

MINUTES BOOK TOWN OF COEYMANS**

June 23, 2015 – Joint Town Board and Village Board Workshop Meeting-7:00PM

A Joint Town Board and Village Board Workshop was held Tuesday, June 23 2015, at 7:00pm at Village Hall, 15 Mountain Road, Ravena, New York.

VILLAGE BOARD: William Misuraca, Mayor
Bill Bailey, Trustee
Nancy Warner, Trustee
Keith Mahler, Trustee
Joel Coye, Trustee

TOWN BOARD: Stephen D. Flach, Supervisor
Thomas E. Dolan, Councilman
Kenneth Burns, Councilman
George Langdon, Councilman

ABSENT: Peter Masti, Councilman

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

The following Notice was posted by Town Clerk Millious:

**NOTICE OF
SPECIAL
TOWN OF COEYMANS
VILLAGE OF RAVENA
WORKSHOP**

PLEASE TAKE NOTICE, that the Town Board of the Town of Coeymans and the Village Board of the Village of Ravena has scheduled a Special Workshop for Tuesday, June 23, 2015 at 7:00pm. The purpose of the meeting is to discuss water and sewer issues. The Workshop will be held at Village Hall, 15 Mountain Road, Ravena, NY.

AGENDA

- Water & Sewer Issues

DISCUSSION

Mayor Misuraca stated that the Town of Coeymans Town Board was present to discuss a few issues.

Supervisor Flach stated that the one thing that he would like to ask the Village Board is that they re-sent some bills for approximately \$132,000.00 for sewer since February and then asked when they can expect a check.

Mayor Misuraca stated that as far as he knows it is not on his desk and then asked how they made out with the readings.

Supervisor Flach stated that they do have readings and Sewer Administrator Conrad will share it with them but they met back in December and they agreed to 70/30% to be paid until the end of June and in turn then they would look at the meters and decide how it was going to go and they would retro back to whatever it was, which they all agreed to at the December 17th Joint Meeting. He reiterated that they agreed they would be paid 70/30 from January to June, they have only received January's payment and right now it is 4 ½ months behind and the Town needs the money.

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Mayor Misuraca stated that he understands, they did agree to the 70/30 and he is assuming that good or bad the Town will provide the readings and then asked at what point they would get them so they can make any adjustments necessary.

Trustee Warner interjected that just to be clear, they didn't get the February bill until June.

Sewer Administrator Conrad stated that it wasn't true.

Supervisor Flach stated that normally what they do is they send the bill, the Village pays it and then they send the next one, they don't send them all at one time. He added that he has never been in the position of not being paid in 5 months and he is just asking and has to know so they can figure out what they have to do.

Trustee Bailey stated that they are right about the February bill.

Trustee Warner said that it is date stamped June.

Trustee Bailey interjected that it is a duplicate and there was a February bill that they received at the end of March and the others they received in June.

Sewer Administrator Conrad stated the Village talked about closing their books and weren't able to because the Town didn't pay the approximate \$27,000.00 Water Bill so he wanted to make sure that they had the Sewer Bill of \$133,000.00 so they could pay it and close it, which was through May.

Trustee Bailey reiterated that they just got them in June.

Sewer Administrator Conrad interjected that he knows they pay \$26,000.00 a month.

Councilman Langdon stated that the question is why they hadn't paid them.

Trustee Bailey stated that at the end of March he started asking to see some meter readings.

Councilman Langdon stated that they had previously agreed that the Village would pay 70/30%.

Trustee Bailey reiterated that he wanted to see some meter readings that are usually shared with Joe Burns who had asked for them, which he discussed with the Board and they knew he was asking for the meter readings and he was told to keep asking.

Sewer Administrator Conrad stated that he asked two times and neither time did he say that he was holding back payment.

Mayor Misuraca interjected that he would take responsibility for some of it now that Supervisor has refreshed his memory and added that they should pay the bills and as a courtesy he will cut the check because right is right and he does remember the meeting and should not be holding payment, which is his opinion. He continued by asking if by July 15th they could get some good readings.

Sewer Administrator Conrad stated that they have readings and coming into December's Meeting up through November, which at that point in time they had June through November, Trustee Bailey looked at a few of the meter readings and they were having glitches with the meters that they were trying to deal with and all of the sudden they lost the meters. He added that they agreed they were going to read them for a few more months and come back in June with hopefully a full year's worth of readings; however they had an issue in January where they started going bonkers at the point. He continued by saying that they took the meters out, sent them back to the factory and in turn they came back and said that there was something wrong

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with the board in the meter pit so they pulled the board, which was full of grease that they found out afterwards that it was due to a big grease back-up at the apartments on Orchard Avenue. He went on by saying that if they had known what it was, they would not have called the factory who e-mailed them showing it was good up to a certain point and from there on it was bad. He added that in turn he called Village Highway Superintendent Traver right away and told him something was going on so they pulled the sled and there was grease all over and come to find out they had an issue at Louis Apartments. He continued by saying that by the time they got it back in and running, they have lost another two months on top of the fact that Trustee Bailey didn't like a couple of previous months and he was hoping for the wetter months of rain to see where the flows went, which they didn't really have. He went on by saying that the rain fall totals the beginning of last year were almost nothing with the exception of December when they did have 3.97 inches of rain and it only resulted in a 63.92 to 36.08 percentage with almost four inches of rain and then they had the winter months and the winter was harsh and there was 1.89 inches of rain in January, .29 in February, .86 in March, 2.27 in April and 1.99 in May. He added that June is just about ready to be read and with the way things started you couldn't really use January or February's reading again on the point where they didn't have meter readings and January resulted in an 87.45 to a 12.55 for the Town, which Trustee Bailey is going to tell him is ridiculous. He continued by saying that he will be glad to go over all the readings that are documented, there were a couple of months with glitches but they happened on days with no rain so all they did was knock those days out and divided it by how many days and came up with averages and he told Trustee Bailey just recently that he put the meter readings together for him anticipating to go over it but they are still not at 12 months of readings, which seems to be headed well over the 70/30 that they agreed on regardless of glitches and wherever they managed to negotiate what months, Trustee Bailey thinks they should check and there months they shouldn't take. He concluded by saying that he cannot change the meter readings, they are what they are.

Trustee Bailey asked if they are getting some meter readings.

Sewer Administrator Conrad stated that it doesn't appear so because they seem to be repeating themselves.

Trustee Bailey interjected that he asked for the information so he could raise questions while it is going on.

Sewer Administrator Conrad stated that he just got it done and he was not available when it was done.

Trustee Bailey stated that they usually get it ongoing and the last time they read it, they got it monthly when Sewer Administrator Conrad got the reports.

Sewer Administrator Conrad stated that the Monthly Reports do not give him the meter readings for everything that they need.

Trustee Bailey stated that they want to see what is thrown out and what isn't thrown out and it is all they are asking for.

Sewer Administrator Conrad stated that he will give him a complete set for whatever he wants and added that he didn't know it was why they were holding back money.

Mayor Misuraca interjected that it will be balanced out and paid and it is what they agreed to do.

Sewer Administrator Conrad stated that they need to decide because they are still not at a full 12 months of readings that Trustee Bailey insists upon.

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Trustee Bailey stated that at the meeting they agreed to 12 months.

Mayor Misuraca agreed that they said 12 months.

Sewer Administrator Conrad stated that they don't have 12 months so basically they have to reach an agreement because they agreed after June they would meet and discuss it and reiterated that he didn't know there was urgency up until this point and he will get a copy for Trustee Bailey.

Mayor Misuraca asked how many good months he has.

Sewer Administrator Conrad stated that it depends on what they want to accept for 2014 from June to December and basically he has six months of readings from last year and three months for this year so they still only have about nine months.

Supervisor Flach stated that for the two months that they don't have readings for, there was very little rain.

Trustee Bailey interjected that they want 12 months.

Sewer Administrator Conrad stated that January and April hit almost exactly the same 87.45 and 87.54.

Trustee Bailey stated that he questions those readings.

Sewer Administrator Conrad stated that he doesn't have a problem with him questioning them so they can run it for another three months.

Trustee Bailey stated that they have historic readings where month after month after month it was 62, 58, 63, which is how they came up with 60/40.

Sewer Administrator Conrad interjected that it had been dry for the most part.

Trustee Bailey stated that all of the sudden it is 87.45 for the Village and 12.55 for the Town and he finds that to be impossible.

Sewer Administrator Conrad stated that in going back to June of last year, it was 92.53.

Trustee Bailey interjected that it just can't be.

Sewer Administrator Conrad stated that in November it was 90.65.

Trustee Bailey reiterated that it can't be and there is something wrong with the meter readings because they have never varied that much, he knows that the Town did some work and the Village has done some work but to 87.45 and a 27% change for some of the months, he has trouble with that.

Mayor Misuraca interjected that since he has been in office, this is the second time around and they will all agree that the meters are what is causing them all the havoc. He added that they can take the piece of paper with the readings on it and cast it aside and say the meters are not giving good numbers on either side and go back and forth forever.

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Sewer Administrator Conrad stated that they can look at the number of units that they have and when you figure between the Town and the Village it is 79% to 21% and it is why they asked them to agree on 70/30 for the first few months but the meters are leaner higher than that.

Mayor Misuraca stated that they know they are not going to pay 80/20, which the Town is in favor of and then asked what the next negotiation point is.

Sewer Administrator Conrad stated that they can continue to monitor the meters for a few months.

Councilman Langdon interjected that they are starting at the wrong point because they are using a unit count to come to the 80/20 but what he is telling them by the meter readings is that it is actually in the upper 80's, so that is the starting point.

Trustee Bailey stated that what they are saying is absolutely absurd.

Councilman Langdon stated that he thinks 60/40 is absurd so they have two absurd numbers on each end and now they need to work toward the middle.

Trustee Bailey stated that he can show him in the books previous documentation month in month out, wet or dry when no one was questioning whether the meters were working properly.

Sewer Administrator Conrad stated that he has documentation that says the meters weren't being read most of the time.

Mayor Misuraca suggested that they make up a contract and say these are the numbers for "X" number of years because they keep coming back to the table every six months and talk about the same redundant nonsense.

Sewer Administrator Conrad stated that it is expensive nonsense and is costing a lot of money to recalibrate the meters once a year and the electric bills on the meters are running \$70.00 every two months.

Mayor Misuraca stated that every time they go back down in the pits and look at the meters, there is something wrong with them.

Sewer Administrator Conrad stated that the problem is that the one at the point apparently is going to require a lot more maintenance than anyone ever anticipated, it is a deep well confinement situation where they have got to set up, they have to do the air monitoring, you have to put two people down in there to pull the sled out and they have to keep it clean apparently more so than not. He added that they cleaned it and pulled it again a few weeks later to see if it was okay and it seems okay now but they have no idea and they have had some issues at the Plant where something went in the system and killed off all their bugs so they have been fighting the system down there because someone dumped gas, oil or something, which doesn't take much to hurt the plant.

Councilman Langdon interjected that the grease didn't help it.

Sewer Administrator Conrad agreed that the grease didn't help and they know that and reiterated that it is costing the Village and Town a lot of money each time. He went on by saying that he knows they both have I&I issues and they have to keep working on it but they are going to have I&I issues until they are all dead and in the ground because they will never see it go away. He added that they can use the meters as a lightning rod approach to try and monitor it and then asked how much they want to spend on it because the bills are outrageous. He continued by

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saying that on a unit basis has been the thing that they keep coming back to continuously and they haven't checked it since 2007, which was the last time that they used the numbers to try and determine the units.

Trustee Bailey interjected that they have a contract that says the Town takes care of their infrastructure and the Village takes care of their infrastructure and the Village does not pay for any of it for the area outside of the plant and then asked how they would come up with a unit cost and continued by asking if he is saying that they are going to do a unit cost just for the plant operation and everyone else pays for the infrastructure.

Sewer Administrator Conrad stated that before the Contract, which Mr. Youmans negotiated, the Town used to pay a flow-thru charge to the Village.

Trustee Warner interjected that Henry Traver signed the Contract.

Sewer Administrator Conrad stated that Henry signed it but Mr. Youmans was responsible for it to his knowledge and they were paying two different rates, one for operation and maintenance and another rate for Capital Improvements, and from the initiation of the Plant being constructed, up until 1999, the maximum the Village ever paid for Capital Improvements at the plant was 50%.

Trustee Bailey agreed.

Sewer Administrator Conrad stated that before that it was 46.2 and before that it was 25% for all of the work that was done down there and then the maximum paid was 84.1 for operation and maintenance up until the 1999 Contract.

Trustee Bailey interjected that he thought at one point it was 89% and added that he's in the ballpark.

Sewer Administrator Conrad stated that the Town paid a flow-through charge from the two areas above the Village where they flow in but when it got to the point, the Village never paid a dime and always maintained that it is the Town's tough luck.

Trustee Bailey stated that they always maintained that they put in money for the construction of it.

Sewer Administrator Conrad stated that it was for a piece of it and the fact of the matter is that they never paid 85% of it; they always paid a very minimal percent.

Trustee Bailey stated he was correct.

Sewer Administrator Conrad stated that the point being is that the flow-through charges are good enough for the Village on the upper end coming in.

Trustee Bailey stated that they dropped the flow through charges in the October 2010 Contract.

Sewer Administrator Conrad stated that the Town is maintaining the pipe where the 1,600 units hit the Town of Coeymans from there to the plant.

Trustee Bailey reiterated that in that Contract, it clearly states that within the infrastructure in the Town's area, the Town is responsible for the cost and the infrastructure in the Village the Village is responsible.

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Councilman Langdon interjected that there is no justice in the Contract and he knows it.

Trustee Bailey stated that when the Village spends money, which they do on the Sewer System, there are never any charges to the Town.

Councilman Langdon stated that it is the Village's Sewer System that the Town doesn't use.

Trustee Bailey stated that they used one part of the Town's System.

Councilman Langdon interjected that they are talking about the trunk line; they are not talking about the whole Hamlet.

Trustee Bailey stated that when they are talking about unit cost, then they are.

Sewer Administrator Conrad stated that they can negotiate anything that they want and the trunk line is the Town's responsibility 100%, the unit cost is for shared operations, Capital Improvements and Operations and Maintenance has nothing to do with the Town only lines.

Trustee Bailey stated that it is very hard to break out the true cost of the Operation and Maintenance of the plant out of the Town's segment of the Sewer Plant and the Town has gotten much better at that but it's still not accurate.

Sewer Administrator Conrad stated that they have done everything they can and they both know it's tough to break every little thing out of the Village vs. the Town. He added that they are a community, they are sharing a service and talking about a \$500,000.00 a year budget and with the current Capital Improvements, they are talking about some serious money at this point. He continued by saying that he understands fully but the whole Contract is based on the meters and they have to make a decision to amend the Contract and not use the meters and as it was, they didn't get the meters in according to the Contract when they were supposed to start in 2011. He added that they had bad meter readings and they used 60/40 and agreed to continue at 60/40 for the following 2014 year and it is just now in 2015 that they agreed to modify to 70/30 because the meter readings were showing a difference. He went on by saying that these meters were supposed to be billable style meters vs. the ones they were using before as temporary stick them in a manhole and hope they work and if Joe Burns were present, he would tell them that those meters gave them a lot of trouble as well, which he believes Trustee Bailey knows.

Trustee Bailey agreed.

Sewer Administrator Conrad stated that the meters have never really been the answer and somewhere along the line it seems like there has to be a better method that they can agree on to try and fund this, which he's not sure what it is, he's not saying that it's 80/20. He added that for years it was 84.1 to 15.9 for Operations and Maintenance alone and then for the Capital Improvements for whatever reason, he doesn't know why they deserved to pay much less but they did.

Trustee Bailey stated that it goes back to the Village using up-front money.

Sewer Administrator Conrad stated that he thought it was the Bond for four years.

Trustee Bailey stated that he believes that the Village paid for some of the Engineering.

Sewer Administrator Conrad stated that he has no idea about all that and all he knows is that the Town paid a Bond up until 1999, which was actually two Bonds, one that was Town only and one that was Town shared.

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Councilman Langdon asked if they have any idea what the up-front money was vs. what the Bond was.

Sewer Administrator Conrad stated that he knows the first initial Bond was supposed to be for \$801,000.00 and it ended up escalating to 1.2 million and it was the reason for the amended Contracts in the 70's.

Councilman Langdon asked what the Village paid for the engineering costs.

Trustee Bailey stated that he didn't have any idea because they were at the stage when they were building their own plant and on VanHoesen they had their own system when the Town got hit with the Consent Order and they basically they took the plant that was going to go on VanHoesen and they relocated it to down there.

Councilman Masti asked if he recalled what year it was.

Sewer Administrator Conrad stated that it started in the 50's and there were two Consent Orders issued in the 60's.

Trustee Bailey stated it started in 1968 and it was 1970 was when all the construction was done.

Sewer Administrator Conrad stated that it was built in 1968 so it was well before then and it was completed in 1970.

Trustee Warner stated that Sewer Administrator Conrad is saying that the Agreement in December when they changed from 60/40 to 70/30 is what the bills are based on.

Sewer Administrator Conrad stated that the Agreement was verbal only, the final was supposed to be later on when they had 12 months, which is where they are now and they were supposed to hopefully look at more substantial meter readings but then they had the issue in January & February. He continued by saying that his suggestion is that they still have a few months left of this year, there is nothing etched in stone and he doesn't think that 70/30 is going to be a breaking point for either the Town or Village if they were to continue to pay that and the Town agreed. He added that he doesn't know what it is going to take, he is looking at it and thinking if they meet around the end of September, they still have time, they could set the meter reading for all of 2015 and hopefully use that same meter reading to set the rates for 2016 because it is when they do their budget.

Trustee Warner stated that those bills are based on 70/30 and it's what they all agreed on and she agrees that they have to be paid; they look at them to make sure they are ok so there is no reason to argue over them. She continued by saying that the question is if they want to keep going with the meter readings and if Trustee Bailey is happy with the readings.

Trustee Bailey stated that he is not happy with a meter reading that is 87/13.

Councilman Langdon interjected that she is asking if he is happy with the meter reading of 70/30 based on what they have right now.

Trustee Bailey stated that he isn't because they are not getting legitimate readings from the meters.

Mayor Misuraca interjected that they already came up with that and are aware of that.

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Councilman Langdon stated that they are aware of the discrepancy and personally he thinks they should still be using the meters and doing it on a unit count.

Mayor Misuraca stated that he disagrees with that.

Councilman Langdon stated they need to look somewhere in between.

Mayor Misuraca agreed and said he is open to that.

Trustee Bailey stated that he doesn't have a problem paying the bill but he is not locking himself in when he pays it and he is not saying that is what it will always be.

Sewer Administrator Conrad stated that they agreed that if it indicates something else, it will be changed.

Trustee Bailey stated that they got \$106,000.00 in bills in the last two weeks.

Sewer Administrator Conrad stated that the bottom line is that they knew back in December that they were going to be paying \$26,000.00 a month and they didn't call over and ask for a bill and Trustee Bailey didn't tell him that they weren't going to pay the bill based on meters.

Councilman Langdon interjected that they keep saying the same thing over and over again and they need to move on.

Trustee Bailey stated that he also has a voucher for the H-30 Fund and it was because the Accountant for the Town made a mistake and he didn't know it was for two years, he thought it was just one payment.

Sewer Administrator Conrad stated that he told him it was two payments.

Trustee Bailey stated that they paid \$75,000.00 to a joint Town/Village Bond and the Town said it was mistake and payment should have gone to a Town only Bond and he told him and Supervisor Flach that he has no problem, he can understand how it happened but what they have to show him, so he is able to pay the bill, is what account the \$75,000.00 came out of and how does he know it isn't money that they have already paid the Town for joint expenses.

Sewer Administrator Conrad stated that it is easy; it is very easy and then asked him if the Village paid \$50,000.00 extra in 2013 for the BAN. He continued by saying that the answer is no, they only had one voucher showing the normal scheduled payment.

Trustee Bailey stated that he is not hearing his question and asked that he listen to him for a moment. He continued by saying that the money got into Capital Projects from some account, which had to be from the sewer account and then into the Capital Projects account.

Sewer Administrator Conrad stated that wasn't true and added that it goes from the BAN direct into Capital Projects and Capital Projects is dispersed when they pay the payments for the Sewer.

Trustee Bailey asked that he show him the transfer.

Sewer Administrator Conrad stated that he can show him the Bonds and added that he already gave it to him about 6 months ago.

Trustee Bailey stated that he doesn't have it.

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Sewer Administrator Conrad reiterated that he provided all of that Bond information approximately 6 months ago.

Trustee Bailey stated that he provided Bond information on H-35 but what he is asking is about the \$75,000.00 because the Town didn't take the Bond and put it in a savings account, they spent the money from a Bond on a project and somehow the \$75,000.00 payment came from some account.

Sewer Administrator Conrad stated that it came out of H Projects, which had nothing to do with the Village and he thought he understood about BANS, if you borrow the money, whether it is the Highway Garage, Sewer, etc., every Bond goes into the Capital Projects Account and each Capital Project has a number. He added that because they had so many things associated with Sewer, they got a number from the bank that was a particular Bond's number and each time the Bonds are paid, they account for it in the budget, the principal payment and the interest payment and in most cases it is \$10,000.00 to \$15,000.00 in principal and the interest depends on whatever rate they paying, which was relatively low at .9 – 1.45. He went on by saying that this is what he sees that comes over in a voucher and it is the normal way BANS are paid; however when they use National Bank of Coxsackie, most other banks let one roll into the other and you do one process and then the other so there is no money transfer, but with National Bank of Coxsackie they make them pay off the entire BAN so it's \$350,000.00 that they pay off. He continued by saying that with a new BAN, based on whatever the amount they reduced it by, this is what he sees when it comes over in a voucher, so if it was reduced by \$10,000.00 it would go down to \$340,000.00 but in this case they paid just the payment that came out of the Sewer and then on top of that they reduced the BAN that was refinanced by \$50,000.00 in 2013 because they had money that was supposed to be paid back to Sewer when then Supervisor Hotaling closed out all of the BAN's through the B-Fund and when they got all done with the accounting of it, the Sewer owed the B-Fund about \$800,000.00, which ended up being Sewer debt. He added that with the Sewer debt, it was being paid down, which is what is supposed to be paid down with the additional money that they have, however it got into a Capital Project's account that they share and when he found out about it, it had happened a second time and the Village does not pay it until it goes through the Sewer.

Trustee Bailey stated that it is very complicated.

Sewer Administrator Conrad stated that there is a bank account with all of Capital Projects money in it and it is all accounted for in an individual BAN, the bookkeeping is separate for each one.

Trustee Bailey asked where the \$75,000.00 came from.

Sewer Administrator Conrad stated that it came out of H Projects, which had a big pile of money not spent and they have \$500,000.00 in there for the H-41 Project and have only spent \$90,000.00 of it.

Trustee Bailey asked if they keep doing BANs every year.

Sewer Administrator Conrad stated that they have the \$500,000.00 but they were looking to spend 1.2 million, they borrowed \$500,000.00 up-front, which they are paying back at .9 and 1.45% interest rate.

Trustee Bailey stated that the \$500,000.00 is a BAN, they only spent \$90,000.00 of it but they still have to BAN \$500,000.00.

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Sewer Administrator Conrad stated that for the first year you don't pay principal, you only pay interest.

Trustee Bailey stated that even for the second year, they still owe \$500,000.00.

Sewer Administrator Conrad stated that was correct and reiterated that there is still lots of money in the Capital Projects.

Trustee Bailey stated that every BAN that they have is going into Capital Projects bank account.

Councilman Langdon stated that was correct but the bookkeeping is separate for each account.

Sewer Administrator Conrad asked if he just wants to see the whole H-35 account.

Trustee Bailey stated that he wants to know where the money originated that paid the \$75,000.00 and this is what he's looking for.

Trustee Warner stated that Sewer Administrator Conrad is saying Capital Projects but they also say separate bookkeeping, so she thinks that Trustee Bailey is saying that he wants to see not that it came out of Capital Projects but rather where it is in the bookkeeping process and what fund line item it came out of.

Trustee Bailey asked if it came out of a Town only Bond.

Sewer Administrator Conrad stated that it is a Capital Project and not Town only.

Trustee Bailey stated that he is telling him that the Capital Projects is separate bookkeeping but the checking account has money from joint Village/Town Projects.

Sewer Administrator Conrad stated that it does not.

Trustee Bailey asked what happens to the H-37.

Sewer Administrator Conrad stated that anything that has to do with the special projects comes out of the H Projects originally and the only thing the Village pays is the interest and the principal payments when they see a voucher and he assumes he is asking for an accounting of what was spent in H-35.

Trustee Warner interjected that Trustee Bailey wants him to prove that the money was paid in error out of the wrong account.

Trustee Bailey stated that he is not questioning if it was paid in error.

Mayor Misuraca interjected that Trustee Bailey wants to make sure that it wasn't something that they already kicked in on before.

Sewer Administrator stated that they haven't kicked in on any of it until they pay the BAN.

Trustee Bailey stated that what they have in the Capital Project, the way he heard it described, is many BANs.

Sewer Administrator Conrad reiterated that it is separate bookkeeping.

Trustee Bailey stated that they have Village/Town money in there the way he is describing it.

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Sewer Administrator Conrad stated that the project itself is a shared project.

Trustee Bailey stated that some of their money is in that Capital Project.

Sewer Administrator interjected that it isn't anything that they paid.

Trustee Bailey stated that he isn't saying that it is anything that they paid and for instance if they have H-37 for \$500,000.00 and they are rotating the money, and there is money leftover in that general back account, for the \$75,000.00, he has no question about paying it, and if it is simple bookkeeping, he needs to see that the \$75,000.00 generated from Town only activity and that it isn't somewhere a Village/Town BAN.

Sewer Administrator Conrad stated that when the Village gets a voucher for the BAN in January, they pay principal and interest on that BAN, the BAN was originally for \$425,000.00, which was for the roof, boiler and generator that they put down there and this is what the actual H-35 Project was. He reiterated that the original BAN was \$425,000.00, the first year when they renewed it as a BAN they paid the interest and in January there is a principal and interest payment and this is what the Village paid toward the BAN so far to date and he can show him exactly what they paid toward the BAN based on each year of renewing the BAN. He added that as they both know, he sees the vouchers and everything that comes out of the Sewer Fund, which he moves along to the abstracts to the Village and what happened was that when he caught up to it and saw the BAN renewed at an odd amount of money, he knew something was wrong because it can't be that low. He continued by saying that he knew that there was something messed up and when he went back looking, he found where they renewed the BAN at \$50,000.00 less than it should have been and it was back when the bookkeeping was being caught up when the auditors were there for the Comptroller, which they just audited again and it is up to speed. He went on by saying that there was a \$100,000.00 discrepancy and as they know, the Village went for a year and a half not paying sewer bills and the Town was going from account to account to pay bills and every fund owed money to the sewer so when the Town took up their debt BAN, which he believes they should not have had because it should have been a due-to, due from in the B-Fund, the BAN was issued and the Town is paying on it and the \$100,000.00 was supposed to go back to the sewer debt, sewer town-only money and what happened is they decided to apply \$50,000.00 of it on the BAN that they thought was town-only, but it wasn't.

Trustee Bailey stated he watches the accounting in the sewer pretty close and then asked how they came up with \$100,000.00.

Sewer Administrator Conrad stated that between all of the BAN's, not all of the money is spent and for each BAN that they do, as he knows has money, even the H-35 had money in it and they do an accounting and that money is applied to reduce the BAN, exactly what they did in January when they reduced the BAN. He added that the extra money that was sitting in the account went to reduce the amount of the BAN and was turned into a Bond.

Trustee Bailey stated that his key question is the extra money, the \$75,000.00.

Sewer Administrator Conrad stated that he just needs to see an accounting of what was paid in H-35.

Trustee Bailey stated that the extra \$75,000.00 that he came up with, he is saying is a collaboration of BAN money and then asked how he knows it isn't out of a BAN that the Village is paying already.

MINUTES BOOK TOWN OF COEYMANS**

June 23, 2015 – Joint Town Board and Village Board Workshop Meeting-7:00PM

Councilman Langdon stated that what he is saying is because it is a BAN, it's a debt that could potentially be shared debt and he doesn't want to have to pay the bill again at some point in the future.

Trustee Bailey agreed.

Councilman Langdon stated that this is what he is looking for and he is going to need a full accounting.

Supervisor Flach asked Trustee Bailey if he is willing to come to Town Hall and sit down with them to look at it.

Trustee Bailey stated that he would.

Councilman Langdon stated that he understands his question.

Trustee Bailey interjected that it is all he is looking for and has been trying to get and reiterated that they have to show him that it isn't money that they already kicked in.

Councilman Langdon stated that if it money that they have already kicked in, if they throw money into a joint venture that the Town is managing and they use it, where they use it is for the venture so the Bond is a separate thing.

Trustee Bailey stated that it isn't.

Councilman Langdon stated that he understands where it comes into effect is in a future liability that they have to pay again and he understands what he is asking.

Sewer Administrator Conrad stated that they never up-front money to any project, the banks do.

Councilman Langdon stated that he knows that and that's the problem because it isn't up-front money, it's a potential liability down the road and he doesn't want to pay it back and then have to pay it again years from now.

Supervisor Flach interjected that he will get the information together, call him and then they can get together.

Trustee Bailey stated that he told them right from the beginning that if he gets proof, they will pay it.

Trustee Warner asked if they pay the \$75,000.00 now to fix their bookkeeping, does it mean in the future that they will not owe it again.

Sewer Administrator Conrad stated that the \$309,000.00 was turned into a Bond and they have fixed payments.

Trustee Bailey stated that it is a Town only Bond.

Sewer Administrator Conrad stated that it's a shared Bond.

Councilman Langdon stated that it was the mistake and when they used the money to pay that Bond they should have done it on a Town only type of Bond.

Sewer Administrator Conrad interjected that it was supposed to go through the Sewer.

MINUTES BOOK TOWN OF COEYMANS**

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Trustee Bailey stated that he told Sewer Administrator Conrad that he could understand how the accounting problem happened but he has to be guaranteed that it isn't money that they already paid.

Trustee Warner asked if he was going to take the \$75,000.00 and put it back in the Town only because it was taken from there wrongfully.

Councilman Langdon stated that it should not increase the liability on the Village.

Sewer Administrator Conrad stated that basically what they need is the accounting for the \$425,000.00.

Trustee Bailey reiterated that he can't figure out how he came up with \$75,000.00.

Sewer Administrator Conrad stated that they did, he needs to come and check it out because the auditors just got done.

Trustee Warner asked if Sewer Administrator Conrad figured out the correct way to do it.

Sewer Administrator Conrad stated that it shouldn't be done unless it comes through sewer and you are not supposed to pay BAN's out of H Fund Projects and that is the bottom line.

Trustee Bailey stated that the Village doesn't operate that way.

Trustee Warner asked if the Bookkeeper realizes it.

Sewer Administrator Conrad stated that he would have to defend Bookkeeper Weidman because he didn't know about it, a first payment was made and he just followed. He continued by saying that they have been discussing it for months and months and he put a bill together.

Trustee Warner stated that they have to pay \$26,000.00 a month every month but they are not going to pay it if they don't get a bill.

Sewer Administrator Conrad stated that he understands that and it is why he did the bill this time, he and Trustee Bailey have been shooting it back and forth and he asked Trustee Bailey how the Village would like to handle it over a period of time.

Trustee Warner interjected that she is talking about the regular sewer bills, they are not going to pay without one and they can't generate a check without a bill.

Sewer Administrator Conrad stated that he understands that but February's bill sat in Trustee Bailey's box and didn't get moved and added that it's not a big deal for the Town but the funds are getting down to a point where they need money to operate.

Trustee Warner asked what happened to March, April and May that they didn't get to the Village until June.

Sewer Administrator Conrad stated that it was because the Village didn't pay for February, he hadn't thought about the Village's year end and when they started talking about their year end, he hurried up and got all through May to them. He added that it got to be another fiasco with the \$75,000.00, which they had discussed verbally but never on paper.

Trustee Warner stated that they can't make a decision to pay it at a Workshop.

MINUTES BOOK TOWN OF COEYMANS**

June 23, 2015 – Joint Town Board and Village Board Workshop Meeting-7:00PM

Supervisor Flach stated that he had talked to the Attorney about the Water Contract and he will be discussing it with Trustee Bailey and suggested that they meet again in two weeks.

Trustee Warner stated that the Town's Attorney said the Contract was null and void and added that he's opening up a can of worms and the Town is not going to come out winning. She then asked why he wants to renegotiate it.

Sewer Administrator Conrad stated that he said it needs to be amended.

Trustee Warner asked how it should be amended.

Sewer Administrator Conrad stated that there should be an out clause and a final day to renew.

Trustee Warner stated that it is a Contract that has been in effect since 1982 and after all these years they want to put a term and limit on it.

Sewer Administrator Conrad stated that there was never a problem with payments until now and they suspected that the Contract was null and void for a long time.

Trustee Warner stated that they can suspect it but unless there is a termination day, it's not.

Sewer Administrator Conrad stated that Contracts have term limits.

Supervisor Flach stated that it is according to Village Law and the Village Attorney said five years.

Sewer Administrator Conrad stated that he provided Village Attorney Biscone with a copy of the law.

Discussion continued amongst Sewer Administrator Conrad and Trustee Warner relative to Village Law, Town Law and the question of whether or not they can relevel unpaid sewer and water, it was inaudible due to everyone else talking in the background.

Trustee Warner stated that she believes the Town got a little miffed over something that was misunderstood with the County.

Sewer Administrator Conrad stated that it wasn't misunderstood at all.

Trustee Warner stated that from what she understands, they have to make an effort to collect and they have never sent a late notice and then asked why.

Sewer Administrator Conrad stated that he doesn't think the County has the authority to say that or not and it is pretty clear in Town Law, Tax Law and General Municipal Law that the County does not have the authority to say what they are going to relevel and what they are not. He added that once it is presented to them, they have the obligation to do it.

Trustee Warner asked again why the Town doesn't send late notices.

Sewer Administrator Conrad stated that they send the bill out and that's it and the Town doesn't have money to do re-billings.

Trustee Warner stated that it isn't a re-billing, it is a late notice, a form letter that you fill in.

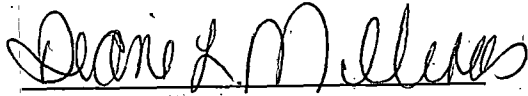
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MINUTES BOOK TOWN OF COEYMANS**
June 23, 2015 – Joint Town Board and Village Board Workshop Meeting-7:00PM

Time – 8:50

Respectfully Submitted -

APPROVED – As Read July 30, 2015



Diane L. Millious, Town Clerk