

**KINGSTON BOARD OF WATER COMMISSIONERS
REGULAR MEETING
September 11, 2019**

The regular meeting of the Board of Water Commissioners was called to order at 5:04 pm on September 11, 2019 in the Department's offices at Jansen Avenue. Present were President Dennis Crowell, Mayor Steve Noble, Commissioners Robert Niedzielski, Margaret Gruner and Joanne Seche. Also in attendance were Superintendent Judith Hansen, Assistant Secretary Matthew Dysard, Attorney William Cloonan, Council Liaison Jeffrey Ventura Morell and Consulting Engineer James Caggiano.

The minutes of the previous meeting were approved on a motion made by Commissioner Niedzielski and seconded by Commissioner Seche. Motion carried by unanimous vote.

The Board discussed the Cooper Lake Improvements Project. A motion was made by Commissioner Niedzielski and seconded by Commissioner Gruner declaring the Rehabilitation of Cooper Lake Dam as a Type II SEQRA Action. Motion carried by unanimous vote. Additionally, a motion was made to authorize the KWD to submit an application for the NYS Water Infrastructure Improvement Act, and to seek bonding from the Common Council in an amount not to exceed \$7M, a copy of which is attached hereto by Commissioner Gruner and seconded by Commissioner Niedzielski.

Bills in the amount of \$40,060.96 dated August 28, 2019; \$37,493.71 dated September 4, 2019; and \$104,204.24 dated September 11, 2019; were ordered paid as audited on a motion by Commissioner Gruner and seconded by Commissioner Niedzielski. Motion carried by unanimous vote.

The Board discussed the SCADA System Project. Superintendent Hansen reported that project is expected to be completed by the end of October.

The Board discussed the Transmission Main Rehab Project. Superintendent Hansen reported that work at the site is progressing.

The Board discussed the 587/Albany Ave Roundabout. A motion was made by Commissioner Seche and seconded by Commissioner Gruner to approve the Resolution to Share Costs and Responsibilities a copy of which is attached hereto and to authorize the President of the Board to execute the NYS Department of Transportation Betterment Project Agreement. Motion carried by unanimous vote.

The Board discussed Tech City's arrears balance. Superintendent Hansen reported that we have not received payment since May.

The Board discussed the replacement of damaged phone system. A motion was made by Commissioner Gruner and seconded by Commissioner Seche to approve the purchase of phone system from Newcastle Communications at a one-time cost not to exceed \$5,700 and a monthly cost not to exceed \$440. Motion carried by unanimous vote.

Correspondence was received from Vitaliy Bobkov requesting a late fee be waived for property at 29 Elmendorf St. The Board agreed there was no grounds for removal of fee. Superintendent Hansen to send response conveyg Board's decision.

The August 2019 Superintendent's Report was read and ordered filed on a motion by Commissioner Niedzielski and seconded by Commissioner Gruner. Motion carried by unanimous vote.

A motion to move into Executive Session was made by Commissioner Niedzielski and seconded by Commissioner Gruner at 6:13 pm. A motion to come out of Executive Session was made by Commissioner Niedzielski and seconded by Commissioner Seche at 6:21 pm. Motions carried by unanimous vote.

A motion was made by Commissioner Niedzielski and seconded by Commissioner Gruner to grant Attorney William Cloonan longevity consistent with the rest of KWD management effective January 2, 2020. Motion carried by unanimous vote.

Motion to adjourn was made by Commissioner Seche and seconded by Commissioner Gruner at 6:22 pm. Motion carried by unanimous vote.

Matthew Dysard
Assistant Secretary

RESOLUTION

At the regularly scheduled meeting of the City of Kingston New York Board of Water Commissioners held on the 11th day of September 2019 and quorum hereof;

Upon motion duly made and seconded and unanimously approved it was:

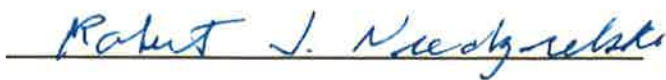
RESOLVED that the Kingston Water Department be authorized to submit an application for the grant under the NYS Water Infrastructure Improvement Act (WIIA) for the Cooper Lake Dam Remediation and Intake Rehabilitation Project. And it was further;

RESOLVED that the Superintendent is an authorized representative for the City of Kingston Water Department and to act on its behalf and execute all documents related to the application. And it was further;

RESOLVED the Kingston Water Department is authorized to seek bonding authority for this project in the amount not to exceed \$7 million from the City of Kingston Common Council.

Signed by the Secretary of the Board of Water Commissioners.

DATED September 11, 2019

A handwritten signature in blue ink that reads "Robert J. Niedzielski". The signature is written in a cursive style and is positioned above a horizontal line.

Robert Niedzielski, Secretary Board of Water Commissioners

RESOLUTION TO SHARE COSTS AND RESPONSIBILITIES OF LOCAL FEATURES

RESOLUTION #XXXXXXXX

Resolution of the City of Kingston Water Department, of the City of Kingston in Ulster County; Agreeing to pay the costs and responsibilities of local features (water facility betterments) on the Kingston Roundabout I-587 at Albany Avenue project within the geographical jurisdiction of the City of Kingston;

WHEREAS, the New York State Department of Transportation under the project identified as PIN 8811.26.121, Kingston Roundabout I-587 at Albany Avenue reconstruction in the City of Kingston;

WHEREAS, the City of Kingston Water Department has developed and/or concurred with the design of the Kingston Roundabout I-587 at Albany Avenue and the plans and specifications have been prepared and are hereby referred to as municipal work;

WHEREAS, the City of Kingston Water Department approves the plans of this municipal work and desires to have this work included with the State project; and

WHEREAS, the State of New York has estimated the cost of the municipal work and has agreed to include this municipal work with the State project identified above and described in Schedule A provided the City of Kingston Water Department agrees to pay the cost of such Betterment(s);

NOW, THEREFORE the City of Kingston Water Department duly convened and does hereby:

1. RESOLVE that the City of Kingston Water Department does approve the cost estimate of its project to be performed by the State; and it is hereby
2. RESOLVED that the City of Kingston Water Department shall maintain such water utility Betterment(s); and it is hereby further
3. RESOLVED that the City of Kingston Water Department will deposit with the State Comptroller in a project escrow account the full amount of the estimate for the cost of the Betterment as described in Schedule A of the Agreement for payments by the State Comptroller for the Municipal work prior to contract letting. The Municipality will also deposit with the State Comptroller in a project escrow account the full amount of the contract bid price for the cost of the Betterment (less any amounts already deposited for purposes thereof) for payments by the Comptroller on account of Project costs within 10 days after the lowest-bidder or best-value proposer eligible for award has been identified; and it is

4. RESOLVED that in the event the cost exceeds the amount of the deposit the City of Kingston Water Department shall within 90 days of the receipt of notice from the Commissioner pay the amount of such deficiency to the State Comptroller; and any excess of the deposit shall be paid to the Municipality on the warrant of the State Comptroller on vouchers approved by the Commissioner after project close out; and
5. RESOLVED that the City of Kingston Water Department hereby authorizes the President of the City of Kingston Water Board to enter into an agreement with the State of New York and through the Commissioner of Transportation to commit the City of Kingston Water Department to maintain at its own expense the Betterment(s) on the above-identified project; and that such agreement provides that maintenance shall include the repair and replacement of equipments and the operation of such Betterment(s); and
6. BE IT FURTHER RESOLVED that the Clerk of the City of Kingston Water Board is hereby directed to transmit four (4) certified copies of the foregoing resolution to the State Department of Transportation addressed through:

Mr. Mark Kruk, Project Manager/Design Group
New York State Department of Transportation
4 Burnett Boulevard
Poughkeepsie, New York 12603

Robert J. Niespieltski
Clerk/Secretary

9-11-19
Date