

MINUTES BOOKTOWN OF COEYMANS
December 14, 2015 – Public Hearing – 6:30pm**

A Public Hearing was held Monday, December 14, 2015, at 6:30pm at Town Hall, 18 Russell Avenue, Ravena, New York

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

ALSO PRESENT: Diane L. Millious, Town Clerk
David Wukitsch, Attorney for the Town

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

OPENING COMMENT

Supervisor Flach stated that the record should reflect the presence of a full Town Board and added that the purpose of the Public Hearing is to hear comments from the public on the proposed Sewer Rates for 2016.

NOTICE OF PUBLIC HEARING

Supervisor Flach asked that Town Clerk Millious read the Notice of Public Hearing.

**NOTICE
TOWN OF COEYMANS
TOWN BOARD
PUBLIC HEARING**

In compliance with Public Officer’s Law, this will inform you that the Town Board of the Town of Coeymans has scheduled a Public Hearing for the purpose of hearing comments on the proposed Sewer Rates. The Public Hearing will be held at 6:30pm on December 14, 2015 at Coeymans Town Hall, 18 Russell Avenue, Ravena, New York.

**By Order of the Town Board
of the Town of Coeymans
Diane L. Millious
Town Clerk**

SUPERVISOR’S COMMENT

Supervisor Flach stated that they have to have this Public Hearing before the end of the year and they didn’t have the rates until recently, which for the Hamlet of Coeymans will be \$249.00 per unit for a 6 month billing for a total of \$498.00 per year. He added that it is comparative to last year’s rate of \$504.00, which is a little bit of a decrease, it’s not a lot but it’s something. He continued by saying that he wanted to thank the Governor and those that helped them with a grant in which the Town of Coeymans is receiving a 2.5 million dollars, which is pretty exciting because they have approximately 3 million dollars’ worth of work that needs to be done and they are getting 2.5 million of basically free money. He went on by saying that there is a lot of work to be done, they have started some of it already and then asked Sewer Administrator Conrad if he had anything to add but first stated that Mr. Conrad has been the Sewer Administrator for a couple of years and the hours that he spends, not even on payroll to calculate the rates and

MINUTES BOOKTOWN OF COEYMANS**
December 14, 2015 – Public Hearing – 6:30pm

getting the bills out, which is a thankless job with Mr. Bailey, his counterpart doing the same thing for the Village. He then invited Sewer Administrator Conrad to speak.

Sewer Administrator Conrad stated that he wanted to bring people up to speed so they are not in the dark and as Supervisor Flach had stated, they have to have a Public Hearing under General Municipal Law to establish Sewer Rates for the following year. He added that in doing so, he wanted to point out that the Agreement with the Village of Ravena is also one in that they have to have their input into the project, which was worked out in the past week due to the Governor's announcement of the 75/25 Grant which C.T. Male made them aware of earlier in the year and the Board agreed to make an application for such grant because they already had the hardship portion done as well as the engineering being done and paid for. He continued by saying that it only cost the Town \$500.00 for the application, which was a no-brainer and is paying off and with all the issues that they have had since 2001 with the Consent Orders, they have now gotten out of it in 2014 and are no longer under the Consent Order as long as they stay in compliance of the rules and regulations, with one thing being that they had to come to an Intermunicipal Agreement with the Village. He went on by saying that he would let Trustee Bailey speak to his portion of this, he met with him and he thinks that they worked out a pretty reasonable deal for the residents of the Coeymans Hamlet Sewer District and those of the Village of Ravena to solve both their problems, which is basically in the collection system, the pipes, that are severely outdated in certain areas and undersized in others. He added that this has caused most of their problems with DEC and caused them to have the overflows, with part of it happening at the plant but the collection system outside the gate has been at odds for many years. He continued by saying that they have now worked into an Agreement to describe a new Trunk System, which will start at the gate at the Sewer Plant, travel up through to Main Street, Colvin Avenue, Van Hoesen and then further up Main Street through the Village to two points where they bring in sewage from the outside areas of the Town through the Village lines, one is at Faith Plaza and the other is at Mayone's Plaza. He went on by saying that those two points travel south on 9W down Madison Avenue, to Mountain Road, to Main Street with the one at Faith Plaza coming down through the parking lot to Cary Street, through the Senior Projects, out Orchard and down Main Street and those areas will be the prime consideration of the Grant, there is a certain amount, approximately 1.5 million that has been dedicated to Town only coming from manhole 2 up to manhole 38 at the Village, which will eat up a considerable amount but the rest will be dedicated to Collection Systems and the Village Collection System has several areas on Main Street that are undersized as well as manholes that need to be repaired. He continued by saying that it will solve the disagreement that they have had and will eliminate meters for five years, which have been a big point of contention for both the Village and Town and has cost taxpayers of the District a lot of money to operate those and by being able to do away with the meters, which they have spent \$150,000.00 to put into place, it is costing them every year to have them recalibrated for over \$2,000.00, electric bills of approximately \$70.00 a month and man hours trying to clean the sleds. He concluded by saying that he thinks it is a great Agreement and he urges the Town Board and Village Boards to accept it, they worked out that the trunk sewer will be a 60/40 split and the operation and maintenance portion of the plant will be 75/25 and then asked if anyone had any questions.

Supervisor Flach invited Trustee Bailey to speak on behalf of the Village.

Trustee Bailey stated that he wanted to reiterate what Sewer Administrator Conrad said, it has been a 4-5 year effort that they have done engineering studies and luckily they had the studies in place, Sewer Administrator Conrad did the Income Survey, which was the key to getting the free money and the most important thing for getting the free money. He added that the Devil is in the details when you get it from the State, it just came out Thursday, they have not seen the paperwork and their assumption by what they were told by C.T. Male, is that they have a 2.5 million dollar grant that they have to match every 3 dollars with one dollar local and the one dollar local will be interest free money and if they use all of the 2.5 million, they have an \$800,000.00 bond, interest free. He went on by saying that he and Sewer Administrator Conrad discussed it and they don't want to leave a dollar on the table and in turn they came up with the 75/25 5-year contract for the plant with operation within the fence line and for the project and sharing the cost on the trunk line it will be 60/40, which he pitched to his Board and has a consensus and he believes that Sewer Administrator Conrad discussed it with the Town Board. He continued by saying that they are time constraint and he will present a resolution to his Board that conceptually they will enter into a contract with the Town and in turn write up a new

MINUTES BOOKTOWN OF COEYMANS
December 14, 2015 – Public Hearing – 6:30pm**

contract, five year 75/25 for the Sewer Treatment Plant and 60/40 for the trunk line, which will be defined in detail.

Mr. Polyak asked how big the trunk line is.

Trustee Bailey stated that it is huge, it is an existing line that they want to repair and in places where they have 90 degree turns, they want to take them out and places where the line goes from 15 inches down to 10 they want to take the choke holds out of it. He added that they have already done a lot of work at the plant and they do not believe that what they have done can be included in this project. He reiterated that there are time constraints because the Town Board has to have a rate and get a deal out but the Village Board is willing to go with a conceptual Agreement that they are going to do it and that they are committed. He also reiterated that Sewer Administrator Conrad has not received the final document, no one has seen a final document and there may be a Catch 22 in there that they don't know about but if it is what they think it is, this is the Agreement that they want to enter into with the Town Board.

Supervisor Flach interjected that he is sure that by the time that it gets written up, he will no longer be in office and continued by saying that he would be willing to do something now but unless they have a resolution, he doesn't think that he can.

Trustee Bailey stated that the Village is going to do a conceptual resolution saying that they have reached a conceptual Agreement on said terms based on what they know at this point, which means they are going to do a deal with the Town unless there is some surprise.

Councilman Langdon asked if they can do a resolution stating that they intend on doing an Agreement.

Attorney for the Town Wukitsch interjected that it really would have no meaning and added that he believes that the Village is looking for a commitment on the Town's part, short of a formal resolution, that they are going to work towards finalizing the Agreement because there are contingencies out there that they can't really anticipate. He added that they would use their best effort to consummate the Agreement with the terms that have been set out.

Sewer Administrator Conrad stated that he believes they can have it done before the current administration is over.

Trustee Bailey stated that what the Village is going to do is just make a motion that they are going to work on an Agreement with the details discussed and in turn they will have an Attorney's write it up, it will bounce between them and then they will have a final Agreement.

Supervisor Flach asked if they can make a motion to do it.

Attorney for the Town Wukitsch stated that it would be a motion for them to do their best effort to work toward and reach an Agreement with the Village with the terms previously outlined by Mr. Conrad and Mr. Bailey.

Supervisor Flach interjected that DEC was there in November for a big meeting and they have to get this done or else they will be under another Consent Order along with the Village, which will cost them more money and this is the reason why they are trying so hard and added that they have been working on this situation a very long time and the 2.5 million is a Godsend.

Trustee Bailey stated that as long as he has been there, they have never gotten grant money other than small grants for the court; they have never gotten any significant grant money in this Town as far as he knows.

Sewer Administrator Conrad stated that they did get one for a project at the Sewer Plant, which was for the clarifiers.

Ms. Barbara Tanner asked who is 60% and who is 75%.

Trustee Bailey stated that the 60 & 70% are the Village of Ravenna.

MINUTES BOOKTOWN OF COEYMANS
December 14, 2015 – Public Hearing – 6:30pm**

Councilman Dolan asked if they know when the money might first be available.

Trustee Bailey stated that they are waiting for the documents and paperwork, it has been announced, Rob Flores from C.T. Male is trying to get the details and Sewer Administrator Conrad told him about the need to get an Agreement in place. He added that in a couple of weeks he should be able to give them a lot more information.

Councilman Dolan asked if the proposed 60/40 and 75/25 deal is dependent on getting the money.

Sewer Administrator Conrad stated that the 75/25 is pretty much etched in stone for the plant and 60/40 was a huge factor in contributing to that.

Trustee Bailey stated that he sold his Board on a package deal and if it is something that they didn't anticipate, they will have to readdress it and reiterated that he sold it to his Board as a package deal for five-years with no meter readings.

Mr. Polyak stated that they need to clarify meter readings.

Sewer Administrator Conrad stated that they actually metered the flows coming in and out.

Councilman Dolan interjected that they are not talking about individual homes.

Trustee Bailey stated that it is flows into the Village and out of the Village.

Supervisor Flach asked if there were any other questions.

Ms. Barbara Heinzen stated that it is a major up-grade in the Hamlet of Coeymans and Village of Ravena, which she understands is very welcome and they are to be applauded for finally getting something done. She continued by saying that she understands that in sewage systems there is often an issue about combined storm water runoff and sewage, which makes her wonder if the new upgrade is addressing that problem in any way.

Councilman Langdon stated that it will to a degree but he doesn't think that it will eliminate it all.

Sewer Administrator Conrad interjected that there is also a second part to the budget where they put \$15,000.00-\$20,000.00 in for storm water and there are numerous ones along what used to be called the Coeymans Sewage Creek, which is now the right-of-way for the sewers and a lot of cross connections that they eliminated on Colvin Avenue, 15 of them that were dumping raw sewage straight into the Hudson River in the past. He added that they have further work to do and it is part of their Local Law that currently exists and is part of the Consent Order with DEC to try and eliminate that.

Trustee Bailey stated that they are going to address and upgrade the existing pipes then they will address the I&I.

Ms. Heinzen asked if there will be a lot less combined overflow risk.

Trustee Bailey stated that was correct and added that there is already a project that they have entered into to put lagoons down at the plant to take care of the overflow, which they don't think will be included in this project.

Ms. Heinzen asked if the lagoons will be around the Sewage Treatment Plant.

Sewer Administrator Conrad stated that it is already done, there used to be two lagoons, which they have modified and rather than let it overflow at the plant and wash solids to the river, what it will do is once the overflow reaches a certain amount, there are two out-put pumps that will be able to pump up to 400,000 gallons into the lagoon, which will be able to taken into the plant after the storm is over. He added that they generally see only a couple of storms a year that create the issue and hopefully they won't see another one because they are hopeful that the pipes will actually handle the flows in a much better capacity than has been done in the past.

MINUTES BOOKTOWN OF COEYMANS
December 14, 2015 – Public Hearing – 6:30pm**

Ms. Heinzen stated that she was talking to someone at USGS who said that they have not had a normal year in four years and he was referring to all the floods that she is certainly well aware of.

Supervisor Flach asked if there were any other comments.

Ms. Tanner asked how they could make a resolution when they don't know how much money they are working with.

Attorney for the Town Wukitsch interjected that they would be making a motion to move in that direction.

Ms. Tanner asked if it could be rescinded.

Attorney for the Town Wukitsch stated that it isn't binding.

Supervisor Flach interjected that it is a show of faith and good will.

Ms. Starr Ross asked if any of the money is going to be used to bring sewer across the Coeymans Creek.

Sewer Administrator Conrad stated that he is not aware of anything like that and added that there is a grant out there from the River Keepers for \$55,000.00 and they have agreed to ante it up to take care of Stone Hill properties and the 2-4 that are pumping directly into the creek and they will be able to hook into an extension line, which the Albany County Health Department has given their approval and praised Mr. Laraway for bringing it across his bridge to a manhole, which now alongside Rte. 144, which they can pump into at some point. He continued by saying that he however is not doing any work to go down to the homes, but he has extended the main across his new bridge so it is available for those people to pump into that manhole.

Councilman Masti stated that if they do work at the other side of Rte. 144, he will allow it to go through his manhole.

Sewer Administrator Conrad stated that was true.

Ms. Ross asked if Stone Hill House Road is now pumping in and going across Laraway's bridge.

Sewer Administrator Conrad stated that Stone Hill House Road currently has a 4 inch pipe into the creek, no manhole, no septic tank, and no nothing.

Ms. Ross asked what is going across the bridge.

Sewer Administrator Conrad stated that it is a pipe that is hooked into the current Town of Coeymans Sewer District.

Ms. Ross asked who is feeding into it now and if it is the Industrial Park.

Councilman Conrad stated that it is.

Ms. Ross asked if it goes down Main Street.

Sewer Administrator Conrad stated that it goes to Riverview, which they owned at one point and gladly gave it to Mr. Laraway because it was in bad shape and he is repairing it.

Ms. Ross asked if it goes down Main Street.

Sewer Administrator Conrad stated that it does and it is the only part that wasn't part of the Consent Order because as the system backed up, it went up through other areas and Main Street and Westerlo is where that point began to be a problem and it was one of the major problems that they have been trying to fix because no one wants raw sewage running into their homes, which they have had a couple of incidences. He added that this will re-locate that line, it will no longer come up to Main Street and then to Westerlo and it will come up to approximately to the front of Ms. Connor's home and go through property that the Town of Coeymans has recently acquired

MINUTES BOOKTOWN OF COEYMANS
December 14, 2015 – Public Hearing – 6:30pm**

to Colvin Ave and then goes through Peter Mayone's, Mrs. Persico's property, across the Civill Senior Property, to the McHugh property to the man hole on VanHoesen. He added that it is a relocation and the project is pretty immense with relocation of sewer lines.

Trustee Bailey stated that in talking about Stone House Hill Road they have wondered for 20 years why DEC isn't hitting the Town with a sledge hammer.

Sewer Administrator Conrad stated that they tried.

Ms. Joann Segal stated that her manhole covers were paved over and then asked if that is a problem.

Sewer Administrator Conrad stated that it is just access to the system and those issues were supposed to be addressed before they were paved over but unfortunately time became an issue and there are approximately 15 manholes that need to be raised but they have been so busy with the clarifier and other things going on at the plant that they haven't had time to address that and they won't be done until next year.

Trustee Bailey stated that usually when they have a Town/Village Agreement they come to an agreement and in turn the attorney's draft up the final document, which is usually 2-3 versions by the time that get the wording set. He added that usually the principal is reached ahead of time before they spend attorney money to write up what the details of the agreement are.

Attorney for the Town Wukitsch stated that they already have a draft and he doesn't think it is that complicated.

Sewer Administrator Conrad interjected that it is only three pages and the biggest deal is in the description of the trunk sewer line.

Attorney for the Town Wukitsch stated that they have to agree on a description of the trunk.

Sewer Administrator Conrad stated that they have already done that.

Attorney for the Town Wukitsch stated that he wouldn't know of anything else other than the percentages.

Trustee Bailey stated that he has been working with an old draft and marking it up.

Attorney for the Town Wukitsch interjected that he does not think they are that far apart.

Supervisor Flach asked if there were any comments about the rates.

Councilman Masti said he had a question about the trunk sewer line and asked if the ones from the point forward will be the responsibility of the Village or because it is a trunk line if it is a joint venture of 60/40.

Trustee Bailey stated that the 60/40 is being done for the duration of the 3.3 million dollar project and for the 5 year waste water treatment plant part of it they commit 5 years to 75/25 and reiterated that they don't want to leave a dime on the table and will spend 3.3 million dollars on the trunk line and split it 60/40.

Sewer Administrator Conrad stated that it will cost the District a minimum of \$825,000.00 at 60/40.

Councilman Masti stated that he wants it to be clear cut what the trunk line is because it has been a big issue.

Sewer Administrator Conrad stated that it has been discussed and there is a description.

Councilman Langdon interjected that he is talking about the maintenance of the trunk line once it has been replaced because the 5 years is only about the maintenance at the Sewer Plant.

MINUTES BOOKTOWN OF COEYMANS
December 14, 2015 – Public Hearing – 6:30pm**

Sewer Administrator Conrad stated that it is for the trunk line and basically for the maintenance because the Village will maintain ownership of their portion and the Town for their portion. He added that the trunk line has basically been eliminated under the Contract that Jim Youmans did, they have now put it back into the Contract, which is a good thing and an item of negotiation for the next Board to deal with in 5 years.

Councilman Masti stated that in 5 years they can redefine the trunk line.

Trustee Bailey stated that their commitment is that if they can get the work done in a year, it's better but he doesn't believe that they can and for that chunk of money spent on the trunk line from man hole 2 to the far end, they will split 60/40.

Sewer Administrator Conrad stated that basically \$495,000.00 will be borne by the Village.

Councilman Masti stated that where they bumped heads was the definition of the trunk line.

Sewer Administrator Conrad stated that it is from the metering pit to where it sources Main Street.

Councilman Masti asked if from the point where the meter is, down to the plant will be the official trunk line.

Sewer Administrator Conrad stated that was wrong and that it is the current description.

Attorney for the Town Wukitsch interjected that there is a detailed description in the document that has been circulation.

Sewer Administrator Conrad reiterated that it was the description when they were working on man holes 2-38 but since they have more than the 1.5 million that they expected it would take, they now have 2.5 million so there is roughly another million dollars to be spent and will be spent on a collection system of the Village, which is basically what the Consent Order said they had to do in the first place by the elimination of the VanHoesen Street overflow, that has caused numerous problems so now the trunk line will be further described as up Main Street to Orchard, to the Plaza.

Attorney for the Town Wukitsch stated that he thinks Councilman Masti's question is if the trunk line will be clearly described in the Agreement so there is no confusion.

Sewer Administrator Conrad stated that it will and it will be described from man hole to man hole.

Councilman Masti stated that the trunk line from the point down was a joint venture and from the point up, they are currently defining it as part of the trunk line.

Sewer Administrator Conrad stated that it is to take in the Town's District, which is approximately 60 units.

Councilman Masti stated that the trunk line in the contract is 60/40 and it is for the 5 years but not perpetual.

Sewer Administrator Conrad stated that it is to take up the contract.

Trustee Bailey stated that it isn't 5 years; it is for the duration of the 3.3 million dollars.

Councilman Masti interjected that once it is spent, they can redefine what the trunk line is.

Sewer Administrator Conrad stated that they can but they are going to be locked in at 60/40 for the payment of approximately \$800,000.00.

Trustee Bailey stated that any money spent on the improvements of the trunk line from man hole 2 all the way up will be 60/40.

MINUTES BOOKTOWN OF COEYMANS
December 14, 2015 – Public Hearing – 6:30pm**

Councilman Masti stated that he was just trying to clarify it.

Sewer Administrator Conrad reiterated that he and Trustee Bailey agree that it will be described from man hole to man hole and it currently has been done for the current existing trunk line that they already reviewed and it's described where and through whose property it goes specifically and also the portion from man hole 38 will be added in as a separate description for the purposes of the contract so that it can be kept, eliminated or whatever. He continued by saying that they will be taking out paragraph 4 that says the Village will pay \$350,000.00 for past due amounts from 2009 that have nothing to do with the contract at this point as well as it will be redefining the method of payment, which is currently due based on 12 months of meter readings to eliminate that section to be a five-year period.

Councilman Masti asked if there is going to be anything in the contract defining the trunk line from Van Hoesen down, which is for the duration of the 3.1 million and added that they can't get their waste down without the Town's trunk line from the point down.

Sewer Administrator Conrad stated that it comes now, whether they want it to or not.

Trustee Bailey interjected that the trunk line is going to start from man hole 2 all the way up to Rte. 9W.

Sewer Administrator Conrad assured Councilman Masti that they have it covered and they had discussed it many times, Trustee Bailey is in agreement and it will be described man hole to man hole.

Supervisor Flach asked that they move on and asked if there were any other comments.

Mr. Laszlo Polyak stated that the capacity for the new trunk line should be 2-3 times what the current flow is and added that it will probably dry out quite a few basements as a result of it because when he bought his building, his cornerstone was about 3 inches under water.

Supervisor Flach asked if there were any other comments specifically on the Sewer Rates.

Ms. Starr Ross asked if all of the work will eventually bring the rates down in the future.

Sewer Administrator Conrad stated that it absolutely will and added that the reason that the Sewer Rates are so high now is because during the 2002 to current administration they tended to spend Bond money for maintenance and operation and drove the Sewer District into almost \$800,000 in debt, which they are paying off as part of the Sewer District only, which is 300 parcels. He added that once the debt is paid off, which they will be paying \$100,000.00 and reducing the debt from \$323,000.00 to \$223,000.00, at the rate they are going they should have the debt totally paid off, which will reduce the rates to approximately \$250.00 - \$300.00 per unit instead of \$500.00.

Trustee Bailey stated that Sewer Administrator is being a little too optimistic because DEC never stops, they are going to keep coming in with new requirements and he would think that he is being too optimistic in shooting out those rates.

Sewer Administrator Conrad interjected that when they pay \$100,000.00 on a debt that they only anticipated paying \$15,000.00 is huge.

Trustee Bailey stated that it is great but DEC can come in and tell them that they have to change the whole system around.

Supervisor Flach asked if there were any other comments on the rates, hearing none he offered a motion to close the Public Hearing.

ADJOURNMENT

MOTION

MINUTES BOOKTOWN OF COEYMANS
December 14, 2015 – Public Hearing – 6:30pm**

On motion of Supervisor Flach, seconded by Councilman Masti, the Public Hearing was adjourned.

Respectfully Submitted,

APPROVED – As Read ~~January 14,~~ 2016


Diane L. Miliouis, Town Clerk