TOWN OF KINGSTON
BOARD OF WATER COMMISSIONERS
OPEN SESSION
WATER DEPT OFFICE - 22 ELM ST, MICHAEL J.
MACPHERSON MEETING ROOM & VIA ZOOM
MAY 8, 2024

7:00 PM – CALL TO ORDER
Chairman Richard W. Loring Jr called the meeting to order at 7:04pm. Chairman Loring acknowledged some technical issues that lent to the late start.

In attendance were Vice Chairman Erlandsen, Commissioner Robert R. Kostka, Superintendent Chris Veracka, resident Mark Guidoboni, Greg and Kali McDowell representatives of Kelleher estate and Clerk Stacey Smith.
Attending via ZOOM was Kristen Berger of Resilient CE.

APPROVAL OF DEPARTMENT BILL SCHEDULES:

MEETING MINUTES:

NONE TO APPROVE

APPOINTMENTS:

AMENDED ITEM GREG MCDOWELL, ESTATE REPRESENTATIVE FOR KELLEHER PROPERTY
Chairman Loring thanked both Greg and Kali McDowell for attending the meeting. He reviewed the history of the land in question and the town's need for a new well site. He explained how eminent domain is on the town meeting warrant; however, it is the Board's hope that no motion will be made on that article provided an agreement can be made this evening. Vice Chairman Erlandsen reiterated it's not the Board's preference; as they would prefer to move the sale with the owner's cooperation. Commissioner Kostka stated that for at least the last six months, at nearly every meeting this Board has had developers requesting water.

Chairman Loring stated the property was appraised most recently in May 2023 for 125K. If we move forward with eminent domain, we are bound to move forward with the appraised amount. Mr. McDowell stated that's why we are here today.

Mr. McDowell stated he and his sister are in agreement to sell the land to the Town of Kingston. He referenced prior conversations with Superintendent Veracka and Vice Chairman Erlandsen that an agreed upon figure could be reached that would stay within the department's budget and take into account closing fees and such. His proposal is to sell the property for 145K.

Vice Chairman Erlandsen made the motion to purchase the land for 145K and that all legal fees, closing costs and recording fees will be incurred by the Board of Water Commissioners.
Mr. McDowell said he and his sister, Kali, had briefly discussed the taxes and Mr. McDowell realized there may be some delinquent back taxes on the property. He hadn't seen a bill in some time, therefore, he hadn't paid a bill. He asked if there was some forgiveness that could be made in that respect.
He didn't think it was a lot of money, but he didn't have the exact amount. Ms. Smith stated we have no jurisdiction over taxes and Vice Chairman Erlandsen stated perhaps we can advocate for that with the Collector.

After further discussion, Vice Chairman Erlandsen moved the motion, again, to purchase the land for 145K and that all legal fees, closing costs and recording fees will be incurred by the Board of Water Commissioners.
It was decided to place the statement regarding the back taxes into the agreement itself.

Commissioner Kostka seconded the motion.
A roll call vote followed: Kostka - aye, Loring - aye, Erlandsen -aye (3-0-0).

Ms. Smith stated a preliminary P&S was printed up if the McDowell's would like to sign this evening. Mr. McDowell asked if we needed to wait for the tax question to be answered. Superintendent Veracka stated it can be addressed within the agreement. Chairman Loring said if we do not have something in writing prior to Saturday, we will be forced to move forward with the eminent domain article. Mr. McDowell understood and just wanted to be sure the details were included. Ms. Smith prepared the document, presented the document and all parties signed.

The Board thanked Greg and Kali for all the cooperation.

At approximately 7:31 pm both Greg and Kali McDowell left the meeting.

<u>KRISTEN BERGER, RESILIENT CE</u>

<u>DISCUSSION ON BID RESULTS FOR MAIN STREET WATER MAIN PROJECT</u>
Ms. Berger bids were received last week. There was a total of 6 bidders. She reviewed the bid list for the project and created a spreadsheet of the results for the Baord to review. The low bidder for the base bid is C & C Construction for $1,181,540.20. She estimates 160 ft of pipe to be installed per day. She estimates a total of 22 days for the pipe install. She stated she will factor in the expense of 3 police details/day as we want this project to be safe and keep everyone intact. She said when installing the services she thinks 2 details/day will be adequate. They will need to meet with both Kingston Police and Kingston Fire to confirm these estimates. For budgeting police details, estimates were based on $100/hr. That totals $65,600 for the base bid work. Ultimately, the Police Chief will determine the locations and how many details are needed. Ms. Berger has accounted for a project inspector for a total of 17K, the engineering bid/permitting phase at 6K and the estimated construction services for engineering costs at 33K. She said the budget includes approximately 26% contingency funds, which is extremely healthy. The concern with Main Street is the records aren't great, especially with the Route 3 interchange. For example, where the water is believed to be may not be shown in the drawings. Commissioner Kostka asked how long ago that work was done. Superintendent Veracka stated it was in the early 2000's when the last work in the area was done.

Ms. Berger stated the lowest bidder for the base bid and the added alternate, including Hillcrest, was Dig It Construction. She continued to review the scope of the job, the estimated costs and expected time frame. This bid doesn't allow for enough contingency funding to cover any unexpected costs. Chairman Loring asked if the project could be awarded for the base bid only and hold the Hillcrest portion to see if money is available. Ms. Berger stated the low bidders are different based on the two different bids. If the base bid is awarded, you cannot add Hillcrest back in. It would cause a reason for a protest. Commissioner Kostka asked Ms. Berger for her recommendation. Ms. Berger explained she's much more conservative and feels more comfortable with a larger percentage of contingency funds available. Discussion continued regarding the best way to move forward. Chairman Loring stated Main Street needs to be done. That's the priority. Superintendent Veracka agreed that Hillcrest was added on only as we would be in the same area. It is not a critical part of the project. Ms. Berger stated she would have more information for the next meeting.

Discussion continued regarding the funding mechanism with ARPA funds and the use of any remaining funds after the project. Ms. Smith explained the ARPA funds have to be spent first ($1.1M) and then the remaining funds from the town ($528K) can be used.

Ms. Berger will check references and firm up all costs. At the next meeting the Board can take a vote to award the bid.

WATER SUPERINTENDENT DEPARTMENTAL UPDATE:

NEW BUSINESS:

<u>TO DISCUSS WATER DEPARTMENT ARTICLES IN ADVANCE OF MAY 11TH ANNUAL TOWN MEETING</u>
No discussion or motion was made regarding the eminent domain article as agreement was reached for Kelleher land.

UNFINISHED BUSINESS:

WATER CORRESPONDENCE FROM LAST MEETING:

BUSINESS OF WATER QUALITY REVIEW COMMITTEE:

NEXT REGULAR MEETING:

ADJOURNMENT OF OPEN SESSION:
Vice Chairman Erlandsen made the motion to adjourn. Commissioner Kostka seconded the motion, and it was voted on unanimously (3-0-0).
The meeting adjourned at 7:50pm.

ZOOM INFORMATION

TOPIC: BOARD OF WATER COMMISSIONERS
TIME: THIS IS A RECURRING MEETING MEET ANYTIME
JOIN ZOOM MEETING
HTTPS://US02WEB.ZOOM.US/J/89052013207?PWD=AWNZOWIYK01WCGZJR2VEBFJNDVLSQT09
MEETING ID: 890 5201 3207
PASSCODE: 444915
ONE TAP MOBILE
+16469313860,,89052013207#,,,,*444915# US
DIAL BY YOUR LOCATION
• +1 646 558 8656 US (NEW YORK)
MEETING ID: 890 5201 3207
PASSCODE: 444915
FIND YOUR LOCAL NUMBER: HTTPS://US02WEB.ZOOM.US/U/KDWSDDJYBD

Respectfully submitted,

Stacey L. Smith

Stacey L. Smith
Clerk