

# **FINAL COPY**

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

**Tuesday, March 11, 2014  
Village of Johnson City Offices**

Members Present: George Kolba, Jr., Chairman  
Edward Crumb  
Eugene Hulbert, Sr.  
Steve Andrew via SKYPE @ 3:15 PM  
Ronald Davis  
Gary Holmes

Also Present: Cathy Young, Superintendent  
Michele Cuevas, Confidential Secretary  
Charles Pearsall, Fiscal Officer (arrived at 3:35 PM; left at 4:25 PM)  
Gerald Kennicutt, Deputy Comptroller, City of Binghamton  
(arrived at 3.35 PM; left at 4:25 PM)  
John Perticone, Esq., Co-Counsel  
Alfred Paniccia, Jr., Co-Counsel  
Laura Lee Perkins, Transcriptionist  
Shane Guilford, Business Manager

Guests: Bruce King, JC Village Trustee  
Jerry Motsavage, 1st District Councilman, City of Binghamton  
Thomas Krall, Severn Trent Services  
Jason Greene, P.E., GHD Consulting Engineers, LLC (arrived at  
4:30 PM; left at 4:50 PM)

Chairman Kolba called the meeting to order at 3:02 PM; a quorum of five (5) Board members is present; fire exits identified; sign-in sheet passed for signatures

Edward Crumb made a motion for the Board to approve the Minutes of the 2/11/14 meeting with the changes as shown in the Board folder.

Ronald Davis seconded the motion

Motion carried 5/0/1 (SA)

Edward Crumb made a motion for the Board to approve the Minutes of the 2/25/14 meeting with the changes as shown in the Board folder.

Ronald Davis seconded the motion

Motion carried 5/0/1 (SA)

Edward Crumb made a motion for the Board to authorize the Business Manager to advertise for Nitrile Exam Gloves in the form presented except to change the language from “accepted” to “received” in the “Invitation to Bid” paragraph and on Page 3, and add another column to the Bid Form that says “No. of Orders per Year”

(x6).

Ronald Davis seconded the motion

Motion carried 5/0/1 (SA)

(Steven Andrew joined the meeting at 3:15 PM via SKYPE; all six Board Members are present)

Eugene Hulbert, Sr. made a motion for the Board to authorize the Business Manager to advertise for bids for sludge hauling for a flat rate fee and with the deletion of the handling fee charges wording.

Gary Holmes seconded the motion

Edward Crumb made a motion to amend the motion to change the language from “accepted” to “received” in the “Invitation to Bid” paragraph and on Page 3, change hours in the “Summary of Scope” paragraph to read “. . . between the hours of **6 PM the prior day . . .**”

Ronald Davis seconded the motion to amend

Motion to amend carried 6/0

Motion carried as amended 5/1(EC)/0

Gary Holmes made a motion for the Board to rescind the Motion made at the February 25, 2014 meeting regarding ModSpace’s Change Order No. 2 and, instead, accept ModSpace’s revised Change Order No. 2 in the amount of \$2,766.75 to be encumbered and paid from budget line JH8130.554008 (Training Room/Offices).

Ronald Davis seconded the motion

Motion carried 6/0

Edward Crumb made a motion for the Board to accept GHD’s offer to extend the IWWPP consulting contract for the year beginning 4/1/14, expiring 3/31/15, in a not-to-exceed fee of \$96,000 (such amount consisting of a not-to-exceed \$76,000 fee for base services and up to \$20,000 for the Industrial Survey required to be performed in 2014, such amount to be adjusted in accordance with GHD’s underlying contract) to be encumbered and paid for from budget line JH8130.54801 (Industrial Pre-Treatment)

Eugene Hulbert, Sr. seconded the motion

Motion carried 6/0

(Charles Pearsall and Gerald Kennicutt joined the meeting)

Fiscal Officer Report

1/1/2014	Checking Account	\$ 938,571.06
	Savings Account	<u>\$2,932,430.39</u>
	Total	\$3,871,001.45
	2/28/14 Revenue	\$1,627,785.33
	2/28/14 Disbursements	<u>\$1,448,855.44</u>
	2/28/14 Balance	\$4,049,931.34

Eugene Hulbert, Sr. made a motion for the Board to approve the revised v2.0 2012 final billing computation prepared and provided February 28, 2014 by the Fiscal Officer.

Gary Holmes seconded the motion

Motion carried 5/1(EC)/0

(Charles Pearsall and Gerald Kennicutt exited the meeting)

Catherine Young presented the Superintendent’s Report, a copy of which is set forth below:

**Superintendent’s Report  
March 11, 2014**

**Violations and Significant Issues**

The plant exceeded effluent pounds Iron for January. The monthly average limit is 1300 pounds and the actual January number was 1346 pounds.

Date: February 2014 Average Flow	Influent 16.42mgd	Effluent	Average % Removal	Effluent Limit	
<b>CBOD</b>	188	114	39.4%	Monitor	
<b>Suspended Solids</b>	114	53	53.5%	Monitor	
Other: Settleable Solids Max	8.7	0.5	94.3%	Monitor	
Total Nitrogen	Jan 17.9	Jan 16.8	6.1%	Monitor	
Chlorine	NA	1.60Max.	NA	2.0Max.	
Avg. Temperature	10.0	9.5			
<b>Solids Removed</b>		<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>
<b>Digested</b>		0	0	0	0
<b>Lime Stabilized</b>		867.73	837.56	735.02	689.68
<b>Total</b>		867.73	837.56	735.02	689.68

## Operations

- The DEC arrived on site to perform an unannounced inspection today, March 11. The inspection went smoothly.
- The plant continues to operate in CEPT mode. We have not received a record of the actual Polymer Tank level transducer installation drawings, and the installation has been revised several times since initial design. We have requested to Savin that these drawings be provided so that we can troubleshoot alarms we have experienced. There is a rough outline on the side of the polymer tank itself. Performance for the process was poor this past month. Tim Terry from Polydyne and Robert Kooharian from Holland Chemical came on site to do some jar testing with Poly Aluminum Chloride (PAC). While on site, they found a problem with ferric dosing. The problem could be with the Algorithm programmed into the PLC. They believe that the system is delivering 2.6X more than what it should be, over dosing.
- We had a digester seal meeting with Tim Steed, Hunt Engineers, and Spenseri on February 7<sup>th</sup> to discuss remaining work to be completed. The work cannot be completed until weather warms up to about 50 degrees for several days in a row
- The digester cover removal contracts have been awarded. Removal of cover #2 occurred today.
- The clarifier stress testing plan took place the week of February 10<sup>th</sup>. We are awaiting results
- Plant staff continues to work with GHD regarding the design of controls for the digester.
- Plant staff and I have been working with GHD to complete the Industrial Pretreatment report. We are also reviewing an issue in Johnson City regarding grease in sewer lines.

## Personnel

- I met with Union representatives regarding questions pertaining to the travel policy as well as to consider a training protocol proposed by the union.

## Other

- A Flood Protection meeting was held on February 12<sup>th</sup> to review progress to date. The next meeting is scheduled for Wednesday, March 12<sup>th</sup> at the Hillside Building. It was determined that before soil boring work is necessary, that the design engineers discuss the FEMA approved design with Ron Simmons. After review, Mr. Simmons determined that borings could move forward and would not pose a threat to funding.
- The Advanced Demolition project for the BAF's project has been closed out by the city.
- A 30 % DAF design meeting with plant staff, Savin Engineers and the city was held on January 30<sup>th</sup>. Plant staff also met with the architect to review use of shop and common area space on the second floor of the DAF. The next meeting is tentatively being scheduled for the week of March 17<sup>th</sup>. Draft plans are now available on their FTP site.
- I have been working with Modspace, Keystone and the board chair and vice chair to get the modular office building contractors work coordinated.
- I continue to work with EPA regarding Crane Hogan. The trial date has been moved to April. A pretrial meeting was held scheduled for Friday, February 14<sup>th</sup>. GHD and John Perticone were in attendance. I am scheduled to review our procedures with the US attorney again on March 26<sup>th</sup>.

Regarding the iron limit violation, Superintendent Young stated that Sandra Lizlovs, P.E. of the DEC suggested that a letter be submitted requesting a seasonal variance from the iron limit based on increased salinity of the effluent from road salt in the combined sewage flow, snow melt, and interference.

Superintendent Young also reported that Ms. Lizlovs will not approve the Lead Agency's BAF redesign plans until after receipt and review of the clarifier stress testing report being prepared by Savin Engineers, P.C. is received, reviewed, and found acceptable.

Superintendent Young reported that, when the Digester No. 1 cover was removed today it was discovered that some anchor bolts securing the support system cables had pulled loose from the concrete and multiple tears/slices in the inner membrane were discovered. A picture was circulated. Superintendent Young will be obtaining the Contractor's report and recommendations.

(Jason Greene, P.E. joined the meeting)

Jason Greene – presented GHD's IWWPP Program status update. The annual Biosolids Report and IWWPP Program Report will be provided in digital format for Board Member review. The DEC is asking that a mercury pollution minimization plan be prepared. It was noted that, if the City of Binghamton's Water Filtration Plant develops a sludge extraction system (Qualifications for design due to the City tomorrow) and eliminates its sludge discharge, then mercury pollution in the Plant's influent would be minimized. Mr. Greene reported that no action is being taken at this time in relation to the Salamida bottling plant fats, oils and greases discharge reported by the Village of Johnson City given that this is a matter for the Village under its sewer use ordinance. Mr. Greene also noted that Mountain Fresh Dairy has not started full-time production yet.

(Jason Greene, P.E. exited the meeting)

### Committee Reports

Executive – Eugene Hulbert, Sr. and George Kolba, Jr. reported that a meeting was held with the Mayors and City of Binghamton Commissioner of Public Works regarding the Project Representative. Following the meeting, Mayor Deemie told Chairman Kolba that the Board could go ahead with interviews, but an e-mail sent last evening instructed the Board to hold off. Alternatives were discussed. Mr. Hulbert distributed copies of the project organization and reimbursement management charts developed with Simmons Recovery. Councilman Motsavage stated that he will forward to all City Council members.

Construction – Eugene Hulbert, Sr. and George Kolba, Jr. reported that LeChase is scheduled to break ground for the Modular Building next Monday, March 17<sup>th</sup>, and ModSpace is scheduled to put the building into production April 1<sup>st</sup>. The contract costs of the building were discussed, and it was noted that the Fiscal Officer has not yet posted encumbrances for the contracts the Board awarded last August.

Operations – George Kolba, Jr. noted that he had been receiving inquiries from contractors interested in upcoming construction contracts at the Facilities. In addition to the delay resulting from the DEC's requirement for a Clarifier Stress Test Report acceptable to it, Mr. Holmes stated that the City of Binghamton has not reached agreement yet with IDI regarding the sole source supply contract, which is a necessary precondition to finalizing the design plans.

Personnel – Stephen Andrew stated that he was awaiting a travel and training proposal from the union for review. Nothing further to report.

Ad Hoc – Ronald Davis stated that he had nothing to report. Mrs. Young stated that coordination

continues to be made with Broome County for establishment of the website home page. A committee meeting was scheduled for next week to further discuss/develop the home page content.

Structure & Flood – Eugene Hulbert, Sr. stated that he had nothing further to report.

Finance – Edward Crumb reviewed the status of the Payroll Processing RFQ. Mr. Hulbert stated that he would provide the Business Manager contact information for the attorney he knows who is familiar with the wording for a bonding requirement. It was reported that the auditor for the A-133 Single Audit continues to compile information in order to present a financial statement that compares 2011 to 2012. Discussion was held regarding the status of importing and updating pre-2013 encumbrances into MUNIS.

Motion made by Edward Crumb and seconded by Ronald Davis to approve that the Board's Procurement Policy be temporarily amended with respect to the Board's 2013 Fiscal Year as follows:

- [i] that the phrase "annual cumulative Cap of \$150,000.00" in paragraph 2(A) is amended to read "annual cumulative Cap of \$180,000.00" with respect to the Board's 2013 Fiscal Year, and
- [ii] that the phrase "annual cumulative cap of \$150,000.00" in paragraph 2(B) is amended to read "annual cumulative Cap of \$120,000.00" with respect to the Board's 2013 Fiscal Year,

and that this temporary amendment shall expire and "sunset", with the pre-amendment wording again being effective, for purchases made beginning January 1, 2014.

Motion carried 6/0

Motion made by Edward Crumb and seconded by Ronald Davis to approve and direct that, on behalf of the Board as Applicant, the Superintendent is hereby authorized and instructed to prepare and submit the following elections with respect to the below-listed Project Worksheets (PWs) associated with recovery from Tropical Storm Lee (DR-4031-NY):

- [i] IMPROVED - PW-02268 (Digester Complex),
- [ii] IMPROVED - PW-02555 (BAF Complex),
- [iii] IMPROVED - PW-02512 (SCADA 2 (BAF),
- [iv] IMPROVED - PW-02573 (Valve Gear Boxes),
- [v] IMPROVED - PW-02507 (Primary Treatment & Solids), and
- [vi] ALTERNATE - PW-02554 (Compost Facility[Building 1]),

and that the Superintendent may consult with and/or delegate to the Board's Recovery Consultant in carrying-out the foregoing, this motion to be effective immediately.

Motion carried 6/0

Motion made by Eugene Hulbert, Sr. and seconded by Edward Crumb to approve and direct that, on behalf of the Board as Applicant, the Superintendent is hereby authorized and instructed to prepare and submit appeals with respect to the closeout final payment decisions for the below- listed Project Worksheets (PWs) associated with recovery from DR-1650-NY (June 2006):

- [i] PW-03863 (Repair Recent Construction at BJCJSTP - Contract 3A, Contract 4A, and restore Fuller Hollow Creek Bed),
- [ii] PW-03861 (Replace Damaged Equipment - BAF Contract 1),
- [iii] PW-04667 (Repair/Replace Damaged Work - BAF Contract 3 & Solids Handling Contract 4), and
- [iv] PW-03952[vI] (Repair/Replace Damaged Equipment - Existing Plant),

and that the Superintendent may consult with and/or delegate to the Board's Recovery Consultant and/or

Co-Counsel Perticone in carrying-out the foregoing, this motion to be effective immediately.

Motion carried 6/0

Flow Management – Edward Crumb reported that preparations continue for the March 26<sup>th</sup> Steering Committee meeting. The proposed clarifying amendments to the *Rules and Regulations* contained in the Board folders will be covered.

Edward Crumb made a motion for the Board to approve advertising for and direct the Business Manager to place a notice for a public hearing on 5/13/14 at 5:30 PM during the regularly scheduled Board Meeting; to be advertised April 11<sup>th</sup> and 18<sup>th</sup> or as soon as practicable thereafter and authorize the distribution of the proposed Amendments to all Municipal User Chief Executive Officers and their designated liaisons.

Ronald Davis seconded the motion

Motion carried 6/0

Edward Crumb made a motion for the Board to approve the proposed comment letter in opposition to the Chesapeake Bay Watershed Agreement in the form presented in the Board folder and authorize the Board Secretary to email to the address listed for submitting comments with copies to Senator Schumer, Senator Gillibrand, Representative Hanna, Governor Cuomo, DEC Commissioner Martins, Senator Libous, NY Assembly Members Lupardo and Crouch, the Binghamton and Johnson City Mayors, Binghamton City Council and Johnson City Village Trustees.

Stephen Andrew seconded the motion

Motion carried 6/0

George Kolba, Jr. nominated Eugene Hulbert, Sr. as Chair for the year beginning April 1, 2014

Gary Holmes seconded the motion

Motion carried 6/0

Eugene Hulbert, Sr. nominated George Kolba, Jr. as Vice Chair for the year beginning April 1, 2014  
Ronald Davis seconded the motion  
Motion carried 6/0

Next meeting is scheduled for April 8, 2014 at 3 PM at the Village of Johnson City Offices.

Eugene Hulbert, Sr. made a motion for the Board to adjourn the meeting  
George Kolba, Jr. seconded the motion  
Motion carried 6/0  
Meeting adjourned at 5:50 PM

Respectfully submitted,

Laura Lee Perkins  
Transcriptionist

cc: Board Members  
Mayor Rich David, City of Binghamton  
Mayor Greg Deemie, Village of Johnson City  
City Clerk, City of Binghamton  
Village Clerk/Treasurer, Village of Johnson City  
John Perticone, Esq.  
Alfred Paniccia, Esq.  
Charles Pearsall, Fiscal Officer  
Catherine Young, Superintendent  
Brown & Brown Empire State  
Haylor Freyer & Coon  
Robert Bennett, P.E., Village of Johnson City, Engineer  
Philip Krey, P.E., City of Binghamton, Engineer  
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