

**SANITARY BOARD
WEIRTON, WV**

REGULAR MEETING MINUTES THURSDAY, MARCH 14, 2024

The Sanitary Board, City of Weirton, met in regular session Thursday, March 14th, 2024 in the Sanitary Board Conference Room, 5000 Freedom Way, Weirton, WV. Chairman, Mayor Miller called the meeting to order at 10:03 a.m.

Those in attendance were:

BOARD MEMBERS

Mayor Harold Miller, Chairman:
Robert Gribben, Vice Chairman: via-phone
Joseph Barnabei, Board Member:

SANITARY BOARD OFFICIALS

A.D. Mastrantoni, Utilities Director
Richard Ohalek, Secretary
Dan Guida, Legal Counsel
Brian Kuntz, Treasurer
Brian Jurosko, Chief Operator
Connie Wright, Executive Secretary

Others in Attendance: Ben Erste - BHJ, Jesse Alden - Thrasher, Craig Howell - Weirton Dailey Times and Jasen Havens - Assistant Director - Water.

Mayor Miller stated that he asked Joe to run the meeting due to having problems with his eyes the last five week, he has difficulty reading.

1) Board Member, Joseph Barnabei; made a motion to approve the regular meeting minutes of February 15th, 2024 as presented; seconded by Chairman, Mayor Miller; passed unanimously.

2) No comments from citizens:

3) Brian Kuntz presented and reviewed the financial report to the Board members. The Financial Report is as follows: Beginning bank balance as of March 1, 2024 is \$116,440.14; disbursements as of March 14, 2024 is \$172,841.11; bank deposits as of March 14, 2024 \$156,758.70; bank balance as of March 14, 2024 \$100,357.73; disbursements still to be paid for March 2024 are in the amount of \$203,119.11; March 2024 revenue \$217,415.80; our total then will be \$114,654.42. Your R&R Account has a balance as of March 14, 2024 \$30,674.79 and your Working Capital Account has \$374,325.72 balance. Sanitary Surplus Account has \$638,789.15 and IJDC account \$335,035.84 as of March 14, 2024.

Chairman, Mayor Harold E. Miller made a motion to accept the Financial Report as presented; seconded by Board Member, Joseph Barnabei, passed unanimously.

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4) Approval of unpaid bills; Brian stated that we made the last payment on the Mac Truck.

5) OLD BUSINESS:

A) Wastewater Treatment Plant Upgrade and Expansion: Jesse stated that the good news is that the project has officially closed on all the financing which happened on March 5. I came up here to have Butch sign a bunch of contract documents and got all that squared away. We have a pre construction meeting scheduled for March 26th at one o'clock, and that will be right here. That will be with the contractor, of course Thrasher will be there. Other utilities in the area the power company, the gas company and we will talk about the contractors schedule and plans for mobilization and you know what that looks like moving forward. So, that is also the day that the notice to proceed is dated. So officially the contract time will begin to run on March 26th. I'll probably send out a note to them as well and of course the DEP will be on site to that funding agencies should be a fairly packed house that day. And then shortly thereafter, I'm sure we'll be officially breaking ground here and we'll see a lot of action moving forward. Mr. Guida asked Jesse how long do you think it will take from the groundbreaking to completion? Jesse stated questions came up during the bid phase from the contractors on material deliveries and things. I mean, there's we have not seen a submittals schedule yet, which will show us a little bit better on the time line. But we're probably looking at about two years worth of construction here. I mean, there's things that I know the contractor said are 52 weeks plus from the time that they get an approved shop drawing. And those components, the electrical components are instrumental in to getting the job. So once they show up on site, there's still a lot of work to do to get the plant up and running. So when you're talking at least a year before some of this stuff is going to show up and then we still have a good amount of work to do after that before we get started. We'll have a better handle on that after we get the contractor schedule and submittals schedule and if something will track as we go along. Butch stated here is some important information. The contractors that will be doing work here and any subs, will be required to pay a building permit fee and B&O taxes that should return a little over \$800,000 to the General Fund budget at the meeting of the 26th I will have Mark Miller and Matt Burskey attend the meeting and present that information. So typically, in the past, I've seen those waived by the city, but it didn't result in any true reduction of the bid prices. So I figured if the bid prices were not going to be effective than they would work anywhere else, they wouldn't pay those as customary fees. So I thought General Fund might be the beneficiary of those fees. And the same deal exists for the water on the water side. Mr. Barnabei asked if we are pay the fees or collecting them? Butch stated that we are collecting them and the General Fund is the benefactor, the City of Weirton General Fund and that Four Million came from the ARFA fund through the City General Fund, so the Council was very gracious in giving back \$800,000 which is legitimate. Mr. Guida asked if the City is aware of getting that money due to them working on budget for next year?

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Butch stated that he has not discussed exact amounts, but has had a general conversation with Diane, so she has a knowledge that they're there. And I asked that the fees be computed for our meeting on the 26th, so hopefully she's part of that formula. Jesse stated on that note the contractors will ask when they will be required to pay those fees. Butch stated that is why Mark and Matt are attending the meeting. Mr. Barnabei stated would it not be a good idea to ask for like maybe two special line items for each for the Water and for the Sanitary and not budget that money until the project was complete. Because I'm sure you know as well as I do. There'll be added cost somewhere coming in, correct. Jesse stated anytime you do a project on an existing site, there's things that you find that no one anticipated. I mean, we've all kind of prepared for that through the design but until we start opening up this ground, we don't know exactly what's gonna happen. Butch stated Joe, that's the General Fund budget and that's not our specific budget. Correct. Joe stated but they can they can use the money as they see fit. Yes. And then 2 years later, when we're getting ready to close everything up. We're like, Hey, we got to fund this to gotta get this gotta get this. mean \$800,000 is a lot of money on a project like this. Butch stated it is not our money, we've already paid it when your contract went to the contractor he's gonna get that money. What we're saying now for you to work in the City of Weirton you have to pay the building permit fees. And you have to pay your B&O tax to the City General Fund. Jesse stated so to your question, though, and your point, there is also a contingency that when we close on the project financing, we're going into construction with a 5% contingency. So there's, there's a little bit of money left over which is typical for every project that goes into construction. You do have to have some contingency built in there, but the amount of the contract that contingency is well over a million dollars, which should help cover any potential issues that we do run into.

B) Draw: Guida Law Office, PLLC - Attorney Services \$23,000

Butch stated that last month in our meeting, we approved the first draw, which included a bunch of payments to all the individuals that were providing services toward the closing. Two of the elemental services required was a title opinion for the Sanitary Board to close and then a New Litigation opinion that were rendered by Mr. Guida. You have two invoices in your packet, they were not in that first group in the first draw but we're asking for them to be approved. Since, if they weren't submitted we couldn't close the funding contracts stage of the job. So we're asking that the Board approve the \$3,000 and the \$20,000 invoice submitted by Guida Law Services. Mr. Guida stated he like to clarify something Butch said so part of it is the title search that's the \$3,000 part because we had to run the title on the property down here. As far as the opinion letter one part of that is the no litigation part, but it's much more extensive than that. I had to give an opinion that all the documents have proper order that this was done the right way and that took some time there's risk obviously to it. So it's kind of like doing a title search if it's a \$50 million piece of property or a \$1,000 piece of property you may do the same work but the risk is much greater.

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If there's an error, so that gets factored in the cost. Yeah, there was probably well of 10 or 15 items one of which was a no litigation so that was no I didn't want you guys just to think that was mean if that's all it was it wouldn't be that much but there was a lot more. Ben Erste stated with all the legal happenings that have been going on with the project. Dan wouldn't have been able to get me those in time to get him on draw one anyway. So that's kind of why they're missing because he still had to look over everything and prepare it and the draw had to be submitted February 1, I think that was done already so and he just finished up his work. So, the Board could either approve the invoices today and pay Mr. Guida and then get them reimbursed with draw 2 or if you don't need the money for a month we can submit them next month with draw 2. Mr. Guida agreed to include the invoices in next month draw. Ben stated that they will be included in next month draw so no action needed.


6) NEW BUSINESS:

Butch stated I'd like to announce that on April 11th at 2pm here at the Sanitary Board. There will be a groundbreaking to commemorate the beginning of the construction of our plant upgrades. Showing on the overhead to the Board Members is a sample invitation, and it was put together through the assistance of Thrasher engineers public relations department, which has been providing us some assistance there. The balance of the activities will occur starting at 2pm and Mayor we are hoping to hear some remarks from you. Mr. Joe Barnabei is going to be our Master of Ceremonies. Thus far we have an affirmation of Ann Urling of the Governor's office who will come and present some remarks. She's the Governor's Executive Director and Chair of the West Virginia Water Development Authority and recently appointed Director of Health and Human Services.

A) Next Board Meeting Date : The next regular meeting of the Sanitary Board is Thursday, April 11, 2024 at 10:00 am in Conference Room at Waste Water Treatment Plant, 5000 Freedom Way Weirton, WV 26062.

The meeting adjourned at 10:20 a.m. with no further business to discuss. Board Member, Joseph Barnabei made the motion to adjourn; seconded by Vice Chairman, Robert Gribben passed unanimously.


Sanitary Board, Secretary


Chairman- Mayor Harold E. Miller