

**STEUBEN LAKES REGIONAL WASTE DISTRICT
BOARD OF TRUSTEES MEETING
APRIL 22, 2026
26-04R
6:00 P.M.**

MEMBERS PRESENT:

Bruce Deters
Judy Rowe
Craig Rice
Kelly Johnson

MEMBERS ABSENT:

Abby VanVlerah
Renee Clauss
Mike Stephenson

Also Present:

Andy Boxberger – Carson, LLP
Steve Henschen – Jones Petrie Rafinski

Craig Rice called the meeting to order at 6:00 p.m.

Craig Rice read the following statement: At the end of the meeting, the public will be given an opportunity to speak. In the interest of time, each person shall be limited to three minutes. Your comments will be part of the public record of the meeting, so we ask that you present them in a professional manner and speak only to the matters at hand.

APPROVAL OF THE MARCH 25TH MEETING MINUTES CHANGES OR ADDITIONS.

The Board presented minutes of the MARCH 25TH, 2026 board meeting minutes for review and approval. Upon motion, duly Bruce Deters, and seconded Judy Rowe, the Board unanimously approved the MARCH 25TH, 2026 board meeting minutes. Each board member voted in approval of the MARCH 25TH, 2026 board meeting minutes as amended.

FINANCIAL REPORTS

The financial reports, check register, project check register, bank account report, and claims for MARCH 2026 were presented for review.

The Revenue Report, Appropriation Report, Capital Expenditures, Accounts Payable Register, Fund Report with Investments, and Monthly Budget Report with Capital for MARCH 2026 were presented for review. Kelly Johnson moved, and Bruce Deters seconded the motion, to accept and approve the MARCH 2026 financial reports as submitted, which motion was unanimously approved.

NEW BUSINESS

A. Encroachment 220 LN 160 Crooked Lk: Gary Manahan with Manahan Construction presents plans to rebuild an existing patio and sidewalk with concrete. This concrete will encroach on the lateral line in two locations as shown on the presented plot plan.

Kelly Johnson moved, and Bruce Deters seconded the motion, to accept and approve the encroachment for 220 Ln 160 Crooked Lk submitted, which motion was unanimously approved.

ATTORNEY REPORT

A. Out of our Fremont customers, there are only two more to connect as a part of the NED II project. It is time to give the Town of Fremont our 90-day notice that we will no longer need their service, and we will abandon the old pump station 22. They are aware this is coming. Andy will prepare notice.

Kelly Johnson moved, and Bruce Deters seconded the motion, to accept and approve Andy to prepare and submit the 90-day notice to the Town of Fremont as submitted, which motion was unanimously approved.

ENGINEERS REPORTS

A. JPR General Project Update Memo:

B. NED Phase 2 – Construction Update – Steve Henschen updates:

Contract A: Has reached final completion. The notice of acceptability signed by the engineer to be submitted to the funding agency is in the packet today.

Contract B: Niblock has two last grinders going in. One today and the last on 4/24/2026. This will allow Selge to finish their work. Both contractors are working on punch list items.

Contract C: Selge is far ahead of contract time.

C. NED Phase 2 – Contract B – Worksheet Summary: Niblock sent an email asking that they be considered substantially complete on March 27th as that is the date they had all of the grinder stations connected that were ready to connect on the side of the homeowner's electrical responsibility. JPR and SLRWD discussed. We have to take into consideration that a reason some homeowners did not have their electric work completed is because Niblock was running so far behind on the contract and the notices did not get our in time to the homeowners to get that work done. Liquidated damages will be \$197,000 if we go

with the March 27th, 2026 date. This is already on top of the \$40,000 we already took out of their contract to grant them these time extensions last fall. If we do not agree to the March 27th date, the liquidated damages would be \$222,000 + 7 days is \$229,000 if completed by 4/24/2026.

Kelly Johnson moved, and Bruce Deters seconded the motion, to accept and approve substantial completion as the date the last grinder tank is installed as submitted, which motion was unanimously approved.

D. Pay Apps:

1. NED Phase 2 – Contract B Pay Application #25 in the amount of \$295,202.28. Niblock Excavating is asking for payment in the amount of \$295,202.28.
2. NED Phase 2 – Contract C Pay Application #19 in the amount of \$126,423.62: Selge Construction is asking for payment in the amount of \$126,423.62.

Kelly Johnson moved, and Bruce Deters seconded the motion, to accept and approve Contract B Pay Application #25 in the amount of \$295,202.28 to Niblock Excavating, and the Contract C Pay Application #19 in the amount of \$126,423.62 to Selge Construction as submitted, which motion was unanimously approved.

E. Change Orders:

1. NED Phase 2 – Contract B Change Order #22 in the amount of \$152,295.00: Niblock Excavating is asking for a change order in the amount of \$152,295.00 due to replacing pumps at pump station #10 and replacing old grinders, two new pumps and one spare, and grading and resurfacing near 610.

Kelly Johnson moved, and Bruce Deters seconded the motion, to accept and approve the NED Phase 2 Contract B Change Order #22 in the amount of \$152,295.00 to Niblock Excavating as submitted, which motion was unanimously approved.

JPR has reviewed all pay applications for work completed and change order requests and found them to be appropriate. These are to be paid from project SRF funds.

- F. Pump Station Replacement Project Phase 1 Land Acquisition Update: There are still 3 pump station sites that we have not acquired yet. Pump Station #6 is Steuben County's property. We did go back and made a request with the County for land donation at no charge. Our appraisal valued it at \$4,517.64. We do not have an update on this at this time, but we should know more by next meeting. Pump Station #14, Bontrager, we had a deal in hand and then changes were asked on the easement language. Ken did speak with them late last week and he has everything in his hand, but he is putting us off. At this

time, we need to consider eminent domain if we do not get things worked out with him in the next few weeks.

Kelly Johnson moved, and Bruce Deters seconded the motion, to accept and approve that Andy sends the letter to Bontrager that we will be moving towards condemnation with May 15th as Bontrager's deadline to communicate back with us as submitted, which motion was unanimously approved.

G. WWTP Blower Replacement – BOT – Engineer's recommendation letter: This is regarding the proposed selection of a contractor to move into the scoring phase of the blower replacement project. The BOT process was previously approved in a past meeting and the District published the required notices. JPR has received interest from three contractors: Selge, Thieneman, and HIS constructors. We had a pre-proposal meeting with all three contractors and Selge and HIS did submit their proposals. The scoring committee, which was Bryan, Wes, Cole, and Steve Henschen met on April 15th to open and review the proposals. The attached scoring sheets show Selge as the highest score. The recommendation of the scoping committee would be to move forward into a scoping period of an estimated two-month period to help define the actual scope of work with the contractor as we develop our design drawings as well. That still gives us plenty of time to get that pricing finalized before the blowers are delivered at the end of July.

Kelly Johnson moved, and Bruce Deters seconded the motion, to accept and approve Steve to negotiate on our behalf for the BOT scoping period with Selge as submitted, which motion was unanimously approved.

OLD BUSINESS

N/A

DISTRICT BUSINESS & OTHER GENERAL MATTERS

N/A

PUBLIC COMMENT

N/A

MOTION TO ADJOURN

There being no further business to come before the meeting, Craig Rice asked for a motion to adjourn. Such motion was made, seconded, and unanimously carried; the meeting was adjourned.