

# FINAL COPY

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

Tuesday, June 14, 2022

Plant Administration Building

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

Also Present: Elliott Wagner, Superintendent  
Ronald Warwick, Assistant Superintendent (Exited 6:26PM)  
Billie J. Goodson, Business Manager  
Chuck Shager, Comptroller, City of Binghamton (Exited 6:10PM)  
Alfred Paniccia, Jr., Esq., Co-Counsel  
Adam Afify, Senior Operator (Exited 6:26PM)  
Howard Reeve, Facility Engineer (Exited 6:20PM)  
Larry Travis, Electrical Engineer (Exited 6:26PM)  
Michele Cuevas, Confidential Secretary  
Janet Smith, Transcriptionist (Exited 6:30PM)

Guests: Jason Greene, P.E., GHD (Exited 4:22PM)  
Adam Scicchitano, EIT, CPESC-IT, GHD (Exited 4:22PM)  
Aviva Friedman, City of Binghamton Council Member (Exited 4:46 PM)  
Mary O'Malley, Town of Vestal Resident (Exited 4:15PM)

Chairman Pro Tem George Kolba called the meeting to order at 03:32PM. Sign in sheet was passed and attendance was noted aloud by Michele Cuevas, Confidential Secretary. All six (6) Board Members were present. 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.

### **Privilege of the Floor**

Chairman Kolba called for resident Mary O'Malley who had expressed an interest in speaking to the Board at this meeting about local swimming pool discharge. Ms. O'Malley was placed on the agenda but had not yet arrived. Edward Crumb noted for the record that he has a neighbor

named “Mary Ann O’Malley”, and as far as he knows there is no familial relationship or affiliation between the two.

While waiting for Ms. O’Malley, Chairman Kolba proceeded with agenda.

### **Meeting Minutes Approval**

**Edward Crumb made a motion to approve the submitted May 10, 2022 Draft Board Regular Meeting Minutes with the suggested changes made and as contained in the Board Folders.**

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

Chairman Kolba further called for Superintendent Elliott Wagner to present his Superintendent’s Report, copies of which were distributed in the Board folders.

### **Superintendent’s Report**

Superintendent Wagner overviewed his report and charts stating that recovery has been moving along and staff has been conscientious with equipment inspections as well as maintenance.

Superintendent Wagner summarized the cleanup and repair work on the gallery area estimating it is now at 80%.

(Mary O’Malley joined the meeting)

A copy of Superintendent Wagner’s written report appears below:

May Superintendent Report

06/14/2022

We had 1.87 inches of precipitation last month. Our average flow was 15.61 MGD.

The Village of Johnson City Department of public works was able to locate and replace the missing Manhole cover.

Effluent averages were: CBOD5=88 mg/L. TSS=27.4 mg/L. Phosphorous=1.55 mg/L. The combination of temporary chlorination and UV disinfection resulted in a fecal count of only 2.

During inspection and maintenance of the Actiflo system, Mechanics have discovered a shroud cutting into one of the mixer shafts. Howard Reeve is contacting the SPX Mixer motor representative. The vendor thinks this is not a problem that would prevent us from running it. We feel otherwise.

## **SUPERINTENDENT'S REPORT-cont.**

Plant operators are working in conjunction with Kruger/Veolia to temporarily run the denitrification cells as carbonaceous cells which may reduce the CBOD<sub>5</sub> and TSS numbers.

Matco has been on-site installing 2 RIO panels.

Vacri has installed protective plates on CN-8 and DN-4.

Plant Mechanics have removed all valve actuators and will be delivering them to Rotork to be repaired or replaced as necessary. First truck to Rochester 6/14/2022.

We have retained Ramboll Engineers to perform project management duties as requested by the DEC.

The plant lab has retained its NELAP\* certification. (\* - National Environmental Laboratory Accreditation Program).

Mark D. has passed his Operator 2 test.

Currently we have 4 Operator Trainee positions available due to a retirement and a resignation.

We are interviewing currently for Operator Trainees and an Electrician's Helper.

We have started our 2023 budget meetings.

We are working with the DEC on interim limits for their proposed consent order.

## **Privilege of the Floor-cont.**

Chairman Kolba then called for Mary O'Malley. Ms. O'Malley presented her research and concern pertaining to chlorine and saltwater pool drainage in the area reporting her findings regarding both and expressed her concerns with saltwater pool discharges onto the ground and into the storm water sewer systems discharging to the river.

Jason Greene, P.E. spoke in support of the interests of the Board on wastewater pretreatment and prohibited discharges, stating his concerns and opinion that the biology, which is optimized to function in fresh water, could be adversely impacted, as well as that there could be challenges and risks of chemical coagulation, such that the JSTP might not effectively remove Total Dissolved Solids, and might not treat or remove ionic compounds or sediments.

Ideas and concerns were mentioned in the room. Chairman Kolba thanked Ms. O'Malley and she in turn thanked the Board for their time.

(Ms. O'Malley exited the meeting at 4:15PM)

Chairman Kolba called on Jason Greene, P.E. to present his GHD Industrial Wastewater Pretreatment Program Status Report.

### **IWPP Report-GHD Jason Greene**

Mr. Greene stated there was nothing "earth shattering" this month; that they have been issuing renewals and have been performing annual inspections. The only outstanding fine listed at this time is \$1,400.00 for Binghamton University. Michele Cuevas is working with City of Binghamton regarding past posting of payments made by Binghamton University for IWPP fines.

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

Overviewing her Business Manager's Report, copies of which were distributed in the Board's folders, Ms. Goodson reported that the contracts for recovery from the CN Event are moving along as she passed handouts regarding this to the Board Members. Ms. Goodson pointed out encumbrances, budget amounts spent and budget amounts available.

After a lengthy discussion on many points about procuring this much-needed pump, a motion was made for purchase.

**Edward Crumb made a motion that the Board approves a budget transfer in the amount of \$67,000.00 in the 2022 budget from J8130.51000 (Personal Services) to J8130.54621 (Equipment and Pump Repairs-Mechanical) and that corresponding Requests for Legislation be submitted to the Owner's Legislative Bodies.**

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

**Edward Crumb made a motion that the Board approves a 2022 budget modification increasing J.42680.CNBAF (Insurance Recoveries) and corresponding expenses in J8130. 52000.CNBAF (Equipment and Capital Outlay), both in the amount of \$300,000.00 and that corresponding Requests for Legislation be submitted to the Owner's Legislatives' Bodies.**

**Motion seconded by Bruce King.**

**Motion carried. 6/0**

Ms. Goodson asked the board to approve renewal with Worker's Compensation Insurance with Comp Alliance, the extension of Lab Services, Weaver Recovery Consulting Services contract, and approval of the plant elevator maintenance agreement. After thorough and detailed discussions, the following motions were made:

**Ron Lake made a motion that the Board approve the two-year Comp Alliance Workers Compensation Proposal, effective July 1, 2022.**

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

**Ron Lake made a motion that the Board approve an extension of the laboratory services contract with Microbac Labs for the 2022-2023 term, upon the same terms and conditions as presently in force.**

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

**Bruce King made a motion that the Board approve the three (3) month contract extension commencing July 1, 2022 and expiring September 30, 2022 with Weaver Recovery Consulting, LLC not to exceed \$60,000.00 for services and not to exceed \$1,010.00 for reimbursable expenses to be encumbered from J8130.559105 (Professional Services - Flood).**

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

After a brief discussion regarding the procurement of this agreement and ownership of the elevator regarding the 2022 TK Elevator Maintenance proposal, Superintendent Wagner will follow through with obtaining three (3) quotes/bids for presentation to the Board.

Ms. Goodson wanted to mention that pertaining to old business, Vestal will be billing the Plant directly for potable water supply. Attorney Paniccia stated he has been corresponding and/or speaking with the Town of Vestal officials as has Bruce King. A brief discussion ensued.

### **Fiscal Officer's Report**

Chuck Shager presented the Fiscal Officer's report, a copy of which was distributed in each of the Board folders. Mr. Shager overviewed the numbers stating that the numbers are tracking well and that there are no real issues at this time. Expenses are under budget on Personal Services and Overtime.

Mr. Crumb 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.

### **Board Committee Reports**

Construction: George Kolba, Steve Andrew and Ron Lake

Mr. Lake – Nothing to report. Mr. Andrew – Nothing to report. Chairman Kolba asked for an update regarding the Terminal Pumping Station (TPS) project. Superintendent Wagner spoke about the photograph (copies of which were distributed in the Board's folders) depicting the

issue creating damage to the channel grinder equipment which are “disposable” wipes. Superintendent Wagner expressed on the need to purchase a new channel grinder sooner rather than later. (One is twelve years old, and the other is nearly 11 years old).

Facility Engineer Howard Reeve requested that the Board approve standardization of the TPS channel grinding equipment as well as sole sourcing for the TPS Task Master Channel Grinders with Franklin Miller, Inc. contingent upon approval by Board’s Counsel Al Paniccia.

**Ron Lake made a motion to Standardize the TPS channel grinding equipment to the Model TM14040D Taskmaster Grinder from Franklin Miller, Inc.**

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

**Ron Lake made a motion to sole source Franklin Miller. Inc. of Livingston, New Jersey, via the sole source representative for this area, Siewert Equipment of Rochester, New York, pursuant to the letter to Mr. Ross, Head Mechanic, dated May 26, 2022, for TPS channel grinding equipment model TM14040D contingent upon Counsel’s approval.**

**Motion seconded by Bruce King.**

**Motion carried. 6/0**

**Ron Lake made a motion for Board approval to procure one (1) Taskmaster Grinder from Franklin Miller, Inc. in the amount of \$78,475.00 to be encumbered and paid for from budget line JH8130.554013.**

**Motion seconded by Edward Crumb.**

**Motion carried. 6/0**

Finance: Edward Crumb recommends the Board ratifies the proposed Budget Meeting Schedule for 2023, copies of which were distributed in the Board’s Folder.

**Ron Lake made a motion that the Board approves the 2023 Budget Meeting Schedule as prepared by the Finance Committee.**

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

Mr. Crumb continued and reported that the Finance Committee has been reviewing the current Procurement Policy and the committee felt the policy was working adequately and we are required to solicit comments from the Owners, Mayors and Legislative Bodies and would like to send a letter and the policy to them to review and to request comments. Chairman Kolba agreed that Mr. Crumb should go ahead and send out the letter.

Mr. Crumb also advised that the change in the payroll processing company has currently been implemented.

Mr. Crumb reports that he received an email from Howard Weaver stating he would not be available to attend today's meeting but noted in his email an outline and update of the remaining tasks, copies of this email which were distributed in the Board's folders. Mr. Crumb overviewed the progress thus far and items remaining, updated the Board with FEMA information, and introduced the Final Billing computation for 2021, prepared under the direction of the Fiscal Officer.

**Edward Crumb made a motion that the 2021 Final Billing version v1.3 dated June 10, 2022, as prepared by the Fiscal Officer's Office in a total amount of \$21,764,096.40 be ratified and that the Board directs the Fiscal Officer to issue the final credits and invoices accordingly as shown in the *Paid-on Account* chart.**

**Motion seconded by Bruce King.**

**Motion carried. 6/0**

Flow Management: Edward Crumb – Nothing to report.

Personnel: Steve Andrew – Mr. Andrew advising that the corrected wording for the Union contract was submitted and is waiting for it to be returned. Mr. Andrew is also reporting for Board information that the Union President sent a note to him as well as to Edward Crumb asking about offering the employees the opportunity to purchase insurance coverage regarding the *Family and Medical Leave Act*.

Ad Hoc: Bruce King – Nothing to report.

Correspondence: Michele Cuevas – All correspondence was previously addressed in this meeting.

Old Business: Previously discussed was the request of Triple Cities Metal Finishing for approval of a Wastewater Meter and hardware approval, based on its assertion that its wastewater discharge is substantially less than the amount of water supplied to it by reason of evaporation in its process. There was Board discussion about the use of the device and Co-Council Panicia reviewed Section 27 of the Rules & Regulations which says "...sewer meter gauges or other suitable measuring devices or method..." pointing out *other suitable measuring devices*. Board discussion resulted in asking GHD for the results of the use of the device.

New Business: None.

**Edward Crumb made a motion to go into Executive Session to discuss pending litigation.**

**Motion seconded by Bruce King**

**Motion carried. 6/0**

(Messrs. Warwick, Afify, Reeve, Travis, and Transcriptionist Smith exited the meeting)

At 6:26PM, the Board entered Executive Session.

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

At 6:37PM, the Board exited Executive Session. No action was taken during the Executive Session.

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

**Meeting adjourned at 6:39PM.**

The next regular meeting is July 12, 2022 at 3:30PM.

Respectfully submitted,

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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