

# FINAL COPY

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

**Tuesday, July 12, 2022**

Plant Administration Building

- Members Present: George Kolba, Chairman Pro Tem  
Chris Papastrat  
Edward Crumb  
Stephen Andrew  
Ron Lake  
Bruce King (Audio/Visual until 3:40PM, then Audio 3:45PM)
- Also Present: Ronald Warwick, Assistant Superintendent  
Billie J. Goodson, Business Manager  
Chuck Shager, Comptroller, City of Binghamton (Exited 4:29PM)  
Alfred Paniccia, Jr., Esq., Co-Counsel  
Adam Afify, Senior Operator (Exited 4:29PM)  
Howard Reeve, Facility Engineer (Exited 4:29PM)  
Larry Travis, Electrical Engineer (Exited 4:29PM)  
Michele Cuevas, Confidential Secretary  
Janet Smith, Transcriptionist
- Guests: Clark Giblin, Deputy Mayor, Village of Johnson City  
Scott Soliday, Safety Coordinator (Exited 4:29PM)

Chairman Pro Tem George Kolba called the meeting to order at 03:32PM. Sign in sheet was passed. All six (6) Board Members were present one of which by Audio (Bruce King). 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**

No one wished to speak.

## **Meeting Minutes Approval**

**Edward Crumb made a motion to approve the submitted March 18, 2022, Special Meeting Minutes with the suggested changes made and as contained in the Board Folders.**

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

**Edward Crumb made a motion to approve the submitted April 4, 2022, Special Emergency Meeting Minutes with the suggested changes made and as contained in the Board Folders.**

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

**Edward Crumb made a motion to approve the submitted June 14, 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 called on Assistant Superintendent Ron Warwick to present the Superintendent's Report, copies of which were distributed in the Board folders.

## **Superintendent's Report**

On behalf of Superintendent Wagner, Assistant Superintendent Warwick overviewed the report and charts. Mr. Warwick added that the Nitrogen chart is not included because required laboratory results were not available at the time of the meeting (due to sample incubation time requirements). He will submit them as soon as they are received. He also noted that they have been successfully working the interview and hiring process for all available positions. Mr. Crumb asked about the 'weeping' issue on the DN4 Cell. He was advised that it was designed to show the weeping and was reported to GHD.

(Bruce King was no longer at the meeting via audio/visual, but returned via audio shortly thereafter)

June Superintendents Report  
07/12/2022

In June we received 5.07 inches of rain and average daily flow was 14.44 MGD for the month. We continue running the DN cells as CN cells and saw 58% removal for CBOD and 87% removal for TSS.

We are utilizing Sodium Hypochlorite for pathogen reduction until we can utilize the CN cells. Our 30 day mean for Fecal Coliform was 84 mpn.

Evans Mechanical has started to install actuators but there are missing parts.

Matco has replaced the two damaged power panels, receptacles, and lighting in the gallery. There are still emergency lights to be replaced.

Matco is still waiting for contact blocks for the actuator HOA (hand or automatic) switches.

Matco continues to work on RIO (remote input-output) panels and HOA switches.

Removal and replacement of pipe insulation still needs to occur.

J&K has a contract to replace the damaged HVAC unit and Dehumidifier.

Vacri has completed their infill project on Monday, June 27<sup>th</sup>. The CN-8 and DN-4 cells have protective plates installed.

K-5 Media delivery began 7/11/2022 followed by wetting for a minimum of 3 days.

Plant mechanics removed and delivered the valve actuators to Rotork.

We continue to meet with board to finalize the 2023 Budget

We continue to interview for Operator trainees and Electrician helper.

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

Overviewing her Business Manager's Report, copies of which were distributed in the Board's folders, Ms. Goodson pointed out encumbrances, budget amounts spent, and budget amounts available; that all invoices for new purchase orders are sent to the shared hard drive so that Ramboll and Traveler's Insurance can keep track of them.

The current Account Clerk/Typist submitted her resignation. Her last date of employment is 7/15/2022. A new Account Clerk/Typist has been hired to begin 7/25/2022.

Ms. Goodson again wanted to mention that pertaining to old business, Vestal will be billing the Plant directly for potable water supply, but nothing has been received yet. Attorney Paniccia stated he will again bring it to the attention of the Town of Vestal officials along with a request for a meeting.

## **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 that the numbers are tracking well and that there are no real issues at this time. On the year-to-date budget, wages are underbudget. Expenses and Equipment and Capital Outlay was adjusted. Mention was made about the encumbrance for the Modular Building line item. Co-counsel Paniccia advised need to keep on the books for 6 years. Business Manager Goodson will investigate this further and will report next regular meeting.

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. He also overviewed the report on grant status. Mr. Crumb advised that he and Ms. Goodson are continually participating in weekly meetings with FEMA representatives; that they are working towards a resolution of the remaining open projects. Mr. Crumb is looking further into obtaining some of the Certificates of Occupancy and Certification of the Floodwall which are needed for the FEMA process.

## **Board Committee Reports**

Construction: George Kolba, Steve Andrew, and Ron Lake  
Both Mr. Lake and Mr. Andrew had nothing to report.

Chairman Kolba asked for an update regarding the Terminal Pumping Station (TPS), it was reported that the replacement Channel Grinder has been ordered, and Mr. Paniccia advised that the sole source issue has been resolved.

Mr. Crumb wanted to broach the subject that this Board has not satisfied the Procurement Policy in the long term for the TPS yet given that in the October 2018 TPS Improvements Strategy Study that the City hired GHD to prepare and the City accepted on behalf of the Owners, GHD recommended that the TPS *not* be reconfigured other than to keep the channel grinders in the geometry (space and configuration) that they are in right now and if we wanted to try to convince the Owners that it was short-sighted and that now in 2022 with the technology that exists and seeing the conditions and how things operate the way that it is, then Mr. Crumb believes it<sup>2</sup> is the Board's obligation under our Procurement Policy to put out a request for proposals for Engineering firms; to advertise publicly, not trying to buttonhole someone else asking for help but to actually say what we want in order to update that study and then, under the IMA in *Article 12(D) subparagraph ix*, we have to go to the legislative bodies to get permission to hire the consulting Engineer to do that work/approve that contract. Mr. Crumb stated that it is the Board's obligation to put out formal proposal...the ball is in our court.

Finance: Edward Crumb advised that the upcoming budget work session and meetings are as follows:

7/15/2022 3:00PM

7/20/2022 4:00PM

7/26/2022 4:00PM

A carryover meeting is on August 1, 2022, 4:00PM, if needed.

Mr. Crumb mentioned that, while they are near the end of the FEMA completed projects, delays are again happening due to FEMA employee changes which in turn causes the new employees to review project history, documentation, and understand all the previous submissions which, of course, raises questions which take time to respond to, but despite this delay, things are moving, just slow.

Mr. Crumb also mentioned that it's been difficult to obtain and maintain additional flood coverage going forward. Needs drawings for the floodwall and other buildings.

Flow Management: Edward Crumb – Nothing to report.

The Board had a lengthy conversation regarding regular time as well as overtime for the **2022** Emergency CN Event work, previous reports and statistics are being researched to ascertain the numbers to submit to the insurance company for reimbursement.

Personnel: Steve Andrew – Nothing to report.

Ad Hoc: Bruce King – Nothing to report.

Correspondence: Michele Cuevas – A copy the GHD IWPP June Status Report is in the Board's folders for their review. All other correspondence were previously addressed in this meeting.

Old Business: Previously discussed-

New Business: None.

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

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

(Messrs. Afify, Reeve, and Soliday exited the meeting)

At 4:29PM, the Board entered Executive Session.

**Steve Andrew made a motion to exit Executive Session.**

**Motion seconded by Edward Crumb.**

**Motion carried. 6/0**

At 4:38PM the Board exited Executive Session. No action was taken during the Executive Session.

**Edward Crumb made a motion that the Board consents to and accepts the offer from Whitacre Engineering of \$100,000.00 in settlement of any claims against Whitacre in the pending 2011 wall collapse/construction defect litigation.**

**Motion seconded by Steve Andrew.**

**Motion carried. 6/0**

**Steve Andrew made a motion to adjourn.**

**Motion seconded by Chris Papastrat.**

**Motion carried. 6/0**

Meeting adjourned at 4:40PM.

The next regular meeting is August 9, 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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