

FINAL COPY

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

Tuesday, February 14, 2023

Plant Administration Building

Members Present: George Kolba, Chairman Pro Tem (Remote)
Chris Papastrat
Edward Crumb
Stephen Andrew (Remote)
Ron Lake
Bruce King

Also Present: Elliott Wagner, Superintendent
Billie J. Goodson, Business Manager
Chuck Shager, JSB Fiscal Officer and Comptroller, City of Binghamton
(Exited at 4:13pm)
Alfred Paniccia, Jr., Esq., Co-Counsel
Ron Warwick, Assistant Superintendent
Howard Reeve, Facility Engineer (Exited at 5:15pm)
Larry Travis, BJCWWTP, Electrical Engineer
Scott Soliday, BJCWWTP, Safety Coordinator (Exited at 4:35pm)
Clark Giblin, Trustee, Village of Johnson City (Remote)
Jason Greene, P.E., GHD (Remote) (In at 4:10pm; Exited at 4:41pm)
Scott Lauffer, Sierra Club (Exited at 4:30pm)
Michele Cuevas, Confidential Secretary
Janet Smith, Transcriptionist

At the request of Chairman Pro Tem Kolba, Chris Papastrat called the meeting to order at 3:30 PM. Sign in sheet was passed and Confidential Secretary Cuevas noted roll call aloud. All six (6) Board members were present, albeit Board members George Kolba and Steve Andrew were present remotely.

Chris Papastrat confirmed all present signed in, identified fire exits and 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 that the Board approves the submitted. December 29, 2022 Special Meeting/Public Hearing Minutes with the suggested changes made and as contained in the Board Folders.
Motion seconded by Bruce King.
Motion carried. 5/0/1 (RL abstained) (GK, SA Remote)**

**Edward Crumb made a motion that the Board approves the submitted. January 10, 2023, Regular Board Meeting Minutes with the suggested changes made and as contained in the Board Folders.
Motion seconded by Steve Andrew.
Motion carried. 6/0 (GK, SA Remote)**

**Edward Crumb made a motion that the Board approves the submitted. January 24, 2023 Special Board Meeting Minutes with the suggested changes made and as contained in the Board Folders.
Motion seconded by Bruce King.
Motion carried. 6/0 (GK, SA Remote)**

Fiscal Officer's Report

Chuck Shager overviewed the Fiscal Officer's Report, copies of which were distributed in each of the Board folders.

Fiscal Officer Shager stated that in the month of January cash was increased and that some of the municipalities submitted payments but there will be more payments coming this first quarter of 2023. He continued overviewing the lines and commented that he will be "cleaning up" some of those lines.

Much of the increased revenue is due to the settlement coming in from FEMA and the insurance recovery. Expenses are currently under budget.

**Edward Crumb made a motion that the Board approves a transfer in the 2022 Budget from Reimburse Village Debt Service Payments (J8130.54001.JG) in the amount of \$117,745.38 to be transferred to Reimburse Village Local Systems Costs (J8130.54000.JG) and that the corresponding requests for legislation be submitted to the Owners' legislative bodies.
Motion seconded by Steve Andrew.
Motion carried. 6/0 (GK, SA Remote)**

Superintendent's Report

Superintendent Wagner overviewed his Superintendent's Report below which included graphs, charts, and photos, copies of which were distributed in the Board's folders and posted below. He reiterated his priorities in the projects work planned pointing out the successful projects completed by the Business Manager and Confidential Secretary, the Senior Operator and the Electrical Dept.

January Superintendent Report

02/14/2023

January started off with 3.29 inches of precipitation.

Our primary projects this year as every year is maximizing the efficiency of our processes and maintenance of the facility.

We have also been working toward closing out the CN Gallery project. At the moment we have yet to complete the spray water pump swap and wiring. We then need to ensure all electrical inspections are complete and send them on to the Town of Vestal for their records.

Our secondary priority has been a stronger focus on contacting suppliers and manufacturers for pricing and then entering valves in CMMS. The electrician's helper has been entering electrical parts inventory. We have also been pushing forward assigning criticality to the assets.

The electrical department has installed 8 extra lights in the 1 through 8 side of the CN Gallery, and a plant maintenance worker has painted the area to reflect more light and improve the appearance and overall conditions in the gallery.

Operators continue performing daily process testing.

One operator trainee has passed the NYSDEC Operator I test and has been promoted.

One operator has passed the NYSDEC Operator II test and has been promoted.

The Assistant Superintendent and Senior operator continue to analyze our process data and adjust our parameters after the CN event. They have achieved stellar results as proven by our monthly numbers. The Senior Operator continues to show exemplary skills in managing and troubleshooting our processes. In particular the Actiflo, Bio Styr and Denitrification systems.

The Business Manager has proven to be an invaluable asset to the management team, in organizing the efficient operation of our financial department, calculating the raises and budget transfers relating to the CPI, working with the City of Binghamton Comptroller to make the shift to the ES system as painless as possible, and developing a more collaborative work environment in the front office and payroll.

Superintendent's Report-cont.

We are shutting down the Hillside office rental where Howard Weaver worked. The owner is remodeling. We have a dry secure area to store the files.

We are going to need a spare Duperon Compactor sooner than later. Please see pictures. The Facilities Engineer will speak about corrective actions and PMs attached to this piece of equipment.

*****end of report*****

Further reviewing his charts and graphs as well as the photos, he briefly explained and briefly pointed out the issues with the Duperon Compactor currently in operation. He then turned the floor over to Facility Engineer Howard Reeve to go over the Sole Source paperwork and to open a board discussion with regard to and the concerns pertaining to the Duperon Compactor.

Sole Source

Edward Crumb made a motion based on the information and documentation provided by the Facility Engineer and distributed in the Board folders that the Board declares Koester Associates is the Sole Source Supplier for Duperon Washer Compactor parts for a one-year period effective immediately.

Motion seconded by Bruce King.

Motion carried. 6/0 (GK, SA Remote)

The Facility Engineer then continued and presented the status of the Duperon Compactor indicating the need for action sooner than later as the Superintendent reported for a replacement and a spare and their plans for installation.

Duperon Purchase

Edward Crumb made a motion that the Board approves purchase from the Sole Source vendor Koester Associates for one Duperon 64" Generation 2 and 3 Washer Compactor V.WC.K.TARK.5.0.213 at a cost of \$29,362.00 and Duperon Generation 2 Auger Kit V.WC.K.KITG2AS.001 at a cost of \$950.00 noting that freight is not to exceed \$500.00 as outlined in the quote number 0000132 dated 11/29/2022 and distributed in the Board folders, to be encumbered and paid from budget line ES8130.54621 (Equipment and Pump Repairs-Mechanical) and that the corresponding requests for legislation be submitted to the Owners' legislative bodies.

Motion seconded by Bruce King.

Motion carried. 6/0 (GK, SA Remote)

Chris Papastrat then gave the floor to Jason Greene, P.E., from GHD to give the monthly IWPP report.

Mr. Greene overviewed his submitted Status Report for January 2023, copies of which were distributed in the Board's folders. GHD is going through the year end reporting and wrapping up 2022. Mr. Greene stated that everything that needed to be addressed has been handled.

Edward Crumb was interested in the outstanding fine balance of \$1,500.00 due from Binghamton University (BU) to which Michele Cuevas stated that the BU office requested an invoice which she send via Certified Mail with a Return Receipt (confirmation was returned as received). Ms. Cuevas also stated she requested payment with a check rather than an ACH (Automated Clearing House) payment so not to create any issues as has happened in the past.

Bruce King wanted to know about expired permits. Mr. Greene stated he is unaware of any expired permits and will double check and get back to the Board of any listed. He also mentioned that any holdups could be due to late submissions of the Industrial Wastewater Survey. Michele Cuevas as well as GHD are keeping on top of the delayed submissions.

Edward Crumb wanted to confirm that prior permits are still to be followed until a new permit has been signed on both sides and Mr. Greene affirmed.

Edward Crumb made a motion that the Board approves extension of the Industrial Wastewater Pretreatment Program Consultant Contract with GHD for a one-year period from March 31, 2023, to expire March 31, 2024 with the same terms and conditions and that the extension be encumbered from ES8130.54801 Industrial Pretreatment.

Motion seconded by George Kolba.

Motion carried. 6/0 (GK, SA Remote)

Business Manager's Report

Ms. Goodson reviewed her Business Manager's Report to include the Actuarial Report, Weaver Recovery Consulting extension, maintenance agreement renewals for Millipore Sigma and for Hach Maintenance, copies of which were distributed in the Board's folders. Ms. Goodson stated the need to readvertise for Property Valuations RFP/Q and wanted an open discussion regarding Ferric Chloride bid results. Ms. Goodson requests Board approval as follows:

Flow Credit Bank

Edward Crumb made a motion that the Board ratifies the Flow Credit Bank ledgers as of December 31, 2022, as presented with a total aggregate 2,432,265 gallons of offset flow credits and that annual flow credit bank statements be sent to the Municipal Users.

Motion seconded by Bruce King.

Motion carried. 6/0 (GK, SA Remote)

Budget Transfers

Edward Crumb made a motion pertaining to the Business Manager's request for modification to the 2022 JSB Budget that the Board approves as follows:

**Decrease Contingency (line J8130.55000) by \$3,568.67;
Increase Water (line J8130.54221) by \$3,568.67;**

and that the corresponding requests for legislation be submitted to the Owners' legislative bodies.

Motion seconded by Bruce King.

Motion carried. 6/0 (GK, SA Remote)

Agreement Extensions and Renewals

Edward Crumb made a motion that the Board approves the two-month extension of the Professional Service Agreement with Weaver Recovery Consulting through April 30, 2023 in accordance with the proposed letter as contained in the Business Manager's Report and to note that there is no space available in the Hillside Building however, there is available space in the Administration Building,

Motion seconded by Bruce King.

Motion carried. 6/0 (GK, SA Remote)

Edward Crumb made a motion that the Board approves the renewal of the Millipore Sigma Maintenance Agreement at the annual price of \$9,722.96 which is to be encumbered and paid for from budget line ES8130.54656 (Maintenance Agreements).

Motion seconded by Bruce King.

Motion carried. 6/0 (GK, SA Remote)

Edward Crumb made a motion that the Board approves the renewal of the Hach Maintenance Agreement at the annual price of \$10,114.19 which is to be encumbered and paid for from budget line ES8130.54656 (Maintenance Agreements).

Motion seconded by Bruce King.

Motion carried. 6/0 (GK, SA Remote)

Property Valuation

Edward Crumb made a motion that the Board authorizes and directs the Business Manager to readvertise the Property Valuation RFP/RFQ with a due date of March 30, 2023 and a deliverable date of 11/1/2023.

Motion seconded by Bruce King.

Motion carried. 6/0 (GK, SA)

Ferric Chloride

Ron Lake made a motion that the Board accepts the bid for Ferric Chloride from the company that submitted a timely bid.

Motion seconded by Edward Crumb.

After considerable discussion at the table, and on advice from Board Counsel Al Paniccia, Mr. Crumb withdrew his second and Mr. Lake withdrew his motion.

Ron Lake made a motion that the Board rejects all bids received for Ferric Chloride.

Motion seconded by Bruce King.

Motion carried. 6/0 (GK, SA Remote)

Edward Crumb made a motion that the Board authorizes and directs the Business Manager to readvertise for the supply of Ferric Chloride 38%.

Motion seconded by Bruce King.

Motion carried. 6/0 (GK, SA Remote)

Committee Reports

Construction: George Kolba, Steve Andrew, Ron Lake. Nothing to report.

Finance: Edward Crumb – Mr. Crumb updated the Board with respect to the FEMA/NYS-DHSES Project Worksheets, copies of the monthly report for which were distributed in an email as well as in the Board's folders. Mr. Crumb noted the progress thus far and overviewed lines stating that everything is moving in the right direction, as he understands it.

Mr. Crumb also reports that Mr. Paniccia made a request for an updated retainer and billing rate and would like to place this topic on an agenda for the next meeting.

Mr. Crumb wanted to also mention that 2022 billings be submitted soon given the upcoming close of the 2022 Budget. Billings not submitted to the Fiscal Officer's office by the end of February may not be able to be paid using 2022 JSB budget monies.

Personnel: Steve Andrew reported that the Personnel Committee met with the Union. The Union representatives present stated they could not agree with the verbiage/numbers in the contract until consulting with the CSEA Labor Relations Specialist, who was not able to attend the meeting. The issue will be a work in progress subject to resolution at a later date.

Flow Management: Edward Crumb – Previously discussed, but Mr. Crumb also wanted to mention a concern to reach out to the Municipal Users making sure of proper applications for new connections or modified connections; that they are in order.

Ad Hoc: Bruce King – Nothing to report.

Correspondence: Michele Cuevas – Previously discussed.

Old Business: None

New Business: Chairman Pro Tem George Kolba had a concern on Certificates of Insurance on plant trucks being worked on for repairs either on site or at a repair shop. Superintendent Wagner and Asst. Superintendent Warwick will follow through with Mr. Kolba's concern.

Executive Session: None

The next regular Board meeting is March 14, 2023 at 3:30PM.

Adjournment

**Bruce King made a motion to adjourn.
Motion seconded by Steve Andrew.
Motion carried. 6/0 (GK and SA Remote)**

Meeting adjourned at 5:25PM.

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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