

## TOWN OF DRESDEN SEWER BOARD JUNE 2023 MEETING

6/26/2023, 7pm, Dresden Town Hall

Attendance: Town Supervisor Paul Ferguson, Councilmember Allen Wilbur, Councilmember Christine Diekel, Councilmember Marc Brown, Patrick Keenan, Suzy Shad, Jane Carter, Margaret Stoutenberg, Town Attorney Matt Fuller (via phone), Mary LaBrie (via phone), Whitehall Times Reporter

### **Sewer District #1**

The Dresden Town Sewer Board consists of a Superintendent, three members appointed by the Town Supervisor from the Town Board, and two members appointed from within the boundaries of the district. The Superintendent is Bill Borden, the three Board members are Allen Wilbur, Marc Brown, and Christine Diekel. The members from within the district are Patrick Keenan and Suzy Shad. This structure is from "Huletts Landing Sewer District #1 Sewer Use Law" which was enacted in 1993.

Bill Borden is the full-time sewer operator for SD#1.

The Sewer Use Law requires an annual audit by an independent CPA. Matt reports that CPAs that do municipal work are in short supply, and he will find the names of CPAs that are doing work for other municipalities. We will begin with three years of data, and proceed backwards from there once those audits are completed.

The bank for SD#1 and SD#2 is Community Bank.

The current cash balance for SD#1 is \$43,533.56. The fund balance is unknown.

Sewer Use Law requires appropriate insurance.

Sewer Use Law as it is currently written is not in an amendable form, per Matt. As we proceed with this Sewer Board and are reviewing the current and desired operation of the district, we should be keeping track of changes we may wish to explore at some point in the future. This would NOT be a quick process, but the law should reflect how the Town should operate.

The Engineering Study is currently under contract review with NYS EFC (New York State Environmental Facilities Corporation).

More information is needed from Community Bank – do they handle filings with the state, annual disclosures, etc.?

The Sewer Line Burial Project proposal is currently certified to the Lake George Association (LGA). LGA paid Chazen Companies, who is now LaBella Engineering. Project needs to be recertified to Town and its costs updated to reflect 2023/2024 pricing. Project also needs to include the cost of LaBella acting as administrator for

permitting, construction, etc. A meeting will be held with Patrick Keenan, Matt Fuller, and LaBella to ask for this updated documentation. The call will be scheduled for week 28.

What is the capacity of SD#1? It should be in the Engineering Report. Suzy will confirm with LaBella that this is included. On capacity – the Town has been signing off on building permits without explicitly considering effluent impact of new construction or remodeling. A plan needs to be in place for this. With additional data of system capacity, informed decisions can now be made.

At one point SD#2 was in part discharging into SD#1 – when were the systems disconnected? Are any parts still overlapping? Suzy to ask Bill about this.

### **IMMEDIATE ACTION ITEMS**

\*Suzy & Patrick will reach out to Bill Borden to ensure he is on board with the full scope of the enforcement aspect of his Superintendent position and to ensure he is involved in all proceedings going forward. Also to confirm what infrastructure overlap, if any, is occurring between SD#1 and SD#2.

\*Patrick to contact EFC for current status on the Engineering Study.

\*Patrick and Suzy to set a date for call with LaBella during Week 28.

\*Suzy to ensure with LaBella that Engineering Study report explicitly covers capacity of SD#1.

\*Matt to provide suggestions of independent CPAs.

\*Paul to gather financial documents, bank statements, receipts, transactions, payroll information so the audit can be completed.

\*Paul to calculate the fund balance for SD#1.

\*Paul to contact insurance company for Town and ensure sewer is specifically underwritten. Paul to ensure no environmental exclusion in policy.

### **FUTURE FOLLOW-UP**

\*\*Sewer Operator Plan: The Sewer Board needs to explore and create a succession plan for the unknown date in the future when Bill Borden decides to retire, and an emergency plan to fill his role in the event of a significant absence.

\*\*Law: Sewer Board members to keep track of any comments/changes on current Sewer Law for possible future exploration.

\*\*Development: Sewer Board to consider and formulate a plan to deal with building permits that increase a property's discharge to the system.

**\*\*Sewer Rent/EDUs:** Sewer Board to consider and decide upon Equivalent Dwelling Units for the future. At present, generally each house is considered one unit, whether it is a tiny cottage with no dishwasher and one person living in it for two months out of the year, or a 12-bedroom structure with five bathrooms that operates as an Airbnb year round. EDUs are what is used for calculating “Sewer Rent” – which is operations + maintenance. Sewer Rent should reflect true costs in the district, and be equitable and proportional to the discharge created by each property.

**\*\*Consolidating Districts:** Sewer Board to **consider** pros/cons of consolidating districts or sharing administration (Sewer Boards). Law can be rewritten to “umbrella” over both districts. Districts operate uniquely. SD#2 has one-to-one ratio for pumps. SD#1 is gravity fed and one pump will service many properties. SD#1 has more users and is older by approximately 10 years. Both systems were designed originally to be summer-only POTWs (Publicly Owned Treatment Works). SD#2 has approximately two years left of debt to pay off. With operational differences, there can be financial O+M (operations and maintenance) differences between the districts. How can we do this most efficiently and most fairly? How do we best represent all the users of each district?

## **Sewer District #2**

At present, only draft copies of SD#2 law have been located, and no copies of the agreements between SD#1 and SD#2 have been found.

Assuming the draft was passed in to law, operation of SD#2 is very similar to SD#1 – same Sewer Board Structure, same seasonal operation, same audit requirement, etc.

Paul reports SD#2 cash balance is \$52,009.98. Fund balance is unknown. Paul reports approximately two years remaining on original debt of district (infrastructure, creation debt). Balance of debt is \$78,746.27

Paul reports Bill Borden is only billing ~\$300, \$400 a year (8-10 hours of labor) to SD#2 and that he bills hourly as the sewer operator.

## **IMMEDIATE ACTION ITEMS**

\*Paul to calculate fund balance, find original loan amount, find terms of loan, gather same documentation as listed above for three year audit of district.

\*Paul, Suzy, Allen, to look for copies of the law in town office, and short of that, Suzy will request from Secretary of State.

\*Suzy to use Matt's suggestions for CPAs to find an independent CPA to audit district finances.

### **FUTURE FOLLOW-UP**

\*\*If no enacted Sewer District #2 law is found, one will be created.

Minutes submitted by Suzy Shad