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APPROVED BY THE WPCF BOARD

Regular meeting of the Carthage/West Carthage Water Pollution Control Facilities Management Board
Held in the Board Room of the West Carthage Municipal Building
March 21, 2018

Attendance:

Carthage Members – Chairman Michael F. Astafan. President G. Wayne McIlroy and Trustee Linda Smith-Spencer were excused.

West Carthage Members – Mayor Scott Burto and Trustees Rob Peluso and Michael Bigness.

Others Attending – Carrie Tuttle and Rob Stevenson, DANC; Charles Prior and Mike Tamlin, GHD; James Smith, West Carthage board member/resident; Natalie Kucko, WWNY TV News and William Cheuk, CSP.

Call to Order:

Chairman Astafan called the meeting to order at 4:15 p.m.

Approval of Minutes:

Motion by Mayor Burto and seconded by Trustee Peluso to approve the minutes of the February 21, 2018 regular meeting as presented. Motion carried unanimously.

Public Forum:

Mr. Smith stated he would like a valve inserted into the sewer line of CSP so their service can be shut off when they do not pay. Chairman Astafan stated the WPCF Board has discussed constructing a device to shut off CSP's service but it is a lot harder to do than say. Chairman Astafan expressed that he and the Board agree with Mr. Smith that we should have the ability to discontinue their service. Mayor Burto stated that the Board has explored options but chose not to pursue them due to the cost. Mr. Smith said look how much we have lost so far.

Monthly Reports:

WPCF Status and Repair Report: Mr. Stevenson provided the highlights of his report for February. Mr. Stevenson mentioned the two SPDES permit violations for the month. Mr. Stevenson explained that even though Ms. Tuttle stated at the May 2017 meeting that Metro Paper is no longer an SIU and now a customer of the Village of Carthage, DANC continued to report Metro Paper's flows separately in his report because they did not receive direction from the WPCF Board to include Metro Paper's flows with the Village of Carthage. Chairman Astafan asked why the DEC noncompliance report goes back to 2017. Ms. Tuttle stated the plant has been violating their SPEDES permit for a long time due to faulty equipment and the ongoing capital project. The Clerk/Treasurer asked Ms. Tuttle what action the WPCF Board was supposed to take regarding Metro Paper now being a customer of the Village of Carthage. Ms. Tuttle stated they are there to advise the Board and each Village is responsible for their customers. Chairman Astafan asked about plugging Metro Paper's sewer line and Ms. Tuttle stated it is physically possible to do, but she is unsure of the legal ramifications.

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

Financial Reports: The Financial Reports were reviewed and there were no questions.

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

Motion by Mayor Burto and seconded by Trustee Peluso to authorize budget transfers for account balancing as follows:

JA.9040.8015	Workers Compensations	\$3,100.00	
JA.9010.8000	State Retirement		\$3,100.00

Motion carried unanimously.

Chairman Astafan expressed that he and the Clerk/Treasurer worked on a revised budget due to the uncertainty of collecting amounts from CSP due to their filing for Bankruptcy. Chairman Astafan explained that the amount available to be carried over to the FY 2019 budget was decreased and the \$250,000.00 budgeted for the contaminated soil cleanup was removed.

Motion by Trustee Bigness and seconded by Mayor Burto to rescind the motion made last month to approve the tentative budget for 06/01/18 – 05/31/18 and further approve the revised budget as presented in the amount of \$1,609,093.03. Motion carried unanimously.

Carthage Specialty Paperboard, Inc. Status Update:

Mr. Cheuk stated they have restarted production and plan to run for the next two weeks before they perform their washout. Mayor Burto explained that CSP filed for Bankruptcy under Chapter 11 which included the past due operation and maintenance payment to the WPCF in the amount of \$198,200.28 but not the \$144,748.70 which is current. Mayor Burto stated the Village of West Carthage and CSP discussed an agreement for CSP to make weekly advance payments on the current amount due of \$144,748.70. The Clerk/Treasurer stated the operation and maintenance payments for each quarter are due at the beginning of the quarter therefore CSP will not be making advance payments. Mayor Burto stated they will be making payments as they receive services.

Motion by Trustee Peluso and seconded by Mayor Burto, based on the recommendation of Ms. Tuttle, to have GHD submit a price quote to create a drawing to insert a device to shut off CSP's sewer flows. Motion carried unanimously.

Monthly Expenditures:

Trustee Bigness reviewed the monthly bills, bank statements and bank reconciliations prior to the meeting. The monthly bills, bank statements and bank reconciliations were available for review at the meeting.

Motion by Trustee Peluso and seconded by Trustee Bigness to approve the regular monthly expenditures in the amount of \$80,349.58 and the capital project monthly expenditures in the amount of \$61,570.58. Motion carried unanimously.

Old Business:

At the June 21, 2017 meeting Mr. Prior stated the preconstruction meeting took place at the plant with the contractors. Mr. Prior expressed that he emailed the Notices to Proceed for the contractors to the Clerk/Treasurer to be signed by Mayor Burto and President McIlroy. Mr. Prior said the Water Funding Grant is complete and awaiting President McIlroy's signature. Mayor Burto asked why are we waiting to start construction and Mr. Prior expressed there are administrative items which need to take place prior to starting construction. Chairman Astafan asked if there was any protocol for the Board to follow when they want to review the capital project progress. Mr. Prior suggested contacting Mr. Crary who will coordinate with GHD for the construction site to be reviewed and GHD will provide safety equipment.

Update 07/19/17: Mr. Prior stated there was a meeting with the contractors yesterday to discuss mobilization and contractor responsibilities. Chairman Astafan questioned Ms. Tuttle regarding the request of CO Falter to post bonds as a substitute for retainage as he is not comfortable with their request. Ms. Tuttle stated she will coordinate a conference call with CO Falter and Attorney Gebo to discuss their request.

Update 08/16/17: Mr. Prior stated he attended the second construction meeting yesterday and the project is progressing. Mr. Prior stated the closing is complete with NYSEFC and the Villages can submit for reimbursement.

Update 09/20/17: Mr. Prior stated there was a progress meeting with the contractors and only two attended. Mr. Prior sent a letter to the contractor who didn't attend expressing the importance of their participating of the progress meetings. Mr. Prior stated when the master schedule for the project is complete; he will forward it to the Board. Mr. Prior expressed that contractor #1 has begun moving equipment to the treatment plant. Mayor Burto asked if GHD submitted a revised WMBE plan and Mr. Prior expressed they intend to submit the revised plan in the near future.

Update 10/18/17: Mr. Prior stated there was a progress meeting yesterday and he will forward the minutes of the meeting. Mr. Prior stated supplies for the capital project may be delayed due to the hurricanes. Ms. Tuttle stated NYSEFC representatives are planning a site visit on November 1, 2017. Ms. Tuttle stated she is planning to amend the CDBG grant to re-align line items over to construction costs and will forward the revised budget for President McIlroy's signature. Ms. Tuttle also informed CDBG representatives that we are going to be close to meeting the December 2017 grant deadline.

Update 11/15/17: Mr. Prior stated representatives from NYSEFC were on site November 1, 2017 and everything went well. Mr. Prior suggested moving the placement of the generator from the original site, which is near the recently discovered contamination site. Mr. Prior anticipates an increase cost due to the site change. Chairman Astafan stated GHD needs a process to contact the Board if issues arise with the project. After considerable discussion it was suggested that Mr. Prior email the Clerk/Treasurer who will forward the information to the Board. Mr. Prior stated they are experiencing a disagreement with the general contractor over the removal of hazardous materials. Mr. Prior explained that the bid specifications for Water Street Pump Station included two equipment replacement options. Mr. Prior stated the general contractor chose the Smith and Loveless option which may require a change order for the electrical contract at an approximate cost of \$60,000.00. Mr. Prior stated he continues to work on a quote for the Long Falls Pump Station to install Floats.

Update 1/17/18: The Board approved CO Faulter to install an influent screen, which was in the original bid specifications, at no additional cost. Mr. Prior expressed there will be a significant delay with installing the new electrical panel due to the manufacturer. Mr. Prior stated they are looking into temporary electrical options so the new equipment can be operational prior to the new electrical panel being installed. The delay of the electrical panel and excessive solids throughout the plant may delay the completion of the project until late fall. Mr. Prior addressed the request for mediation by CO Faulter of which we are awaiting a response.

Update 2/21/18: Mr. Prior stated they are relocating the generator site due to the soil contamination. Mr. Prior expressed that CO Faulter agreed to table proceeding with mediation and asked to meet with GHD to discuss their issues first. Mr. Prior stated they will be submitting a no cost change order to extend the timeframe for the completion of the Water Street Pump Station which he anticipates will be completed by August 2018. The Board approved the no cost change order for the Water Street Pump Station to extend the completion date to August 2018.

Update 3/21/18: Mr. Prior provided copies of the response to NYSDEC to the SPDES Notice of Violation received. Chairman Astafan requested the Board members to review the response to NYSDEC and submit comments to the Clerk/Treasurer by Friday, March 23, 2018. Chairman Astafan will incorporate the comments received and sign and submit the response to NYSDEC. Mr. Prior recommended reducing the amount of sludge coming into the plant due to mitigate SPDES violations during the Capital Project.

Motion by Mayor Burto and seconded by Trustee Peluso authorizing Mr. Stevenson to send a thirty-day notice to outside haulers notifying them that they will not be able to haul to the treatment plant until further notice. Motion carried unanimously.

Mr. Stevenson recommended raising the rates for the haulers. Chairman Astafan asked Mr. Stevenson to submit a proposal to the Board prior to allowing the haulers to resume dumping at the treatment plant.

At the November 15, 2017 meeting, the Board authorized Chairman Astafan to sign the proposal with Paragon Environmental Construction, Inc. to perform a topographic survey of the contaminated site at the WPCF at a cost not to exceed \$29,500.00.

Update 1/17/18: Mr. Paragon presented his findings from the topographic survey which included hot spots in a confined area. Based on his conversations with NYSDEC, Mr. Paragon stated, on the conservative side, it will cost approximately \$200,000 which includes the removal of 1,500 – 2,000 dump truck loads to satisfy NYSDEC. The Board authorized Paragon Environmental Construction, Inc. to prepare a proposal to complete a work plan to address the contamination site and submit to the Board for their consideration at the February 21, 2018 meeting.

Update 2/21/18: The Board approved the Remedial Work Plan Proposal submitted by Paragon Environmental Construction, Inc. in the amount of \$11,500.00.

Update 3/21/18: Chairman Astafan stated he has nothing new to report.

At the January 17, 2018 meeting, Chairman Astafan set up a committee and alternates to meet regarding NYS Teamster negotiations which consisted of Chairman Astafan and Mayor Burto as committee members and President McIlroy and Trustee Peluso as alternates.

Update 2/21/18: Chairman Astafan stated that Attorney Gebo, President McIlroy, and the Clerk/Treasurer met with NYS Teamster representatives on February 12, 2018 but were unable to make progress without representation from West Carthage. Chairman Astafan stated there is a meeting scheduled for Friday, February 23, 2018 at 9:00 a.m. at the Carthage Municipal Building without NYS Teamster representatives, a meeting with NYS Teamster representatives on March 14, 2018 at 1:00 p.m. and further stated if three or more Board members are present, the meetings will need to be advertised.

Update 3/21/18: Chairman Astafan requested an Executive Session to discuss collective bargaining.

At the February 21, 2018 meeting the Board approved John Hanafin to attend the Basic Operation course from April 30, 2018 through May 11, 2018 to include training, text books, lodging, meals, and mileage at a cost not to exceed \$3,075.00.

Update 3/18/18: Chairman Astafan requested an Executive Session to discuss this issue.

New Business:

Mayor Burto stated he learned a lot through the bankruptcy process with CSP and Key Banks roll during the process.

Motion by Mayor Burto and seconded by Trustee Peluso to move the WPCF funds from Key Bank to another bank. Chairman Astafan stated it is a little more complicated than just moving the funds and stated the Clerk/Treasurer could better explain. The Clerk/Treasurer stated the WPCF currently has four bank accounts through Key Bank of which daily deposits are made and will need to be transported to a different bank; no fees are currently charged and may be charged at a different bank; new checks will need to be purchased; and with the Village of Carthage and the WPCF having two separate banks, transfers will be more difficult to make. Chairman Astafan stated he would prefer to hold this over until the whole board can be present to discuss this issue. Motion carried with Chairman Astafan opposed stating he felt it only prudent that the President McIlroy and Trustee Smith-Spencer be present for this discussion.

The Clerk/Treasurer stated she did not think the motion could go forward with each Village voting opposite each other. Chairman Astafan stated he did not think that was true but will look into it.

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 5:20 p.m. to discuss a potential litigation and collective bargaining to include Mr. Smith. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Peluso to resume Regular Session at 5:40 p.m.

Motion by Mayor Burto and seconded by Trustee Bigness to rescind the motion on February 21, 2018 to send John Hanafin to the Basic Operations course. Motion carried unanimously.

Next Regular Meeting Date:

Wednesday, April 18, 2018 at the Village of Carthage Municipal Building at 4:00 p.m.

Adjournment:

Motion by Trustee Peluso and seconded by Trustee Bigness to adjourn at 5:41 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
WPCF Clerk/Treasurer