

Regular meeting of the Carthage/West Carthage Water Pollution Control Facility Management Board  
Held in the Board Room of the West Carthage Municipal Building  
May 21, 2014

**Attendance:**

Carthage Members – Chairman Michael F. Astafan; President Wayne McIlroy and Trustees Kathleen Latremore and Linda Smith-Spencer.

West Carthage Members – Mayor Scott Burto and Trustee Scott Sullivan. Trustee Rob Peluso was excused.

Others Attending – Bart Crary, DANC Chief Plant Operator; Carrie Tuttle, DANC Director of Engineering; Kathy Amyott, Tug Hill Commissions; Mark Gebo, Attorney; Patrick Purdy and Fred Goutremout, Carthage Specialty Paperboard; and Elaine Avallone, Johnson Newspapers (4:32 p.m.).

**Call to Order:**

Chairman Astafan called the meeting to order at 4:08 p.m. and requested a moment of silence to honor John Lawrence, WPCF Senior Mechanic, who recently passed away.

Motion by President McIlroy and seconded by Mayor Burto to enter Executive Session at 4:10 p.m. to discuss a collective bargaining issue and included Attorney Gebo, Ms. Tuttle, and Mr. Crary. Motion carried unanimously.

Motion by President McIlroy and seconded by Mayor Burto to resume Regular Session at 4:25 p.m. Motion carried unanimously.

Motion by Trustee Sullivan and seconded by Trustee Latremore to authorize President McIlroy and Mayor Burto to sign a stipulation agreement with the Teamsters Local 687 Union to return Gregory Pinkham, WPCF Operator Trainee to work effective May 23, 2014 to include a payment of \$2,000.00 within seven days, minus required withholdings, in recognition of his willingness to settle the matters regarding the Public Employment Relations Board (PERB) Demand for Arbitration Case No. A-2013-516 and PERB Improper Practice Charge Case No. U-33313. Motion carried unanimously.

Attorney Gebo left at 4:26 p.m.

**Approval of Minutes:**

Motion by Mayor Burto and seconded by President McIlroy to approve the minutes of the April 23, 2014 regular meeting as presented. Motion carried unanimously.

Motion by Trustee Sullivan and seconded by Trustee Latremore to approve the minutes of the May 8, 2014 workshop/special meeting as presented. Motion carried unanimously.

**Public Forum:**

None.

**Monthly Reports:**

WPCF Status and Repair Report: Mr. Crary outlined the highlights of the report. Motion by Mayor Burto and seconded by President McIlroy to accept the WPCF Status and Repair Report as presented. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Sullivan authorizing Mr. Crary to advertise the 1996 International Dump Truck and 2001 Dodge Pickup Truck, previously declared surplus equipment, on Auctions International as Jefferson County is not having their auction this year and place a minimum bid on the dump truck in the amount of \$5,000.00. Motion carried unanimously.

Motion by President McIlroy and seconded by Mayor Burto authorizing Mr. Crary to make the necessary repairs to the H2S sensor in the thickener by R.L. Stone Company in the amount not to exceed \$2,805.00 and to charge the expense to Repairs and Maintenance as it is a safety issue. Motion carried unanimously.

Financial Reports: The Financial Reports were reviewed and Chairman Astafan asked about the over 90 day balance on Pomerville Septic Service. The Clerk explained that there were late charges posted to the account due to the timing of when the payment was posted and she would adjust the account. Motion by Trustee Smith-Spencer and seconded by Trustee Sullivan to approve the Financial Reports as presented. Motion carried unanimously.

**Monthly Expenditures:**

Trustee Sullivan and Trustee Smith-Spencer reviewed the monthly bills prior to the meeting. Trustee Sullivan noted the significant decrease to the National Grid bill from \$41,000.00 to \$10,000.00 which included the period when the Villages experienced significant flooding. Trustee Sullivan also noted the excessive attorney bill which should decrease now that the issues are resolved with the Union. Motion by Trustee Smith-Spencer and seconded by Trustee Sullivan to approve the monthly expenditures in the amount of \$30,049.50. Motion carried unanimously.

**Old Business:**

At the March 25, 2014 meeting, the board authorized DANC to advertise for bids for process chemicals utilized at the WPCF.

Update 04/23/14: Mr. Crary stated the bid for process chemicals has been advertised and is due back on May 8, 2014.

Motion by Mayor Burto and seconded by Trustee Sullivan, as recommended by Mr. Crary, to accept the lowest bid to include the fuel service charge from Oldcastle Stone Products for High Calcium Quick Lime in the amount of \$178.00/ton and the lowest bids from Slack Chemical Co. Inc. for 12.5% Sodium Hypochloride \$2.22/gallon; Polyaluminium Chloride \$2.99/gallon; StaFloc 8420 Polymer \$14.55/gallon; StaFloc 8827 Polymer \$13.21/gallon; and Liquid Alum \$1.99/gallon. Motion carried unanimously.

At the March 25, 2014 meeting, the board authorized DANC to advertise for bids for hauling dewatered sludge.

Update 04/23/14: Mr. Crary stated the bid for hauling dewatered sludge has been advertised and is due back on April 24, 2014.

Motion by Mayor Burto and seconded by Trustee Sullivan, as recommended by Mr. Crary, to accept the lowest bid from John Allen Sanitation Service for the contracted hauling of dewatered sludge from the WPCF to the landfill in Rodman in the amount of \$217.00 per trip. Motion carried unanimously.

At the January 15, 2014 meeting President McIlroy stated that both Village Boards need to discuss the Intermunicipal Agreement which is a requirement for the EFC Financing application.

Update 02/19/14: After some confusion and considerable discussion; a Special Meeting of both Village Boards was scheduled for Monday, February 24, 2014 to discuss the Intermunicipal Agreement.

Update 03/25/14: Chairman Astafan requested the Board review the draft of the Intermunicipal Agreement provided by Attorney Gebo and submit their questions and/or concerns to the Clerk by April 4, 2014. Chairman Astafan requested the Clerk to forward the draft agreement to Ms. Tuttle and Mr. Crary.

Update 04/23/14: President McIlroy stated that he spoke to Attorney Gebo on Monday who stated President McIlroy was the only one to submit comments regarding the IMA. Mayor Burto stated he submitted his recommendations to their attorney, Larry Hassler, and will follow up with him.

Update 05/21/14: Mayor Burto stated he will follow up with Attorney Gebo in the morning regarding the language changes Attorney Hassler was to forward on West Carthage's behalf. Chairman Astafan will follow up with Attorney Gebo to schedule a meeting to include Attorney Gebo, Attorney Hassler, Mayor Burto, President McIlroy, and himself.

At the January 15, 2014 meeting the Board agreed to send a Consent Order to Carthage Specialty Paperboard which states current and subsequent fines due to treatment permit violations will be placed in an escrow account for the future use of Carthage Specialty Paperboard, Inc. to install an approved equalization tank providing the tank is installed prior to May 31, 2015.

Update 02/19/14: The Consent Order was mailed to Carthage Specialty Paperboard and we are waiting for their response.

Update 03/25/14: The board authorized Attorney Gebo to pursue Carthage Specialty Paperboard for past due fines, SPEDES Permit, and compliance of the administrative order.

Update 04/23/14: Attorney Gebo advised Chairman Astafan to inform the Village of West Carthage to place the past due fines on Carthage Specialty Paperboards tax bill and send to Jefferson County because Carthage Specialty Paperboard is covered under the West Carthage sewer use law. Mayor Burto stated the relevies have already been sent back to Jefferson County and feels the Joint Sewer Board can take action. President McIlroy requested an Executive Session to discuss this issue.

Motion by Mayor Burto and seconded by President McIlroy to enter Executive Session at 4:34 p.m. to discuss contract negotiations regarding Carthage Specialty Paperboard to include Mr. Crary and Ms. Tuttle. Motion carried unanimously.

Mr. Purdy and Mr. Goutremout were asked to attend at 4:50 p.m.

Motion by Mayor Burto and seconded by Trustee Sullivan to resume Regular Session at 5:20 p.m. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Sullivan authorizing Ms. Tuttle to modify all Industrial User Permits to allow a maximum of fifteen minutes per excursion for pH readings under six and over nine. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Sullivan authorizing Ms. Tuttle to modify Carthage Specialty Paperboard's Industrial User Permit to increase BOD to 5600 lbs/day and TSS to 7800 lbs/day. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Sullivan to accept payment from Carthage Specialty Paperboard in the amount of \$11,000.00 and authorize Chairman Astafan to sign the Administrative Consent Order with Carthage Specialty Paperboard providing Carthage Specialty Paperboard forwards the remaining amount due of \$1,730.00 by May 27, 2014 for a total of \$12,730.00 in fines and penalties which will be placed in a separate revenue line item on the WPCF financial statement to be accessed by Carthage Specialty Paperboard providing they adhere to the terms of the agreement and install the Equalization Tank by May 31, 2015. Motion carried unanimously.

Mr. Purdy asked how the board would like to receive progress updates on the installation of the Equalization Tank and Mayor Burto suggested for the Clerk to place it on the agenda under monthly reports.

At the February 19, 2014 meeting, Chairman Astafan asked the Board to review the drafts of the two DANC five year contracts which were placed in their Dropbox prior to the March 19, 2014 meeting.

Update 03/25/14: Chairman Astafan requested an Executive Session to discuss this issue.

Update 04/23/14: Mayor Burto requested to hold this issue until the end of the meeting.

Update 05.21/14: Mayor Burto requested to hold this issue until the end of the meeting.

At the February 19, 2014 meeting Mr. Prior stated that the NYSERDA Flex Tech application is almost completed and he will present the final report at the March 19, 2014 regular meeting.

Update 03/25/14: Mr. Prior explained the status of the NYSERDA Flex Application and anticipates emailing the report to the Clerk to be distributed to the Board.

Update 04/23/14: GHD completed the NYSERDA Flex Tech application and submitted it to DANC and NYSERDA for review. GHD will forward the application to the board after it has been reviewed and finalized.

Update 05/21/14: Ms. Tuttle explained that comments were received on the draft version of the NYSERDA application and GHD is currently updating it and expect it to submit the final version next week.

GHD forwarded the updated copy of the NYSEFC Project Listing for a total cost of \$8,800,000.00 for the board's information.

Update 05/21/14: Ms. Tuttle explained that this only needs to be updated annually.

At the March 25, 2014 meeting, the board approved the budget for 2014/2015 as is with the exception of the salaries and continue to negotiate the salaries for the Clerk and Deputy Clerk.

Update 04/23/14: President McIlroy informed the West Carthage members that he received their letter and will forward his response to them soon; therefore he requested to hold this issue over until the May 21, 2014 meeting.

Update 05/21/14: Mayor Burto stated they received the response letter from the Village of Carthage and further stated his board has not reviewed it yet.

Motion by Trustee Sullivan and seconded by President McIlroy to authorize Ms. Tuttle to issue a letter of assurance to the New York State Department of Environmental Conservation stating the WPCF has the capacity for the Town of Champion SD#2 improvement project. Motion carried with Mayor Burto abstaining.

At the April 23, 2014, the board requested the Clerk to contact National Grid and inquire as to why the treatment plant electric bill was not received the prior month and subsequently had a previous balance.

Update 5/21/14: The Clerk contacted National Grid who stated they had trouble reading the meters during that time period therefore the bill was not generated in a timely manner.

### **New Business:**

The board reviewed the insurance policy quotes received from Selective represented by Haylor, Fryor and Coon Insurance \$15,023.93 and Trident represented by Fuller Insurance Agency, Inc. \$15,485.77. Chairman Astafan explained the differences between the policies and expressed his feelings that we should spend our tax payer's money locally.

Motion by Mayor Burto and seconded by Trustee Sullivan to accept the proposal provided by Fuller Insurance Agency, Inc. in the amount of \$15,485.77 to include Terrorism Risk Act Insurance. Motion carried unanimously.

Motion by President McIlroy and seconded by Trustee Smith-Spencer to approve budget transfers for year-end account balancing. Motion carried unanimously.

Ms. Tuttle explained that DANC is working with John McHugh, Village of Carthage Community Development Director to obtain funding from Empire State Development to assist with the cost of the WPCF plant upgrades and the hardship it would place on Carthage Specialty Paperboard.

Motion by Mayor Burto and seconded by Trustee Sullivan to permit Mr. McHugh to work with DANC to obtain funding for the WPCF plant upgrade project and to submit an application on our behalf. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Sullivan authorizing the following:

**RESOLUTION TO ENDORSE AND SUPPORT SUBMITTAL OF A CONSOLIDATED  
FUNDING APPLICATION (CFA) INCLUDING CDBG, ESD, AND OTHER FUNDING  
SOURCES TO COMPLETE PROPOSED WASTEWATER IMPROVEMENTS INVOLVING  
THE JOINT WASTE WATER SYSTEM OF THE  
VILLAGES OF CARTHAGE AND WEST CARTHAGE, NY**

**WHEREAS**, The Villages of Carthage and West Carthage proposes to undertake Waste Water System improvements located in the Villages of Carthage and West Carthage including but not limited to replacement of equipment and architectural, structural, heating and ventilating and plumbing upgrades at the Water Pollution Control Facility and Collection System Improvements, and  
**WHEREAS**, an Engineering Report has been completed with regard to the project that has estimated the cost of these proposed improvements to be \$8.8 million dollars, and  
**WHEREAS**, The Carthage/West Carthage Water Pollution Control Facilities Management Board is proposing the Village of Carthage submit a CFA requesting funds necessary to minimize the impact of this project on existing manufacturers in the community as well as the residents of the twin villages, and  
**WHEREAS**, The Carthage/West Carthage Water Pollution Control Facilities Management Board recognized that the Village of Carthage Village Board is the Administrative Agent for the Joint Waste Water System which includes approval authority over the proposed project in accordance with the existing Villages Inter Municipal Agreement,

**BE IT RESOLVED AS FOLLOWS:**

1. The Carthage/West Carthage Water Pollution Control Facilities Management Board hereby endorses and supports the Village of Carthage Plan to submit a CFA to complete the above described waste water system improvements.
2. That this resolution shall take effect immediately

Motion carried unanimously.

Motion by Trustee Sullivan and seconded by Mayor Burto authorize the Clerk to advertise for a part-time, temporary employee, up to twenty hours per week, to work at the WPCF to assist with lawn mowing and various tasks throughout the plant. Motion carried unanimously.

Mayor Burto stated Don Monaghan, West Carthage DPW Superintendent, is retiring after 53 years of service and there will be an Open House from 2:00 p.m. to 4:00 p.m. and a dinner at 6:00 p.m. at the Village of West Carthage Community Center on May 29, 2014.

**Liaison Reports:**

Audit Committee:

None.

Waste Treatment Plant:

None.

**Executive Session:**

Motion by Mayor Burto and seconded by Trustee Sullivan to enter Executive Session at 6:10 p.m. to discuss the employment history of a particular corporation. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to resume Regular Session at 6:17 p.m. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Sullivan authorizing President McIlroy and Mayor Burto to sign the five year agreement with DANC for Operator of Record Management Services Agreement providing the agreement includes a ninety-day termination clause. Motion carried unanimously.

**Next Regular Meeting Date:**

June 18, 2014 at the Village of Carthage Municipal Building at 4:00 p.m.

**Adjournment:**

Motion by Mayor Burto and seconded by President McIlroy to adjourn at 6:20 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy L. O'Shaughnessy  
WPCF Clerk