

Minutes

Public Facilities Committee

Tuesday, January 16, 2018, 4:00 pm

Gerace Office Building, Mayville, N.Y.

Members Present: Hemmer, Scudder, Wilfong, Nazzaro

Member Absent: Gould

Others: Tampio, Abdella, S. Cummings, Crow, Borrello, A. Brumagin, PPD Members; D. Larish, M. Webster, L. Sarek, P. Coats

Chairman Hemmer called the meeting to order @ 4:03 pm.

Approval of Minutes (12/11/17)

MOVED by Legislator Nazzaro, SECONDED by Legislator Wilfong to approve the minutes.

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time.

Proposed Resolution – Confirm Re-Appointments – Airport Commission

Chairman Hemmer: Any discussion, comments, questions on the resolution?

Legislator Nazzaro: I just want to know why Mr. Scudder didn't get on the Airport Commission?

Chairman Hemmer: I would certainly be willing to suggest that to our County Executive.

Legislator Scudder: No, I'm good.

Chairman Hemmer: All in favor?

Unanimously Carried

Proposed Resolution – Confirm Re-Appointments – NY Fish & Wildlife Management Board

Chairman Hemmer: Any questions or comments on this proposed resolution?

Unanimously Carried

Proposed Resolution – Confirm Re-Appointments – Soil & Water Conservation District Board of Directors

Chairman Hemmer: Any questions or comments on this proposed resolution?

Unanimously Carried

Proposed Resolution – Amend Personal Services & Employee Benefit Appropriations Accounts – Environmental – Landfill

Ms. Crow: Kathleen was out of the office today but based on their yearend projections and the allocation of their employees an adjustment was necessary to move the pay and benefits from one of their accounts to another.

Legislator Nazzaro: So when you move it to the closed landfill –

Ms. Crow: Oh, I just noticed a typo in here. It should be the “EL” fund and not the “A” fund.

Chairman Hemmer: Which one, the closed or both of them?

Ms. Crow: All of them. Everywhere it says “A”, it should be “EL”.

Legislator Nazzaro: So I guess my question is, you are increasing appropriation out of closed, taking it out of the –

Ms. Crow: Well, closed landfills is just a department number of theirs where they have work that is done.

Chairman Hemmer: They monitor, right, all of the closed landfills? So personal services, it’s all time?

Ms. Crow: Yes. When they set the budget they assume where everyone is going to have their work allocated and then I’m assuming that either they made a change or they just didn’t allocate everyone properly to begin with so now they are trying to get it more accurate to where the work is being performed.

Legislator Nazzaro: It’s a wash, obviously.

Ms. Crow :Yeah, it's just moving from one department to another. There is no new staff or anything like that. Kathleen will be here for Audit & Control. She'll probably have more details.

Chairman Hemmer: Any other questions? We can treat that as a typo and change it. We don't have to make a motion to change it?

Clerk Tampio: No.

Chairman Hemmer: O.k., all in favor of the proposed resolution?

Unanimously Carried

Proposed Resolution – Close Capital Projects

Ms. Crow: As a result of the reviews that we're conducted throughout the past year of all capital projects, this was the last – I think there is a couple that are still outstanding that need to be resolved of projects that could be closed so we wanted to get those closed for the yearend 2017 and reconcile all those accounts. But these have already been reviewed through the Audit & Control Committee in the review of all capital projects and the department heads were all consulted and confirmed that they are completed and paid, etc..

Legislator Scudder: So are there dollar amounts on any of this? Like the total?

Ms. Crow: No, these are all within the capital reserve fund so any resulting surplus or deficit would adjust back to the reserve for capital. I don't know if there is anything significant but I will ask her to address that and reply back to the committee on that.

Chairman Hemmer: I notice there is only one that doesn't have a start date on it or start year rather.

Ms. Crow: Well, some of them were – it wasn't until a few years back that we started to included – or we went back to all active projects and put in the description, the date, in which that project was first established so that we could do better reporting because the way our financial system work unless you need to know how far back in the system to go to capture the data so it was helping us to manage that. So that's why we started to go back and put dates in but it looks like for that radio project –

Chairman Hemmer: It's fairly recent right? Or was this something different than the recent one?

Ms. Crow: Well, that might have been an older one from before the current big project but I'm not positive. I know that there was more than one radio project over time.

Chairman Hemmer: So it may have been an old project but you'll probably find for Audit & Control.

Ms. Crow: And we were just closing it but I'll just confirm. I will find out the year it was established and have her provide a rough projection of any net surplus or deficit.

Chairman Hemmer: Oh good so they will have it for Audit & Control.

Ms. Crow: Yes. Generally it would be anything where we might of – well, all of these would have been at or under the budget because otherwise we would have to have a budget amendment here for any that are over budget so it's safe to assume all of these were within their budget and the only reason there would be a surplus is if we had more revenue, so to speak, than expenses in that account. So, we'll find out.

Chairman Hemmer: Any other questions concerning this resolution?

Unanimously Carried

Proposed Resolution – Confirming User Charges: Portland-Pomfret-Dunkirk Sewer District

Mr. Cummings: Good afternoon everybody. My name is Scott Cummings and I'm the Director of the PPD Sewer District and I would like to introduce some of the board members. Dan Larish is our Vice Chairman, Marty Webster is one of the members, Paula Coats, one of the board members and Laura Sarek, one of the board members of the PPD Sewer Districts. I offered to the board members to come too, to understand how this process works. We're proposing a fairly significant rate increase for the PPD sewer district due to financial status of the district in their finances. That's kind of what we are here for. The cost to the district has gone up significantly to the Village of Fredonia over the last couple of years causing quite a deficit in the budget. So we have to account for that and offset that and also just maintenance and operation costs have gone up over time. So, it's been since 2013 since the Board had their last rate increase. Historically it's been about every four or five years that there has been an increase and we're at that time. Unfortunately this time the increase is quite significant but the Board felt that this is needed to help not only pay the cost of today but also help build the fund balance to help in the future so that is kind of where we are at.

Legislator Wilfong: Can I ask what the rate is now?

Mr. Cummings: There are three different rates for the district. So depending on where you live in the district you are either going to pay \$112.50 if you live in Van Buren Point, which is the older part of the district, old lines. If you live in Shore Acres, that is another portion, that's \$88.75 and then then part of the district that was built in the 80's, that's \$79.00. Those are base charges. Just a base sewer bill and on top of that is water use charge. So today we're charging \$5.50 for every 1,000 gallons that goes through their water meter. That is used to help pay for the treatment to the Village of Fredonia. We're proposing those rates go up to \$110 and \$100 base charge and then the water use charge to go up to \$12.00 per 1,000 gallons because that is about what Fredonia is charging us right now to treat this.

Legislator Nazzaro: So what would the user see, I understand that you have three different levels but what would the users see one as an annual increase and what percentage would that be?

Mr. Cummings: I didn't break that down. (*cross talk*). They are probably going to see about \$100 per year increase per user.

Legislator Nazzaro: It's quarterly billed?

Mr. Cummings: Quarterly billed but about \$100 increase per year.

Legislator Nazzaro: So about \$25.00 increase on average, quarterly.

Mr. Larish: That's the base. That's not –

Mr. Cummings: And then their water use charge.

Legislator Nazzaro: That's what I'm trying to get at.

Mr. Cummings: Yeah, that's what I'm trying to break down at this point. Paula did a real nice breakdown of her own personal bill. She lives in the district year round, she lives in Shore Acres and she said the increase would cost her about 81 cents a day. That is about what her increase is going to be over her existing bill.

Legislator Nazzaro: It's about \$300 give or take?

Mr. Cummings: That's probably a better way of looking at that.

Mr. Larish: It's going to be close to \$400.00.

Mr. Cummings: Depending on the size of your family and that kind of thing.

Legislator Nazzaro: So as a percentage increase, it's almost \$400.00 annually between the quarterly fee and the usage of the water so then that represents a 25% increase?

Mr. Larish: I don't think that we broke it down that way sir but I think it would be closer to 40%.

Chairman Hemmer: A 40% increase.

Legislator Nazzaro: So a 40% increase in total. Being the financial person that I am, I'm looking at – I'm a consumer, so you are talking about a \$400.00 increase annually, for everything?

Mr. Cummings: Base charge and water use charge.

Legislator Nazzaro: Which equates to a 40% increase.

Mr. Larish: From 2013 to present and we projected another two years forward with this rate.

Mr. Cummings: We're hoping that it takes the district two to four years before another increase.

Legislator Nazzaro: You said the last increase was 2013. It is a hefty rate increase.

Mr. Cummings: Yes it is. Very much so and the biggest problem that the PPD District is dealing with is the cost of the treatment to the Village of Fredonia. That has gone outrageously high. About three years ago the district paid around between \$80,000 and \$100,000 a year to the Village of Fredonia. We're now paying them, in 2017, we paid them \$188,000. So it's gone up and that's with 502 users. That's not a lot of users but we had no place else to go. That's where we have to go and they are following a contract that was put in place back in the 80's. So Fredonia is only following the contract that is in place but the fact that the costs have gone up, their flows have gone down because of the loss of the Carriage House which shows our flows higher. It's considered on a percentage, their flows to our flows. Since they lost a lot of flow because of the Carriage House, it shows us higher and we're paying more. So they are only following an agreement that's in place. They are not doing anything wrong. They are just following the agreement. Unfortunately it's really tough for the PPD District to cover that cost.

Legislator Nazzaro: And you had a public hearing. How did that go?

Mr. Cummings: We had about 10 residents that were there to voice their opinion and there was a few that were upset and I think the board did a very good job of explaining to the residents that were there the reason for the increase. I felt that the majority of them that left their understanding why. Did we appease all of them, no.

(Cross talk)

Mr. Cummings: A letter was sent to all of the residents notifying them of the public hearing and the breakdown of the reasons for the rate increase. That was sent to every resident in the district.

Legislator Scudder: So a \$400.00 increase is an average, that is per parcel.

Mr. Cummings: Per user. There is a total of about 502-503 users in the district.

Legislator Wilfong: And you as the board are recommending this?

(Multiple response of yes we are)

Mr. Larish: We crunched the numbers with the County budget this is what we need to be solvent.

Legislator Wilfong: O.k..

Mr. Cummings: This Board sat down with Kathleen Dennison, they came up here and sat down with Kathleen and went through the spreadsheet and balance sheets with Kathleen and this is why they came to the conclusion that they did, the funds that they need, with her recommendation.

Chairman Hemmer: In this copy that we have, page 2 or 3, where they are taking about the scale of charges. The annual rates per unit of \$440 and when you are talking about per household?

Mr. Cummings: Correct.

Chairman Hemmer: So this is not the increase, this is what you are guesstimating that -

Mr. Larish: No this isn't the guesstimate, this is the actual proposal for the base rate.

Chairman Hemmer: Oh, so this is the base rate of \$440.00 on top of that comes -

Mr. Larish: You add to that the \$12.00 per thousand gallons for treatment of the waste of the (*inaudible*)..

Legislator Nazzaro: I realize Mr. Chairman, we are here to confirm the rate increase but is it possible to get, showing what the fee is now and what the fee is going to? I wrote down what you said but I would just like because obviously 502-503, to them, that is very significant.

Mrs. Coats: This might show it. This is per quarter. This is the current rate, my actual bill and this would be my bill under the proposed rate.

Chairman Hemmer: Everybody went to \$110.00 except for some people it went to \$112.

Mr. Cummings: Van Buren Point, let me clarify this. Van Buren Point is an older part of the district, old lines, we do a lot more maintenance in that area so they pay a little bit more. They were paying \$112.50 now, per quarter, time four so that would be \$450 and they are going to go \$110. They are going to drop \$2.50 a quarter. Just trying to make it a little easier for them so they are going to be paying a yearly base charge of \$440.00., so that's divided by four, so \$110 every quarter they are going to be paying their base charge. On top of that will be their water use charge. Depending on what goes through their meter is how much they will be charged for their water use charge. So this allows them to control their bill. They can conserve water. Not watering their lawns a lot, not washing their cars so much, that kind of thing will help control their water bill.

Chairman Hemmer: Is there like a minimum amount of gallons that you charge them for no matter (*cross talk*)..

Mr. Cummings: If they are gone for 6 months and nothing goes through their meter, then they just get the base charge. So it depends on their water use is how much their sewer bill is going to be.

Ms. Webster: Because I have a cottage at Van Buren.

Chairman Hemmer: So if you are not there.

Ms. Webster: September until May.

Chairman Hemmer: So then you are basically paying the base charge.

Legislator Nazzaro: Now that I see the numbers, the rate per 1,000 gallons have more than doubled, \$5.50 to \$12.00, where the base rate is \$88.75 to \$110.00 so that's maybe like an 18% increase or something like that. So, I would encourage to conserve.

Ms. Webster: We're having an issue with people who continue to have sump-pumps that go into the sewer system so if we could encourage more people to get their sump-pumps out of the sewer line, that also would help because there is no need for that ground water to be treated and yet some people continue to have their sub-pumps tied into their sewers.

Mr. Cummings: As we find them, we give them a violation and tell them it needs to be removed and give them a proper time to remove it but we don't know until we're invited in to inspect it.

Ms. Webster: I did get a listing of people at Van Buren who have sump-pumps and where they are discharging it to.

Chairman Hemmer: Yeah, do they have an alternative to discharge it to, I mean you just can't run it out on the neighbor's lawn.

Mr. Cummings: So for that water use charge of \$12.00 per thousand, what I did was, I calculated what Fredonia charged us over the last year and our number of users and the amount of water we sent them and that averages out just to be \$12.00 per thousand gallon is what they are charging us for that treatment. So us collecting \$5.50 per thousand wasn't doing it and the fund balance was slowly going down.

Legislator Nazzaro: What is your current fund balance?

Mr. Cummings: Without looking at it right now, I believe it's right around the area of \$22,000.

Ms. Coats: It was a negative \$22,000. We had a positive of like \$75,000 the preceding year and now we're down to a negative twenty.

Legislator Nazzaro: Thank you for serving on the board, we appreciate that.

Chairman Hemmer: And thank you for coming in and presenting this to us.

Mr. Cummings: It's been a very difficult decision for this Board to make. They spent an awful lot of time, they spent time driving to Mayville to meet with Kathleen and get the numbers right so they felt they were in the right area with their figures.

Chairman Hemmer: That is due diligence by the Board. That's great.

Mr. Larish: It was a long haul for us.

Mr. Cummings: Just to let you know, we are in the process of trying to renegotiate that agreement with the Village of Fredonia. We've been working with the Law Department of the County, Kristen Wright, and we're trying to renegotiate that the best we can. In the past 6 months that we've tried, Fredonia hasn't been willing to negotiate at this point. I'm sure they don't want to lose that revenue but we have to do something.

Legislator Nazzaro: And you said that went up to about \$188,000?

Mr. Cummings: Yes, \$188,000 this past year is what we paid Fredonia and just a few years ago it was between \$88 and \$100,000.

Mr. Larish: Just a little perspective on that, we were paying almost \$12.00 per thousand now, eleven and some change. Fredonia's residents, they only charge them \$6.17. *(cross talk)* It's quite unbalanced.

Mr. Cummings: Unfortunately we have no place else to send that sewage. We have to go to Fredonia at this point. The PPD District does not have its own plant and with only 500 users, we cannot build our own.

Legislator Nazzaro: Again, thank you for coming. I know that it's difficult but necessary decision.

Chairman Hemmer: Any further questions by committee members concerning this resolution? All in favor?

Unanimously Carried

Proposed Resolution – Continuation of Interim Funding for North Chautauqua County Water District

Mr. Abdella: Prior to this resolution, the Legislature had approved in the past couple of years what we called interim funding for the North Chautauqua County Water District to allow them to do the preliminary design costs and other costs that they would be incurring ahead of going to their long-term bonding. Initially it was thought that that could be completed by December 31, 2017 but at this point they would like and we would like to have them have an additional year to have this funding available prior to them actually entering into the long-term

bonding transaction. As reflected in the resolution, interest rate is paid that is equivalent to the investment return estimated by the Director of Finance. So that is just continuing that arrangement that we have been doing since 2016.

Chairman Hemmer: Any questions? You are pretty certain that the end of this year everything will be ready to roll.

County Executive Borrello: They have pipes going into the ground. I don't know if you've been up Rt. 5 and it's moving along. It's really a reality now. The golf course at Shorewood is all torn up. I am sure they are going to want that back in place before golf season starts again. It's great, it's moving forward.

Legislator Scudder: They pretty much have it in and graded off.

Chairman Hemmer: Hard to progress this time of year. Any questions about this resolution?

Unanimously Carried

Mr. Abdella: I know that you have one for other, I believe, which you might want to do ahead of the discussion item.

Other

Proposed Resolution - Authorize Supplemental Agreement No. 2 with NYSDOT for PIN 5758.45

Mr. Brumagin: This one is for a supplemental agreement number 2 with New York State DOT for Prendergast Creek, County Road 18 bridge replacement project. It basically just revise some of the funding now that we're getting closer to the next phase is very well acquisitioned so I'll just revise some of the funding and then authorize that phase so that we can proceed to apply the right of way or actually replace the bridge. Currently it's funded – this is for design dollars, it's not for the construction funds. We're going to apply for Bridge New York funding, its replacement which is something we received in the last round of Bridge New York funding that went for Madison Street in Fredonia. Its currently going to be replaced in 2020. So, once we get this supplemental agreement in place, then we can apply the right-of-way and then it's a candidate for the Bridge New York funding for replacement.

Legislator Nazzaro: This doesn't mean that the cost of the design is actually less?

Mr. Brumagin: It means that the estimated cost for the right-of-way acquisition is lower.

Legislator Nazzaro: So then you get – so in a sense its lower (*inaudible*) revenue that you are going to get is lower because you don't need those funds for that right-of-way.

Mr. Brumagin: Right, I think it's more for the State didn't want to shore that much money out for something they knew was going to be less. I don't think that they amend the right-of-way acquisition phase but also the funding level changed a little bit as well to reflect that.

Chairman Hemmer: Hopefully their estimates are good. Any other questions on this resolution?

Unanimously Carried

Discussion - Solid Waste Flow Control – County Attorney Abdella

Salt Inventory – Finance Director Crow

MOVED by Legislator Nazzaro, SECONDED by Legislator Wilfong to adjourn.

Unanimously Carried (5:12 p.m.)

Respectfully submitted and transcribed,
Kathy K. Tampio, Clerk/Lori J. Foster, Deputy Clerk/Secretary to the Legislature