

FINAL COPY

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

Tuesday, February 13, 2024

Plant Administration Building

Members Present: George Kolba
Edward Crumb
Chris Papastrat
Stephen Andrew – Remote (Audio/Video)
Ron Lake
Bruce King

Also Present: Elliott Wagner, Superintendent
Billie J. Goodson, Business Manager
Alfred Paniccia, Jr., Esq., Co-Counsel
Ron Warwick, Asst. Superintendent
Howard Reeve, Facility Engineer (exited at 5:38pm)
Larry Travis, E.E., Electrical Engineer (exited at 5:38pm)
Charles Robinson, COB Assistant Comptroller (entered 4:04pm exited at 4:15pm)
Adam Afify, Head Operations (exited at 5:38pm)
Michele Cuevas, Confidential Secretary
Nate Hotchkiss, COB Councilman (exited at 5:38pm)

Chairman Kolba called the meeting to order at 3:30 PM. Sign in sheet was passed. All six (6) Board members were present. Confidential Secretary Cuevas read aloud roll call. Chairman Kolba confirmed all present signed in, identified fire exits and requested cell phones be turned off or silenced during the meeting. All stood to recite the Pledge of Allegiance.

Privilege of the Floor

Chairman Kolba asked if anyone would like the privilege of the Floor. No one wished to speak. The Chairman closed the floor.

Meeting Minutes Approval

Edward Crumb made a motion that the Board approves the submitted January 9, 2024, Regular Board Meeting Minutes with the suggested changes as contained in the Board Folders.

**Motion seconded by Steve Andrew.
Motion carried. 6/0**

Edward Crumb made a motion that the Board approves the submitted January 18, 2024, Special Board Meeting Minutes with the suggested changes as contained in the Board Folders.

**Motion seconded by Bruce King.
Motion carried. 6/0**

Superintendent's Report

Superintendent Wagner overviewed his Superintendent's Report below which included graphs, charts, copies of which were distributed in the Board's folders. The first page of the report is set forth below.

January Superintendents Report 02/13/24

January saw 4.71 inches of precipitation.

Average daily flow was 26.40 MGD and a sum of 818.5 million gallons for the month. April 2022 is the last time we had more flow.

CBOD=10 mg/L, TSS=5 mg/L, NH3=0.14 mg/L, Phos=0.340 mg/l, Fecal 3 MPN, TN= 306 mg/L with 1 data point remaining.

Industrial Appraisal Company (IAC) was here last week.

Mechanics repaired a broken plant water line at the UV building. They also repaired a leaking 2-inch potable water line in the Administration building.

We need to send Mechanics to Backflow Prevention Certification renewal class with 1 Mechanic getting the initial training which is \$900.00. \$240.00 for renewals. These classes are in Binghamton.

Superintendent's Report-cont.

On Saturday, February 10th we experienced an influent surge due to the heavy rainfall and a potential lightning strike. This put the auto controls into a cycle of trying to start under abnormal conditions. The process safety instrumentation repeatedly protected the equipment by shutting the system down during start-up. Operators were forced to run cells in hand to limit CN bypassing. As the flows subsided and with the help of our electrical engineer, operators were able to stabilize the system and get everything working in auto. The Superintendent, Assistant Superintendent, Senior Operator, Electrical Engineer, Lead Shift Operator from 2nd shift and 2nd shift personnel all worked to get the plant running. We notified the DEC (Matt Widay) via telephone and sent out a NYALERT. I asked the operators to monitor the CN Facility closely all night after everything was up and running. I spoke to Kruger (Rockford Herrick) this morning to see if there are any programming solutions we could use or a "B" routine to use if this situation arises again. He said he would set something up soon.

2 Operators to attend 3-day class for Grade 4 licensing.

Edward Crumb made a motion that the Board approves a travel and training advance for 2 operators in the amount of \$200.00 each to be paid from the Travel and Training budget line (ES8130.54701) for expenses for them to attend the 3-day course for Grade 4 Operator Licensing in Morrisville.

Motion seconded by Bruce King.

Motion carried. 6/0

Mechanics Backflow Prevention Certification Renewals

Edward Crumb made a motion that the Board approves attendance by Mechanics at the backflow prevention training and certification renewals that will be held in Binghamton New York: 1 Mechanic for initial training and certification at a cost of \$900 and the others at a cost of \$240 for the yearly renewal to be paid from the Travel and Training budget line (ES8130.54701) for the backflow prevention certification renewals.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Frito-Lay Formal Response

Superintendent Wagner discussed the letter that will be sent to Mr. Wood at Frito-Lay. Everyone agreed with the response letter being sent.

Superintendent Wagner further reviewed his charts and graphs and answered questions relating to them.

*****end of report*****

Business Manager's Report

Ms. Goodson reviewed her Business Manager's Report.

2023 I-I Offset Flow Credit Bank

Edward Crumb made a motion that the Board ratifies the 2023 Flow Credit Bank as of December 31, 2023, and that annual flow credit statements be sent to the Municipal Users.

Motion seconded by Bruce King.

Motion carried. 6/0

2023 Budget Modification

Edward Crumb made a motion that the Board approves an amendment for the 2023 Budget to increase the ES8120.54000.VJC budget line (Village of Johnson City Contractual Local Systems Costs) by \$85,000.00 and decrease the ES8120.54000.COB budget line (City of Binghamton Contractual Local Systems Costs) by \$85,000.00 and that the corresponding requests for legislation be submitted to the Owners' legislative bodies.

Seconded by Steve Andrew.

Motion carried. 6/0.

Board Member Crumb also noted that, under Section 30 of the IMA, the Owners are committed to having a Joint Sewage Task Force every five years. The last time there was a Task Force was in May 2009, prior to the April 2014 update to the IMA. To remove ambiguity, the Owners' next Task Force could consider including a clear definition of the items that qualify as Local Systems Costs.

Request for Permission to Advertise - Broker Services for Workers Compensation

Ms. Goodson is requesting Board approval to advertise for Broker Services for Workers Compensation. Board Member Crumb believes that this solicitation is for Broker Services, and the Board does not want to have multiple brokers contacting multiple insurers and coverage providers at this time in relation to this solicitation. After selection, it is the selected Broker that will be making market solicitations on behalf of the Board. Mr. Crumb stated that he was clarifying the intent of the advertisement.

Edward Crumb made a motion that the Board authorizes the Business Manager to advertise a Request for Qualifications and Proposal for broker services to provide worker's compensation coverage options.

Motion seconded by Bruce King.

Motion carried. 6/0

Business Manager's Report-cont.

Request for Permission to Advertise for IWPP Reporting & Consulting Services

**Edward Crumb made a motion that the Board authorizes the Business Manager to advertise a Request for Qualifications and Proposal for IWPP reporting and consulting services.
Motion seconded by Bruce King.
Motion carried. 6/0**

*****end of report*****

Fiscal Officer's Report

Chuck Robinson overviewed the Fiscal Officer's Report, copies of which were distributed in each of the Board folders and then opened the floor for any questions or comments pertaining to the report.

Mr. Robinson noted that the Fiscal Officer will be finalizing the end of the year 2023 claims later this month.

*****end of report*****

Committee Reports

Construction: No new business. Mr. Lake reported that, shortly, the Board will be receiving its \$10,000.00 reimbursement for pumping related to the H-Line Project from the contractor.

Finance: Edward Crumb – Mr. Crumb referenced the proposed amendment to Section 2 of the BJCJSB Policy for Procurement Procedures for Non-Competitive Bid Items which had been e-mailed to Board Members February 2nd.

Edward Crumb made a motion to amend Section 2 of the Policy for Procurement Procedures for Non-Competitive Bid Items, effective retroactively to October 20, 2023, to read as follows:

2. DETERMINATION OF WHICH PROCESS TO BE USED BID OR QUOTE

A. Non-Bid Contracts at the Superintendent's Discretion. Subject to an annual cumulative Cap of \$225,000.00 and provided unexpended and unencumbered budgeted funds are available for each such transaction, the Board delegates to the Superintendent authority to [1] award contracts for the purchase of commodities of \$3,500.00 or less in value per transaction non-bid discretionary basis AND [ii] award public works contracts of \$5,000.00 or less in value per transaction on a non-bid

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Committee Reports-cont.

discretionary basis, in any combination.

B. Non-Bid Acquisitions and Purchases After Soliciting Competitive Quotations.

Additionally, subject to a separate annual combined cumulative Cap of \$225,000.00 as well as compliance with the applicable competitive quotation procedures set forth in Section 1 and provided unexpended and unencumbered budgeted funds are available for each such transaction, the Board delegates to the Superintendent authority to [i] award contracts for the purchase of commodities of \$10,000.00 per less in value per transaction on a non-bid basis after obtaining telephone or written quotes documented as provided in Section 1 above, AND [ii] award public works contracts of \$20,000.00 or less in value per transaction on a non-bid basis after obtaining telephone or written quotes documented as provided in Section 1 above, in any combination.

Motion seconded by Bruce King.

Motion carried. 6/0

Personnel: Stephen Andrew – CSEA Grievance submitted and Management request. Executive Session is needed.

Flow Management: Edward Crumb – Mr. Crumb reported on the Bunn Hill Retreat project's Application. The Workgroup recommends Joint Sewage Board contingent approval with conditions which are acquisition and turn-over of 77,000 gpd Flow Credits before the physical sewer connection is made.

Edward Crumb made a motion to approve the application for the Bunn Hill Retreat contingent that the developer acquire 77,000 gpd flow credits and turn them over to the Business Manager before the extension is physically connected and have the Chairman of the Joint Sewage Board sign the permit application.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Procurement for mapping sewer lines professional services

After much discussion on services of this type, and the company (GHD) that provided these original services, the Board agreed that GHD be asked for a quote to update the modelling data files, maps, etc.

Ad Hoc: Bruce King – Nothing to report.

Correspondence: Michele Cuevas – Read the January IWPP aloud.

Old Business:

Microturbine Operations Proposal

Superintendent Wagner noted that Plant Staff had obtained an additional analysis and proposal from Postler & Jaeckle Corp. GHD also submitted a letter providing information and analysis of operational and maintenance costs, as well as performance of the fifth microturbine [in the series of five], which the letter stated had been requested by the City of Binghamton. Mr. Lake stated that he believes both engineering reports are seriously flawed. A number of costs were not correctly included, and the electricity output is not as much as originally expected (148kw versus 180kw, about one-sixth less than expected). Coordination for this potential project will be handled by the Operations Committee.

Edward Crumb brought up the subject of Asset Management. An outline, updated from the one discussed at the January 10, 2023, Board Meeting, was included in the Board's folders. Howard Reeve stated that he has started a Condition Assessment: 6 buildings have been completed thus far. He also reported that there are more than 1,200 spares, and he has replacement values for about half. Superintendent Wagner reported that he has tried to implement an asset scoring system, but it is not yet as powerful as it could be. Mr. Crumb mentioned that NYS-DEC-noted factors such as Criticality of Function, Process Hierarchy, Consequence of Failure, as well as Critical Points of Failure, and Risk/Likelihood of Failure are aspects that could be factored-in to the scoring approach to improve the strength of the scoring system. Superintendent Wagner also reported that he is up to Revision 13 of his 5-7-year Plan document and will be sending this to Board Members for their information.

Edward Crumb made mention of the letter received from the NYS-EFC stating that the grant application in support of the TPS Improvements Project was deemed incomplete and therefore could not be selected to receive an award. The incomplete information was a State Revolving Fund application (which would require Owner approval for borrowing/bonding) and an environmental review documentation (which, it was believed, was not needed given this is a Type II action under 6 NYCRR §617.5(c)(9) for construction of an accessory/appurtenant non-residential structure of less than 4,000 square feet of gross floor area, because the proposed addition would be 600 square feet on the [already disturbed] grounds of an existing municipally-owned pumping station facility). Mr. Crumb noted that it wasn't the Board's intent for there to be bonding, that the grant would be applied for, and whatever in-kind money was needed would come from the JSB's existing Fund Balance money.

New Business:

Declare Lab Equipment Surplus

Facility Engineer Howard Reeve asked for the Board to declare the HACH Lachat Analysis System lab equipment as surplus. This equipment is obsolete and is not being used.

**Edward Crumb made a motion to declare the HACH Lachat Analysis System lab equipment surplus.
Motion seconded by George Kolba.
Motion carried. 6/0**

NYS-EFC Notice Grant Funding

The NYS-EFC is accepting applications for \$325 Million in Grants. Applications are Due by June 14th. The Board needs to apply for the TPS project. Business Manager Goodson and Board Member Lake expressed their willingness to work on this application.

Executive Session

**Motion by Edward Crumb enter Executive Session to discuss personnel matters.
Motion seconded by Steve Andrew.
Motion carried. 6/0**

The Board entered Executive Session at 5:38PM.

Out of Executive Session

**Bruce King made a motion to exit the Executive Session.
Motion seconded by Ron Lake.
Motion carried. 6/0**

The Board exited Executive Session at 6:16pm. No action was taken during the Executive Session.

The next regular Board meeting is March 12th, 2024, at 3:30PM.

Adjournment

Chris Papastrat made a motion to adjourn.

Motion seconded by Bruce King.

Motion carried. 6/0

Meeting adjourned at 6:19PM.

Michele Cuevas
Confidential Secretary

cc: Board Members
Mayor Kraham, City of Binghamton
Mayor Meaney, 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, Village of Johnson City Director of Public Services
Ronald B. Lake, P.E., City of Binghamton Engineer
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