

**JOHNSTOWN WATER BOARD
MEETING MINUTES
OCTOBER 15, 2019**

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

BOARD MEMBERS

John Swierzowski, Vice President
George DiMarco, Board Member
Brandon Lyon, Board Member
Marj Kline, Board Member
Michael Capparello, Board Member

ATTENDEES

Michael Poulin, City of Johnstown Attorney
John Denmark, Senior Water Plant Operator
Barbara Koehler, Clerk of the Board
Craig Talarico, Councilman-At-Large
(attended meeting in the absence of Bradley Hayner, Water Board Liaison)

PUBLIC SESSION

Danielle Chirichio – Purchased lot from City on Linden Avenue
Scott Chirichio

Danielle Chirichio inquired as to the process of getting water on Linden Avenue.

Board Vice President Swierzowski stated the City contracted with CT Male to prepare water line plan designs. He noted that once the water main is put in the site holder can complete their tap application (including a deed to the property and a building permit) to get City water. He advised if the plans are approved by the Department of Health we might be able to dig after November 1, 2019 if there is no frost in the ground.

OLD BUSINESS

- **Capital Projects Review - Dam Phase II (Spillway)**
Board Vice President Swierzowski noted he gave numbers to Treasurer Gifford for 2020 Bonding based on what the Board voted on at their September 12, 2019 Special Meeting.
Board Vice President Swierzowski noted he spoke with John Rizzo, PE (GPI) regarding completion of the Emergency Action Plans (EAP).
- **Sand Filter Replacement**
Senior Water Plant Operator John Denmark noted contractor Jablonski Excavation, Inc. is almost done with the painting at the Cork Center Reservoir which will take one day to dry. He noted that the sand media can possibly be replaced in filter #3 on October 18th and completed by October 21st.
(See Change Order for project See Resolution 19-2019 and Resolution 20 -2019)
- **Smart Waters – Fulton County Water District #1 Taps**
(See Motion below)

NEW BUSINESS

Tap applications for review: **Gregory Hillier** 114 Co Hwy 131A (Landfill Area)
Linda Kollar 51 Linden Avenue (City of Johnstown)

Board Vice President Swierzowski noted the following:

Gregory Hillier will be building a new home in the spring of 2020.
He will need to provide a property deed and building permit.
The issue will be addressed when he is ready to begin building.

Linda Kollar will have to wait for CT Male to design plans for the new water main.
She is also to provide a property deed and building permit.

Board Member DiMarco noted that the Department of Health has to approve the plans for Linden Avenue and this could take a while. He added that until the City puts in an application with the Department of Health, and it is approved, nothing can proceed.

MOTIONS & RESOLUTIONS

- **MOTION** approving authorization for CT Male to provide consulting services and prepare a RFP for water services (Route 67-FCWD #1/Smart Waters) to connect the 107 eligible parcels to the City water line was made by Board Vice President Swierzowski and seconded by Board Member Capparello.
Ayes 4 Nays 1 (DiMarco) Absent 0 Abstain 0

Discussion:

Board Vice President Swierzowski noted 31 people have returned paperwork expressing interest in receiving City water.

- **RESOLUTION 19 -2019** Change Order #2 for Jablonski Excavation, Inc. to extend completion time for sand media filtration replacement made by Board Vice President Swierzowski and seconded by Board Member Lyon.
Ayes 4 Nays 1 (DiMarco) Absent 0 Abstain 0

Discussion after Resolution voted on:

Board Member DiMarco stated he did not think the Resolution is worthy as the contractor has shown up sporadically.

Board Vice President Swierzowski noted we are in a tough position as we are now buying water from the City of Gloversville to meet our usage demands.

Board Member DiMarco advised he did not want give them more time as the job should have been finished in 3 weeks.

Board Member Capparello asked if we can do anything to install a penalty if the job is not done by the proposed extension date of November 12, 2019.

Senior Water Plant Operator John Denmark stated there seemed to be no effort on the part of Jablonski Excavation, Inc. to work on the sand. He noted that he has been calling CT Male to contact Jablonski Excavation, Inc. to perform the work they bid on and were awarded a Contract for. He advised CT Male is overseeing the project and it is their job to contact Jablonski Excavation, Inc. to ensure the work is done.

Denmark noted we have paid the City of Gloversville Water Department approximately \$100,000 so far for water. Denmark noted that if Jablonski Excavating started work as planned in the last week of June/first week of July the water we would have needed to purchase from Gloversville would have been minimal. He added that the City of Gloversville Water Department is working 14 hour shifts to fill our water needs. Denmark stated that the City of Johnstown Water Department is almost at a point where we might have to issue a water conservation order. He explained that if a water conservation order is issued it could cost a great deal, as the New York State Department of Health will issue fines.

Denmark advised that the City of Gloversville Water Department has conveyed information that their Board will not extend their Contract with Jablonski Excavating, Inc.

Board Member Capparello asked if we could advise Jablonski Excavation, Inc. that if they do not complete the job in the specified time they will be responsible for the added costs we incur to keep the City water supply running.

Attorney Poulin stated we could put the contractor on notice for damages if the project is not completed. Attorney Poulin requested a Motion be made to go into Executive Session to discuss the issue.

- **MOTION** to enter into Executive Session at 6:24 p.m. for “discussions regarding proposed, pending, or current litigation” was made by Board Vice President Swierzowski and seconded by Board Member Capparello.

Ayes 5 Nays 0 Absent 0 Abstain 0

- **MOTION** to exit Executive Session at 6:46 p.m. was made by Board Vice President Swierzowski and seconded by Board Member Capparello.

Ayes 5 Nays 0 Absent 0 Abstain 0

- **RESOLUTION 20 -2019** to rescind Resolution 19 -2019, change Order #2, was made by Board Vice President Swierzowski and seconded by Board Member Lyon.

Ayes 5 Nays 0 Absent 0 Abstain 0

APPROVAL OF MINUTES

- **MOTION** to accept meeting minutes of September 9, 2019, was made by Board Vice President Swierzowski and seconded by Board Member Kline.

Ayes 5 Nays 0 Absent 0 Abstain 0

- **MOTION** to accept meeting minutes of September 12, 2019, was made by Board Vice President Swierzowski and seconded by Board Member Kline.

Ayes 5 Nays 0 Absent 0 Abstain 0

- **MOTION** to accept meeting minutes of October 1, 2019 was made by Board Vice President Swierzowski and seconded by Board Member DiMarco.
Ayes 5 Nays 0 Absent 0 Abstain 0

FINANCIAL

- **MOTION** to accept Claims and Vouchers for payment for October 2019 (Audit Approval) was made by Board Vice President Swierzowski and seconded by Board Member Capparello.
Ayes 5 Nays 0 Absent 0 Abstain 0
- **MOTION** to approve September 2019 Industrial Levy was made by Board Vice President Swierzowski and seconded by Board Member DiMarco.
Ayes 5 Nays 0 Absent 0 Abstain 0
- **MOTION** to approve August 2019 Residential Levy was made by Board Vice President Swierzowski and seconded by Board Member Kline.
Ayes 5 Nays 0 Absent 0 Abstain 0

PUBLIC ANNOUNCEMENTS

- Water Department closed Monday, November 11, 2019, in observance of Veteran's Day.
- Next regular Water Board meeting will be Tuesday, November 12, 2019 at 6:00 pm.

Board Vice President Swierzowski spoke to the Board Members about voting in the November 2019 election. He advised that Board Member Brandon Lyon is on the ballot and we have 3 open positions.

Board member Capparello explained the ballot layout and where to write in candidates.

ADJOURNMENT

- **MOTION** to adjourn the meeting at 6:53 p.m. was made by Board Vice President Swierzowski and seconded by Board Member Capparello.
Ayes 5 Nays 0 Absent 0 Abstain 0

Submitted by:
Barbara Koehler
Clerk of the Water Board