

# FINAL COPY

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

Tuesday, January 11, 2022

Plant Administration Building

- Members Present: George Kolba, Chairman  
Chris Papastrat, Vice Chairman (Entered 5:22PM)  
Edward Crumb  
Stephen Andrew (Audio)  
Ronald Lake (Entered 3:56PM)  
Bruce King
- Also Present: Elliott Wagner, Acting Superintendent  
Charles Pearsall, Business Manager  
Chuck Robinson, Staff Accountant, City of Binghamton  
Alfred Paniccia, Jr., Esq., Co-Counsel  
Howard Reeve, Facility Engineer (Exited at ??????)  
Larry Travis, Acting Electrical Engineer – WWTP  
Ron Warwick, Acting Assistant Superintendent  
Adam Afify, Acting Senior Operator  
Scott Soliday, Safety Coordinator/Industrial Hygienist  
Michele Cuevas, Confidential Secretary  
Janet Smith, Transcriptionist
- Guests: Howard Weaver, Weaver Recovery Consulting  
Clark Giblin, Trustee, Village of Johnson City  
Vaughn Golden, Reporter, WSKG  
Jason Greene, P.E., GHD (Audio/Visual 3:49PM – 4:10PM)

Chairman George Kolba called the meeting to order at 03:42PM. Sign in sheet was passed and attendance was noted aloud by Michele Cuevas, Confidential Secretary. Four (4) Board Members were present. Board Members Chris Papastrat and Ron Lake were absent at roll call. 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.

Chairman Kolba then reported to the Board Members that Elliott Wagner, current Acting Superintendent, received a high Civil Service Exam score/accreditation. Chairman Kolba is looking for a motion to appoint Mr. Wagner as Superintendent of the Binghamton-Johnson City

Joint Sewage Treatment Plant.

**Edward Crumb made a motion that, having received the appropriate Civil Service Exam accreditations, that the Board immediately appoint Elliott Wagner to the position of Superintendent with the required Civil Service probationary period to begin immediately and that the appointment is subject to any other Civil Service requirements.**

**Motion seconded by Steve Andrew.**

**Motion carried. 4/0/2. (Absent Chris Papastrat and Ron Lake).**

Chairman Kolba then turned the floor to Superintendent Wagner.

Superintendent Wagner stated congratulations to Ronald Warwick, Jr., Acting Assistant Superintendent, Adam Afify, Acting Senior Operator and Operator, Deron Biechele for passing their respective Civil Service Exams and introduced his recommendations of candidates for open positions as follows:

Assistant Superintendent - Ronald Warwick, Jr.  
Senior Operator - Adam Afify

**Privilege of the Floor**

No one wished to speak.

**December 14, 2021 Regular Meeting Minutes Approval**

**Edward Crumb made a motion to approve the submitted December 14, 2021 Draft Board Meeting Minutes with the suggested changes as contained in the Board Folders.**

**Motion seconded by Bruce King.**

**Motion carried. 4/0/2 (Absent Chris Papastrat and Ron Lake).**

Mr. Crumb further made a note that as a continuing practice and once the Final Regular Meeting Minutes are posted to the website, any documents in the respective 'meeting document folder' on the Board website should be removed as they would then be considered 'stale' and not of any use to the public, given the motions approved may have amended or diverged from the pre-meeting documents.

Chairman Kolba then gave the floor to Howard Weaver of Weaver Recovery Consulting to update the Board on the FEMA reimbursement finalization status. Copies of his outline were distributed in the Board's folders.

Mr. Weaver reported that, as to the NY State Division of Homeland Security and Emergency Services (NYS-DHSES), as of the first of this year there is no longer anyone working in those offices that has been on this project or knows anything about the background and history of the project. The remaining staff he has been speaking with had questions with regard to the Board's

Project Worksheets (PWs). The NYS-DHSES personnel Mr. Weaver is dealing with do not have access to the NYS-DHSES and FEMA databases. As far as the PWs for the improved projects, Mr. Weaver advised that he will need to research the staff's inquiries in his notes, that the questions were certainly covered in past reports of the previous assigned staff for the project. Minimum staff is now working for NYS-DHSES, and working remotely, and any attempt to obtain or report information is arduous and untimely.

As far as PWs being worked-on:

PW2501 (Primary Power), Mr. Weaver resent information and is awaiting some sort of a response.

PW2499 (CEPT) is under review;

PW2504 (Flood Wall), NYS-DHSES people did not have access to NYS database system at this time.

State asked if the project was complete, and Mr. Weaver advised that it was their responsibility to inspect or to make arrangements for some sort of an inspection to take place so they are able to make that determination.

Mr. Weaver wanted to update the Board regarding the improved project PWs: PW2268 (Digester Complex), PW2555 (BAF), PW2507 (Primary Treatment and Solids), PW2512 (BAF SCADA 2), and PW2573 (Valve Gearboxes). He is reporting that he is having a very difficult time communicating with the agency; that since the first of the year there is no longer anyone working in the offices that were on this project. He is trying to move forward the best he can.

(Ron Lake joined the meeting; five Board Members are now present)

Mr. Weaver is also trying to work with whomever is now available to obtain or report information and trying to move things forward the best that he can. That while nothing seems to be being accomplished in a timely manner, he is remaining vigilant in his efforts for this project to come to fruition. The Board thanked Mr. Weaver for his efforts.

Jason Greene, P.E. spoke via audio/visual about the GHD Industrial Wastewater Pretreatment Program Status Report for December 2021, copies of which were in the Board folder; that the 2021 Industrial Survey is still a work in progress. Out of 400 surveys sent out, 120 responded and that GHD will be circling back on those who did not respond. All 2021 Annual inspections have been completed with the assistance of Superintendent Wagner and staff. There was nothing major to further report.

Mr. Crumb inquired about type of report required by the Board for the General Scope Budget Status to include the base IWPP scope and the industrial survey scope separately itemized; that it needs to be a separate and more detailed report for review in order for the Board to monitor and manage the finances for these separate tasks. Mr. Greene acknowledged Mr. Crumb's concern and will make the changes. He further reviewed the Program Status Report.

Mr. Crumb inquired about the Binghamton University and Binghamton WFP outstanding fines. Ms. Cuevas and Mr. Greene are working on the financial history together with the goal that any past due payments are addressed and paid by the users before the 2021 budget payment “cutoff date”.

There were no further questions at this time.

### **Fiscal Officer’s Report**

Chuck Robinson presented the Fiscal Officer’s report on Chuck Shager’s behalf. The report was distributed in the Board folders. Mr. Robinson overviewed the Year-to-Date Budget Review. Mr. Robinson answered the questions presented by the Board.

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 and stated that the Mechanic Liens previously of record have been satisfied by payment or the posting of a lien discharge bond. Mr. Crumb completed his report thanking the Superintendent and the Plant Staff for interesting photographs he has been using for the graph report. He further overviewed the quarterly grant funding Executive Summaries and FEMA Project Worksheet report which included acronym legends.

### **Superintendent’s Report**

Elliott Wagner presented the Superintendent’s Report along with the “Pounds in the River Chart” all of which were distributed in the Board folders.

Superintendents Report for December 2021  
1/7/2022

The plant has met the Permit now for 20 continuous months since the new permit went into effect.

Plant personnel continue their excellent work of maintaining our equipment and in-house plant improvement projects.

Annual safety training has continued this month. Civil service has adopted the job description for the Electricians helper position.

Due to the mild weather, the City of Binghamton water plant construction and clean out of their basins has continued into December. Digester gas production has picked up a bit over the last month as the City winds down for the season.

I would like to acknowledge the fact that Deron B., Adam A., Ron W., and I have passed our respective Civil Service tests. Congratulations to all.

I would like to direct your attention to the “Pounds in the River” chart you have in your packets, so we can talk about the annual performance of your Binghamton Johnson City sewage treatment plant.

Overviewing the above report, he stated that they have interviewed some applicants for the Electricians Helper position; that he has advertised for the Operator Trainee and the CMMS Clerk position and will be looking to advertise for a Mechanics Assistant in the very near future. Superintendent Wagner wanted to acknowledge staff and techs for their continued good work associated with the new equipment.

Continuing, he directed the Board's attention to the "Pounds in the River Chart" stating this report is what the Department of Environmental Conservation, Environmental Protection Agency, the Chesapeake Bay Commission, and the local community are interested in and that this report is available on the website. He further pointed out various reported lines in the chart. He also pointed out that the higher removal number readings are due in part to work and dedication of the Plant Staff. He continued overviewing the Superintendent's Report for December 2021 pointing out that in 2021 this area had 7 inches more rain than usual which in turn washes out the good biology necessary in the wastewater treatment process.

Chairman Kolba asked if the Plant received notification of any increase in tipping fees from the Broome County Landfill. Business Manager Pearsall advised that he did receive notice and that there will *not* be an increase in the tipping fees this year.

### **Business Manager's Report**

Overviewing his Business Manager's Report, copies of which were distributed in the Board's folders, Mr. Pearsall first wanted to direct the Board's attention to the three Sole Source Resolution documents in their folders: Schwing/Bioset, Vogelsang and ChemScan. Before he proceeded any further, Co-Counsel Paniccia asked if the items have been standardized yet to a particular type. After review and discussion, the Sole Source resolutions will be placed on hold until the standardization process has been completed.

Payroll services proposals distributed to the Board members at this meeting were the next topic of discussion. Mr. Pearsall discussed points of all submitted proposals at this meeting and recommended Paylocity, and Confidential Secretary, Michele Cuevas concurred. Co-Counsel Paniccia brought up a concern on the terms and conditions on the Paylocity proposal and recommended sorting that issue out prior to accepting. The Board members will review the materials distributed and this matter will be placed on a near future meeting agenda.

Mr. Pearsall is asking the Board to extend the maintenance agreement with HACH Service for lab equipment.

**Edward Crumb made a motion that the Board accepts and authorizes the contract for Partnership Number HACH751567 be extended for one year from February 13, 2022 through February 12, 2023 for the four items listed therein with Hach Company as a maintenance service contract for the listed laboratory equipment in the amount of \$10,427.00 and encumbered from 2022 Budget line J81130.54656 ("Maintenance Agreements").**

**Motion seconded by Bruce King.**

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

Mr. Pearsall is also asking for Board approval for 2021 budget transfers to true-up overspent lines.

**Edward Crumb made a motion that the Board approves and authorizes budget transfers for a decrease in 2021 Budget line J8130.54202 (Electricity) by \$57,500.00 and an increase in 2021 Budget line J8130.54150 (Chemicals) by \$57,500.00 and that the corresponding requests for legislation be submitted to the owners' legislative bodies.**

**Motion seconded by Bruce King.**

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

**Edward Crumb made a motion that the Board approves and authorizes budget transfers for a decrease in 2021 Budget line J8130.55000 (Contingency) by \$5,000.00 and an increase in 2021 Budget line J8130.54221 (Water) by \$5,000.00 and that the corresponding requests for legislation be submitted to the owners' legislative bodies.**

**Motion seconded by George Kolba.**

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

**Edward Crumb made a motion that the Board approves and authorizes budget transfers for a decrease in the 2021 Budget line J8130.55000 (Contingency) by \$25,000.00 and an increase in 2021 Budget line J8130.54804 (Sludge and Waste Disposal) by \$25,000.00 and that the corresponding requests for legislation be submitted to the owners' legislative bodies.**

**Motion seconded by Bruce King.**

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

### **Committee Reports**

**Construction:** George Kolba and Steve Andrew – Mr. Andrew had nothing to report. Mr. Kolba also reported that the Vestal/Binghamton water supply/billing situation is still pending. Mr. Lake also noted that the Town of Vestal's emergency bypass to its Bunn Hill trunk sewer has not been constructed due to the Town's failure to obtain an easement from NYSEG. Mr. Kolba also mentioned that GHD was not able to provide a report by today's meeting regarding the potential TPS project. Mr. Kolba also reported that Howard Reeve is making arrangements for Streeter Associates to come down to look at the TPS.

(Chris Papastrat joined the meeting; all Board Members are now present)

Co-Counsel Paniccia advised that any procurement of this type needs to be publicly advertised for bids. Mr. Lake also stated that, because the project involves a change to the Facilities, the plans must conform to the "Ten States Standards", be engineer-stamped, and be approved by the DEC.

Finance: Edward Crumb – Mr. Crumb reported that the Finance Committee was on a conference call with Binghamton City Bond Counsel regarding the proposed User Certificate and that this issue is a work in progress. Of utmost importance is that we do not want this Certificate to say something that limits the Board’s authority to operate the Plant. Mr. Crumb reminded everyone that the post year run out period is upon us and to be sure vendors submit any 2021 bills by the week of February 14, 2022, if possible. He also advised that the reporting of billable wastewater flows for 2021 will be forthcoming.

Flow Management: Edward Crumb – Mr. Crumb said it was important that the Board consider perhaps we reach out to municipal users to be sure their reporting obligations are met and the required work is being done.

Ad Hoc: Bruce King – Mr. King stated he had nothing to report but wanted to mention he will be reviewing the website. Also that the confirmation of his 3 year appointment to the board will be submitted to Ms. Cuevas.

Personnel: Steve Andrew – Mr. Andrew reported that the CSEA representatives will be submitting the proposed 2021-25 contract wording to the Board for review and Chairman Kolba’s signature.

Correspondence: Michele Cuevas – Previously discussed.

Old Business: None

New Business: None

Executive Session: None

**Chris Papastrat made a motion to adjourn.  
Motion seconded by Bruce King.  
Motion carried. 6/0**

Meeting adjourned at 5:44PM.

The next regular meeting is February 8, 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, 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  
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