



Ray L. Standish, P.E.
Edward Crumb

Binghamton-Johnson City JOINT SEWAGE BOARD



George Kolba, Jr.
Stephen Andrew
Ron C. Davis

FINAL COPY

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

Tuesday, August 14, 2018

Johnson City Municipal Building First Floor Conference Room-

Members Present: George Kolba, Jr., Chairman *Pro Tem*
Edward Crumb
Ray Standish (arrived at 3:10 PM)
Steve Andrew
Ronald Davis

Also Present: Cathy Young, Superintendent
Michele Cuevas, Confidential Secretary
Charles Pearsall, Business Manager
Alfred Paniccia, Jr., Esq., Counsel
Chuck Shager, Fiscal Officer and City of Binghamton Comptroller
(arrived at 3:35 PM)
Ronald B. Lake, P.E., City Project Manager
Conrad Taylor, City of Binghamton Councilman (exit at 4:55 PM)
Bruce King, Village of Johnson City Trustee
Laura Lee Perkins, Transcriptionist

Guests: Howard Weaver, Simmons (arrived at 3:53 PM; exited at 4:06 PM)

George Kolba called the meeting to order at 3:05PM. Four (4) Board Members were present. Member Ray Standish was absent. Attendance sheet was passed for signatures. Fire exits were identified.

Edward Crumb made a motion for the Board to approve the 6/12/18 Minutes in the form contained in the Board folder with the changes noted.

Steve Andrew seconded the motion

Motion Carried 4/0/1 (absent)/ 1 (vacant)

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: bjcwwtp@stny.rr.com

Charles Pearsall reported that we received the initial draft audit report for 2017 from EFPR Group. There were 2 items of concern noted by the auditors:

- the 2016 Audit was never submitted properly to the Federal Clearing House. That has been straightened out, waiting for Clearing House to approve. Once approved by Clearing House, EFPR will add it to our audit but we will get a mention that it was submitted late.
- OPEB (other post-employment benefits) – statement that the one we had was dated, but it was good enough for the 2017, but they are alerting us that, for the 2018 audit, we are going to have to do the GASB 45 and 75, which is more involved.

Mr. Pearsall reached out to Jefferson Solutions (still under contract until the end of this year) for an actuarial valuation proposal; had not heard back; do not need them until later in the year.

Mr. Crumb inquired that if it was done now, could it be done with the prior GASB standard? EFPR Group wants the Board to sign an Engagement Letter; we deferred and said we would sign our version. Our objection was the wording signing away our right to litigation; binding arbitration in Erie County. They agreed to let us cross off that paragraph. Otherwise, it is a boiler plate advising what they will do as far as the audit. Mr. Crumb asked if the Contract had been prepared and approved by Attorney Paniccia. It was.

Also, EFPR Group sent a \$15,000 progress billing Invoice. The original agreement states that once they provide the draft, they can charge 80%.

(Board Member Ray Standish joined the meeting; five Board Members are now present)

Mr. Pearsall requested permission to advertise for the TPS Channel Grinder. Ms. Young told the Board that Gary Holmes determined to put the upgrade to the pump station on hold. Mr. Lake will look into this. One grinder was rebuilt in 2015; one original was pre-2011 flood; we have been doing repairs in-house; needs replacement now. Would like to use exact same bid for the exact same grinder. The dollar amount quoted is from 2 years ago; added 10-15% as a budgetary estimate.

Edward Crumb made a motion for the Board to approve the transfer of \$65,000.00 from Capital budget line JH8130.554040 (Capital Contingency) to TPS Channel Grinder, budget line JH8130.554013, and that the appropriate Request for Legislation be submitted to Owners' Legislative Bodies

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to authorize the Superintendent or her designee to advertise for the procurement of a replacement to the TPS Grinder using the same specs and bid language that was previously used in prior years.

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

Mr. Pearsall reported that in 2012, HVAC work was done on the TPS Building; a door was installed incorrectly. Plant personnel refused to approve paying-out retainage until it was corrected. Requesting release of the \$8,923.00 now that the issue has been corrected. In the meantime, we went through the Capital Budget for funding the WQIP and took any residual funds, zeroing out that line, not leaving enough to pay the retainage balance.

Edward Crumb made a motion for the Board to transfer \$8,923.00 from Capital Contingency (JH8130.554040) to JH8130.554006 (Building Mechanical HVAC Improvement) and that such transfer be encumbered in relation to the HVAC Contract at the TPS.

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

Mr. Pearsall reported that we have received a request from the City that the Board correct the deficit in the Flood Capital Line where Simmons bills the FEMA flood recovery work. The bills are split by building for professional services. In the past there was an ordinance that allowed the City Comptroller to take money out of the pool account (559100) and apply it to the lines where the invoices were listed. A prior-year transfer was made that put that pool account money into the 559105 line (Professional Services). It was his understanding that the Comptroller would continue to apply the amounts to the proper lines. He is not doing that and is refusing to pay the invoices because we do not have funds in the individual lines to cover the invoice. Need to either amend the original Ordinance (12-19) to say he can use the 559105 line as well as the 559100 line or appropriate funds to the lines as the Simmons Invoice comes through, which will greatly delay payment of those invoices.

Edward Crumb stated that the Fiscal Officer recommended that because we have received recoveries of approximately \$60,000 (not exact), we could have a budget modification to the Owners to increase our revenue in the amount of the recoveries that were paid to Simmons (about \$60,000) and then increase the funding on the Flood Capital General line (559100) by the same amount (about \$60,000). Then we may have the money to get through the rest of the year. We have money in the proposed budget for next year.

Edward Crumb made a motion for the Board to approve a budget modification in the 2017 budget and Flood Capital budget increasing revenues by approximately \$60,000 (the amount of the recoveries paid to Simmons Recovery) and it would be split 25% to 43960 (State) and 75% to 44960 (Federal) and then increase the balance on JF8130.559100 (Flood Capital) in the same amount.

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to accept the Amrex bid for the supply and delivery of sodium hypochlorite at a bid price of \$0.79/gallon for an 18-month supply period effective immediately upon execution of the Contract.

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to give notice to terminate in accordance with the contract's terms to the existing sodium hypochlorite supplier once the Amrex Contract is in place.

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to accept the bid from Amrex to supply and deliver Sodium Thiosulfate 30% Solution- at \$1.85/gallon for an 18-month supply period beginning at the expiration of the current agreement (9/1/18).

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

Mr. Pearsall stated that he would like to request an extension for the submission of the 2019 budget to the Owners. (To be discussed further during New Business).

Edward Crumb made a motion for the Board to accept the MEGA/Coop offer for 2 years of electricity supply beginning on or before 11/24/18 at a fixed price of \$0.04.488/kw.

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to authorize the Business Manager or Superintendent's designee to advertise for the supply and delivery of Hydrated Lime using the same bid specifications as previously used.

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

SUPERINTENDENT'S REPORT

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

**Superintendent's Report
August 14, 2018**

Violations and Significant Issues

Compliance

Date: July 2018 Average Flow 14.65MGD	Influent	Effluent	Average % Removal	Effluent Limit
CBOD mg/l	216mg/l	134mg/l 16,372lbs/day	37.96%	(Limit 24,840lbs/day) Monitor until Jan 1, 2018 then 5,254lbs/day. \$5K Fine
Suspended Solids mg/l	172mg/l	52mg/l 6,353lbs/day	69.77%	(Limit 12,765lbs/day) Monitor until Jan 1, 2018 then 5,828lbs/day. \$5K Fine
Other: Settleable Solids Max ml/l	11.7ml/l	0.57ml/l	95.13%	Monitor
Total Nitrogen mg/l	June 2018 22.5mg/l	June 2018 19.9mg/l	11.56%	Monitor
Chlorine mg/l	NA	1.65 Max.	NA	2.0Max.
Avg. Temperature	22.6	22.4		

Solids Removed	Apr 2018	May 2018	June 2018	July 2018
Digested	0	0	0	0
Lime Stabilized	489.18	596.45	485.8	483.12
Total	489.18	596.45	485.8	483.12
Grit	0	0	0	0
Screenings	3.51	13.56	2.70	
Grease	3.27	8.25	5.67	

Operations Summary, Construction and Related Issues

- Digester piping needs to be cleaned and it is not a part of any of the construction contracts. This is a result of the 2011 flooding. We lost power and equipment to operate the digester and had the digesters cleaned but not the approximately 300 feet of 4"- 10" sludge piping. Scaffolding and rigging would likely be needed for this project.

[Steve Andrew inquired as to what this will involve – able to clean pipe or put in new pipe? Ms. Young informed the Board that they had a quote from Drain Brain to clean the piping. Scaffolding and rigging is needed to take the piping apart. The quote was \$15,000.] [Ron Lake is to look into this matter; Board will pay for cleaning; replacement would be paid for by Owners]

- The TPS channel grinder has needed significant repairs and attention. The rehabilitation of TPS is on the back burner therefore, the head mechanic and facility engineer request approval to procure a new channel grinder.
- Jacobs is requesting that the plant develop a plan to store the volume of spare parts and equipment that we will be receiving under the contract requirements of the construction contract. They have recommended the board lease space for storing material off site until the construction is complete. [The Plant has not taken ownership of anything]
- The Administration building is nearing completion. Plant staff have moved into both the upper and lower level, however there are still outstanding items that need to be addressed. Punch list items are still in the process of being identified and completed.
- The new scrubber performance testing occurred last week. Plant employees received training on the operation of the new scrubber building in May, however, the system has not yet been turned over to the plant for operation pending the completion of punch list items. PC Construction is operating the process in the interim.

Other

- The Water Quality Improvement Contract went out for rebid. Bids will be received by September 4, 2018.

The monthly meeting with the DEC was held on August 7, 2018. There was a significant number of EPA representatives also present at the meeting. An update on the construction progress was given and deadlines for meeting permit requirements was discussed. Modifications to the consent order may be necessary.

Bar screens are installed and operating.

High flow into Plant is capped at a maximum of 35 million gallons per day.

Nevertheless, there was flooding in the influent wet wells.

Infiltration into the Head House midlevel resulted in a few inches of water; there were parts and materials in the Head House left by construction crews which will need to be addressed by contractor personnel.

Howard Weaver joined the meeting and reported that, for now, everything is staying the same at Simmons; the firm is willing to represent Plant if flood damage occurred with recent storms and a new federal disaster is declared.

Mr. Weaver also reported that he has started the closeout on the Terminal Pump Station; he has not heard anything yet from FEMA or the State regarding closeout on the Compost Facility; he looked further into sludge digester and sludge removal in pipes, the \$1.5 million approved for sludge removal should be available to pay for pipe cleaning, to the extent not otherwise used for sludge removal.

Howard Weaver exited meeting at 4:06 PM

Chuck Shager presented the Fiscal Officer's Report:

1/1/2018	<u>Beg. Balance</u>		
	Checking	\$ 92,580.64	
	Savings	<u>\$6,665,936.07</u>	
	Total		\$6,758,516.71
7/31/18	<u>Balance</u>		
	Checking	\$1,341,649.85	
	Money Market	<u>\$5,006,277.29</u>	
			\$6,347,927.14

Mr. Shager reported: there is money on the Chemical line which does not appear will be spent this year.

Revenues – doing well with the exception of IWWPP Surcharges line.

Mr. Crumb reviewed and explained the Lead Agency Construction Project Cost charts. See charts in Board folder.

Ron Lake reported that Phase 1 was supposed to be finished by the end of December; it does not look like that is going to happen; he has been talking to Jacobs about moving the project along; Kruger talking about starting up air process sometime after 1st of the year. Cannot promise the contractors will meet the December 1st deadline. DEC is not very happy; the Owners are not happy. The contractors claim they are not able to hire needed laborers.

Ms. Young reported that the DEC December deadline under the Consent Order is for the Plant to meet permit numbers, not to put flow to the BAF cells. Kruger confirmed at today's meeting that once flow goes to the BAF cells in cold weather, it will take approximately 12 weeks for the biomass to develop; in warm weather it would only take 4 to 6 weeks. To meet the Permit numbers, we would need flow to the BAF cells to start in the September/October timeframe. That is definitely not going to happen.

Committee Reports:

Construction –

Steve Andrew stated he had nothing new to add. George Kolba, Jr. discussed obtaining storage space for spare parts.

Finance – Edward Crumb reported that the primary focus over the past month has been on the 2019 proposed budget.

Flow Management – Edward Crumb – Nothing to report

Personnel – Steve Andrew reported that the union Contract needs to be signed.

Ad Hoc – Ronald Davis – Nothing to report

Correspondence

GHD Report – see Board folder

Old Business

Alfred Paniccia, Jr. stated that we needed a Public hearing for amendment of the Rules and Regulations regarding discharge limits.

Steve Andrew asked about discharges from the Binghamton Water Plant – Superintendent Young reported we are not receiving any sludge from them.

New Business

Edward Crumb – reviewed the proposed 2019 budget process and the proposed budget resulting from the Finance Committee's work sessions.

Ray Standish made a motion for the Board to hold over the proposed 2019 budget.

Ronald Davis seconded the motion to hold over

Action on proposed 2019 budget held over.

Chuck Shager will speak with the Owners tomorrow regarding budget

Conrad Taylor exited the meeting at 4:55 PM

Steve Andrew made a motion for the Board to enter into Executive Session regarding potential litigation.

Ronald Davis seconded the motion

Motion carried 5/0/1 (vacant)

Board went into Executive Session at 5:02 PM

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

Ronald Davis seconded the motion

Motion carried 5/0/1 (vacant)

The Board exited Executive Session at 5:12 PM. No action was taken during the Executive Session.

Steve Andrew made a motion for the Board to adjourn

Ronald Davis seconded the motion

Motion carried 5/0/1 (vacant)

Meeting adjourned at 5:14 PM

A Special meeting was scheduled for 8/23/18 at 4:00 PM at the JC Municipal Building.

The next regular meeting is scheduled for 9/11/18 at 3:00 PM at the JC Municipal Building.

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
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
Ray Standish, P.E., City of Binghamton, City Engineer
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