

COUNTIES OF WARREN AND WASHINGTON
INDUSTRIAL DEVELOPMENT AGENCY

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A special meeting of the Counties of Warren and Washington Industrial Development Agency was held on Wednesday, July 6, 2022 at 9:00 am via Zoom.

The following were:

PRESENT:

Dave O'Brien	Chair
Nick Caimano	Member
Chuck Barton	Member
Craig Leggett	Vice Chair
Dan Bruno	Park Chair
Ginny Sullivan	Member
Dan Bruno	Member
Brian Campbell	Member

ABSENT:

Mike Wild	Member
Mary King	Member

The following were also present:

Kara Lais, Esq.	FitzGerald Morris Baker Firth, PC
Mike Ostrander	Executive Director, WWIDA
Tim Robinson	CFO

Minutes were taken by: Alie Weaver Office Administrator

Roll call was taken, and a quorum was confirmed.

Potential CHPE Lease – Mr. O'Brien stated that this agenda item was discussed during the Executive Park meeting.

Miscellaneous – Mr. Bruno stated that the Technical Services Change Order for the Canalside Energy Park Development of Sanitary Sewer Engineer's Report from Labella was sent to the Board members for review. The main objectives of the report and costs were discussed. Mr. O'Brien noted that these costs will be covered through the IDA's NBRC grant.

Mr. Caimano made a motion to authorize Mr. O'Brien to sign and submit the TSCO and Mr. Campbell seconded. All voted in favor by roll call vote.

Mr. O'Brien stated that a resolution to transfer the Canalside Energy Park Road to the Town of Fort Edward. He noted that the road appraisal and ABO 90-day notice have been submitted.

Mr. Leggett made a motion to approve this resolution and Mr. Bruno seconded. All voted in favor by voice vote.

Executive Session and Adjournment – Mr. Bruno made a motion to go into Executive Session to discuss contract negotiations and all voted in favor by voice vote. Mr. O'Brien stated the meeting will be adjourned out of the Executive Session with no actions taken.

Resolution No. _____
Adopted _____, 2022

Introduced by _____
who moved its adoption.

Seconded by _____

**RESOLUTION OF THE COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL
DEVELOPMENT AGENCY APPROVING AND AUTHORIZING CONVEYANCE OF
REAL PROPERTY**

WHEREAS, the Counties of Warren and Washington Industrial Development Agency (the "Agency") owns certain property in the Town of Fort Edward commonly referred to as Lock 8 Way; and

WHEREAS, the Agency desires to convey and has previously discussed conveying Lock 8 Way to the Town of Forward Edward since the Town is better suited to own and maintain said highway for public use; and

WHEREAS, Lock 8 Way consists of approximately 11.41 acres and consist of the following tax map parcels: 163.-2-20.3; 163.-2-20.4; 163.-2-15.3; 163.-2-15.4; 163.-2-15.5; 163.-2-19.2; and

WHEREAS, pursuant to section 6(c) of the Agency's Disposition of Property Guidelines, the property, real and personal, may be sold by negotiation and for less than fair market value if the disposal is intended to further the economic development interests of the Agency; and

WHEREAS, the appraisal value of the real property is \$1,480,000.00; and

WHEREAS, since the Town of Fort Edward is best equipped to own and maintain Lock 8 Way as a public highway, the Agency has determined that it is in the best interest to convey the underlying real property for less than its appraisal value at the sale price of \$1.00; and

WHEREAS, based on the foregoing, the Agency has determined that the sale of said Property is in the economic development interests of the County of Washington and the Town of Fort Edward, is in accord with the public provisions of applicable federal, state and local laws and the Agency's Disposition of Property Guidelines, and will benefit the welfare and the economies of both Counties and the Town of Fort Edward and the residents of those municipalities.

NOW, THEREFORE, it is hereby

RESOLVED that after due deliberation thereon, the Agency has determined that the disposal of the property intends to further the economic development interests of the Agency, whereby (a) the Town of Fort Edward has the ability to properly maintain Lock 8 Way; and

RESOLVED, that the Agency agrees to convey the real property described above, consisting of approximately 11.41+/- acres of land in the Town of Fort Edward to the Town of Fort Edward for the sum of One Dollar (\$1.00).

RESOLVED, that the Agency acknowledges that any such sale of the Property shall be carried out pursuant to the Agency's Property Disposition Policy and the applicable provisions of the Public Authorities Accountability Act, as it may be amended and the Agency hereby authorizes the provision of notice of the sale to various State agencies as may be required.

RESOLVED, that the Chairman, or Vice Chairman in his absence, is authorized to execute and deliver a deed, and other such documents as will incorporate the terms set forth above, subject to the approval of the Agency's legal counsel as to form and content.

The question of the adoption of the foregoing resolution was duly put to a vote, which resulted as follows:

The foregoing resolution was thereupon declared duly adopted.



July 5, 2022

Mr. David O'Brien
Counties of Warren & Washington Industrial Development Agency
5 Warren Street, Suite 210
Glens Falls, NY 12801
via email: dkobrien@att.net

**RE: Technical Services Change Order (TSCO) #1
Development of Sanitary Sewer Engineer's Report
Canalside Energy Park
Village of Fort Edward, Washington County, New York
LaBella Project No. 2221778**

Dear Sir,

Labella Associates is pleased to provide this TSCO associated with addressing the development of an Engineer's Report for providing sanitary sewer service to the Canalside Energy Park. Please find our current project understanding, scope of services, and associated fee schedule below.

Project Understanding

Following our conversation with the NYSDEC, the next steps in this project are to develop an engineer's report to describe the improvements necessary to extend sanitary sewer service to industrial park. The NYSDEC has verbally indicated that "a concurrent project that reduces infiltration and inflow to the combined sewer system tributary to the same downstream CSO regulator can be proposed".

In addition, the NYSDEC have stipulated that the concurrent project should reduce I&I by a minimum of four times the average dry weather flow associated with the Canalside project. Given that the Canalside project is targeting an average daily flow of 100,000 GDP, the concurrent project would therefore need to yield a reduction in I&I of 400,000 GDP.

Our intention is therefore to develop an Engineer's Report detailing both the project itself and the associated I&I reduction project. Please refer to the detailed scope of services below.



Scope of Services

Task 01 - Preliminary Selection of I&I Mitigation Project

In coordination with the Sewer District, LaBella will identify candidate sites for I&I mitigation projects located within the WCSD#2 contributing area. At this time we anticipate that an I&I flow reduction of 400,000 GPD will be required.

The selection of the I&I reduction project will be done based on publicly available orthoimagery and lidar topographic data. This data will be supplemented by field visits and by record data available from the WWCIDA. Survey services are not included under this task.

We understand that the selection of a suitable I&I mitigation project is critical to the progress of this project. We will therefore not proceed with the remainder of the tasks in this proposal until a satisfactory I&I mitigation project has been identified and endorsed by the WWCIDA.

Task 02 - Utility Survey

This Task is a placeholder. Once an I&I reduction project has been selected under Task 01, we will be able to define the utility survey scope necessary to advance the plans and engineer's report. At that time we will prepare a technical services change order to update this task and the associated fee.

Task 03 - Flow Monitoring

Using a Koester (KAI) as a subconsultant, we will install three area-velocity flow meters with cell-phone packages for a duration of three months, starting in the Month of TBD. These units will be installed, calibrated, and the cell phone packages verified. After the completion of the three-month study the equipment will be removed by KAI personnel. Data collected during this study will be broadcast to a server. Data will be able to be viewed and downloaded into a "CSV" file off this server to allow for importation into a Microsoft Excel spreadsheet.

Prior to commencement, KAI reserves the right to inspect and review the designated sites with the owner and engineer. This is mandatory to prepare the proper equipment and find possible alternate sites should the original sites be deemed not acceptable for flow monitoring. Confined entry will be performed by (2) KAI certified technicians, any additional personnel deemed necessary shall be provided by the WCSD#2.

Mobilization and Programming:

- (1) One day of site evaluation with the owner and engineer



(1) Installation, and setup of the above flow metering equipment. KAI will deploy (2) confined entry certified technicians for installation of the meter. Any additional people required shall be provided by the WCSD#2. Road control is not included in this proposal. Flow meters will be setup to collect in 5-10 minute intervals collecting level (in.), velocity (ft/sec.), and flow rate (gpm) unless instructed otherwise.

Return Visits:

One day return visit to inspect each site and verify the flow meter. Possible power replacement during this time.

Removal:

(1) One day of removal of the flow meters. KAI will deploy (2) confined entry certified technicians for installation of the meter. Any additional people required shall be provided by the WCSD#2. Road control is not included in this proposal.

Task 04 - Concept Design of Sanitary Sewer Pump Station and Force Main

We will prepare a concept level design for the pump station and associated force main. The concept design will be presented on a set of 24x36 plans. These plans will include preliminary sizing for the pump station wet well, as well as a plan and profile of the force main run.

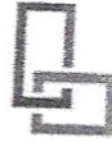
The concept design will be based on publicly available mapping data (including lidar topography, orthoimagery, and tax map parcel data) and record data provided by the WWCIDA. This data will be supplemented with field observations by our design engineers. However, a detailed topographic and boundary survey will not be performed at this time.

Task 05 - Concept Design of I&I Mitigation Project

We will prepare a concept level design for I&I Mitigation Project selected under Task 01. The concept design will be presented on a set of 24x36 plans. These plans will include preliminary grading plans, as well as sizing for all major storm and or sanitary components being proposed.

Please note that the exact nature of the design is TBD. For the purposes of this proposal, we are assuming that the I&I project will consist of the construction of a separate storm sewer system within a certain developed area of the watershed.

Should the selected project differ significantly from the above description, we will prepare a change order to adjust the fees for this Task as appropriate.



The concept design will be based on publicly available mapping data (including lidar topography, orthoimagery, and tax map parcel data) and record data provided by the WWCIDA. This data will be supplemented with field observations by our design engineers. However, a detailed topographic and boundary survey will not be performed at this time.

Task 06 - Engineer's Report

We will prepare an engineer's report describing both the sewer and I&I mitigation projects suitable for presentation to the NYSDEC. The report will include documentation of the capacity of the receiving existing sewer system and treatment plant.

The report will also include construction cost estimates for both the pump station and force main and the I&I mitigation project.

Limitations

Please note the following limitations:

- Changes to stormwater infrastructure can have unintended and unpredictable consequences on downstream property. LaBella does not accept responsibility for downstream impacts due to drainage infrastructure changes should they be made.

Fees and Anticipated Schedule

LaBella proposes to bill each task as indicated in the following table. Invoices will be issued monthly for all services performed during that month and are payable upon receipt.



Task No.	Task Description	Fees			Anticipated Schedule (4)
		Lump Sum (1)	Time and Materials Estimate (2)	Sub-consultant (3)	
01	Preliminary Selection of I&I Mitigation Project	\$10,500	—	—	Start: Upon authorization Duration: 8 weeks
02	Survey Services	—	TBD	—	TBD
03	Flow Monitoring	\$5,200		\$35,300	Start: Upon authorization Duration: 13 weeks
04	Concept Design of Pump Station and Force Main	\$10,600			Start: Upon authorization Duration: 6 weeks
05	Concept Design of I&I Mitigation Report	\$9,500			Start: Upon completion of Task 01 Duration: 6 weeks
06	Engineer's Report	\$12,200			Start: Upon completion of Task 01 Duration: 8 weeks
	SUBTOTAL	\$48,000	—	\$35,300	
	TOTAL THIS TSCO	\$83,300			

- (1) Lump Sum tasks will be billed commensurately with the percentage of the task which has been completed.
- (2) Time and Materials fees are estimates only. LaBella will bill for actual hours worked and will make its best effort to complete each of these tasks within the estimated amounts, although it is possible that it will be necessary to exceed these amounts to complete the scope of services for each task. LaBella will not exceed any estimated fee amounts without written authorization from you.
- (3) The sub-consultant fees shown include a 15% markup to cover LaBella's administrative efforts/costs.
- (4) Projected start and end dates are subject to change and are based on date from authorization to proceed. Because certain aspects of the project are outside of LaBella's control (e.g., review agency schedules,



Please feel free to contact me at 518-824-1943 if you have any questions or require clarification of the proposed scope of services offered. We would be glad to meet with you to further discuss our approach if you desire.

If you find this TSCO acceptable, please sign and date below.

Sincerely,

LaBella Associates

Paul Guillet, PE
Senior Civil Engineer

c: none

Client Signature:

Date: July 7, 2022