**JOHNSTOWN WATER BOARD**

**MINUTES FOR A**

**REGULAR MEETING**

**SEPTEMBER 12, 2022 @ 6:00 PM**

The meeting was held at the City of Johnstown Water Department Office.

The meeting was broadcast using Facebook Live on the “Johnstown Water Department” Facebook page.

**CALL MEETING TO ORDER/PLEDGE OF ALLEGIANCE**

Board President Capparello called the meeting to order at 6:00 PM, followed by the Pledge of Allegiance.

**ROLL CALL**

**BOARD MEMBERS ATTENDEES**

Michael Capparello, Board President Susan Miller, Clerk of the Water Board

George DiMarco, Board Vice President Eric Parker, Common Council Liaison

Brandon Lyon, Board Member Michael Poulin, City Attorney

Mark Empie, Board Member

**ABSENT**

Ralph Marotta, Board Member

**NEW BUSINESS**

**Bi-Weekly Reports**

Board President Capparello advised the Board Members that he received the Water Report from City Engineer Christopher Vose today at 11:25am. He stated that per the Emergency Agreement signed with the City of Johnstown on 07/28/22 it is stated that “The City of Johnstown agrees to provide to the Water Board bi-weekly operational reports.” He noted that six weeks have gone by and that was too long for an update of what work is being done at the Reservoirs and throughout the city.

**Door & Lighting Project**

Board President Capparello asked Common Council Liaison Parker if the City has moved forward with the door and lighting project at both Reservoirs.

Common Council Liaison Parker stated that he would check into this and get back to him with a status report.

**GPI Valve Project**

Board Vice President DiMarco stated that the Board passed a Resolution at their 08/08/22 meeting to Solicit Sealed Bids for the Cork Center Reservoir Dam Phase II Valve Project. He noted that he was working with GPI to schedule a pre-bid walk through for the project. Board Vice President DiMarco advised that a representative from GPI contacted him and advised that City Engineer Vose contacted GPI and opted to shut down the valve project because the Board was currently not able to enter into any Contracts during the four month “Emergency Agreement to Operate and Administer City of Johnstown Water System”. He asked City Attorney Poulin if the City was authorized to make such changes.

Board President Capparello asked why the City would delay the progress the Board was making to move forward.

City Attorney Poulin advised the Board that the Common Council may be addressing working with GPI at their meeting on 09/19/22.

**Hard Hat Safety Concern**

Board Vice President DiMarco expressed concern after driving by a work site where a water tap was being done on North Market Street and saw two workers not wearing hard hats. He stated that it was his opinion that City employees working in the road were required to wear a safety vest and hard hat.

City Attorney Poulin advised Board President DiMarco to express his concerns to those currently in charge.

**RESIDENTIAL & INDUSTRIAL BILLING LEVIES**

**July 2022 Industrial Billing Levy 9** customers billed

Water $83,417.50 Sewer $179,215.62 Maintenance $6,130.61 **Total $268,763.73**

**Motion** to approve the July 2022 Industrial Billing Levy was made by Board President Capparello; seconded by Board Member Lyon.

**Ayes: 4 Nays: 0 Abstain: 0 Absent: 1**

**August 2022 Residential Billing Levy 1519** customers billed

Water $241,643.24 Sewer $126,214.77 Maintenance $12,177.74 Surcharges $403.61 **Total $380,439.36**

**Motion** to approve the August 2022 Residential Billing Levy was made by Board President Capparello; seconded by Board Vice President DiMarco.

**Ayes: 4 Nays: 0 Abstain: 0 Absent: 1**

**FINANCIAL**

Accounts Receivables: As of 09/09/22 $ 194,264.56

Accounts Payables: 08/06/22 – 09/09/22 $ 623,243.61

Deposits: 08/06/22 – 09/09/22 $ 544,572.25

**Motion** to approve the Deposit/Accounts Receivable and Accounts Payable Report was made by Board President Capparello; seconded by Board Member Lyon.

**Ayes: 4 Nays: 0 Abstain: 0 Absent: 1**

**OLD BUSINESS**

**Capital Projects/Bonding Status**

Board Vice President DiMarco asked Common Council Liaison Parker the status on Bonding.

Common Council Liaison Parker stated that the 2018 and 2019 AUD’s (Annual Update Document/Annual Financial Report) have both been approved and the 2020 AUD has been submitted to the NYS Comptroller and the City hoped the 2020 AUD would be approved by the end of September.

Board Vice President DiMarco then inquired as to how long it would be for the Bond Agent to move forward after all AUD’s are approved. He expressed displeasure in having to wait five years for Bonding due to the previous Treasurer’s accounting.

Common Council Liaison Parker stated he would check with the City Treasurer on a timeline and provide an answer if one is available from the Bond Counsel.

**Unresolved Issues**

Board Vice President DiMarco stated that in the 2022 City Budget there are no water employees listed; adding that the City modified the 2022 Budget that the Water Board passed. He conveyed that he had concerns with the City’s Investment Policy and how it relates to the Water Board and the CSEA 2020-2023 Union Contract which excluded the Board from negotiations and final approval. He asked City Attorney Poulin when City representatives would go through prior Resolutions that they passed and adhere to the Supreme Court Justice’s ruling from June of 2022.

Several Board Members raised questions to City Attorney Poulin related to the Emergency Agreement to Operate and Administer City of Johnstown Water System document.

City Attorney Poulin stated that the Board was aware that he was not the legal counsel for the lawsuit between the City and the Water Board. He vehemently expressed concern why Board Members who had questions did not reach out to Mayor Praught, City Engineer Vose, Treasurer Herr or him prior to the meeting to ask questions. He stated that in his opinion some Water Board Members were grandstanding at the meeting because they were on camera.

**APPROVAL OF MINUTES**

**Motion** to approve the meeting minutes of 08/08/22 was made by Board President Capparello; seconded by Board Member Lyon.

**Ayes: 3 Nays: 0 Abstain: 1** (Empie absent from 08/08/22 meeting)  **Absent: 1**

**PUBLIC ANNOUNCEMENTS**

The next regular Water Board meeting will be held on Tuesday, October 11, 2022 at 6:00PM.

**ADJOURNMENT**

**Motion** to adjourn the meeting at 6:28pm was made by Board President Capparello; seconded by Board Member Lyon.

**Ayes: 4 Nays: 0 Abstain: 0 Absent: 1**

Respectfully submitted by:

Susan Miller, Clerk of the Water Board