**MINUTES OF THE MEETING OF THE TOWN BOARD**

TOWN OF SANDY CREEK  
1992 HARWOOD DRIVE, PO BOX 52

SANDY CREEK, NEW YORK 13145-0052

**Date:** May 6, 2020

**Kind of Meeting:** Special Meeting via Zoom

**Place:** Town Hall

**Board Members Present:** Ruth E Scheppard-via phone **Others Present:**

John W. Wood, Jr. Tammy L. Miller, RMC

Dave Warner Anthony Young, I.E.

Nola J. Gove Dustin Clerk, I.E.

Nancy Ridgeway-via phone Brett McVoy, P.E.

Brittany M. Washburn

Rebekah Prosachik, Esq.-via phone

Cindy Love

Pat McDougal

Wayne Miller

And over 30 from the public

**CALL TO ORDER:**

Deputy Town Supervisor Ruth E. Scheppard called the meeting to order at 5:02 pm and turned it over to Anthony Young of Barton & Loguidice, D.P.C.

Mr. Young gave a brief summary of the Sandy Creek-Richland Joint Water project from 2016 to present. Sealed bids were accepted and opened on April 8, 2020. Three companies bid on two different pipe materials, ductile iron and PVC. They also bid on nine optional areas. W.D. Malone Trucking and Excavation, Inc. of Hannibal, NY was the low bidder. Mr. Young is recommending a change order decreasing the costs of certain items by $246,500.00. The original contract price of $11,297,010.00 will be reduced to $11,050,510.00 if accepted and will put the project on the current budget. Pre-construction meetings will be scheduled in the near future. Project construction will likely begin in approximately four to five weeks. The contractor will need time to get approvals, materials, and a schedule in place. The project received NYS DEC approval today after many months of waiting. Councilman Warner asked about W.D. Malone’s references and the engineers’ past experiences with them. He also asked about the size of Malone’s past projects. Mr. Young replied that his past experiences with this company have been positive.

**RESOLUTION 52-20**

**RESOLUTION AUTHORIZING THE AWARD AND CHANGE ORDER NO.1 OF**

**CONTRACT NO. 1 – GENERAL CONSTRUCTION FOR THE**

**TOWNS OF SANDY CREEK AND RICHLAND JOINT WATER PROJECT**

At a special meeting of the Town Councilmembers of the Town of Sandy Creek, held on May 6, 2020, the following resolution was adopted by the Town Councilmembers.

**WHEREAS,** the Town of Sandy Creek (Town) is the owner of the Towns of Sandy Creek and Richland Joint Water Project (“Project”); and

**WHEREAS**, pursuant to New York State Municipal Law, bids for Contract No. 1 General Construction were received, publicly opened and read aloud on April 8, 2020 at the Town of Sandy Creek Town Office.

**WHEREAS,** the Town’s Engineering Consultant, Barton & Loguidice, D.P.C. (B&L), tabulated and analyzed the bids received, and W.D. Malone Trucking & Excavating, Inc. submitted the lowest bid.

**WHEREAS,** B&L provided a No Exception Award letter to the Town for Contract No.1 of the Project and detailed the process for the Town to award Contract No. 1, including all Base Bid items to W.D. Malone Trucking & Excavating, Inc. for the amount $11,297,010.00.

**WHEREAS,** B&L also provided a cost reduction change order to be approved in concurrence with Award. Change Order No. 1, for Contract No. 1, W.D. Malone Trucking & Excavating, Inc. which will reduce the total amount to $11,050,010.00.

**NOW, THEREFORE, BE IT RESOLVED** that based on the April 2020 Post-Bid Packet prepared by B&L, the Town of Sandy Creek Councilmembers hereby awards Contract No. 1 – General Construction of the Towns of Sandy Creek and Richland Joint Water Project to W.D. Malone Trucking & Excavating, Inc. in the amount $11,297,010.00.

**BE IT FURTHER RESOLVED,** the Town of Sandy Creek Councilmembers approve Change Order No. 1 for Contract No. 1 to reduce the total contract amount to $11,050,010.00.

**BE IT FURTHER RESOLVED,** that this Resolution shall take effect immediately.

**WHEREFORE**, the foregoing Resolution was put to a vote of the Councilmembers of the Town of Sandy Creek by a motion from Ruth E. Scheppard and seconded by Nola J. Gove on May 6, 2020, the result of which vote was as follows:

Nancy Ridgeway Aye

Ruth E. Scheppard Aye

Nola J. Gove Aye

John W. Wood, Jr. Aye

Dave Warner Aye

Next the Town Board discussed the sewer study. Mr. Young explained that the town has been awarded a REDI grant to re-evaluate the sewer study after the 2017 and 2019 flooding of Lake Ontario and Sandy Pond. The REDI Commission and the NYS DEC have offered a $190,000 grant on a $200,000 study in the Town of Sandy Creek. Phase 1 of the proposed study will re-evaluate the need and interest through an updated survey and update the cost of the proposed project incorporating the additional grant funding. Phase 2 would be preliminary design of the public sewer system. Phase 1 could cost $30,000 to $40,000. The town would need to fund the local share of 5% of the cost. After Phase 1 the Town Board could decide to proceed or stop the study if it is determined that a public sewer system is not feasible. If it is favorable and feasible the project could proceed to Phase 2 with REDI approving the remaining phases of the project. The Town Board agreed it is best to revise the scope of services to Phase 1 and resubmit to REDI for approval. The town will complete Phase 1 and then decide whether to proceed with further phases or end the study.

W. D. Malone is ready to move forward with construction of the water project. However, material acquisition could present an issue during the Covid-19 emergency.

NYS DEC will not allow any new development, including public water or sewer construction in the Coastal Erosion Hazard Area.

**On motion** by Ruth E. Scheppard, and seconded by John W. Wood, Jr., and carried unanimously, the meeting was adjourned at 5:45 pm.

Respectfully submitted,

Tammy L. Miller, RMC

Town Clerk