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THE WPCF BOARD

Regular meeting of the Carthage/West Carthage Water Pollution Control Facility Management Board
Held in the Board Room of the West Carthage Municipal Building
February 17, 2016

Attendance:

Carthage Members – Chairman Michael F. Astafan; President G. Wayne McIlroy; and Trustee Kathleen Latremore. Trustee Linda Smith-Spencer was excused.

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

Others Attending – Bart Crary, DANC Chief Plant Operator; Carrie Tuttle, DANC Engineer; Charles Prior, GHD Engineer; Kathy Amyot, Tug Hill Commissions; James Smith, West Carthage Trustee; and Elaine Avallone, Johnson Newspapers.

Call to Order:

Chairman Astafan called the meeting to order at 4:06 p.m.

Approval of Minutes:

Motion by Trustee Peluso and seconded by President McIlroy to approve the minutes of the January 27, 2016 regular meeting as presented. Motion carried unanimously.

Public Forum:

None.

Monthly Reports:

WPCF Status and Repair Report: Mr. Crary provided the highlights of his report. Chairman Astafan thanked Mr. Crary and Ms. Tuttle for their all of their hard work on the budget and noted they cut a lot of unnecessary expenses. Mr. Crary explained the memo which addresses the deficiencies discovered during the WPCF Safety and Housekeeping Audit performed by DANC.

Motion by Mayor Burto and seconded by Trustee Peluso to accept the WPCF Status and Repair Report as presented. Motion carried unanimously.

Financial Reports: The Financial Reports were reviewed and Chairman Astafan expressed Attorney Gebo sent collection letters to Metro Paper and Carthage Specialty Paperboard. Chairman Astafan stated Metro Paper paid the current operation and maintenance of \$5,225.57 but they still owe the operation and maintenance for the prior quarter and a fine for a total due of \$8,775.76. Mayor Burto asked if a response was received from Carthage Specialty Paperboard and Chairman Astafan responded no. Mayor Burto expressed he continues to email them on a regular basis and receives no response. Mayor Burto stated we may need to take legal action against Carthage Specialty Paperboard. President McIlroy stated the Villages are in this together and agreed the WPCF Board should proceed with legal action.

Motion by Mayor Burto and seconded by Trustee Peluso to accept the Financial Reports as presented. Motion carried unanimously.

Carthage Specialty Paperboard, Inc. Status Update:

Mr. Goutremout submitted a report in advance of the meeting for the Boards review.

Monthly Expenditures:

Chairman Astafan and Trustee Peluso reviewed the monthly bills, bank statements and bank reconciliations prior to the meeting and noted no issues. The monthly bills, bank statements and bank reconciliations were available for review at the meeting.

Motion by Trustee Latremore and seconded by Mayor Burto to approve the regular monthly expenditures in the amount of \$62,231.05. Motion carried unanimously.

Old Business:

At the May 20, 2015 meeting, Mr. Prior stated GHD has been working at the Plant with employees regarding the Plant design. Mr. Prior expressed GHD updated the project listing form with NYSEFC and submitted the WMBE plan.

Update 06/16/15: Mr. Prior stated we received acceptance from NYSEFC for the engineering agreement for the Plant.

Update 07/28/15: Mr. Prior stated sixty percent of the design is complete and he would like to schedule a design review meeting he anticipates to last one or two hours. Chairman Astafan advised him to send a list of dates and times to the Clerk. Mr. Prior stated NYSEFC has funding available and depending on how the Board proceeds with a single application and bond or to continue with two bonds which will require a separate application from West Carthage; they will need to send one or two applications. The deadline is September 4, 2015.

Update 08/18/15: The design review meeting is scheduled for Tuesday, August 25, 2015 at 4:00 p.m. at the Village of Carthage Municipal Building.

Update 09/16/15: Mr. Prior showed the Board drawings of the plant and stated the status of the plant design is over 60% complete. Mr. Prior also encouraged the Board to forward their comments to them within the next few weeks. Ms. Tuttle stated she made a list of items to be addressed at the plant and will review the asset management plan to ensure the outlined items are included in the final plant design.

Update 10/22/15: Mr. Prior stated the design review meeting on October 27, 2015 will include a new set of drawings which he will email to the Board prior to the meeting. Chairman Astafan asked Mr. Prior if he feels the upgrade to the plant being different from current processing is feeding the employees anxiety and Mr. Prior responded yes. Chairman Astafan also thanked Mr. Prior for talking with Mr. Lehman regarding the capital project.

Update 11/18/15: Mr. Prior stated the design review meeting with employees and board members at the plant on October 27, 2015 was very productive. Mr. Prior stated he sent an email to the Board to schedule a follow up meeting on November 30, 2015 or December 1, 2015. The meeting was scheduled for December 1, 2015 at 10:00 a.m. The Board also authorized GHD to adjust their contracts to decrease the engineering costs due to the combination of the Water Street pump station and the WPCF project.

Update 12/16/15: Chairman Astafan thanked Ms. Tuttle and Mark Crandall for the tour at the Watertown City plant and further thanked President McIlroy and Trustee Smith-Spencer for attending. Mr. Tamlin stated they are close to the 90% design phase. After considerable discussion the Board decided to remove the domes and not replace them on the clarifiers at the treatment plant. The Board approved amendment #1 to the DANC Technical Services Agreement for a not to exceed amount of \$76,500.00; the development of an administrative force account for the capital project to include a budget amount for the Carthage Clerk/Treasurer not to exceed \$10,000.00 and West Carthage Clerk/Treasurer not to exceed \$5,000.00; Amendment 1 to the agreement with GHD to perform Water Street Pump Station Improvements construction administration and resident project representative services as part of the WPCF Improvements contract in the amount of \$4,800.00; and Amendment 2 to the agreement with GHD to remove construction administration and resident project representative services from the Water Street Pump Station Improvements for a deduction of \$12,000.00.

Update 01/27/16: Chairman Astafan stated NYSEFC accepted Amendment 1 and 2 to GHD's agreement. Mr. Prior reviewed the highlights of the memo he submitted regarding the design review meetings held on October 27, 2015, December 1, 2015, and December 16, 2015. Mr. Prior also reviewed the updated timeline for the WPCF capital project. Mr. Prior asked the Board to review Amendment #2 he submitted

for the Board's consideration. Chairman Astafan read the correspondence received from NYSEFC stating the capital project was not selected to receive the NYS Water Grant in round one but the application will be held and considered for round two.

Update 2/17/16: Mr. Prior stated they are completing the 90% design review and plan to distribute it to the WPCF Board, NYSEFC, and CDBG next week. Mr. Prior expressed he will forward dates to the WPCF Clerk to set up a 90% design review meeting at the plant. Mayor Burto stated Mr. Smith would like to be included at the design review meeting and he will forward the date to Mr. Smith when it is set. Chairman Astafan reminded the WPCF Clerk to advertise the meeting if more than three Board members attend.

Motion by Mayor Burto and seconded by Trustee Peluso authorizing President McIlroy and Mayor Burto to sign GHD Amendment #2 in the amount of \$52,550.00. Motion carried unanimously.

Chairman Astafan asked where West Carthage stands with their NYSEFC funding application. Mayor Burto stated they were waiting to hear from Carthage regarding amending the bond resolutions from 70% West Carthage and 30% Carthage to 50% for each Village after NYSEFC closed on short-term financing. President McIlroy stated Carthage approved and submitted their funding application at 30% to NYSEFC as Carthage did not want to hold up NYSEFC financing any longer. Chairman Astafan stated he thought both Villages were set with their bonding resolutions as both Villages agreed when they met with their attorneys. Mayor Burto stated some of his board members prefer for each Village sharing the debt equally. President McIlroy stated historically each Village has bonded based on their sewer usage and each Village will need to apply for a debt exclusion with the NYS Comptroller's Office. Trustee Peluso stated he is alright with the current bond resolutions. Mayor Burto agreed as the amount of debt to be paid by each Village is dependent upon annual sewer usage per the IMA. Mayor Burto expressed he does not want to jeopardize losing zero percent financing and President McIlroy agreed.

Motion by Mayor Burto and seconded by Trustee Peluso to have Attorney Gebo renew the \$1,000,000 BAN which expires March 19, 2016 and further make the BAN callable so it can be paid when NYSEFC closes on short-term financing. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Peluso to pay the interest due on the BAN on March 19, 2016 from the current proceeds of the BAN. Motion carried unanimously.

At the November 18, 2015 meeting the Board authorized Chairman Astafan to send a response to the US EPA requesting a ninety day extension for the return of the questionnaire they sent.

Update 12/16/15: USEPA granted a ninety day extension to respond to their questionnaire. Ms. Tuttle expressed that she and Mr. Crary have met and will forward the questions they are unable to answer to Attorney Gebo. Chairman Astafan asked Ms. Tuttle to keep him posted on the progress of the questionnaire.

Update 01/27/16: Chairman Astafan stated he received information from DANC, Attorney Gebo, and the WPCF Clerk regarding the USEPA questionnaire. Chairman Astafan requested the WPCF Clerk to forward all of the information to Mr. Crary to complete the questionnaire.

Update 02/17/16: Chairman Astafan stated the response to the USEPA questionnaire was submitted on February 12, 2016 and thanked Mr. Crary, Ms. Tuttle, Attorney Gebo, and the WPCF Clerk for their efforts.

At the November 18, 2015 meeting, President McIlroy requested a copy of the contract the Village of West Carthage has with the Town of Champion for their sewer district as he feels the sewer district contract should be both Villages, not just the Village of West Carthage.

Update 12/16/15: Chairman Astafan requested the Clerk/Treasurer to follow up with Attorney Gebo regarding his opinion of this matter.

Update 01/27/16: Chairman Astafan stated Attorney Gebo submitted his comments regarding the Champion Sewer District. In the memo, Attorney Gebo stated if the Champion Sewer District is going to use the WPCF, both Villages should weigh in on it. Chairman Astafan stated Ms. Tuttle provided a sample agreement to use for the sewer district which includes limits. President McIlroy feels the agreement should be with both Villages. Mayor Burto expressed the Village of West Carthage received permission from the WPCF Board prior to entering the agreement with the Town of Champion. Mayor Burto feels if the Champion Sewer District agreement is with both Villages, all agreements, to include water agreements, should be with both Villages. After considerable discussion, Chairman Astafan requested the Board to review the information regarding the Champion Sewer District and requested the WPCF Clerk to hold this over until the February 17, 2016 meeting.

Update 02/17/16: President McIlroy stated he would like West Carthage to revise their agreement with the Town of Champion to include flow limits and language that prior to the agreement being amended, it will need to be approved by the WPCF Board. Mayor Burto agreed and Ms. Tuttle expressed she will assist with the language in the revised agreement.

At the December 16, 2016 meeting, Chairman Astafan received a call regarding the construction of the Champion Sewer District #2 line and while digging, discovered an oil smell just outside the perimeter of the Treatment Plant. NYSDEC was contacted and forwarded correspondence to Chairman Astafan.

Update 01/7/16: Chairman Astafan was authorized to send a letter to NYSDEC requesting clarification of the changes at the spill site and what the expectations are from NYSDEC of the WPCF Board.

Update 01/27/16: Chairman Astafan reviewed the draft of the letter to be mailed to NYSDEC and the letter was mailed.

Update 02/17/16: Chairman Astafan stated he received a response from NYSDEC and they expressed the spill site will need to be cleaned. Chairman Astafan will schedule a special meeting with the attorney and the Town of Champion to review how to proceed.

At the January 27, 2016 meeting, the Board agreed to meet to review the budget to include Mayor Burto, President McIlroy, Chairman Astafan, Mr. Crary, Ms. Tuttle, and the WPCF Clerk.

Update 02/17/16: Chairman Astafan stated there was a meeting on February 12, 2016 to review the budget.

Motion by Mayor Burto and seconded by Trustee Peluso to tentatively approve the WPCF budget for June 1, 2016 – May 31, 2017 in the amount of \$1,260,427.00 pending final flow numbers which will not be available until the end of February. Motion carried unanimously.

New Business:

None.

Liaison Reports:

Audit Committee:

None.

Waste Treatment Plant:

None.

Executive Session:

Motion by Mayor Burto and seconded by Trustee Peluso to enter Executive Session at 4:30 p.m. to discuss a potential litigation and include Mr. Smith, Ms. Tuttle, Mr. Crary, and Mr. Prior. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Peluso to resume Regular Session at 4:40 p.m. Motion carried unanimously.

Motion by President McIlroy and seconded by Trustee Peluso to have Attorney Gebo proceed with legal action against Carthage Specialty Paperboard to collect past due operation and maintenance invoicing and fines. Motion carried unanimously.

Next Regular Meeting Date:

Wednesday, March 16, 2016 at the Village of West Carthage Municipal Building at 4:00 p.m.

Adjournment:

Motion by Mayor Burto and seconded by Trustee Peluso to adjourn at 4:40 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy L. O'Shaughnessy
WPCF Clerk