

FINAL COPY

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

Tuesday, June 9, 2015

JSTP Office Building Conference Room

Members Present: George Kolba, Jr., Chairman
Eugene Hulbert, Sr., Vice-Chairman VIA FACETIME
Ronald Davis
Stephen Andrew
Edward Crumb

Member[s] Absent: Gary Holmes

Also Present: Cathy Young, Superintendent
Charles Pearsall, Business Manager
Michele Cuevas, Confidential Secretary
Chuck Shager, Fiscal Officer
Ken DelBianco, P.E., City of Binghamton Contract Project Manager
John Perticone, Esq., Co-Counsel (arrived at 4:34 PM)
Bruce King, Village of Johnson City Trustee
Laura Lee Perkins, Transcriptionist

Owners: Mayor Rich David, City of Binghamton
Mayor Greg Deemie, Village of Johnson City

Chairman George Kolba, Jr. called the meeting to order at 4:33 PM. A quorum of five (5) Board Members is present; Gary Holmes is absent. Sign-in sheet passed for signatures. Fire exits identified.

Privilege of the Floor was given to Mayor David and Mayor Deemie. Mayor David stated that he was thankful for all the work the Board does. Then stated that Board Members and the Comptroller are appointed – by himself and Mayor Deemie – and that they deserve respect at the meetings, as they are representing the Mayors, respectively. It was pointed out that the Board isn't always certain whether Board Member Holmes is speaking as a Board Member individually or as a representative of the City. It was also pointed out that in the same way the information gets to the Board incorrectly, the information to the Mayors can be misinterpreted and/or mis-relayed. The Mayors both stated that they are always available to speak with the Board Members if problems cannot be handled between the Members.

Mayor David thanked Board Member Ed Crumb for coming to the last City Council meeting and advocating for Binghamton City Council to amend the IMA which was common sense; Johnson City had already voted to amend the IMA a few meetings ago.

Capital project budget –

Catherine P. Young indicated her concern that projects will be overlooked as Gary Holmes does not feel they are important to include in the Scope of Work. Steve Andrew asked about the river work regarding the outflow; Plant has been awarded a Grant but Gary Holmes doesn't want to do this project at this time and the funding may expire. Edward Crumb asked about the proposal for a second lime silo tower in order to meet the *Ten States Standards*. Does the Board need to hire an engineer to design it, or are the plans for the existing tower sufficient for use to build the second silo? Just find a place for it? Unsure if the City is taking over this project. Owners' legislative bodies have not increased the bonding authorization limit, so adequate funding does not exist yet for carrying-out all projects proposed. Mayor David stated that the City of Binghamton has a major deficit in its Sewer Fund, and he is concerned with the escalation of cost for the rehabilitation and restoration project. The Mayors want to be proactive, want to avoid a perception of waste, and the Board cannot work against the direction the Owners have established. Board Member Gary Holmes believes that the Board should not control any capital projects; unsure if that is his opinion or if he is speaking for the Lead Agency. Mayor David confirmed that Mr. Holmes speaks on his own behalf as one Board Member. Catherine P. Young would like to put the second lime silo in the capital projects for 2016 if not included in the rebuild project. Catherine P. Young stated that there are multiple projects that need to be done now; and she is hoping that these will not get overlooked. Chairman Kolba asked Mayor David about the status of Board Member Hulbert, whose term expired March 1st but has not been reappointed or replaced. Mayor David had no answer on that at this time.

Both Mayors exited the meeting at 5:13 PM

Edward Crumb made a motion for the Board to approve the April 14, 2015 Minutes with changes shown as presented in the Board folder.

Stephen Andrew seconded the motion

Motion carried 4/0/1 (EH, abstain [was not able to see minutes remotely])/1 (GH, absent)

Edward Crumb made a motion for the Board to approve the May 12, 2015 Minutes with changes shown as presented in Board folder.

Ronald Davis seconded the motion

Motion carried 4/0/1 (EH, abstain [was not able to see minutes remotely])/1 (GH, absent)

Chuck Shager presented the Fiscal Report:

1/1/2015 Beginning balance			
Checking	\$	718,067.15	
Savings		<u>\$8,749,950.87</u>	
Total			\$9,468,018.12
5/31/15 Revenue		\$4,980,763.65	
5/31/15 Disbursements		<u>(\$4,572,721.37)</u>	
BALANCE			\$9,876,060.40
Checking	\$	1,721,223.69	
Money Market (@0.2%)		<u>\$8,154,836.71</u>	
Total			\$9,876,060.40

Charles Pearsall presented the Business Manager's Report.

Stephen Andrew made a motion for the Board to ratify the 2014 billable wastewater flows as presented by the Business Manager.

Ronald Davis seconded the motion

In discussion, the Business Manager's May 20, 2015 letter to the Town of Dickinson regarding flow reporting was noted.

Motion carried 5/0/1 (GH, absent)

George Kolba, Jr. made a motion for the Board to extend the copier maintenance agreement with CMS for the copier at the Hillside Building in the amount of \$367 per year, to be paid for from budget line JF8130.559104 (Emergency Response – Flood).

Stephen Andrew seconded the motion

Motion carried 5/0/1 (GH, absent)

Ronald Davis made a motion for the Board to extend the Workers' Compensation PPO with UHS in the amount of \$5,400 per year (unchanged), to be paid for from budget line J9040.58000.D (Workers' Compensation).

Stephen Andrew seconded the motion

Motion carried 5/0/1 (GH, absent)

Haylor, Freyer & Coon's renewal presentation for Workers' Compensation coverage for the year beginning July 1st was distributed by Charles Pearsall. HFC sought quotes from three safety groups or insurance carriers: PERMA, NYS Safety Group, and NYS Municipal Workers' Compensation Alliance (the Board's present provider). HFC negotiated with and recommends placement of the coverage with NYS Municipal Workers' Compensation Alliance.

George Kolba, Jr. made a motion for the Board to accept Haylor, Freyer & Coon's recommendation and place the Board's Workers' Compensation coverage contract with the NYS Municipal Workers' Compensation Alliance in the amount of \$104,312, to be paid for from budget line J9040.58000.D (Workers' Compensation) for the year beginning July 1, 2015.

Stephen Andrew seconded the motion

Motion carried 5/0/1 (GH, absent)

Ronald Davis made a motion for the Board to accept the bid from Polydyne for liquid dewatering polymer flocculant at \$1.00/pound (down from \$1.05/pound) for an 18-month supply period (with one potential extension period), to be paid for from budget line J8130.54150 (Chemicals).

Stephen Andrew seconded the motion

Motion carried 5/0/1 (GH, absent)

Steve Andrew made a motion for the Board to renew the SCADA Technical Support and Product Updating contract with Rockwell Automation for the next year at a cost of \$13,000 to be paid for from budget line J8130.54410 (Professional Services).

Ronald Davis seconded the motion

Motion carried 5/0/1 (GH, absent)

Stephen Andrew made a motion for the Board to approve the Mirabito Fleet Fueling Card Program agreement for diesel fuel and kerosene during the time that the Plant does not have the capability to store the same while the Compost Facility is being repurposed.

Ronald Davis seconded the motion

Motion carried 5/0/1 (GH, absent)

Edward Crumb made a motion for the Board to extend and renew the services of Industrial Appraisal Company for the July 1, 2014-through June 30, 2015 appraisal valuation year for a not-to-exceed cost of \$2,400 to be paid for from budget line J8130.54410 (Professional Services).

Ronald Davis seconded the motion

Motion carried 5/0/1 (GH, absent)

Regarding the pending claim of ModSpace Corporation, Chairman Kolba assigned the Finance Committee to review Plant records to determine the amount of certified payrolls lacking and approve payment of the claim less a hold-back for the missing certified payrolls.

Edward Crumb made a motion for the Board to authorize the Chairman to sign an Extension Agreement on the same terms and conditions for the next contract year to extend the Outside Laboratory Services contract with Pace. If Pace does not want to extend, then the Board authorizes the Superintendent or her designee to advertise for outside lab services using the same specifications as previously used.

Stephen Andrew seconded the motion

Motion carried 5/0/1 (GH, absent)

Superintendent Report – Catherine Young presented the Superintendent’s Report, a copy of which appears below:

**Superintendent’s Report
June 9, 2015**

Violations and Significant Issues

Compliance

- The plant continues to operate in CEPT mode

Date: May 2015 Average Flow	Influent	Effluent	Average % Removal	Effluent Limit	
	15.86mgd				
CBOD	170	101	40.59%	Monitor	
Suspended Solids	180	44	75.56%	Monitor	
Other: Settleable Solids Max	9.7	0.08	99.18%	Monitor	
Total Nitrogen	Apr 15.3	Apr 13.5	11.76%	Monitor	
Chlorine	NA	1.59Max.	NA	2.0Max.	
Avg. Temperature	14.3	14.4			
Solids Removed		Feb	Mar	April	May
Digested		0	0	0	0
Lime Stabilized		641.84	832.52	633.93	760.57
Total		641.84	832.52	633.93	760.57

- MCC Replacement: Our electrical department staff has been working with GHD to design and complete the emergency replacement of the faulty switchgear that failed. GHD is finalizing specs for the work. They have forwarded these to Matco for pricing information and hope to have the costs back by June 22nd.
- The lime silo tower is in the process of being repaired. With the intense use that this tower and our lime stabilization process has seen, I recommend that we consider installing a second lime silo.
- Plant staff continue to work with our attorneys and expert witnesses regarding information they need for the BAF court case. A meeting to update the owners on litigation elected representatives, board members, and mayors was held this past week.
- Digester 3 Update: Water was drained from the tank to facilitate evaluation. The CIM coating manufacturer had a representative here to evaluate the application of their material. CIM does not perform application of their product. They gave us the name of 3 companies that will perform the work. The center mixer is still being stored off site with Blue Heron. The covers appear to be usable. Direction is needed for this project as to whether the board is moving forward with this or if the project will be placed on indefinite hold. An additional consideration regarding putting the digesters in service is that the construction sequence currently being considered has the plant taking flow without the benefit of all screening and grit removal.

- The City has advertised for bids for the BAF Demo Project, and the Plant Flood Repair Project. Our facility Engineer has been meeting with contractors to give them tours of the work areas. A prebid meeting was held on June 3rd.
- At this time, the demo does not include the inner N cell walls or channels. Plant staff have commented on their concerns regarding the integrity of the C/N channels as well as the inner N cell walls and provided construction pictures for review and documentation to the City, GHD, and Dr. Paul Carr, the City engineering expert on construction methods.
- One channel grinder at TPS has failed. It has been removed and sent to the factory for an evaluation and estimate of cost for repair.
- The TPS flood mitigation contract has been awarded by the City as Lead Agency and the construction meetings are scheduled for alternate Tuesdays.
 - The TPS contract does not currently include work noted in various previous reports, including heating and ventilation, influent channel gates for shutting off flows, the isolation gate valves upstream and downstream of each pump, new roof, water utility connection, dewatering system, fire safety and communication improvements.
- A meeting was held for review of the flood wall design with the Savin, Woidt, the Owner engineer, and the DEC regarding construction impacts on river habitat. The Army Corps of Engineers is beginning the review process.
- Plant staff continues to work with Griffiths and Woidt Engineers in taking the next steps for the WQIP grant. There is confusion regarding the work to be done and whether the City or the Board is the Lead on this project. Griffiths and Woidt Engineers have their work under contracts with the City and have been informed that this work should not proceed. We all need clarification of the process. An organizational chart is the next document that needs to be submitted for the DEC Grant. This would be an opportune time to develop the chart and understanding of the flow, responsibility and authority of all individuals involved in the process of reconstruction.
- The Pilot study has been completed. Plant personnel operated the towers for the past week. We are now assisting in the breakdown of the electrical and mechanical portion of the pilot plant.
- Plant staff continue to have frequent meetings with GHD design engineers to assist in developing plans and specifications for the facility.

COMMITTEE REPORTS:

Construction – Eugene Hulbert, Sr. asked when the Lead Agency’s flood repair and mitigation project was going to be starting. Superintendent Young believes it will be soon.

AdHoc – Ron Davis – nothing to report

Personnel – Stephen Andrew – a demand letter was received from the Union to begin negotiations for a successor agreement; waiting for Union to provide dates to begin negotiations.

Finance – Edward Crumb – working with Chuck Shager’s office and Business Manager on 2014 final billing; needs help from Johnson City in providing ledger data for Interfund Transfers, if different from what Village Clerk/Treasurer Tom Johnson provided to the Fiscal Officer. 2016 budget schedule was discussed and approved without objection. Under the federal *Water Resources Reform and Development Act of 2014* (WRRDA) fiscal sustainability plans will be required from the Owners’ for any new borrowings from the NYS Environmental Facilities Corporation (EFC) beginning October 1, 2014. Because the definition of “new borrowing” is left to be defined by the state, it may be the case that the Owners’ projected borrowings for the BAF Restoration and Rehabilitation Project, as reflected in the NYS-EFC’s Intended Use Plan (IUP), pre-exist this requirement. Going forward, it may be cost-effective for the Board to support this requirement on behalf of the Owners, making use of the projection capability of the asset management program.

Flow Management – Edward Crumb – DEC has published proposed regulations for the *Sewage Pollution Right to Know Act*, which became effective May 1, 2013. The public comment period runs through July 31, 2015.

Correspondence – the monthly Industrial Wastewater Pretreatment Program (IWWPP) report of GHD Consulting Engineers, LLC was noted.

Old Business – none

Privilege of the Floor – nothing further

New Business – none

The next meeting will be held Tuesday, July 14, 2015 at 3:00pm at the Conference Room of the Training and Office Building.

Stephen Andrew made a motion for the Board to adjourn the meeting.

Ronald Davis seconded the motion

Motion carried 5/0/1(GH, absent)

Meeting ended at 7:22 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.
Chuck Shager, Fiscal Officer
Catherine Young, Superintendent
Brown & Brown Empire State
Haylor Freyer & Coon
Robert Bennett, P.E., Village of Johnson City, Engineer
Gary Holmes, P.E., City of Binghamton, Acting Engineer
File

