

FINAL COPY

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

Tuesday, June 14, 2016

Training Room, Office Building, JSTP

Members Present: George Kolba, Jr., Chairman Pro Tem
Edward Crumb
Ronald Davis
Steve Andrew
Ray Standish
Gary Holmes

Also Present: Cathy Young, Superintendent
Howard Reeve, Facilities Engineer
Charles Pearsall, Business Manager
Michele Cuevas, Confidential Secretary
Chuck Shager, Fiscal Officer and City of Binghamton Comptroller
Ken DelBianco, P.E., City of Binghamton Contract Project Manager
Marty Meaney, Village of Johnson City Trustee
Conrad Taylor, Binghamton City Councilman
John Perticone, Esq., Co-Counsel
Alfred Paniccia, Jr., Esq., Co-Counsel
Laura Lee Perkins, Transcriptionist

Guests: Hon. Richard David, City of Binghamton Mayor
Hon. Greg Deemie, Village of Johnson City Mayor
Chris Papastrat, City of Binghamton Council President

Chairman George Kolba called the meeting to order at 3:00 PM. All Board Members were present. Sign-in sheet was passed for signatures. Fire exits identified.

Mayor Deemie requested that the Board to go into Executive Session to discuss personnel matters.

Stephen Andrew made a motion for the Board to go into Executive Session to discuss personnel matters.

Edward Crumb seconded the motion

Motion carried 6/0

The Board went into Executive Session at 3:02 PM

Ken DelBianco and Howard Reeve exited the meeting at 3:02 PM

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

Edward Crumb seconded the motion

Motion carried 6/0

The Board exited Executive Session at 4:01 PM. No action was taken during the Executive Session.

The Mayors signed the Consent Order A-1 forms

Gary Holmes exited meeting at 4:04 PM

Edward Crumb made a motion for the Board to direct the Chairman Pro Tem to sign the five Consent Order A-1 Certificates of Compliance prepared by GHD, copies of which are found in the Board folder.

Stephen Andrew seconded the motion

Motion carried 5/0/1 (GH)

Mayors David and Deemie exited the meeting at 4:05 PM.

Council President Papastrat exited the meeting at 4:05 PM.

Ken DelBianco and Howard Reeve re-entered meeting at 4:05 PM.

Gary Holmes re-entered meeting at 4:18 PM.

Chuck Shager presented the Fiscal Officer's Report:

1/1/2016 Beg. Balance		
Checking	\$1,730,685.42	
Savings	<u>\$8,662,647.08</u>	
Total		\$10,393,332.50
5/31//16 Revenue YTD	\$5,140,028.74	
5/31/16 Disbursements YTD	<u>\$3,955,218.73</u>	
Balance		\$11,578,142.51
Checking	\$3,509,126.54	
Money Market	<u>\$8,069,015.97</u>	
		\$11,578,142.51

It was noted that, through May 31, 2016, \$33,600.00 had been drawn by 14 Participants from the 2016 Health Reimbursement Accounts (HRA). Michele Cuevas suggested that consideration be given to planning a "how's it working" update meeting for Participants and spouses.

Chuck Shager reported on proposed budget modifications, a copy of which is included in the Board folder.

Edward Crumb stated that the FEMA payments are shown on a cumulative basis – see printout in Board folder.

Ronald Davis made a motion for the Board to ratify the proposed budget modifications as outlined in the Board folder and submit a RFL to both Owners' legislative bodies.

Stephen Andrew seconded the motion

Motion carried 6/0

Charles Pearsall presented the Business Manager's Report.

Edward Crumb made a motion for the Board to amend the prior motion regarding the budget transfer of \$175,000.00 from the Chemical line (J8130.54150) to Mechanical Repairs (J8130.54621) to reduce that transfer to \$114,000.00.

Ray Standish seconded the motion

Motion carried 6/0

Stephen Andrew made a motion for the Board to accept the bid from Henderson Bros. and award a contract for installation of the Board-procured Thickener No. 3 Drive Unit in the amount of \$44,500 to be paid from budget line J8130.54621 (Equipment & Pump Repairs – Mechanical) and request a breakdown of the Time and Material rates included in the bid from Henderson Bros.

Ronald Davis seconded the motion

Motion carried 6/0

Charles Pearsall reported on the 2015 Flows. He met with Johnson City personnel, and Johnson City has conceded that the 2015 flow numbers are correct. JC is requesting an adjustment for the 2014 flows; it is compiling supporting information.

Stephen Andrew made a motion for the Board to ratify the 2015 flows, but not include the Johnson City numbers per the chart "JC Adjustment Not Allowed".

Ronald Davis seconded the motion

Motion carried 6/0

Stephen Andrew made a motion for the Board to extend the agreement with RamTech until December 31, 2016 at the new hourly rate of \$89.13 without adding to the existing not-to-exceed encumbrance of \$139,763.00.

Ronald Davis seconded the motion

Motion carried 6/0

Edward Crumb made a motion for the Board to approve the P.O. to Rexell of JC for Rockwell Automation Tech Connect support and software upgrades in the amount of \$13,949.61 for the one-year period from June 28, 2016 through June 27, 2017 to be paid from budget line J8130.54410 (Professional Services).

Ray Standish seconded the motion

Motion carried 6/0

Stephen Andrew made a motion for the Board to extend the PACE Laboratory Services contract for one year at the same price and terms to be paid from budget line J8130.54436 (Laboratory Services).

Ronald Davis seconded the motion

Motion carried 6/0

Ronald Davis made a motion for the Board to extend the Haylor, Freyer & Coon Workers' Compensation Brokerage Contract with the NYS Workers' Compensation Alliance, at a base cost of \$95,278.00, to be paid from budget line J9040.58000D (Workers Compensation).

Stephen Andrew seconded the motion

Motion carried 6/0

Stephen Andrew made a motion for the Board to accept the GHD revised proposal for the WQIP Grant consulting engineering services, and award a professional services contract in accordance with GHD's June 13, 2016 "Rev3" proposal, not-to-exceed \$114,035.00, to be paid from budget line JH8130.554063 and JH8130.55555.J0001.

Ray Standish seconded the motion

Motion carried 6/0

Edward Crumb made a motion for the Board to develop an RFQ for Waste Disposal Services for consideration at a future meeting.

Stephen Andrew seconded the motion

Motion carried 6/0

Edward Crumb made a motion to direct the appropriate RFL be sent to the Owners' Legislative bodies for a budget modification and transfer in the amount of \$444,525.00 from JH8130.55555.J0001 (NYS Water Quality Grant) into JH8130.554063 (Plant Out/Fl Periodic Dredging).

Steve Andrew seconded the motion
 Motion carried 6/0

The Superintendent's Report was presented by Cathy Young:

**Superintendent's Report
 June 14, 2016**

**Violations and Significant Issues
 Compliance**

Date: May 2016 Average Flow	Influent 15.64mgd	Effluent	Average % Removal	Effluent Limit	
CBOD	204	126	38.24%	Monitor	
Suspended Solids	243	46	81.07%	Monitor	
Other: Settleable Solids Max	11.0	0.43	96.09%	Monitor	
Total Nitrogen	Apr 21.3	Apr 18.9	11.27%	Monitor	
Chlorine	NA	1.43Max.	NA	2.0Max.	
Avg. Temperature	14.9	15.2			
Solids Removed		Feb 2016	Mar 2016	April 2016	May 2016
Digested		0	0	0	0
Lime Stabilized		748.51	699.57	741.71	721.73
Total		748.51	699.57	741.71	721.73
Grit		14.39	5.4	9.7	11.66
Screenings		11.11	10.7	6.48	12.58
Grease		1.67		3.2	3.67

Operations Summary, Construction and Related Issues

- The plant continues to operate in CEPT mode.
- We had a leak at the thickener #1 feed pipe joint on Thursday June, 9. This was reported to the DEC and all necessary entities via the NY Alert system. The repair was made on June 10 by Evans Mechanical.
 - There was a suggestion by Jacobs that the water that was infiltrating behind the sheeting for the flood wall was leakage from Thickener #2. Samples were taken of the water pooled at the sheeting and tested for fecal coliform and the results did not indicate that this was the source.
- Our facility engineer has finalized the contract with Keystone to update the HVAC and roof design for TPS.
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Superintendent's Report-cont.

- We received the plant annual inspection report completed by the DEC in March. The inspection report was satisfactory with no follow up requirements due to the plant reconstruction project.
- MCC Replacement: This contract is in progress and plant staff continue to work, as requested, with the engineers and contractors to facilitate progress.
- Thickener Repair Status update: The Drive Unit has been ordered for Thickener #3. The drive unit is anticipated to arrive at the end of June.
- BAF Rebuild: The BAF main rebuild project has been advertised and awarded. A sequencing meeting was held on June 1 with all contractors involved in the project.
- Settling tanks 7-10 are in the process of being taken off line by plant staff. This is made necessary due to the secant wall construction.
- Digester Evaluation Status: We have received an acceptance letter from the DEC for the Solids Handling and Digester Condition Assessment. Status of the legal investigation is pending.
- TPS Flood Mitigation: Power is in the process of being transferred to relocate loads to a temporary electrical supply. This work is being completed this week.
 - Valve replacement at TPS is currently on hold. Alternatively, it was determined that the existing valves would not be replaced or rehabilitated. The valves area as follows; (4) 16" knife gate valves @ EL. 799.26; (4) 20" knife gate valves @ EL. 815.51; (1) 12" surge relief valve and (1) 16" knife gate valve both @ EL. 815.51; (1) 30" gate valve @ EL. 818.01 and (3) 4" gate valve air release valves @ EL 835.51.
 - All four sluice gates located in the Comm. Room are in desperate need of replacement, they were installed in 1969.

Other

- Plant personnel, GHD and Jacobs hosted a tour for Binghamton City Council members on June 8. The tour was well attended.
- Plant staff met with SEMO on Thursday May 19, 2016, to review submittals and progress payment status.
- Insurance claim for Compost: I have reviewed documentation available for the 2006 FEMA flood reimbursements pertaining to the Nitrogen Gas for control of the compost fire. We have receipts to document \$1496.65. There is an additional \$10,248.94 that we do not have receipts for that I do not believe we submitted to FEMA. This totals \$11,745.59.
- Methanol removal was slated for June 13, however, there was a significantly larger volume than anticipated therefore this task has been reschedule.
- Condition of bypass report to the DEC: Due to discrepancies regarding the condition of the 48" bypass upon the removal of its welded cover, I will be filing a written report with the DEC. I had requested that Jacobs forward any photographs they may have of the condition, to be included in the report. Photos are attached.

Superintendent's Report-cont.

- The most recent regular monthly construction progress meeting with the DEC, GHD, Jacobs and Plant staff was held on June 8. Mr. Holmes stated to the DEC that he is uncertain of the functionality and resulting impacts of the regulator vaults at both the main plant and the Terminal Pump Station, and that we have had unknown discharges for years. As mentioned previously, Mr. Holmes recommends that the plant hire a contractor to confirm the condition of these vaults. Since this had not been done in any other previous contract that I am aware of, I believe that this would be of benefit to the plant and owners.
- WQIP Grant: GHD has submitted an updated proposal for potential Construction Management Services for the contract. It was emailed to board members and it is also in your packets today. This update includes additional costs to account for the new outfall that will discharge near the shore instead of in the river. I would like the board to accept this proposal so that we can send a work plan to the DEC as soon as possible.

Ronald Davis made a motion for the Board to authorize an additional contract for \$2,000.00 with Lifetime Benefit Solutions to develop the Plan Document verbiage with the same provisions for retirees not yet Medicare-eligible as active members to be paid proportionately from budget line J9060.58000.C (Health Insurance – Active) and J9060.58002.C (Health Insurance – Retirees), in relation to employee or former-employee enrollment.

George Kolba, Jr. seconded the motion

Motion carried 6/0

Committee Reports

Ed Crumb – Finance – FEMA – regular meetings are helping with communications. There is a lot of money that Howard Weaver applied for last December and January that is backed up with NYS-DHSES. Under a recently-revised NYS-DHSES protocol, the Inspector now has to do a cumulative review of all prior payments plus the new progress payment in order to approve future payments. Work has been ongoing regarding certification of the 2015 billable wastewater flows, the 2015 Final Billing, and the Health Reimbursement Account (HRA) verbiage for the Plan Document. A grant administration proposal has been received from Simmons Recovery.

Edward Crumb made a motion for the Board to ratify the proposed budget development schedule for the 2017 proposed budget.

Ronald Davis seconded the motion

Motion carried 6/0

Ken DelBianco exited meeting at 5:55 PM

Committee Reports-cont.

Ed Crumb – Flow Management – the DEC has issued its final regulations under the Sewage Pollution Right to Know Act (SPRTKA). There is a program under which collection system owners can apply to the DEC for implementation grants up to \$50,000.00 for developing compliance procedures, notice for which is scheduled to be published in the DEC's Environmental Notices Bulletin tomorrow. Binghamton University has recently submitted some I/I Remediation applications that the Workgroup will need to review and make a recommendation on.

Stephen Andrew – Personnel – suggested consideration be given to asking that the Owners amend the IMA to provide for Civil Service administration by Broome County instead of the City of Binghamton. He asked that Board Members consider this for discussion at a future meeting.

CORRESPONDENCE – the following items were noted:

- May 2016 GHD Industrial Wastewater Pretreatment Program Report
- June 13, 2016 DEC Annual Inspection Report for the March 10, 2016 Inspection
- JC Village Board Resolutions #2016-95 (Budget Transfer) and #2016-98 (Second Modification Consent Order with DEC)

OLD BUSINESS

A discussion of the settlement of the AAIC case and payment to NFA for adjustment services was held.

Superintendent Young discussed upcoming milestones under the Consent Order.

PRIVILEGE OF THE FLOOR – (none)

NEW BUSINESS

Stephen Andrew made a motion for the Board to authorize the Chairman to sign future AI-1 forms that GHD will prepare regarding Consent Order compliance.

Ray Standish seconded the motion

Motion carried 6/0

Conrad Taylor exited meeting at 6:33 PM

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

Ray Standish seconded the motion

Motion carried 6/0

The Board entered Executive Session at 6:35 PM.

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

Ronald Davis seconded the motion

Motion carried 6/0

The Board exited Executive Session at 6:42 PM with no action taken during the Executive Session.

Stephen Andrew made a motion for the Board to adjourn.

Ray Standish seconded the motion

Motion carried 6/0

Meeting adjourned at 6:43 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
Ray Standish, P.E., City of Binghamton, Acting Engineer
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