

FINAL COPY

MINUTES OF A REGULAR MEETING OF THE BINGHAMTON - JOHNSON CITY JOINT SEWAGE BOARD

Tuesday, December 14, 2021

Plant Administration Building

- Members Present: George Kolba, Chairman
Chris Papastrat, Vice Chairman (Exited at 5:50PM)
Edward Crumb
Stephen Andrew (Audio/Visual)
Ronald Lake (Exited at 5:30PM)
Bruce King
- Also Present: Elliott Wagner, Acting Superintendent
Charles Pearsall, Business Manager
Chuck Shager, Fiscal Officer/City of Binghamton Comptroller
Alfred Paniccia, Jr., Esq., Co-Counsel
Howard Reeve, Facility Engineer (Exited at 5:40PM)
Larry Travis, Acting Electrical Engineer – WWTP (Exited at 5:50PM)
Ron Warwick, Acting Assistant Superintendent (Exited at 5:50PM)
Adam Afify, Acting Senior Operator (Exited at 5:50PM)
Michele Cuevas, Confidential Secretary
Janet Smith, Transcriptionist
- Guests: James Stoddard, Sr. Vice President, Haylor, Freyer and Coon (Exited at 4:30PM)
Adam Brown, Village of Johnson City Trustee (Exited at 5:50PM)
Aviva Friedman, Binghamton City Council, 4th District (Exited at 4:50PM)

Chairman George Kolba called the meeting to order at 03:30PM. Sign in sheet was passed and attendance was noted aloud by Michele Cuevas, Confidential Secretary. Six (6) Board Members were present. Chairman Kolba confirmed all present signed in. Fire exits were identified, and Chairman Kolba requested cell phones be turned off or silenced during the meeting. All stood to recite the Pledge of Allegiance.

Privilege of the Floor

Regarding the amendment effective November 18, 2021 to the NY Open Meetings Law regarding the website posting of documents that will be the “subject of discussion” during the Board’s meetings, Edward Crumb wanted to acknowledge and thank Michele Cuevas, Confidential Secretary, Larry Travis, Electrical Engineer-WWTP, Elliott Wagner, Superintendent, and Charlie Pearsall, Business manager for the work they did to make this

possible and implement the change. Mr. Crumb commented that the information posted per these requirements is a very positive step towards more transparency for the public.

November 9, 2021 Regular Meeting Minutes Approval

Edward Crumb made a motion to approve the submitted November 9, 2021 Draft Board Meeting Minutes with the suggested changes as contained in the Board Folders.

Motion seconded by Steve Andrew.

Edward Crumb further made a motion to amend the name from Bruce T. King to Bruce King in the previously seconded motion.

Motion seconded by Steve Andrew.

Motion to amend carried. 6/0

Motion carried as amended. 6/0

Chairman Kolba then gave the floor to James Stoddard to present Haylor, Freyer and Coon's 2022 insurance proposal, copies of which were distributed in the Board folders. Mr. Stoddard overviewed the information to include the final proposals of multiple companies for comparison and recommended Traveler's. He asked for and encouraged comments or questions.

On behalf of the Finance Committee, Mr. Crumb and Mr. King thanked Mr. Stoddard, Kathy Fraser and others in Haylor, Freyer and Coon's office for the work they put into soliciting the competitive quotes and compiling this proposal. On behalf of the Finance Committee, Mr. Crumb then also recommended Traveler's.

Chairman Kolba expressed his concern with the noted values of vehicle and equipment based on acquisition cost and why are they not de-escalated thereby reducing costs further? Mr. Stoddard briefly explained the values/variables in policies and advised that he would certainly look specifically and thoroughly into his concern and will call or meet to go over it once he completes his research. It was also noted that IMA Section 12(D)(viii) mandates "Replacement Value" coverage on "facilities" (which would include equipment related thereto).

Edward Crumb made a motion to accept the proposals presented and to select for the 2022 Property, Casualty and Liability Insurance the Travelers proposal at cost of \$220,315.00 to be encumbered and paid from the 2022 budget line J8130.54300 (Insurance).

Motion seconded by Bruce King.

Motion carried. 6/0

Superintendent's Report

Elliott Wagner presented the Superintendent's Report along with the charts and graphs which were distributed in the Board folders.

Overviewing the report he added an acknowledgment to the Plant Mechanics and Electricians and Instrumentation Techs for their continued good work associated with the equipment; that the Plant Mechanics received the Duperon compactor, installed it and had it up and running in one day. He further commented that there are not very many waste water treatment plants with the level of employees as at this plant to perform that particular work.

Continuing with his report, he added that the annual required safety training programs for the Plant employees has been ongoing and that training in the area of drug awareness and recognition has been offered free of charge from the Port Dickinson Police Department by an officer who has been certified as a drug awareness expert.

Steve Andrew added that the training Superintendent Wagner was speaking about is in part because of New York State Law regarding marijuana legalization which requires that supervisors be trained to recognize abuse patterns and will talk more about it under New Business.

Superintendent Wagner then moved on to continue overviewing his Superintendent Report pointing out the newly added column labeled "Rain" in the year-to-date summary chart. This column will contain the monthly rain (or equivalent, in the case of frozen precipitation) totals measured at the "Plant door" and will give a better review and understanding about the numbers and how they change in relation/response to precipitation.

[INSERT SUPERINTENDENT REPORT HERE]

Superintendents Report for November 2021

12/14/2021

Plant continues to meet all parameters of the SPDES permit. We are coming into a busy season, preparing for all annual reports.

The Duperon Compactor assembly for the Bar screen arrived and our Plant mechanics installed it in one day. It has been operating well.

Electrical department continues to remove abandoned conduit where practical.

Annual required Workplace Violence, Hazard Communication and Blood-Borne Pathogen training has been taking place.

Annual inspection of Frito-Lay pre-treatment took place on 12/9/2021. Present were Adam Scicchitano from GHD, Ron Warwick Jr and myself.

Annual inspections of the Broome community college pre-treatment will take place 12/10/2021 and I3 pre-treatment will take place on 12/16/2021.

We have asked the personnel committee to send the CMMS clerk and the Electricians helper job description and new position duty statements to civil service, to be accepted. Mr. Crumb has sent them on.

After speaking with Sharon Sorkin at Civil service,

We would ask to get on the agendas at City council and village Board meetings to move funds from One Operator 3 position to One Operator1/Trainee position and Two Operator 2 positions to Two Operator 1/Trainee positions.

We plan on requesting the Electricians helper position be funded with the second Electricians funding, if and when the Civil service department approves this position.

We will also ask to fund a Mechanics assistant position with a mechanics funding.

RSP was on-site Wednesday 12/8/2021 to look at Micro-Turbines. As of Wednesday the Gas production has been better. In Dec we are averaging 3483 KWH/day vs. 2501 KWH/day in Nov. The Water plant will be draining one Basin on 12/9/2021 and only have one more basin remaining.

Larry has made a modification to the Plant web-site. The link will be called the Open Meeting Law Documents. The links are to provide documents at least 24 hours ahead of our board meetings. I would ask everyone to understand, we operate 24/7 and on occasion things will come up last minute. We will do our best to get documents posted as soon as they become available. Last minute documents provided to the board will be available hard copy at the board meetings. Those documents will also be placed on the web-site in the appropriate month link.

The link to the web-site is: <http://www.bjcwtp.org/>

Superintendents Report for October 2021

FLOW	CBOD5		REM %	Tot Susp Solids		REM %	Settleable Solids		REM %	Total Nitrogen		REM %	Phosphorous		REM %	Rain Inches
	In	out		In	out		In	out		In	out		In	out		
MGD																
AVG		limit		limit			limit			limit			limit			
		18 mg/L		20 mg/L			0.3 mL/L			6.0 mg/L			1.0 mg/L			
Jan	18.46	194	11	156	8.7	94%	6.60	0.05	99%	16.0	2.6	84%	3.03	0.46	85%	2.34
Feb	15.55	216	11	212	6.7	97%	8.80	0.03	100%	25.8	2.3	91%	4.20	0.46	89%	1.87
Mar	20.55	154	12	163	7.0	96%	7.50	0.08	99%	20.0	2.5	88%	3.34	0.42	87%	1.80
Apr	17.55	175	12	195	8.7	96%	10.70	0.01	100%	22.7	2.1	91%	3.80	0.47	88%	3.22
May	21.35	159	8	186	9.0	95%	9.80	0.01	100%	22.4	3.0	87%	3.83	0.50	87%	4.33
Jun	15.24	213	7	270	9.0	97%	12.20	0.01	100%	26.0	2.9	89%	4.59	0.45	90%	2.96
Jul	24.92	134	5	220	7.8	96%	9.40	0.14	99%	18.60	3.3	82%	2.57	0.41	84%	9.43
Aug	15.71	194	9	218	10.1	95%	13.60	0.12	99%	24.60	3.5	86%	3.95	0.50	87%	3.65
Sep	15.05	173	9	189	7.2	96%	11.30	0.02	100%	20.47	2.60	87%	4.1	0.41	90%	4.09
Oct	19.04	167	11	209	7.4	96%	16.30	0.02	100%	16.8	2.80	83%	3.19	0.35	89%	5.82
Nov	19.03	161	9	179	6.2	97%	10.30	0.08	99%	15.73	3.40	78%	9.5	0.32	97%	2.41
Dec																
AVG	18.40	176	9	200	8.0	96%	10.6	0.05	99%	20.83	2.82	86%	4.19	0.43	88%	TOT
																41.92

Outfall 001

Outfall 01A

Outfall 01B

Duration = 8.72 Hrs Total flow = 25.87

The Permit for TN = 6mg/L from Outfall 01A. REM = Removal %
 The Permit for TN = Monitor month avg. from Outfall 001 Not to exceed 639,261 lbs. 12 month rolling avg.
 Outfall 001 includes flow through 01A and 01B bypass

Landfill Solids 2021

Date	Digested	Lime Stabilized	Solids Total	Bar screen	Grit and Screen	Grease
	Tons	Tons	Tons	Tons	Tons	Tons
January	647.19		647.19		7.29	
February	549.86		549.86		12.08	
March	673.60		673.60		19.16	
April	666.94	63.88	730.82		12.63	2.30
May	708.98		708.98		18.14	
June	714.87	31.34	746.21		19.99	
July	742.01		742.01		24.57	
August	726.83		726.83		31.29	4.32
September	712.94	119.93	832.87		22.22	
October	687.03	109.93	796.96		32.91	
November	732.21		732.21		38.9	
December						
Average Tons	687.50	81.27	717.05	#DIV/0!	21.74	3.31
Total Tons	7,562.46	325.08	7,887.54	0	239.18	6.62

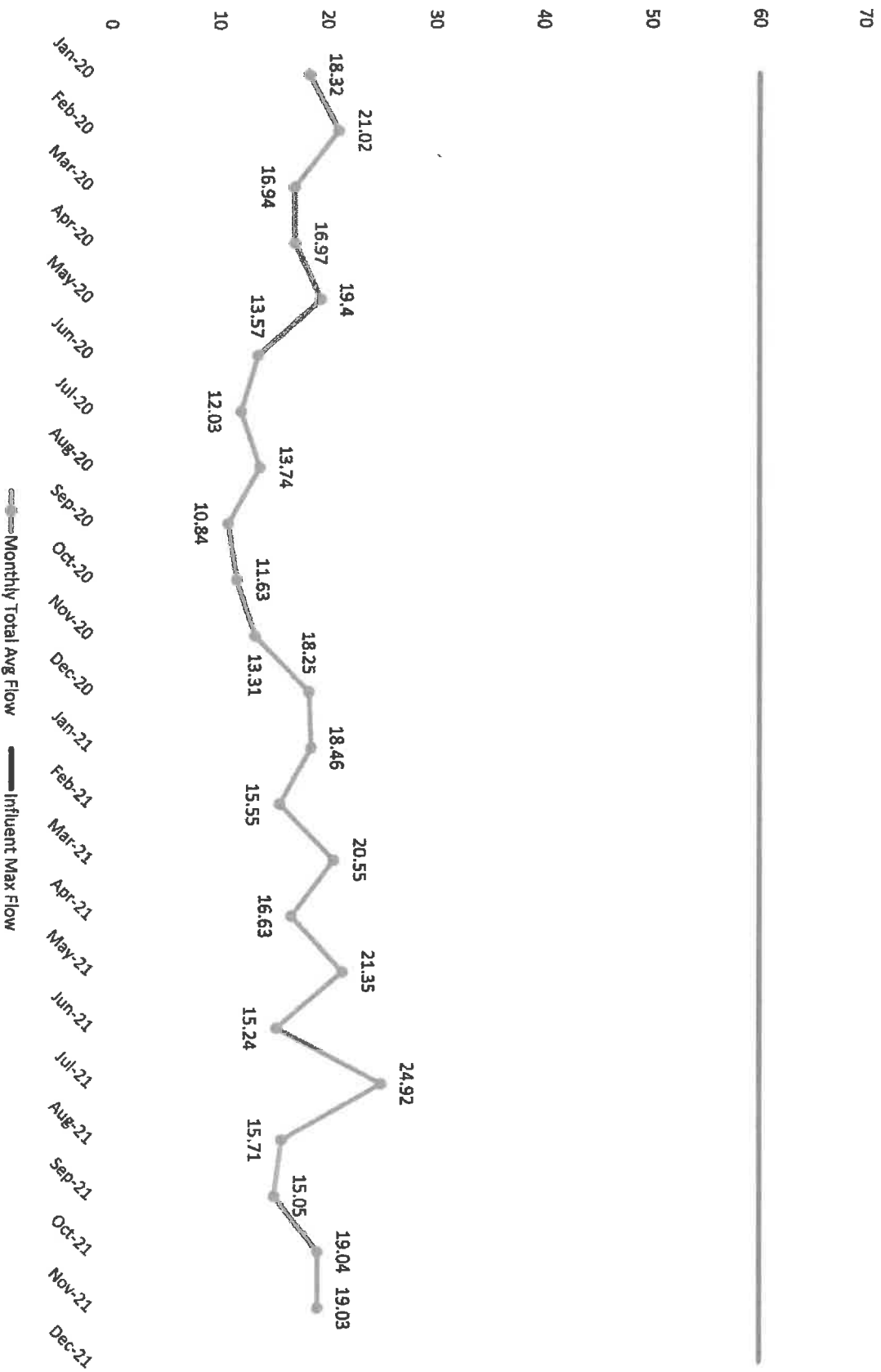
Notes:

If cell is blank, that item did not go to the landfill

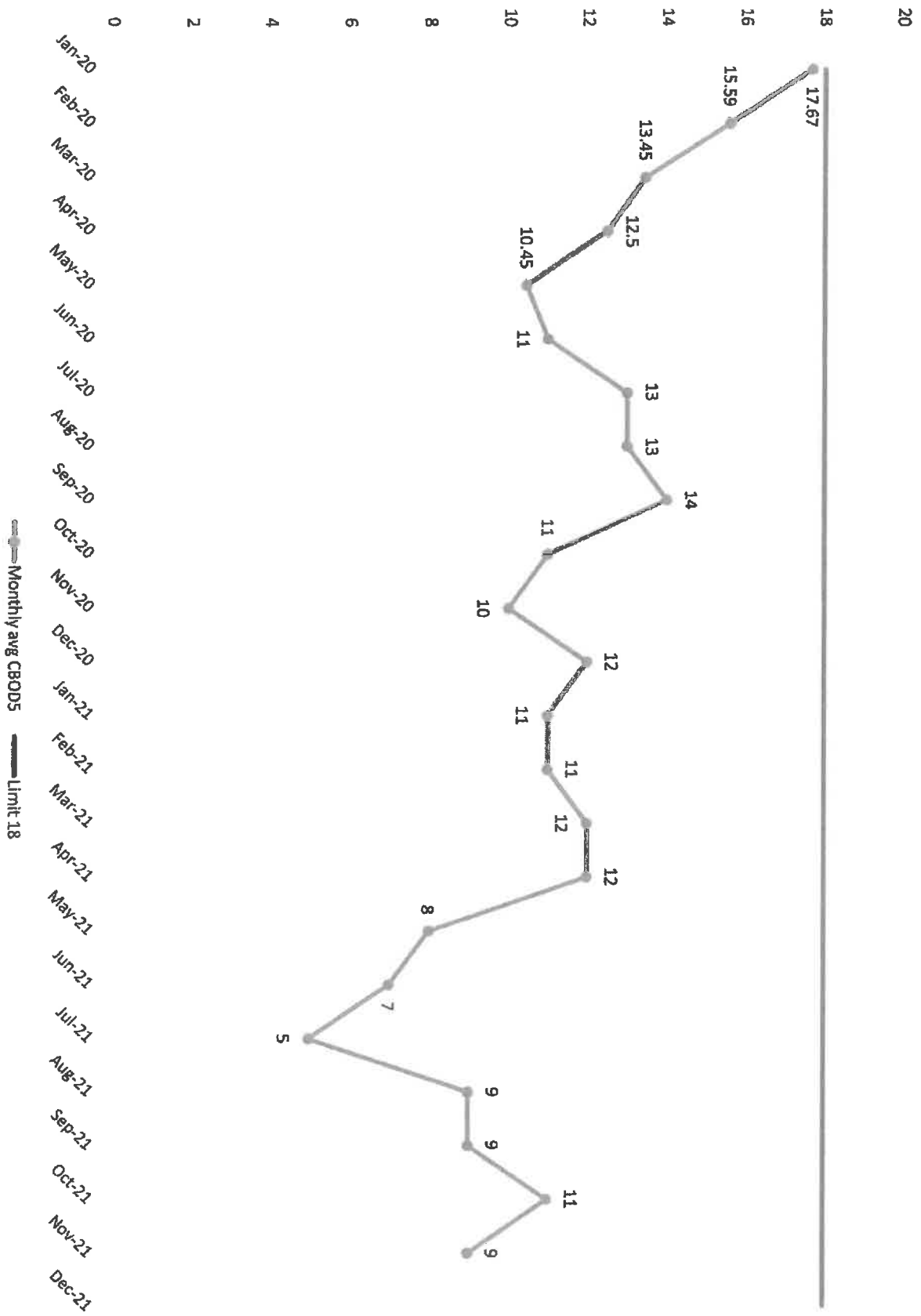
(Or the Bill has not Posted)

Budgeted \$290,000.00

2020-2021 Influent
 60 MGD Max
 72 Max with Recycle flow



CBOD5 2020-2021



TSS 2020-2021

25

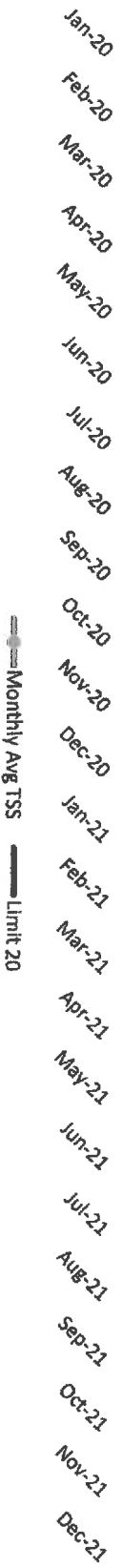
20

15

10

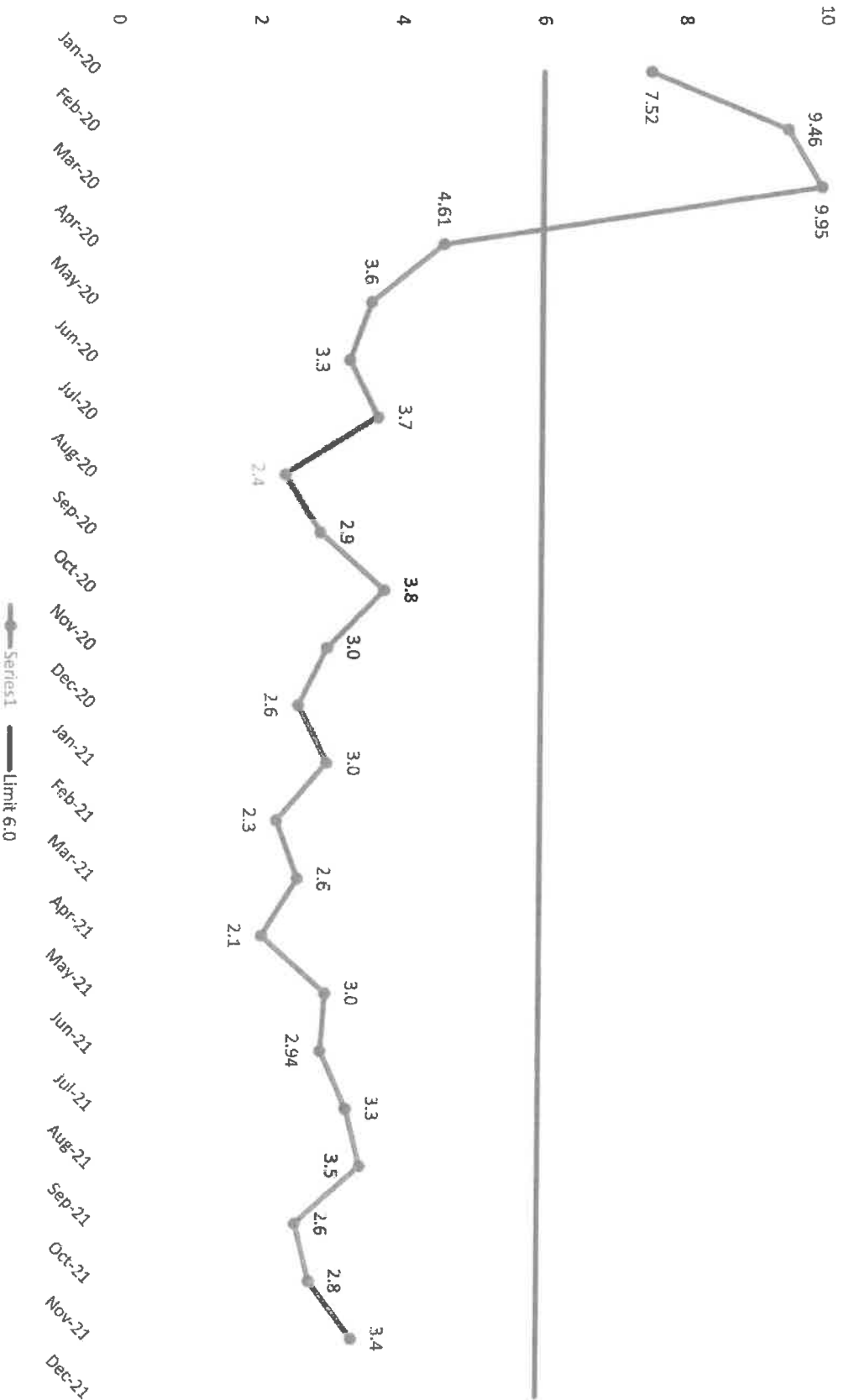
5

0

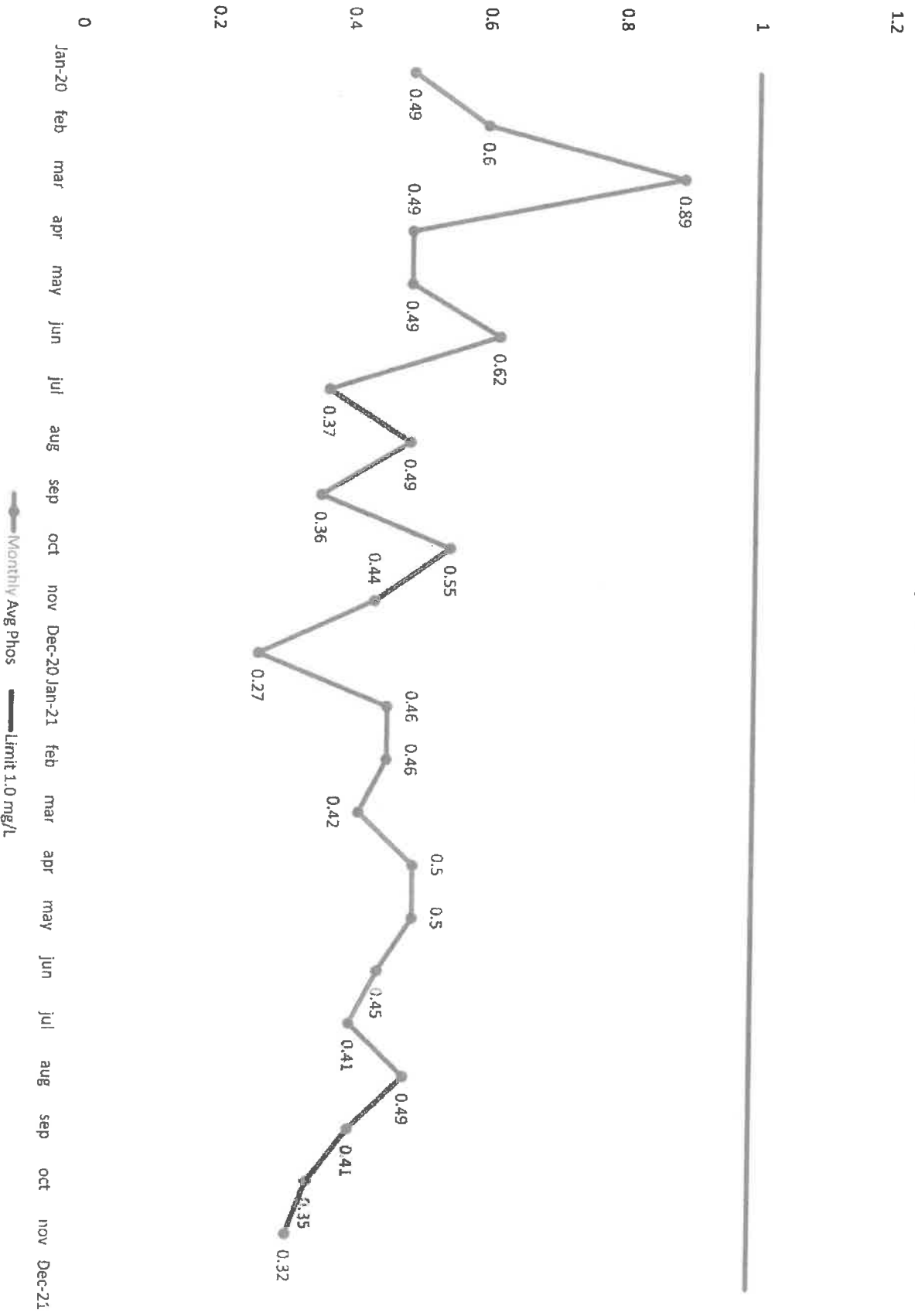


TN 2020-2021

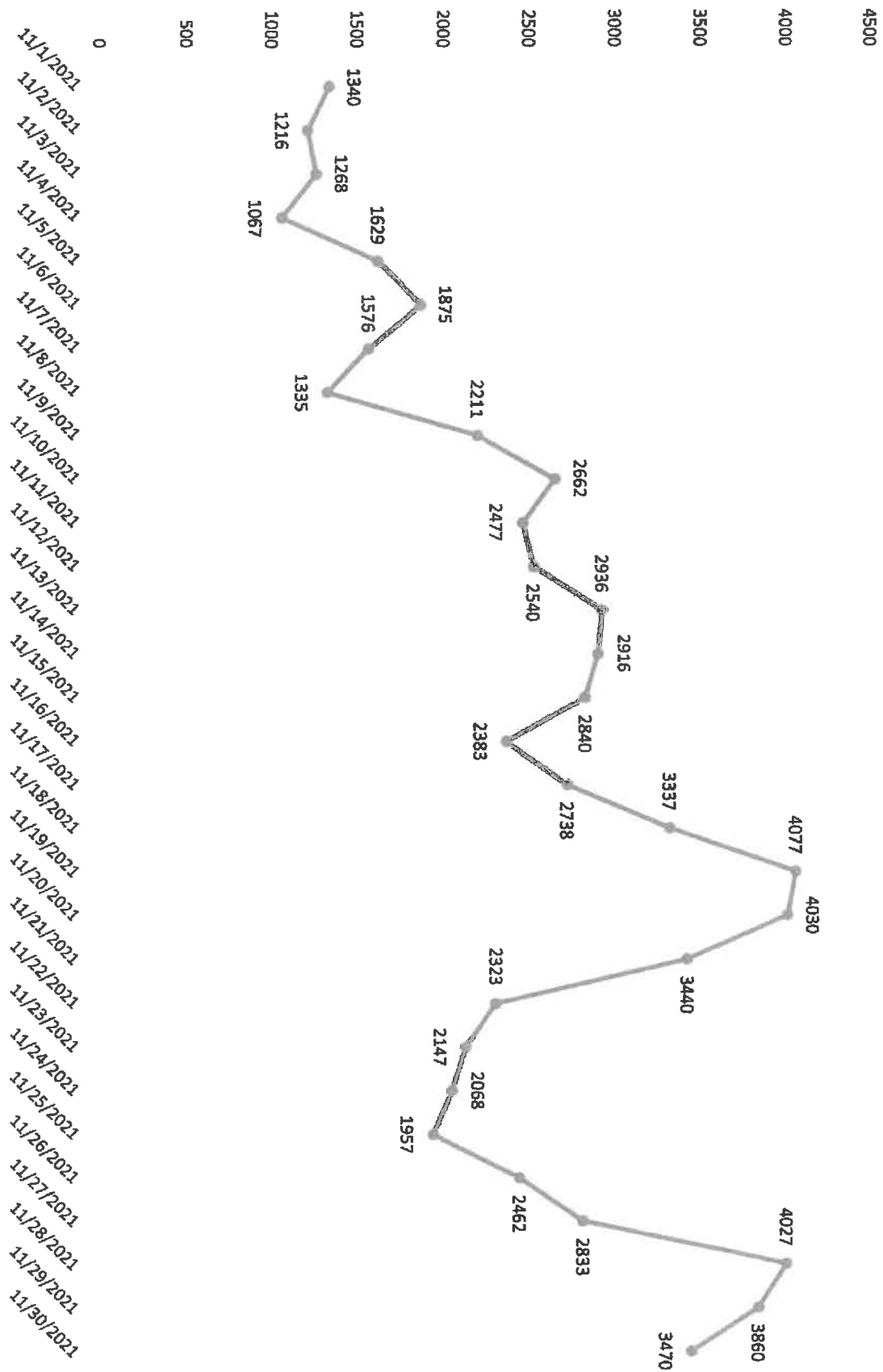
12



Phosphorous 2020-2021

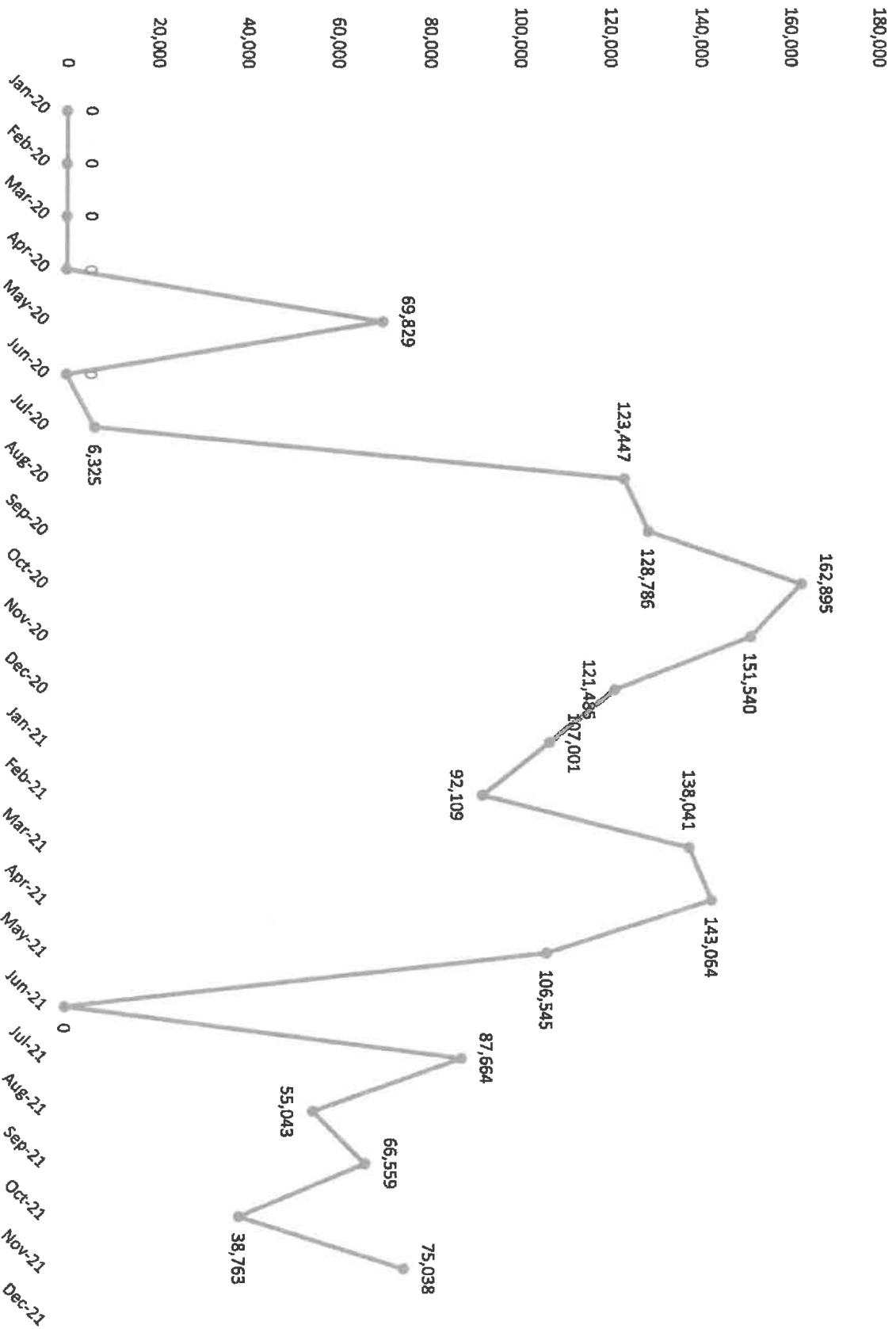


Micro-Turbine November Production
75,037 KWH
909,826 KWH for 2021



2020-2021 Micro-turbine production

Total Production = 1,674,132 KWH



2021 Plant Mercury

Date	Result Bing INF Mercury ng/L	Result Bing INF Mercury ng/L Blank	Result JC INF Mercury ng/L	Result JC INF Mercury ng/L Blank	Result Effluent Mercury ng/L	Result Effluent Mercury ng/L Blank	Rep Limit ng/L
January	N.S.	N.S.	N.S.	N.S.	0.785	<0.231	0.500
February	N.S.	N.S.	N.S.	N.S.	0.632	<0.231	0.500
March	11.6	<0.231	7.09	<0.231 / 0.500 RL	0.745	<0.231	0.500
April	179	<0.231	5.4	<0.231 / 0.500 RL	0.500	<0.231	0.500
May	7.21	<0.231	8.02	<0.231 / 0.500 RL	0.500	<0.231	0.500
June	11.9	<0.232	3.18	<0.231 / 0.500 RL	0.500	<0.231	0.500
July							0.500
August	15.4	1.11	10.9	<0.231 / 0.500 RL	0.500	<0.231	0.500
September	99.6	<0.232	31.6	<0.231 / 0.500 RL	0.500	<0.231	0.500
October	23.1	<0.231	29	<0.231 / 0.500 RL	0.500	<0.231	0.500
November	10.8	<0.231	51.9	<0.231 / 0.500 RL	0.500	0.500	0.500
December							0.500
Average in ng/L	44.83	1.11	18.39		0.566	0.500	0.500

Effluent Limit = Daily Max 50ng/L and 12 Month Rolling AVG = 24ng/L

Method: EPA 1631E

Metals testing performed by Microbac Laboratories

N.S. = Did not sample Influent Mercury in January or February 2021

Microbac states all bottles were received with broken tops in July. Letter sent to Valarie Ellis NYSDEC

2021 Digester Filter Cake Mercury Results

Date	mg/kg	Rep Limit	
January	<0.896	0.806	mg/kg
February	<0.806	0.806	mg/kg
March	<0.954	0.954	mg/kg
April	<0.857	0.857	mg/kg
May	<0.906	0.906	mg/kg
June	<0.869	0.869	mg/kg
July	<0.861	0.861	mg/kg
August	<0.861	0.861	mg/kg
September	<0.861	0.861	mg/kg
October	<0.692	0.692	mg/kg
November	<0.847	0.847	mg/kg
December			mg/kg
Average		0.847	mg/kg

EPA Method 7471A Dry
Metals testing performed by: Microbac Laboratories

Fiscal Officer's Report

Chuck Shager presented the Fiscal Officer's report which was distributed in the Board folders. Mr. Shager pointed out that most lines are under budget.

Mr. Crumb then presented the Lead Agency Capital Project Chart Report and Graph Report that was distributed in the Board folders. He explained how to review the Chart Report, as well as the color-coding system and the scaling of the graphs in the Graph Report detailing the various lines in the financials. Mr. Crumb completed his report by asking for interesting photos of the Plant and related surrounding area for consideration for future reports.

Business Manager's Report

Overviewing his Business Manager's Report, copies of which were distributed in the Board's folders, Mr. Pearsall pointed out that during the "walk-through" of the facilities with Mr. Stoddard of Haylor, Freyer and Coon and Mr. Frye, a wastewater treatment plant expert as well as the Senior Risk Control Evaluator from Travelers Insurance. Mr. Pearsall eagerly shared that Mr. Frye was extremely impressed with the facility and was particularly interested in the digester system, describing the facility as immaculate and nothing short of state of the art. Mr. Pearsall thanked Superintendent Wagner and Acting Senior Operator Adam Afify for guiding all of them through this walk-through and answering all of the questions posed during the tour in real time and quickly.

Mr. Pearsall is requesting permission to transfer funds and to advertise for payroll services, and award a contract for refuse collection.

**Edward Crumb made a motion that the Board authorizes the Business Manager or his designee to advertise the RFP/RFQ for payroll services.
Motion seconded by Bruce King.
Motion carried. 6/0**

**Edward Crumb made a motion that the Board authorizes the Business Manager or his designee to submit to the legislative bodies a Request for Legislation to increase the Protective Clothing budget line (J8130.54191) by the amount of \$4,200.00 and decrease the Contingency budget line (J8130.55000) by the amount of \$4,200.00.
Motion seconded by Bruce King.
Motion carried. 6/0**

**Edward Crumb made a motion that the Board accepts the bid from Taylor Garbage Service, Inc. for Refuse Collection Services for 2022 in the amount of \$25,201.20 to be encumbered and paid from 2022 Budget line J8130.54804.
Motion seconded by Steve Andrew.
Motion carried. 6/0**

Committee Reports

Construction: George Kolba and Steve Andrew – Nothing to report.

Finance: Edward Crumb – Mr. Crumb noted that he had reviewed the Fiscal Officer’s 2022 estimated billing calculation, and he noted that, due to the “collapse” in billable wastewater flows of some Municipal Users during 2020 believed to be attributable to the COVID-19 pandemic, three-year average billable wastewater flows were used in computing the 2022 estimated billings, in order to “smooth” the distortion observed in 2020 billable wastewater flows.

Flow Management: Edward Crumb – wanted to bring up a potential concern for future discussions regarding combined sewer pipe size given increasing rain events, as highlighted in the 12/07/21 USA Today article posted online as a meeting discussion document.

Ad Hoc: Bruce King – Mr. King wanted to discuss the Board Member stipend. The change he is proposing is to \$50.00 *per* hour for Committee Meetings rather than *per* meeting. Mr. Crumb stated that amending any words in the budget-related Stipend computation document would have to be brought before the legislative bodies. A discussion was had and will be a topic for future meetings.

Personnel: Steve Andrew – noted that the Board needed to set the Management salaries for 2022 in accordance with the Owner-adopted 2022 JSB Budget:

Steve Andrew made a motion to approve salary increases for salaried-management personnel in accordance with the 2022 Joint Sewage Board Budget adopted by the Owners’ legislative bodies at the September 24, 2021 Joint Budget Meeting, in the following annual and weekly amounts for 2022, effective with 2022 Pay Period #1 which begins Saturday, December 25, 2021:

<u>Position Title</u>	<u>Annual Salary</u>	<u>Weekly Salary</u>
Superintendent	\$94,770.00	\$1,822.50
Assistant Superintendent	83,850.00	\$1,612.50
Electrical Engineer - WWT	89,622.00	\$1,723.50
Business Manager	80,314.00	\$1,544.50
Facility Engineer	76,362.00	\$1,468.50
Senior Operator	76,232.00	\$1,466.00
Head Mechanic	69,056.00	\$1,328.00
Laboratory Director	65,598.00	\$1,261.50
Safety Coordinator/Ind. Hyg.	61,802.00	\$1,188.50
Confidential Secretary	42,614.00	\$ 819.50

Motion seconded by Edward Crumb.

Motion carried. 6/0

Edward Crumb made a motion that, contingent upon the Civil Service Commission's approval of the proposed job description for the Electrician's Helper, Requests for Legislation be submitted to the Owner's legislative bodies to amend the 2022 Joint Sewage Board's Budget by amending the job description Electrician from 2 to 1, adding a line for Electrician's Helper 1 at \$27.19 per hour, and putting in the appropriate multiplier at 50 weeks for 2022 (25 Pay Periods) and the benefits, the reduction in costs to go into Contingency.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Further, there will be a special meeting for Personnel Committee to discuss potential changes in amounts on the Operator line.

Correspondence: Michele Cuevas – Ms. Cuevas overviewed the GHD IWWP Report, copies of which were distributed in the Board folders. Ms. Cuevas, Superintendent Wagner, and Safety Coordinator/Industrial Hygienist Scott Soliday participated in the Loss Control Survey walk-through with the New York State Municipal Workers' Compensation Alliance (CompAlliance). The report was positive, and the comment was that they were very pleased with the facility, safety protocols, and programs that are in place. Ms. Cuevas encouraged the Board members to attend any and all training seminars (which are virtual) and to contact Mr. Soliday for the scheduled topics and dates.

Ms. Cuevas received two sole source letters for Board approval. Copies of the letters were distributed in the Board's folders.

Edward Crumb made a motion that the Board designates GEA Mechanical Equipment US, Inc./Westfalia Separator Division as the sole source supplier with respect to the GEA Centrifuge Separator Equipment and components, and that this designation is made in accordance with the November 17, 2021 letter from Jeffrey Johnson, a GEA Customer Service Spare Parts Sales Representative to be in effect for one year from December 15, 2021.

Motion seconded by Steve Andrew.

Motion carried. 6/0.

Edward Crumb made a motion that the Board designates Shrier-Martin Process Equipment Co., which is the sole Authorized Sales Representative for Gardner Denver Nash equipment and components in the State of New York (except NYC and Long Island), as the sole source supplier for the Gardner Denver Nash Digester Equipment and components and that this designation is made in accordance with the October 15, 2021 letter from Andre Narbonne, Gardner Denver Nash, LLC, Regional Sales Manager-Northeast USA to be in effect for one year from December 15, 2021.

Motion seconded by Steve Andrew

Motion carried. 6/0

Mr. Paniccia counselled that the Board should adopt a standardization resolution before making any purchases pursuant to the above motion.

Ms. Cuevas also distributed the Mayoral appointment letters for Ron Lake and Edward Crumb in the Board folders.

Old Business: None

New Business:

Superintendent Wagner is requesting authorization to sell back 10 of his remaining vacations days for 2021. The unused vacation days had accumulated due extenuating circumstances caused by the COVID-19 Pandemic, and he is unable to take them during the remaining days in 2021. A special meeting was scheduled for December 23, 2021 at 3:30PM for consideration and approval of a properly-worded motion, as well as potential Requests for Legislation pertaining to modifications to the 2022 JSB Budget pertaining to potential staffing changes/modifications.

Steve Andrews wanted to bring up in New Business and Personnel that if an employee tests positive for marihuana, it is noted for the record but not illegal. Sending the supervisors to training to recognize deficiencies or impairment is now required and the Plant supervisors will be part of that training, in terms of personnel actions pertaining to impairment resulting from substance use. It is a pretty detailed issue and process and the outcome is to be able create a safe work environment.

(Mr. Papastrat exited the meeting; a quorum of five Board Members remains present.)

Ms. Cuevas noted the 2022 Tentative Board Meeting Schedule included at the foot of the Agenda.

Edward Crumb made a motion to go into Executive Session to discuss potential litigation.

Motion seconded by Bruce King.

Motion carried. 5/0/1 (Absent Chris Papastrat)

The Board entered Executive Session at 5:52PM.

The Board exited Executive Session at 6:05PM.

No action was taken during the Executive Session.

Ron Lake made a motion to adjourn.

Motion seconded by Steve Andrews.

Motion carried. 5/0/1 (Absent Chris Papastrat)

Meeting adjourned at 6:06PM.

The next regular meeting is January 11, 2022 at 3:30PM.

Respectfully submitted,

Janet Smith
Transcriptionist

cc: Board Members
Mayor, City of Binghamton
Mayor, Village of Johnson City
City Clerk, City of Binghamton
Village Clerk/Treasurer, Village of Johnson City
Alfred Paniccia, Esq.
Chuck Shager, Fiscal Officer
Elliott Wagner, Acting Superintendent
Brown & Brown Empire State
Haylor Freyer & Coon
Joshua Holland, P.E., Village of Johnson City Engineer
Ronald B. Lake, P.E., City of Binghamton Acting Engineer
File