

FINAL COPY

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

Tuesday, June 13, 2023

Plant Administration Building

Members Present: George Kolba, Chairman
Edward Crumb
Chris Papastrat
Stephen Andrew
Ron Lake
Bruce King

Also Present: Elliott Wagner, Superintendent
Billie J. Goodson, Business Manager
Alfred Paniccia, Jr., Esq., Co-Counsel
Adam Afify, Sr. Operator
Bryan Witbeck, CMMS Clerk, CSEA Unit Union President
Ron Warwick, Asst. Superintendent
Howard Reeve, Facility Engineer (Exited at 5:47PM)
Larry Travis, Electrical Engineer (Exited 5:47PM)
Michele Cuevas, Confidential Secretary
Janet Smith, Transcriptionist
Howard Weaver, Weaver Recovery Consulting Services (Exited 3:55PM)
Jason Greene, P.E., GHD (Remote 3:55PM-4:20PM)

Chairman Pro Tem Kolba called the meeting to order at 3:30PM. Sign in sheet was passed. All six (6) Board members were present. Chairman Pro Tem 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

No one wished to speak.

Meeting Minutes Approval

Edward Crumb made a motion that the Board approves the submitted May 9, 2023 Regular Board Meeting Minutes with the suggested changes as contained in the Board Folders.

Motion seconded by Bruce King.

Motion carried. 6/0

Chairman Pro Tem Kolba opened the floor for the election of officers.

Election of Officers

Edward Crumb nominated Chris Papastrat as Chairman. [not seconded]

Bruce King nominated George Kolba as Chairman. Seconded by Steve Andrew.

Mr. Papastrat started a discussion pertaining to the length of appointments of board members made by the Owners. Lengthy discussion on terms of appointments from Mayors. Johnson City appoints 3-year 2-year 1 year. City of Binghamton has done 1 year or 6-month appointments. Both municipalities should do 3-year, 2-year 1-year appointments.

Mr. Papastrat declined the nomination at this time.

George Kolba was elected as Chairman.

Motion carried. 4/1/1 abstain.

Bruce King nominated Chris Papastrat as Vice Chairman.

Seconded by George Kolba.

Chris Papastrat elected to the position of Vice Chairman.

6/0

Chairman Kolba then gave the floor to Howard Weaver who was here to speak on his exit from the flood recovery professional services contract after his successful work coordinating the financial recuperation with FEMA on the disaster recovery project in which he was contracted to pursue. He reminisced on the many trials and tribulations he encountered noting that his determination got him past many of the hurdles that popped up over the years.

Mr. Weaver, an expert in his field, made many contacts at FEMA, knew the positions, and voraciously pursued those necessary to follow through with whatever task he had at hand. Mr. Weaver thanked the Board for the trust they gave him and the Board in turn thanked him for his dedication to the project all these years and for a job well-done.

Chairman Kolba then gave the floor to Jason Greene, P.E. of GHD who was present remotely. Mr. Greene overviewed the IWPP Status Report pointing out there were no outstanding fines amounts.

Mr. Greene stated he is prepping for the 2023 inspections for the users. He also wanted to revisit and update the previously discussed permit modification request from Frito Lay, Inc. He touched on what Frito Lay explained for the plans for production as an improved plant and that finite details would be in the works and presented for Board's consideration and approval. There was a lengthy discussion at the table and for clarity in the discussion, Superintendent Wagner had displayed a 2014 through 2023 Historical Chart on the video screen for the Board's perusal.

Fiscal Officer's Report

Chuck Shager was not present to overview the report, copies of which were distributed in each of the Board folders. Edward Crumb wanted to make note that he still has not heard from anyone pertaining to his previous request regarding the Construction Work in Progress in the 2022 AUD Report and wanted to be sure his concern is addressed at a future meeting.

Superintendent's Report

Superintendent Wagner overview his Superintendent's Report below which included graphs and charts, copies of which were distributed in the Board's folders. The face page of the report is set forth below. Superintendent Wagner advised that the confined space task was completed and all the participating plant employees performed the project in a safe and successful manner. Currently, Elliott is thoroughly reviewing the updated draft *Rules & Regulations* document. Any updates and discrepancies he spot will be side noted.

May Superintendent Report

6/14/2023

May Q=18.46 mgd. With Max flow reaching 61.47 mgd.

SS=nearly 100% removal, TSS removal was 97%,

CBOD removal 95%.

Phos removal was 87%, Ammonia removal was 99%, TN removal -1 data points was 87%.

Senior Operator/Operations dept. have started the return to Summer Methanol dosing rate.

The Operations department has continued its effort to achieve the best results possible in the most cost-effective way we are able.

The Plant employees performed a Major Confined space effort to acquire photographic/Video evidence of, and perform an in-depth inspection, of the H-Line, we plan to share this info with Welliver, GHD and Emseal.

Superintendent's Report-cont.

Mechanical and Electrical/Instrumentation department continue to perform maintenance following our CMMS program PM scheduler. We continue to add pricing, contact info and notes to the CMMS program. The Facilities Engineer is teaming up with all departments heads to develop an annual building assessment inspection plan.

The Budget process has begun, with Business Manager Goodson leading the way as well as our transition to the Enterprise system and our payroll transition.

Interviews with the potential engineering companies will have taken place on 6/12/2023.

Micro-Turbines produced 93,052 KWH; Solar produced 9,938 KWH; combined approximately 12.5% offset.

CMMS/Mech has passed his civil service test. Another Operator trainee has completed his Sacramento book course work. We have had another former employee return to service, bringing our total employees to 44 of 47.

We will be hosting John Revette on Thursday, September 21st for training on Polymer and Chemical methods for phosphorus removal. This will give operations a chance to receive 6 RTC's.

We have put together 4 Training classes for operators based on our plant's processes and operational techniques. We have started sending them in to be validated for RTC hours.

I have been reviewing Mr. Crumb's effort at updating our rules and regulations, as of now I'm up to Article 9 [of 14]. Completion of this work should be done within the next two weeks.

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

Business Manager's Report

Ms. Goodson is reporting and requesting Board approval for budget transfers; that a check from FEMA was received in the amount \$89,746.00, there was a change in personnel Operator I to Operator II, and a there was a recommended budget transfer for Health Insurance.

Business Manager's Report-cont.

Budget Modifications

Edward Crumb made a motion that the Board approves a 2023 budget modification as follows:

Increase ES.43960 State Aid- Emergency Disaster Assist. by \$22,436.50.

Increase ES.44960 Federal Aid- Emergency Disaster Assist. by \$67,309.50.

Increase ES8130.54899 Reimburse Owner Recovery Expense \$89,746.00.

and that corresponding requests for legislation be submitted to the Owners' legislative bodies.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Edward Crumb made a motion that the Board approves a 2023 budget modification in relation to defunding Operator 1 appropriations and funding an Operator 2 as follows:

Increase ES8130.51000.JS2HR Personal Services–Hourly by \$1,768.00

Increase ES9010.58000A.JS2HR State Retirement–Hourly by \$168.00;

Increase ES9030.58000B.JS2HR Soc/Sec-Hourly by \$136.00;

Increase ES9040. 58000D.JS2HR W/C-Hourly by \$53.00.

Decrease ES8130.55000 Contingency by \$2,124.00.

and that corresponding requests for legislation be submitted to the Owners' legislative bodies.

Motion seconded by Bruce King.

Motion carried. 6/0

Business Manager's Report-cont.

Budget Modifications-cont.

Edward Crumb made a motion that the Board approves a 2023 budget transfer in relation to Health Insurance funding as follows:

Increase ES9060.58000C.JSHR Health Insurance-Hourly by \$100,000.00.

Decrease ES8130.51000.JS2HR Personal Services-Hourly by \$100,000.00.

and that corresponding requests for legislation be submitted to the Owners' legislative bodies; and that this transfer was requested and recommended by the Fiscal Officer.

Motion seconded by Ron Lake.

In discussion, Mr. Crumb noted that at the September 24, 2022, Budget Hearing the Owners had the idea to reduce \$100,000.00 from Health Insurance, to be backfilled from funding unspent due to personnel vacancies to reduce the overall size of the budget.

Motion carried. 6/0

Lab Services

Edward Crumb made a motion that the Board authorizes the Business Manager or designee to advertise a Request for Qualifications and Proposal for Professional and Technical Services for Sampling and Analytical Services.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Construction: George Kolba, Steve Andrew, Ron Lake. Both Mr. Andrew and Mr. Lake had nothing to report. Mr. Kolba asked Howard Reeve to speak to the Board regarding the green roof/garden roof. Mr. Reeve advised that he did receive a proposal from garden roof landscaper KB Services but after a lengthy discussion at the table it appeared that further information and clarification is needed and has been tabled at this time. Mr. Lake will follow through to include Mr. Paniccia.

Finance: Edward Crumb – Mr. Crumb overviewed the Summary of Amounts Receivable for DR-4031-Large Project FEMA/NYS-DHSES project Worksheet, copies of which were distributed in the Board's folders.

DR-4031 Project Worksheet 02500v1

Ron Lake made a motion that the Board does not move forward with pursuit of Direct Administrative Costs reimbursement for PW-02500v1 (SCADA 1 – Primary Treatment and Solids) given Mr. Weaver’s report that he found no supporting precedent in the FEMA database.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Prior to making a motion, Mr. Crumb wanted to note an amendment to the proposed Budget Review Schedule, copies of which were distributed in the Board folder; that due to a scheduling conflict by a Board member/Committee Member the subject for line 3 scheduled for *3:30PM Thursday, July 13, 2023 Finance Committee Meeting (focus on Personnel and Employee Benefits)* be switched with line 4 scheduled for *Monday, July 24, 2023 (focus on Contractual Expenses [Part I {*.53003, *.54000-*.54520}]*).

Budget Review Schedule

Edward Crumb makes a motion that the Board ratifies the proposed 2024 Budget Review Schedule in the form provided and distributed in the Board’s folders and with an amendment to the topics in lines 3 and 4 in that only the subject matter be switched.

Motion seconded by Bruce King.

Motion carried. 6/0

Flow Management: Edward Crumb – Mr. Crumb reported that he has not heard back from Town of Binghamton representatives regarding their proposed housing project.

Personnel: Steve Andrew has a topic of discussion for Executive Session.

Ad Hoc: Bruce King – nothing to report

Correspondence: Michele Cuevas – Previously discussed.

Old Business: Bruce King wanted to discuss the update to the procurement policy document he developed with Co-Counsel Paniccia, copies of which were distributed in the Board folders.

Procurement Policy

Bruce King made a motion to accept and update the procurement policy as written and distributed in the Board folders to be effective 6/14/2023.

Motion seconded by Steve Andrew.

Motion carried. 6/0

New Business: Chairman Kolba wanted to discuss the possible benefit to develop a Time and Materials contract in the situation of emergency events. After a discussion at the table, information from Mr. Crumb, and with important details to consider noted by Co-Counsel Paniccia, this matter will be held over until the next meeting.

Executive Session:

**Steve Andrew made a motion to go into Executive Session to discuss Personnel - Collective Bargaining matters.
Motion seconded by Edward Crumb.
Motion carried. 6/0**

The Board went into Executive Session at 5:47PM.

**Steve Andrew made a motion to exit Executive Session.
Motion seconded by Edward Crumb.
Motion carried. 6/0**

The Board came out of Executive Session at 6:03PM.

No action was taken during Executive Session.

Memorandum of Agreement to Settle Grievance / Amend Collective Bargaining Agreement

**Steve Andrew made a motion that the Board instructs Chairman Kolba to sign the Memorandum of Agreement.
Motion seconded by Edward Crumb.
Motion carried. 6/0**

The next regular Board meeting is July 11, 2023, at 3:30PM.

Adjournment

Chris Papastrat made a motion to adjourn.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Meeting adjourned at 6:10PM.

Janet Smith
Transcriptionist

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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