

FINAL COPY

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

Thursday, November 10, 2022

Plant Administration Building

Members Present: George Kolba, Chairman Pro Tem
Chris Papastrat
Edward Crumb
Bruce King
Steve Andrew (Cell Phone Audio) 3:40pm Video complications remote access

Also Present: Elliott Wagner, Superintendent
Billie Jø. Goodson, Business Manager (Remote)
Howard Reeve, Facility Engineer
Larry Travis, Electrical Engineer
Adam Affify, Senior Operator
Ronald Warwick, Assistant Superintendent
Jim Ross, Head Mechanic
Scott Soliday, Safety Coordinator/Industrial Hygienist
Michele Cuevas, Confidential Secretary

Guests: Clark Giblin, Trustee, Village of Johnson City
Luke Meade, Videographer, WBNG
Giovanni Scaringi, Council Member, City of Binghamton
Pat Byrne, Owner, PJ Byrne Enterprises

Chairman Pro Tem George Kolba called the meeting to order at 2:59PM. Sign in sheet was passed. Confidential Secretary Michele Cuevas took roll call. Four (4) members were present. Board Member Steve Andrew was remote on audio due to video complications. Ronald Lake was absent. 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.

Chairman Pro Tem Kolba gave Superintendent Elliott Wagner the floor to explain the nature of the emergency declaration.

Yesterday, Wednesday, November 9th the plant mechanics detected a leak of digester gas (which is about 65% methane) on the rim of Digester #2 causing their (Lower Explosive Limit) LEL meters to go off/notification by the LEL meters, which is a safety concern which brought the Safety Coordinator/Industrial Hygienist into the picture.

As of right now the measures taken to mitigate that safety concern was to take down the amount of gas that's in Digester #2's storage layer in the cover by burning it through the microturbines. By-pass piping was installed, and we have contacted Westech® Equipment (the cover manufacturer), and Natgun Corporation (the tank's manufacturer), and Streeter Associates Inc. (the general contractor) who in turn advised to contact as a consultant P. J. Byrne, who was an inspector and the owner of PJ Byrne Enterprises, specializing in injecting epoxy into concrete. All this information was then relayed to Board Members and the Project Engineer Ron Lake, P.E. who in turn advised that a Special Emergency Meeting was necessary.

Superintendent Wagner then expounded on the issues at hand to include a description of the digester's historical reconstruction/repair work after 50-60 years of use, corrosion, and deterioration, and then asked Facility Engineer Howard Reeve to talk about the steps he took including that he contacted P. J. Byrne who immediately came on site to examine and review the situation. Mr. Byrne agreed to address the Board at today's meeting and conveyed his findings, recommendations as well as outlining his and his company's experience and credentials.

Discussion in the room with the Supervisors, Operators, Mechanics and Mr. Byrne sparked questions to include employee safety and public safety to determine whether to declare this as an emergency and whether to declare one or both digesters in that declaration.

Edward Crumb made a motion declaring the situation an emergency for procurement by reading aloud the following resolution:

RESOLUTION DECLARING EMERGENCY FOR PROCUREMENT

(Emergency Response to Digester Gas Leaks and Repairs to Digester No. 2 and No. 1 Ring Wall/Cap Stone)

WHEREAS, on November 9, 2022, Mechanics working at the Binghamton-Johnson City Joint Sewage Plant ("Plant") discovered that an approximately 10-15 foot long area of the previously-repaired cap stone at the upper rim of the Digester No. 2 (Structure No. 4-B) ring wall has started leaking digester gas, which is explosive (especially when concentrated, such as inside the Digester No. 2 chamber itself or through infiltration under adjacent membrane roofing), thereby posing a threat to publicly-owned Plant buildings and Plant property, as well as being a threat to the life, health, and safety of Plant employees and other personnel present at the Plant from time-to-time; and

WHEREAS, as a result, the use of Digester No. 2 must be modified immediately, Digester No. 2 may need to be emptied of partially-digested biosolids-in-process and de-gassed (requiring temporary piping modifications and other work), cleaned (including proper neutralization [by means of lime-stabilization] and proper disposal of removed partially-digested biosolids), and the full circumference of the upper ring wall and cap stone inspected for cracks and leaks, including in adjacent masonry joints, and injection-repaired to seal gas-leaking joints and cracks; and

WHEREAS, for safety, adjacent [*companion*] Digester No. 1 (Structure No. 4-A), of similar construction, size, and age, should be inspected similarly for gas-leaking joints and cracks and injection-repaired if gas-leaking joints and cracks are found in order to protect the public and/or employee health, as well as the health of the local environment; now, therefore, be it

RESOLVED, that in accordance with the Board's procurement policy and New York State law, the Board declares an emergency for procurement and waives compliance with Board policy and State law with regard to purchases of goods, services, and public works contracts, but said waiver shall be limited to inspection services, purchases, contracts, and/or public works, including injection-repairs into the upper ring walls, cap stones, and adjacent joints of Digester No. 2 (Structure No. 4-B) and Digester No. 1 (Structure No. 4-A); clean-out and proper disposal of the biosolids presently contained therein and removed to the extent necessary to facilitate such inspection and repairs; and be it further

RESOLVED, that the Board and Plant Superintendent shall take prudent action to secure the least total cost method of making purchases and engaging in public works, consistent with the nature and scope of this emergency; and be it further

RESOLVED, that – *unless rendered unnecessary sooner by virtue of completion of the emergency response and repair tasks set forth above* – this resolution shall be effective for 75 days through January 24, 2023 unless extended, or subsequently further extended, by the Board upon good cause shown for the limited purposes described herein.

DATED: November 10, 2022

Vestal, New York

Motion seconded by: Bruce King.

Motion carried. 4/0/1 (Audio, SA) / 1 (Absent, RL)

Bruce King made a motion to adjourn.

Motion seconded by Chris Papastrat.

Motion carried. 4/0/1/1 (Audio, SA) (Absent, RL)

Meeting adjourned at 3:58PM.

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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