



Binghamton-Johnson City
JOINT SEWAGE BOARD



Eugene Hulbert, Sr.
Gary Holmes
Edward Crumb

Stephen Andrew
George Kolba, Jr.
Ron C. Davis

FINAL COPY

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

Tuesday, July 14, 2015

Conference Room, Office Building, JSTP

- Members Present:** George Kolba, Jr., Chairman
Eugene Hulbert, Sr., Vice Chairman
Edward Crumb
Ronald Davis
Steve Andrew
Gary Holmes (exited at 5:54 pm)
- Also Present:** Cathy (Aingworth) Young, Superintendent
Charles Pearsall, Business Manager (exited at 6:29 pm)
Jerry Motsavage, City of Binghamton Councilman (arrived at 3:30 pm)
Michele Cuevas, Confidential Secretary
Ken DelBianco, P.E., City of Binghamton Contract Project
Manager (exited at 6:15 pm)
Alfred Paniccia, Jr., Esq., Co-Counsel (exited at 6:53 pm)
John L. Perticone, Esq., Co-Counsel
Gerald Kennicutt, City of Binghamton Deputy Comptroller
(exited at 5:54 pm)
Laura Lee Perkins, Transcriptionist (exited at 6:29 pm)
- Guests:** Jason Greene, GHD (arrived @ 4:07 pm; exited at 4:32 pm)

Chairman George Kolba called the meeting to order at 3:01 pm. All Board Members and legal counsel were present. Sign-in sheet passed for signatures.

Edward Crumb made a motion for the Board to approved the 6/9/15 Minutes with the changes as found in the Board folder.

Ronald Davis seconded the motion

Motion carried 6/0

Catherine P. Young, Superintendent
Binghamton-Johnson City Joint Sewage Treatment Facilities
4480 Vestal Road, Vestal, New York 13850
Phone: 607-729-2975 Fax: 607-729-3041
Email: bjcwvtp@stny.rr.com

Gerald Kennicutt presented the Board Fiscal Officer's Report and reported that checks were issued for credits applied to the following municipalities for their shares of the additional prior year expense refund for 2013:

State of New York (SUNY) Binghamton University
Town of Vestal
Town of Kirkwood
Town of Union
Town of Conklin

The remaining municipalities with a credit balance will have the credit applied to their Third Quarter estimated billings, dated as of July 1, 2015, which will be mailed-out shortly.

Gerald Kennicutt presented the Board's Cash Balance Report:

1/1/2015 Beginning balance			
Checking		\$ 718,067.15	
Savings		<u>\$8,749,950.87</u>	
	Total		\$9,468,018.12
6/30/15 Revenue		\$6,980,853.93	
6/30/15 Disbursements		<u>\$8,639,151.46</u>	
	BALANCE		\$8,079,720.59

Mr. Kennicutt stated that the Comptroller's Office is working on having the Cash Balance Report be produced as a MUNIS report.

Charles Pearsall presented the Business Manager's Report.

Steve Andrew made a motion for the Board to extend the PACE Analytical Outside Laboratory Services Contract; to be paid from budget line J8130.54436 (Laboratory Services).

George Kolba, Jr. seconded the motion

Motion carried 6/0

(Jerry Motsavage joined the meeting)

Steve Andrew made a motion for the Board to renew and/or enter into a new Intermunicipal Shared Services Agreement with Broome County for labor relations and personnel services for the period 7/1/15 to 6/30/16 upon the same terms and conditions that have been in force, and to authorize and direct that the Chairman sign the same in a form approved by Co-Counsel Paniccia.

Edward Crumb seconded the motion

Motion carried 6/0

Steve Andrew made a motion for the Board to piggyback off the City of Binghamton contract for Hypchlorite solution from the supplier Amrex Chemical at \$0.84 per gallon for the final one-year supply period under the City's contract, to be paid from budget line J8130.54150 (Chemicals).

Ronald Davis seconded the motion

Motion carried 6/0

George Kolba, Jr. made a motion for the Board to release a minimum of \$60,000 to pay Modspace invoices.

Eugene Hulbert, Sr. seconded the motion

In discussion it was noted that the Finance Committee is awaiting log data from the Superintendent that has been compiled by the Facilities Engineer regarding completion of punch list work in order to compute the retainage in relation to certified payroll reports that have not yet been submitted.

Motion carried 6/0

Catherine P. (Aingworth) Young presented the Superintendent's Report, a copy of which appears below:

(Insert Superintendent's Report here)

**Superintendent's Report
July 14, 2015**

Violations and Significant Issues

Compliance

- The plant continues to operate in CEPT mode

Date: June 2015 Average Flow	Influent 19.70mgd	Effluent	Average % Removal	Effluent Limit	
CBOD	135	85	37.04%	Monitor	
Suspended Solids	176	41	76.70%	Monitor	
Other: Settleable Solids Max	11.1	0.17	98.47%	Monitor	
Total Nitrogen	May 22.0	May 19.5	11.36%	Monitor	
Chlorine	NA	1.50Max.	NA	2.0Max.	
Avg. Temperature	17.0	17.1			
Solids Removed		Mar	April	May	June
Digested		0	0	0	0
Lime Stabilized		832.52	633.93	760.57	878.98
Total		832.52	633.93	760.57	878.98

- **MCC Replacement:** Our electrical department staff worked with GHD to design and complete the emergency replacement of the faulty switchgear that failed. GHD finalized specs for the work. They have forwarded these to Matco for pricing information and hope to have the costs back by June 22nd.
- **The Johnson City Grit system needs significant repairs.** Plant mechanics are currently repurposing the conveyor from the BAF fine screens as a temporary repair until the units come off, which is anticipated to be within the next six months.
- **Digester 3 Update:** The center mixer is still being stored off site with Blue Heron. The covers appear to be usable. Direction is needed for these items.
- **One channel grinder at TPS has failed.** It had been removed and sent to the factory for an evaluation and estimate of cot for repair. Estimated cost for repair is 22,361.00. Estimated Cost for a new grinder is \$73,250.00
- **The TPS flood mitigation contract has been awarded by the City as Lead Agency and the construction is continuing.** Meetings are scheduled for alternate Tuesdays.
- **A meeting was held for Review of Structural Analysis on Re-Used Structures in the BAF on June 17 with Paul Carr, GHD and JL Richards representatives.** The meeting was very productive and the 90% design plans appear to have taken into account concerns that had been raised by personnel.
- **The Pilot study has been completed and the plant has been removed.** We are currently awaiting a report detailing the results and conclusions of the pilot.
- **Plant staff met with GHD and Sandy Lizlovs of DEC to review the construction and demolition areas and her concerns regarding the removal of CEPT for a period of time**

during construction. Sandy and other members of the DEC will be back this week to evaluate conditions further.

- A meeting was hosted by the City as Lead Agency, with the Vestal Fire Department and plant staff to review the methanol fire suppression plans. The improved plans were very well received by all.
- Meetings to review the 90% design plans as well as the construction schedule were held with GHD, JL Richards, Jacobs, City and Plant Personnel the first week of July. Final plans are anticipated to be completed by August, with construction anticipated to begin in late fall of 2015.
- Plant staff continue to have frequent meetings with GHD design engineers to assist in developing plans and specifications for the facility.
- 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 City has advertised for bids for the BAF Demo Project, and the Plant Flood Repair Project. Bids are due back to the city this week.
- The Union Contract for employees expires at the end of this year. A personnel committee meeting was held to identify issues that may need attention in this round of negotiations.
- Plant staff developed the draft budget numbers for 2016 based on the best information we had available at the time. Revisions will need to be made as more of the plant redesign is developed.
- A current employee recently passed away. A card of condolence will be available for board members to sign.

Steve Andrew made a motion for the Board to approve the repair and reconditioning of the TPS Channel Grinders for up to \$22,361.00 by the manufacturer to be paid from budget line J8130.554013 (TPS Channel Grinder) following removal by the City of Binghamton so that the units will be available thereafter as operational spares.

Ronald Davis seconded the motion

Motion carried 6/0

GHD's monthly Industrial Wastewater Pretreatment Program Report was presented by Jason Greene, P.E.. In addition to the written report included in the Board folder, discussions included the closing of the SAIC remediation site, renewal of discharge permits for the hospitals, the Town of Conklin Landfill, and Broome Community College (BCC). The County Jail and Central Foods operations adjacent to the BCC were noted. It was also mentioned that, as reported at a recent City Council meeting, Mountain Fresh Dairy had not yet begun manufacturing given that it continues to have work performed to optimize its process automation. Superintendent Young noted that the Plant will not be able to accept waste from septic haulers during the construction.

(Jason Greene exited the meeting)

Committee Reports

Lead Agency Construction – Gary Holmes noted that 90% plans and specifications for the BAF Rehabilitation have been provided to DEC. The DEC has requested that a final BAF Pilot Study Report be provided before the DEC reviews the submission. Additionally, the City of Binghamton owes the DEC a construction sequencing plan, which Jacobs will be working to produce. The DEC has expressed concern about the removal of the CEPT system during construction. Contract 2 for Flood Repairs to the Primary Treatment Systems has been awarded to Blue Heron by the City's Board of Contract and Supply. There are some long lead-time items to be procured under this contract before construction work can begin. Contract 3 for BAF Demolition has been awarded to LeChase Construction by the City's Board of Contract and Supply in the amount of \$2,744,575.00. Contract 4 for Emergency Primary Treatment Motor Control Center (MCC) repairs has been awarded by the City's Board of Contract and Supply in the amount of \$1,119,000.00 to MATCO Electric. There are some long lead-time items to be procured under this contract before construction work can begin. A Change Order is under negotiation to add the knife valves and gate valves back into the TPS Flood Repair contracts in accordance with the FEMA-obligated scope of work. Mr. Holmes also reported that the City is considering addition of an ultraviolet light disinfection system. There is a projected 5-7 year "payback" for the \$7 million estimated construction cost. A value engineering review of the BAF Rehabilitation and Flood Wall Plans is ongoing. The City is pursuing a project labor agreement with the various trade unions; this agreement will require approval by City Council. The City has not made a final decision on pursuing an Owner-Controlled Insurance Program (OCIP) yet. The City has received a draft of GHD's report on the Digester Complex, which analyzes three options. Eugene Hulbert, Sr. requested that the Board be provided a copy as soon as possible.

Construction – Eugene Hulbert, Sr. – requested to be notified of when the next TPS Construction Progress meeting will be.

Finance – Edward Crumb – updated on the status of the 2014 final billing: a meeting is needed with Johnson City to reconcile its internal Sewer Fund administrative costs because the data provided by Trustee King differs from that provided by Village Clerk/Treasurer Tom Johnson. As presented at last month’s meeting, three budget working meetings are scheduled with an additional “if needed” meeting for preparation of the 2016 Proposed Budget.

Personnel – Steve Andrew – reported that work is ongoing to retain Broome County Personnel to assist in contract negotiations. Eugene Hulbert, Sr. asked whether we will have a workforce plan based on the new system (including potential need for additional personnel to maintain/repair the new/expended system). At this point, it does not appear that the Owners’ have as yet asked for this from their design team. A question was asked regarding the safety and security program for the construction project. Ken DelBianco, P.E. stated that this is being coordinated by GHD and Jacobs, and he expects that it will be included in the BAF construction contracts (##6-9). Eugene Hulbert, Sr. asked why this would not be addressed immediately, in order to get it done before the demolition begins. Mr. DelBianco stated that the approach was, to the extent possible, to install a permanent security system under the BAF construction contracts (rather than a temporary system that would need to be replaced).

Ad Hoc – Ronald Davis – reported that the protective boulders for in front of the Training and Office Building should be delivered within a month.

Flow Management – Edward Crumb – no new items to report

(Gerald Kennicutt and Gary Holmes exited the meeting; a quorum of five Board Members remains).

Correspondence items included in the Board folders were reviewed.

Old Business

Superintendent Young reported that Howard Weaver of Simmons has stated that, now that the flood-damaged materials have been inventoried/documentated, it is permissible to dispose of items that have been stored in the Conex container and “back 40”. Competitive quotes have been obtained from the Weitsman, Greenblott, and Rockaway firms regarding acceptance of scrap metal. Prices vary depending on whether the material is “mixed”/bulk or whether separated into “clean” aluminum, copper, iron/steel, etc.

Edward Crumb made a motion for the Board to declare the materials in the Conex container and “back 40” as surplus to be scrapped or disposed-of as the Superintendent or her designee deems appropriate.

Ronald Davis seconded the motion

Motion carried 5/0/1 (GH)

The Water Quality Improvement Project (WQIP) grant was discussed. The sense of the Board is that, if the City of Binghamton would be permitted to assume project sponsor status under the grant's rules, the WQIP grant be taken over by the City. If not, the Board intends to carry-out the WQIP as awarded.

It was noted that the Owners have not yet provided a declaration of surplus status with respect to the BAF Filter Media stored at the Charles Street Business Park. Mr. DelBianco asked that he be provided with a list/inventory so that he can pursue this with the Owners.

New Business

Eugene Hulbert, Sr. made a motion for the Board to accept the letter proposal from Attorneys Perticone and Paniccia regarding increase in Attorney rates effective immediately (7/10/15) from \$150.00 per hour to \$165.00 per hour for matters outside of meetings.

Steve Andrew seconded the motion

Edward Crumb wanted it noted in the minutes that this increase was not budgeted for in the 2015 budget.

Motion carried 5/0/1 (GH)

Steve Andrew made a motion for the Board to go into Executive Session to discuss pending and potential litigation.

Eugene Hulbert, Sr. seconded the motion

Motion carried 5/0/1 (GH)

Charles Pearsall and Laura Lee Perkins exited the meeting at 6:29 pm.

The Board entered Executive Session at 6:29 pm, during which one potential litigation matter and one pending litigation matter were discussed.

(Co-Counsel Paniccia exited the meeting at 6:53 pm)

Steve Andrew made a motion for the Board to exit Executive Session.

Ronald Davis seconded the motion

Motion carried 5/0/1 (GH)

The Board exited Executive Session at 6:55 pm. No action was taken during the Executive Session.

The next regular meeting will be held beginning at 3:00pm on Tuesday, August 11, 2015 in the Conference Room of the Training and Office Building at the JSTP.

Steve Andrew made a motion for the Board to adjourn.

Ronald Davis seconded the motion

Motion carried 5/0/1 (GH)

Meeting adjourned at 6:56 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 Peticone, 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