

THESE MINUTES ARE NOT OFFICIAL MINUTES AND HAVE NOT YET BEEN
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 Carthage Municipal Building
April 18, 2018

Attendance:

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

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

Others Attending – Carrie Tuttle and Rob Stevenson, DANC; Charles Prior and Bruce Munn, GHD; James Smith, West Carthage Board Member/Resident and Elaine Avallone, Johnson Newspapers.

Call to Order:

President McIlroy called the meeting to order at 4:11 p.m.

Approval of Minutes:

Motion by Trustee Bigness and seconded by Trustee Smith-Spencer to approve the minutes of the March 21, 2018 regular meeting as presented. Motion carried unanimously.

Public Forum:

Mr. Smith explained that at the last meeting, he requested that the Board look into putting a valve in the sewer line which runs from CSP so the Board can discontinue their service when they do not pay. Mr. Smith stated CSP has been paying their bills late. Mayor Burto stated he discussed the late payment with their attorney who stated there is an amount in escrow which covers the late payment. Mayor Burto expressed it causes a lot of extra bookkeeping on their end with transferring the payments to and from the escrow account. President McIlroy stated the discussion of the valve is on the agenda to be discussed later in the meeting.

Monthly Reports:

WPCF Status and Repair Report: Mr. Stevenson provided the highlights of his report for March.

Motion by Trustee Bigness and seconded by Trustee Smith-Spencer authorizing to send two Operators to the Northern New York Water Conference Spring meeting at SUNY Potsdam on May 1, 2018 at a cost of \$40.00 each and further to include mileage reimbursement. Motion carried unanimously.

Mr. Stevenson stated CSP violated their SPDES permit again. Mayor Burto asked if we are continuing to bill CSP for their violations and the Clerk/Treasurer stated she has not received notices from Mr. Stevenson in the past couple of months. Mr. Stevenson stated he will forward the notices to the Clerk/Treasurer so CSP can be billed for their violations. Mayor Burto expressed that he did not see the Village of Carthage listed in CSP's bankruptcy filings and thought that Attorney Gebo was going to file the fines which were billed. President McIlroy stated he will check with Attorney Gebo tomorrow. President McIlroy asked Mr. Stevenson if CSP has been keeping in contact with him and Mr. Stevenson stated he has not heard from them in a couple of weeks. Mr. Stevenson asked what the Board decided regarding sending John Hanafin to Operator Trainee School and Mayor Burto stated it is in the minutes from the last meeting not to send him to school at this time. President McIlroy inquired about the status of the new hauler rates which were mentioned at the last meeting. Ms. Tuttle stated the hauler rates will be presented to the Board prior to accepting haulers at the plant which will be a while. Mr. Stevenson expressed he has been finishing up loose ends at the Clayton plant. Ms. Tuttle stated they will have the rates to present to the Board at the next meeting. Mayor Burto asked if Mr. Stevenson had been covering

in Clayton and Ms. Tuttle stated he has and when he is in Clayton, another DANC Water Quality Supervisor is covering our plant.

Motion by Mayor Burto and seconded by Trustee Bigness to accept the March 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 Smith-Spencer and seconded by Trustee Bigness to accept the Financial Reports as presented. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Smith-Spencer to approve the budget transfers as follows:

JA.8130.4600	Vehicle/Equip Maint Repair	\$1,000.00	
JA.8130.4610	Vehicle/Equip Fuel	\$ 500.00	
JA.8130.4700	Plant Supplies		\$1,500.00

Motion carried unanimously.

Carthage Specialty Paperboard, Inc. Status Update:

Mayor Burto expressed they are still running under the current leadership and they are making their payments a few days late. President McIlroy stated there is a bill for legal services attributed to CSP's bankruptcy filing and West Carthage trying to collect Operation and Maintenance payments from CSP to submit to the WPCF. President McIlroy stated CSP is a West Carthage customer and the legal fees are not directly related to the WPCF. Mayor Burto stated the WPCF Board has authorized West Carthage to use late payment fees to pay their legal fees in the past to collect payments from CSP. The Clerk/Treasurer clarified that the WPCF did not charge late penalties to West Carthage. West Carthage charged late payment fees to CSP and withheld those fees for their legal expenses. Mayor Burto stated West Carthage forwarded the remaining late payment fees to the WPCF and he will provide a breakdown at the next meeting. Mayor Burto further stated that he feels legal fees attributed to each Village for collection payments from present and past SIU's applicable to the WPCF, should be a reimbursable expense to the Villages.

Monthly Expenditures:

Trustee Smith-Spencer and 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 Smith-Spencer and seconded by Trustee Bigness to approve the regular monthly expenditures in the amount of \$58,987.61 and the capital project monthly expenditures in the amount of \$1,986,937.22. 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: The response regarding the SPDES Notice of Violation was sent to NYSDEC. The Board authorized 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. Mr. Stevenson was asked to submit a proposal to the Board prior to allowing the haulers to resume dumping at the treatment plant.

Update 4/18/18: Mr. Prior stated the Capital project is moving along well and still on target for a completion date in October 2018. Mr. Prior stated they reached an agreement with C.O. Falter Construction Corp. regarding having a third party perform hazardous materials monitoring during the demolition projects.

Motion by Mayor Burto and seconded by Trustee Bigness to authorize Adirondack Operations to perform air monitoring during the demolition projects at a cost not to exceed \$5,000.00 which will be taken from Contingency funds in the Capital project. Motion carried unanimously.

Mr. Prior stated his last day with GHD will be Friday, April 20, 2018 and introduced Bruce Munn who will be taking over the project.

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.

Update 4/18/18: President McIlroy stated there was 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.

Update 4/18/18: President McIlroy requested an Executive Session to discuss collective bargaining.

At the March 21, 2018 meeting, 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.

Update 4/18/18: President McIlroy requested clarification of the status of Metro Paper being a customer of the Village of Carthage. Ms. Tuttle explained that there is a disconnect between the revenues and expenses as Metro Paper's flows have not been included with the Village of Carthage during the current fiscal year. The Clerk/Treasurer stated the Village of Carthage charged Metro Paper for their sewer flows using their current sewer rate of which Metro Paper have yet to pay. The Clerk/Treasurer stated the past due amounts have been relieved on their Village tax bill. Ms. Tuttle recommended the Village of Carthage keeping the revenues effective June 1, 2018 which is when Metro Paper's flows will be included with the Village of Carthage. Ms. Tuttle recommended the Board to revisit the billing structure again as she does not feel it adequately represents each Village.

At the March 21, 2018 meeting, the Board requested to have GHD submit a price quote to create a drawing to insert a device to shut off CSP's sewer flows.

Update 4/18/18: President McIlroy expressed the legal ramifications of shutting of CSP's sewer flows need to be addressed first. Mayor Burto stated Attorney Gebo researched the easements and the WPCF Board is within their right to insert a valve. President McIlroy is concerned with who is responsible for

the waste when it backs up into the plant and potentially into the river. Mayor Burto suggested asking Attorney Gebo for clarification.

Motion by Mayor Burto and seconded by Trustee Bigness requesting that the Village of Carthage submit any amounts collected from Metro Paper for amounts billed for June 1, 2016 – May 31, 2018 to the WPCF and further authorize the Village of Carthage to keep any revenues received effective June 1, 2018. Motion carried unanimously.

At the March 21, 2018 meeting, the Board requested to move the WPCF funds from Key Bank to another bank. The motion was carried with Chairman Astafan opposed stating he felt it only prudent that the President McIlroy and Trustee Smith-Spencer be present for this discussion.

Update 4/18/18: President McIlroy stated the Village of Carthage will meet tomorrow and will discuss changing banks.

New Business:

President McIlroy stated Attorney Gebo is retiring soon and asked the Board if they have any suggestions for a new attorney. Mayor Burto suggested having both Village Boards discuss it at their individual meetings.

Liaison Reports:

Audit Committee:

None.

Waste Treatment Plant:

None.

Executive Session:

Motion by Mayor Burto and seconded by Trustee Bigness to enter Executive Session at 5:10 p.m. to discuss collective bargaining regarding the WPCF Teamsters contract. Motion carried unanimously.

Motion by Mayor Burto and seconded by Trustee Bigness to resume Regular Session at 5:23 p.m.

Next Regular Meeting Date:

Wednesday, May 16, 2018 at the Village of West Carthage Municipal Building at 4:00 p.m.

Adjournment:

Motion by Mayor Burto and seconded by Trustee Bigness to adjourn at 5:23 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
WPCF Clerk/Treasurer