

**JOHNSTOWN WATER BOARD
MEETING MINUTES
REGULAR MEETING
JANUARY 13, 2020**

CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

Board Vice President Swierzowski called the meeting to order at 6:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL by Clerk of the Water Board

BOARD MEMBERS

x John Swierzowski, Vice President
x Brandon Lyon, Board Member
x Michael Capparello, Board Member
x Ralph Marotta, Board Member (Elect)

ATTENDEES

x Michael Poulin, City of Johnstown Attorney
x John Denmark, Senior Water Plant Operator
x Barbara Koehler, Clerk of the Board
x Brad Hayner, City Council Liaison

SPEAKER

Kent S Koptiuch, CGWP (Natural Resource Manager) Nestle Waters, NA.

Mr. Koptiuch stated Nestle Waters NA seeks naturally occurring springs and checks their water quality for future bottling.

Nestle has been active on Water Shed lands for about 6 month now, with tater Department permission.

Nestles primarily focus is looking at our water resources, in particular the water springs on the Eagan Road Property. These springs are near the Cold Brook Reservoir but do not flow into the Cold Brook Reservoir. The springs represent water the Water Department is not utilizing right now. Nestle is looking at using the excess water capacity produced by the springs. Springs are water where the water naturally emerges to the ground surface. Nestle seeks natural springs, for future bottling, that meet FDA standards.

Nestle is investigating if our water is something they could use, after their evaluation. The potential exists, if the water is viable for bottling, the water would be purchased from us for Nestles use. The spring water would be bottled and marketed under the Deer Park brand.

The next step would require Nestle to place monitoring wells, which are 2 inch in diameters and about 40-50 feet deep to check, on our property to check water quality and balance. There will be about 6 monitoring wells.

Mr. Koptiuch dropped off a Site Access Agreement (2 year contract) with Clerk Koehler to give the the Water Board. Clerk Koehler asked Mr. Koptiuch, after our attorney looks over the agreement, would the contract be sent to him (Mr. Koptiuch). He stated yes.

Board Vice President Swierzowski asked when work will commence at the Reservoirs. Mr. Koptiuch would like commence start soon, within the next month, as it is easier to work when ground is frozen.

MOTIONS & RESOLUTIONS

- **RESOLUTION 9** – 2020, appoint Board Member James Carter, (Resolution rescinded by Motion at meeting of 1/13/2020)
MOTION to Rescind Resolution 9 – 2020, was made by Board Member Capparello and Seconded by Board Vice President Swierzowski.
Ayes 3 Nays 0 Absent 0 Abstain 0
- **RESOLUTION 10** – 2020, appoint Board Member Ralph Marotta, was made by Board Member Capparello and Seconded by Board Member Lyon.
Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)
- **RESOLUTION 11– 2020**, Transfer \$225,000 from Checking Account 4461 to Checking Account 5230 Funds, was made by Board Member Lyon and Seconded by Board Member Capparello
Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)
- **RESOLUTION 12 – 2020**, for Bin Belt Feeder shipping charges of \$1,995.00, was made by Board Vice President Swierzowski and Seconded by Board Member Capparello.
Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)
- **RESOLUTION 13 – 2020**, for the Water Board to retain the Law Firm of Hinckley Allen, at a cost of no more than \$20,000.00 was made by Board Vice President Swierzowski and Seconded by Board Member Capparello.
Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)

Discussion: Attorney Michael Poulin advised Water Board this matter needs to go to the City Common Council for approval. Board Vice President Swierzowski noted what Attorney Poulin stated but also advised the firm of Hinckley Allen was retained to manage a very time sensitive legal matter, and we need a competent attorney.
- **RESOLUTION 1 – 2020**, Election of Officers (tabled at 1/6/2020 meeting), was made by Board Member Lyon and Seconded by Board Member Capparello
Johns Swierzowski – President
Michael Capparello – Vice President
Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)
(Note: Second to Last Resolution at meeting of 1/13/2020, after Motions)
- **RESOLUTION 5 – 2020**, Personnel / Finance Committees (tabled at 1/6/2020 meeting), was made by Board President Swierzowski and Seconded by Board Vice President Capparello
Finance/Audit: Capparello and Lyon
Personnel Committee: Swierzowski and Marotta
Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)
(Note: Last Resolution at meeting of 1/13/2020, after Motions)

APPROVAL OF MINUTES

- **MOTION** to accept meeting minutes of December 16, 2019, was made by Board Vice President Swierzowski and Seconded by Board Member Capparello.
Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)
- **MOTION** to accept meeting minutes of January 6, 2020, was made by Board Vice President Swierzowski and Seconded by Board Member Lyon.
Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)

FINANCIAL

- **MOTION** to accept Claims and Vouchers for payment at January 13 2020 meeting (Audit Approval) in the mount of \$318,660.24 (F – Account), was made by Board Vice President Swierzowski and Seconded by Board Member Lyon.
Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)
- **MOTION** to approve December 2019 Industrial Levy, was made by Board Vice President Swierzowski and Seconded by Board Member Capparello.
Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)

SENIOR WATER PLANT OPERATOR

John Denmark spoke with Jake Tennis (CT Male). Core drills were started at the Christman Plant. Next we have to dig and find the core walls to be compliant with DEC.

John Denmark spoke with Jake Gordon (CT Male) and the water line by of James Chevrolet and Noble Ace is ready to go when we are ready.

John Denmark reported on filters for 1 and 2 at Cork Center. Denmark is trying to investigate to see if we need to strip them or not. There is a chance all the work anticipated will not be needed. Water Department will need hire a private company to investigate the filters.

PUBLIC ANNOUNCEMENTS

- Water Department will be closed Monday January 20, 2020
- Next regular Water Board meeting will be February 10, 2020

EXECUTIVE SESSION

- **MOTION** to enter into Executive Session for “the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation” was made by Board President Swierzowski and seconded by Board Vice President Capparello at 6:28 p.m.

Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)

- **MOTION** to exit Executive Session was made by Board Member Lyon and seconded by Board Vice President Capparello at 7:20 p.m.

Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)

ADJOURNMENT

- **MOTION** to adjourn was made by Board Vice President Capparello and seconded by Board Member Lyon at 7:22 p.m.

Ayes 3 Nays 0 Absent 0 Abstain 1 (Marotta)

*Submitted by
Barbara Koehler
Clerk of the Water Board*