tappan Zee is doing it or if they are expecting the Town to do it with the \$50,000.00, he assumes that the Town is going to have to hire someone to do the design work to get it in and approved. He concluded by saying that they may be able to include Carver into that because it will be to his benefit as well and maybe some of his people can help do some of the work.

Councilman Masti asked about the Yacht Club and if they would be included too.

Sewer Administrator Conrad stated that they are interested as well and they already have a line to put an injector pump into that because originally it was discussed that when it came across the new bridge, they were going to hook in.

Councilman Langdon asked what the line is that goes across the swamp from the boat house over to Carver, it is a suspended pipe above the swampy area back in the little cove and it is a 4-6 inch pipe.

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Sewer Administrator Conrad stated that he thinks he is talking about a dredging pipe, they have a settling pond back there and their own dredge where Lou Newberg put the line in that goes back to a pond and Carver cleans it for them.

Discussion ensued regarding the exact location.

Councilman Langdon stated that he found it when he was kayaking and it is between the Yacht Club and Carver and there is a little cove and reiterated that it is a 4-6 inch pipe.

Sewer Administrator Conrad stated that it is probably a 6 inch aluminum line and it is their dredging line and they have an annual permit to dredge. He concluded by saying that he has told them where they are at and they can tell him what they want and in the meantime he will try to come up with the actual total of money they are at spending between Town only and shared and the shared extra, they either pay the extra or the Town reimburses them in January according to the contract but the Town only portion has typically been spent on other debts that sometimes are not Town only.

Supervisor Flach asked if there were any other comments, hearing none he offered a motion to adjourn the meeting.

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**ADJOURNMENT**

**MOTION**

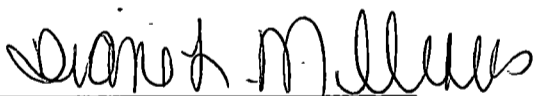
On motion of Supervisor Flach, seconded by Councilman Dolan, the Special Town Board Meeting was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:12pm

*Respectfully Submitted,*

**APPROVED – As Read February 9, 2015**



**Diane L. Millious, Town Clerk**