

August 30, 2023 Special Meeting 3:00PM

PRESENT: Mayor Eagan; Trustees Norton, Putorti, LaChapelle and Watson; Steven Brock; Nicholas DeSimone; Matt Fuller; Sean Doty; Catherine Hughes; EJ Conzola; Stephen O'Hara; Josh Bagnato; Courtney Stone; Patrick Belshiiim

Matt Fuller opened the meeting by outlining the meeting's purpose was to work on the Contingency Strike Plan, Road Use Agreement and Corridor Management Plan for the CHPE project.

Josh Bagnato of CHPE thanked the Village Board, Mayor Eagan, Matt Fuller and Sean Doty for working with CHPE to come up with a plan that will move the project forward. The project has been in the works for 12 years, CHPE and the Village have been working together for 6 months and it is greatly appreciated. All the required agreements and licenses are in place from New York State. He noted that he understands our two main concerns are the immediate impact on our existing utilities and the long-term impact this line will have on the Village's ability to work on our own infrastructure. He noted that the Village needed to understand that he couldn't sign CHPE up for unlimited open-ended costs. He also recognized that the Village is incurring unexpected cost on their end. He pledged \$20,000.00 for legal and engineering fees and an additional \$10,000.00 for other cost that may come up. CHPE will also make equipment and personnel available when possible.

Matt Fuller explained that we are very close to agreement on the Road Use Agreement. All other items flow from this agreement. Matt expects to have the comments and a draft back to CHPE this week. The only real sticking point is the definition of "close proximity" as it pertains to CHPE working near the Village's utilities. The Village would like that to be within 20 feet of our utilities and CHPE has 5 feet as their cut-off. The Village wants someone in the field when construction is within 20 feet of our utility lines at Kiewit's cost. The Village has asked in our engineering review to move their line more than 5 feet from our existing lines. The Village has been told that in many cases this isn't possible. The trade-off is if the power line isn't moved, then the Village will have Steven Brock onsite to verify the locations.

Patrick Belshiiim of Kiewit stated that they have found infrastructure in the field in unexpected locations. Kiewit is moving "Splice 31" 50 feet to the south to allow for the reality on the ground.

Matt Fuller stated that concerning the Utility Strike Plan prior to working in the Village a CHPE representative will meet with Steven Brock to assess

what materials will need to be purchased to be prepared for damage to Village utilities. CHPE representatives and Village representatives agreed to that plan as a viable solution. In the event of a strike, it was also agreed that CHPE equipment and personnel could assist with repairs on-site. CHPE has no qualified NYS Dept. of Health certified operators for assisting with waterline strikes. That would be a Village responsibility. Matt Fuller questioned what the back-up plan would be in the event a strike resulted in the Village running out of water. CHPE engineers and Josh Bagnato agreed to develop a plan and report back to the Village. Matt Fuller suggested getting the Washington County Emergency Management Office involved in the plan. Matt Fuller also stated that the Village doesn't want to be responsible for unlimited open-ended costs moving forward. Steven Brock stated that the entire framework was written with third party co-located entities like CP Rail and National Grid in mind and not necessarily municipalities. Josh Bagnato stated that CHPE should be able to highlight those differences in the Village of Whitehall Annex to the plan. Matt Fuller stated that the Village is okay coordinating with CHPE to work on our co-located utilities but the Village can't be beholden to CHPE for approval. Stephen O'Hara stated that CHPE realizes things may change in the field but can CHPE record those changes if the Village is unable to produce "as built". Josh Bagnato stated that this a framework for how things will get done. Matt Fuller stated that this is a road map for the future.

Sean Doty asked what will the thermal impact be on the Village's infrastructure specifically on PVC and ductile iron lines. CHPE engineers agreed to research and follow up on this.

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Josh Bagnato asked when it would be possible to get the Road Use Agreement signed. Mayor Eagan explained that the next Board meeting would be September 19<sup>th</sup> and asked the Trustees to authorize her to sign the agreement if it was completed before September 19<sup>th</sup>. Motion made by

Trustee Watson, seconded by Trustee LaChapelle to authorize Mayor Eagan to sign the Road Use Agreement with CHPE pending review by the Village's Attorney and Engineer, all voting in favor, CARRIED

Sean Doty asked what the proposed schedule for trenching in the Village of Whitehall is. Patrick Belshim stated that Kiewit is working with CP Rail now trimming and grubbing and plan to begin the trenching in the CP Rail right of way in November, 2023. The trenching will not begin on State Route 22 and Bellamy Street until the Fall of 2024. Sean Doty asked for a more specific schedule which CHPE agreed to provide as soon as possible.

Motion made by Trustee Watson, seconded by Trustee LaChapelle to adjourn the meeting at 4:05PM, all voting in favor, CARRIED