

**JOHNSTOWN WATER BOARD
REGULAR MEETING MINUTES
MARCH 9, 2020 - 6:00 PM**

CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

Board 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, President
- x Michael Capparello, Vice President
- x Brandon Lyon, Board Member
- x Ralph Marotta, Board Member
- x Carson Keeling, Jr. Board Member

ATTENDEES

- x Dale Trumbull, Water Superintendent
- x Barbara Koehler, Clerk of the Board
- x Michael Poulin, City of Johnstown Attorney
- x Brad Hayner, City Council Liaison

ABSENT

John Denmark, Senior Water Plant Operator

NEW BUSINESS

Issues with City Treasurer

Outstanding Water Department checks not cashed

Board President Swierzowski asked Clerk Barbara Koehler for clarification.

Clerk Koehler stated, as of this meeting, the City Treasurer Gifford has not cashed approximately \$1,650,000 in checks the Water Department has printed, endorsed, and approved. The total includes checks approved at this meeting

Koehler stated on October 1, 2019, the Water Board passed a motion authorizing the Clerk of the Water Board to print all checks the Water Department generates. She stated she does not endorse them, she just prints them. Clerk Koehler stated she remits to the Treasurer a report of these transaction on a monthly basis.

All the checks not cashed are made payable to the City of Johnstown, based on vouchers the city has given the Water Department for items such as payroll, insurance, taxes. The checks also represent the monthly sewer voucher the Water Department prepares.

The first check not cashed dates back to October 11, 2019.

Bonding / Phase 2 of Dam Project – Board President Swierzowski stated he has had no response from Michael Gifford, City Treasurer, regarding the issue of bonding for Phase 2 of the dam project. Board President Swierzowski noted a delay in proceeding with the project could cost the taxpayers even more money; ‘we need to bond for project’. According to Board President Swierzowski and Board Vice President Capparello, the Treasurer will not make himself available meet with anyone or respond our correspondence.

Water Rents deposited in city checking (State Park and NY State DOT)

Board President Swierzowski asked Clerk Barbara Koehler for clarification.

Clerk Koehler stated invoices are sent to the above New York State entities for water / sewer rents on a semi-annual basis.

According to Clerk Koehler, based on practices in place prior to her employment (September 2016), all monies for the above invoices are direct deposited into the city's bank account (not water department checking).

Clerk Koehler stated the procedure was for the clerk would give the Treasurer's Office copies of the invoices and the city would reimburse the Water Department for the amount due once funds are deposited in the city's account.

For the past 2 years the Clerk stated she has given the Treasurer copies of these invoices, but not received a reimbursement check from the Treasurer. State Park sent the Water Department verification funds for the water / sewer invoices were deposited in the city bank account. The Water Department has not received a reimbursement check, even after providing Treasurer with this information.

NY State DOT stated they are sending the funds for payment but the payment gets bounced back. Clerk stated she sent Treasurer Gifford an email with this information and has received no response.

Clerk Koehler stated she cannot change the method of deposit, as the tax ID associated with this account states only the Treasurers has access to these accounts.

Dale Trumbull

Board Vice President Capparello stated he and Dale Trumbull went over to the Treasurer's office to fill out employment paper work for Dale Trumbull, as Water Department Superintendent.

According to Board Vice President Capparello, Treasurer Gifford was not available. Board Vice President Capparello stated the Deputy Vikki Nellis told him they are awaiting response from the City Attorney Poulin regarding this matter.

Attorney Poulin stated in this meeting he does not handle personnel matters. Attorney Poulin also stated he spoke with Treasurer Gifford. Poulin stated the position of Superintendent was not in the Water Department budget. Attorney Poulin stated we should do a budget modification immediately for this item, to be placed on the next Common Counsel Agenda.

Board President Swierzowski stated we would do a budget modification resolution.

Board Vice President Capparello also stated Trumbull signed the oath book in City Hall.

Other Matters

Board Vice President Capparello stated has asked to meet with the Treasurer on numerous occasions and the treasurer ignores phone calls and requests.

Board Vice President Capparello also asked for copy of the current Union Contract.

Board President Swierzowski asked Clerk Koehler when she last received copy of the Water Department expenses and income from the Treasurer. Clerk Koehler stated the last statement from the Treasurer were received for expenses only (F accounts) was in August 2019. Board President Swierzowski stated this created the delay preparing their budget.

Clerk Koehler also noted the she has 2 extra weeks of vacation and Susan Miller 1 extra week on their respective paystubs. Clerk notified the Treasurer of this and asked for clarification, with no response to date

Liaison Brad Hayner stated he would look into these matters.

OLD BUSINESS

- FCWD #1 TAPS – Smart Water
Board President Swierzowski noted the Water Department is working with CT Male Board President Swierzowski gave the project Dale to work with CT Male. Approximate 30 customers want TAPS.
- Cold Brook Reservoir Project
Board President Swierzowski will have to talk to CT Male and stated we need a resolution but no one made the Board aware of the resolution needed.
He did not get a report from Sr. Plant Operator Denmark on the Cold Brook Project.
- Operating Procedures will be worked on after Board President Swierzowski returns from vacation, working on this project with CT Male. Board President Swierzowski stated Trumbull, Denmark and Watkins would be needed for input.

APPROVAL OF MINUTES

- **MOTION** to accept meeting minutes of February 10, 2020, made by Water Board President Swierzowski and seconded by Water Board Vice President Capparello.
Ayes 4 Nays 0 Absent 0 Abstain 1 (Keeling)
- **MOTION** to accept meeting minutes of March 05, 2020, made by Water Board President Swierzowski and seconded by Water Board member Lyon.
Ayes 4 Nays 0 Absent 0 Abstain 1 (Keeling)

RESOLUTION (Emergency Resolution)

- **RESOLUTION 18 – 2020**, Budget Modification for 2020, was made by Board President Swierzowski and seconded by Board Vice President Capparello.
Ayes 4 Nays 0 Absent 0 Abstain 1 (Keeling)

FINANCIAL

- **MOTION** to accept Claims and Vouchers for payment for March 2020 (Audit Approval), was made by Board President Swierzowski and seconded by Water Board Vice President Capparello.

Ayes 4 Nays 0 Absent 0 Abstain 1 (Keeling)

F Account	February 2020	(02/01/2020 – 02/29/2020)	\$ 16,087.44
	March 2020	(03/01/2020 – 03/15/2020)	\$ <u>371,886.78</u>
			\$ 387,974.22

- **MOTION** to approve February 2020 Industrial Levy, made by Water Board President Swierzowski and seconded by Water Board member Lyon.
Ayes 4 Nays 0 Absent 0 Abstain 1 (Keeling)
- **MOTION** to approve February 2020 Residential Levy, made by Water Board President Swierzowski and seconded by Water Board Vice President Capparello.
Ayes 4 Nays 0 Absent 0 Abstain 1 (Keeling)

PUBLIC ANNOUNCEMENTS

- Next regular Water Board meeting will be April 13, 2020

ADJOURNMENT

- **MOTION** to adjourn the meeting at 6:32 p.m. was made by Board President Swierzowski and seconded by Board Vice President Capparello.

Ayes 5 Nays 0 Absent 0 Abstain 0

*Submitted by
Barbara Koehler
Clerk of the Water Board*