

**JOHNSTOWN WATER BOARD
MEETING MINUTES
April 11, 2016**

MEETING CALLED TO ORDER AT 6:00 P.M.

PRESENT:

NICHOLAS CANNIZZO, PRESIDENT
GEORGE DIMARCO, BOARD MEMBER
JOHN PRADELSKI, BOARD MEMBER
ANTHONY CARUSO, BOARD MEMBER
SCOTT JEFFERS, BOARD MEMBER
MICHAEL POULIN, CITY ATTORNEY
VERN JACKSON, COMMON COUNCIL
MICHAEL HLOZANSKY, SENIOR PLANT OPERATOR
CINDA SPRAKER, CLERK OF THE WATER BOARD

EXCUSED:

FINANCIAL

AUDIT COMMITTEE: Vouchers were approved for payment.
CARRIED

MINUTES: A motion to accept the minutes of the March 14, 2016 meeting was made by John Pradelski seconded by George Di Marco.

PUBLIC SPEAKERS: Chad Kortz provided plans of the Bloomingdale Avenue waterline extension project. Chad said the plans are 95 percent complete and he is now looking for direction from the Board. The next step will be Department of Health submission for approval of the plans. Nick asked if NYSDOT was going to be doing any work in that area and Chad said they are not. Nick asked if they would mind if the water department dug the road up and Chad said yes. The person that Chad spoke to said that with today's technology, it's about the same cost to excavate as it is to bore it. Nick asked the cost to bore and Chad said around 250.00 a foot. The boring will be done within NYSDOT's right of way. The Board also reviewed fluoride results that Gloversville provided showing the fluoride levels in various areas. The level was significantly lower as it approached the Industrial Parkway. Nick said once that water reaches Johnstown's water supply it will dilute most of the fluoride. Anthony said the residents voted against fluoride before but Nick said it wasn't voted on. Nick said a local law was passed prohibiting it. Mike Poulin said the local law that was passed would have to be revoked. Mike said the Water Board needs to approach the Mayor and Common Council. Nick said back in the 80's we bought water from Gloversville and no one complained. John said that was because it wasn't known. Nick asked what the Board should do now that the Mayor has announced that he doesn't wish to revisit the issue. John suggested the Board the City and the County have a meeting. The Board will also need to contact the Common Council. Chad will contact the NYSDOH and NYSDOT. Chad introduced David D'Amore who has been working on plans for 203 South William Street. Code enforcement requires a sprinkler system be installed for third floor occupancy. The owner recently found out that the rules and regulations of the water department require a separate tap for a sprinkler system. David stated various alternatives were reviewed to meet the code requirement. David is requesting the Board grant a waiver for the separate tap requirement. The Board told David they will discuss it further and get back to him.

CORRESPONDENCE: The Board reviewed a request from an area resident for a reduction of his water bill. The Board instructed Cinda to send him a denial letter based on the Rules and Regulations of the water department. George said we need to be more proactive with the leak letters.

MOTIONS & RESOLUTION:

FILTRATION & DISTRIBUTION: Mike and Wade submitted their monthly reports. The Board reviewed the vehicle use log. George would like a price quote from CASE for the cradle that distribution is requesting. A local fabricator provided a cost estimate of \$1,000.00 to make a cradle. Hydro Qual has not started drawing water. George asked if anyone has heard if Century Cleaners plans to stay in Johnstown. No one has heard that they are moving yet. Nick said a new fuel tank was purchased for Wade's truck. George asked Mike how often he cleans the filter beds. Mike said it depends on usage. George asked what was wrong with a service that was repaired on LaGrange Road. Mike wasn't sure what occurred. George asked about a frozen meter a 9 Cummings Ave. Mike said it may has frozen earlier in the year but was just discovered. Nick asked about the fire hydrant being repaired. Mike said they are in the process of repairing it.

OLD BUSINESS: 81 Briggs Street usage was reviewed and the Board feels the meter is the property is working properly. Nick said the meter was tested and it is working properly. George said the customer will have to pay the bill. George will check the state contract pricing for a new truck. George said Wade thinks a ¾ ton truck is needed with a contractor's box on the back. Nick will discuss the postage machine with Cindy before the next meeting. The water department maps that are in the City Engineer's office need to be reviewed for duplicates and counted. Nick said Chad stated the cost will be approximately \$1,000.00 to provide copies. Nick suggested a couple of Board members contact Chris and go through the maps. Nick updated John on the Linden Avenue waterline that the Mayor has requested. The Board agreed to install the waterline for the new Linden Avenue. George suggested an assessment fee be charged to the new owner but Nick said that may drive people out of the City. The Board agreed they cannot cover the cost of the line because in the past the developer has paid for the waterline material. The Board wants the waterline cost divided by the 13 lots. The water department will re coop their money when the lots sell. Mike Poulin said a resolution isn't needed to extend the line and pass the reimbursement cost onto the new property owner per lot. Mike Poulin said an agreement will need to be made between the Board and the Common Council. Mike Poulin will inform the Mayor and the Common Council of the Board's decision. Mike Hlozansky said the health department will have to approve the new line. Nick hasn't heard from Chris Vose concerning the shared space agreement. The Board would like Nick to reach out to Chris and Mark Gifford. The watershed property assessment ruling has not been signed by the judge yet. The laborer hire will be discussed in executive session. John went to personnel and he has completed a duties statement. John said a laborer needs to be hired so someone can begin training for filtration because Mike Hlozansky is approaching retirement. The Board reviewed the paperwork that John prepared to hire a superintendent. George said they shouldn't be submitted together because the laborer position could hold up the Superintendent request. The City Charter states the Board can appoint the Superintendent and that should be done first. The Board wanted this submitted to the Mayor now so a hire can be made as soon as possible. The Board set the hours and the salary, Nick signed the letter and Cinda was instructed to submit the request to the Mayor.

NEW BUSINESS: George said someone from the fire department should have given the Board a heads up on the issue with the sprinkler system at 203 South William Street since they knew about it 2 months ago. Vern disagreed saying he didn't think code enforcement knew 2 months ago. Mike met with Wayne Tripp concerning watershed timbering. There will be additional timbering around the dam. George said the price of timber should be considered. George said Greeman Pederson submitted an update on their work in progress. GPI said the little building will need to be demolished. The foundation will need to be built up. Mike said all the valves except one worked perfect. George said the spillway access bridge will need to be removed. George will contact GPI and advise them to investigate why the one valve isn't working properly. George will talk to Jake about an operational valve inspection program. Anthony asked if the Board was going to discuss the payroll situation. Nick said it will be discussed in executive session.

Nick made a motion to go into executive session.

Vern asked him to wait so that Vern could voice some concerns to the Board.

DISCUSSION: Vern said the water department used Smitty's Service Station to purchase batteries for 2 trucks and he feels this is a waste of taxpayer's money. Vern said this is something the city mechanics should be doing. Mike Hlozansky explained that there wasn't a mechanic in the City garage when the trouble occurred with the vehicle. Vern stated the extra cost of the batteries and labor on top of that ended up being more money than if the city mechanics did the work. Mike Hlozansky said it was only done that way because it was an emergency and he will not make a habit of it. Mike stated the Water Board was aware of it. Vern questioned the purchase of a postage machine which he said is very expensive. Vern said he feels it would be cheaper to bring in Nancy for a couple hours to process the mailing. He said he has spoken with Mike Gifford about using the postage machine in the Treasurer's office and Mike said it is ok. Vern asked the Board to reconsider purchasing one. Vern said the timeclock is a violation of the City Charter. Nick asked if that discussion could wait until executive session. Vern said the use of executive session is also being violated under the open meeting laws. Vern said he has discussed this with the City Attorney. Vern feels going into executive session for personnel when there's only 7 employees who are second to none when it come to their skill levels is being abused. Vern went back through the meeting minutes and said there is no mention of the timeclock so he believes the timeclock was discussed in executive session. Vern said even discussing the salary of a Superintendent is not an executive session matter. Vern said a Superintendent would be useful to resolve some of the issues. Vern suggested the Board buy Robert's Rules of Order. Mike Poulin provided a list of guidelines for executive session as Vern requested. Mike said the documentation was also provided the Common Council. Mike also told the Board should he have to go in front of a Supreme Court Judge one of the first things the Judge asks is how often executive session is used. Municipal law is very strict about executive session and the Board should not vote on anything in executive session. Everything needs to be in the open. Any actions that are decided in executive session need minutes. Mike said he is available to answer any questions the Board may have. Mike said the placement of the timeclock may be an issue and the City Treasurer is responsible for payroll and payroll certification. Mike said faxed copies will not be accepted for the Treasurer's office to process payroll. The Board has received 2 memos from Mike Gifford concerning payroll and

has all original records ready to be delivered to Mike as soon as he is available. Cindy said she spoke with Mike and she will bring him the records. Mike said the employee timecards need to be verified by their Supervisor. Nick read the Charter referencing the payroll requirement and said Mike Hlozansky is the supervisor. Vern and Mike Poulin said he is a member of the collective bargaining agreement. John said Mike cannot discipline employees but he can supervise them. Vern asked who made that determination and the Board said it is part of his job. Mike Poulin said Mike Hlozansky is not in a good position. George said he doesn't believe that Mike Gifford's memo from Sunday counts and in his second memo he wants the original's which will be provided. George said Mike Gifford never received Cinda's original time records before. Mike Poulin told the Board that the City Charter states that the City Treasurer does payroll including setting up the payroll system. George said he doesn't believe Mike Gifford has any issues with the timeclock. Nick said Chris has a problem with the timeclock. Mike Poulin said Chris said he is not trying to start trouble but he cannot verify who is punching in and out so he cannot sign the payroll. Mike Hlozansky said no one is watching people punch in and out at the barn either. Nick said Chris doesn't know from day to day what the employees are doing. George said Chris should not have sent the memo if he wasn't trying to start trouble. After receiving the memo Anthony instructed Cinda to send a memo to Mike Gifford asking him how to proceed with payroll. Mike Gifford wanted time to sort it out and responded on Monday April 11, 2016. Mike Poulin said the timeclock was never in the meeting minutes so others were surprised. Mike Poulin said a decision to spend taxpayer money in executive session is not legal. Nick said a lot of the executive session was for contract negotiations. Mike Hlozansky said he will do whatever Mike Gifford wants done with the payroll. George said the Board is more than willing to meet with Mike Gifford anytime. George stated in the 2 ½ years that he has been here he has asked for about 20 meeting with Mike Gifford and has never got one. Nick said ever since the new City Engineer was brought in everything has gone haywire. Nick said the water department employees are being harassed. Nick said he met with Chris and discussed the shared space agreement, then heard that the water department was being thrown out of the barn. Nick and Mike Hlozansky then explained the shared space agreement to Chris Swatt. George said the water department building was built for the water department. Mike Hlozansky said the employees used to punch in and out at the water department. George said life is much easier for the water department guys working out of the water department building. Copies of memos from Chris Vose to the Board was shared with Vern and Chris Swatt. Vern told the Board that he questioned some DPW employees about touching the water department employee's timecards and they said it didn't happen. Mike Poulin said everyone has to move on because it makes the City look bad. All agreed that a meeting with the City Treasurer is needed to be sure that payroll is being processed the correct way. Chris Swatt read a message the he received saying Fulton County Board of Supervisors accepted a grant but agreed not to spend any County money until the two cities worked out the fluoride issue. Nick said the valves have been in place for over 25 years, so they really should be done. John asked Chris Swatt to organize a meeting with the County. Mike Poulin told the Board they could ask to be put on the agenda and ask the City to rescind the local law. Chris suggested bringing the fluoride test results to the meeting. George asked if the Council was going to be discussing water to the college at the next meeting. Chris said it was going to be on the agenda. George said we have the water and the County is only using about 20 percent of the water that is in the agreement. Chris Swatt asked if the City should sell water to the people in Baronial Heights. George is in favor of selling water to our neighbors but not to another County for a commercial development. George said there aren't any positives selling water to another county for commercial development with no benefits coming back to the City. Chris Swatt disagreed with that saying that the people at the college area will be spending money in Johnstown. George said senior housing was going to be built out there and that will leave more vacant houses in Johnstown. Vern said that housing in one of St Mary's biggest issues right now. Nick said a high rise in the City for seniors would be filled quickly. Chris Swatt said they have discussed senior housing. John said the Board wants to sell water and make money. George said the water should not be sold outside the city without asking for something in return. George said he doesn't care about the water, he cares about the City. Chris said the people out there spend a lot of money in Johnstown, he knows that because he is on the Board out there. George said then we shouldn't be talking about this because it is a conflict of interest. Chris said he is only providing information so they can make an informed decision. George said he is making an informed and he doesn't want to give Montgomery County water. George asked why they don't annex the land into Fulton County but apparently the property owner isn't interested in annexation. Nick said we are providing about 1.6 million gallons of water now but can provide 4 million gallons a day. Nick commented on how much water FAGE uses daily and that FAGE put in their own holding tank. We also accommodate Hydro Qual's water draws.

A motion to adjourn was made by Nick Cannizzo seconded by George DiMarco

The meeting ended at 8:35 p.m.