



Eugene Hulbert, Sr.
Gary Holmes
Edward Crumb

Binghamton-Johnson City JOINT SEWAGE BOARD



Stephen Andrew
George Kolba, Jr.
Ron C. Davis

FINAL COPY

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

**Thursday, June 26, 2014
Flood Recovery Trailer**

Members Present: Eugene Hulbert, Sr., Chairman
George Kolba, Jr., Vice-Chairman
Edward Crumb
Steve Andrew
Ronald Davis
Gary Holmes

Also Present: Charles Pearsall, Business Manager
Michele Cuevas, Confidential Secretary
Chuck Shager, City of Binghamton Comptroller/Fiscal Officer
John Perticone, Esq.
Laura Lee Perkins, Transcriptionist

Guests: Diane Marusich, JC Village Trustee
Bruce King, JC Village Trustee

Chairman Hulbert called the meeting to order at 3:00 PM; quorum present – all six (6) Board Members present; sign-in sheet passed for signatures; fire exits identified;

Meeting Waiver of Notice passed and signed by Board Members; to be attached to these minutes.

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

Ronald Davis seconded the motion

Motion carried 6/0

The Board went into Executive Session at 3:02 PM

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

Catherine P. Young, Superintendent
Binghamton-Johnson City Joint Sewage Treatment Facilities
4480 Vestal Road, Vestal, New York 13850
Phone: 607-729-2975 Fax: 607-729-0110
Email: bjcwwtp@stny.rr.com

Edward Crumb seconded the motion
Motion carried 6/0

The Board exited Executive Session at 3:36 PM. No action was taken during the Executive Session.

Edward Crumb made a motion for the Board to approve the draft Modification Consent Order with the New York State Department of Environmental Conservation and authorize the Chairman to sign the same provided that dates not earlier than the following dates are inserted into the following paragraphs of Schedule A:

- 1.(a) 7/31/14
- 1.(b) 7/28/15
2. 8/31/14
3. 9/30/14
4. 10/30/14
- 5.(a) 9/30/14

with any other dates not specifically mentioned to stay the same as in the draft Order.

Stephen Andrew seconded the motion
Motion carried 6/0

Gary Holmes made a motion for the Board to approve the Hunt Engineering Contract for Phase I work only for Digesters 1 and 2 for a not-to-exceed amount of \$71,000, to include reimbursable expenses in an amount no greater than \$3,000; \$0 retainage, and no liquidated damages, to be encumbered against and paid from Professional Services for Capital Projects budget line JH8130.554039

George Kolba, Jr. seconded the motion
Motion carried 5/1/0 (Edward Crumb, nay -- timeliness concern with Hunt Engineering's Digester #3 work)

Edward Crumb made a motion for the Board to award the on-call sludge hauling contract to Don Snow effective 6/19/14 for a one (1) year period (expires 6/18/15) with two (2) 1-year options to renew on the same terms and conditions at the bid price of \$300/load to be paid from budget line J8130.54804 (Sludge & Waste Disposal).

Ronald Davis seconded the motion
Motion carried 6/0

Edward Crumb made a motion for the Board to approve, based on the advice of Co-Counsel Paniccia, a one-time exception to the Procurement Policy to authorize the Superintendent's purchase of on-call sludge hauling from Broome Bituminous Products, Inc. for \$1,864.00 more than her \$5,000.00 discretionary authority for public works and from Don Snow Trucking for \$400.00 more than her \$5,000.00 discretionary authority for public works and that the corresponding invoices contained in the Board folder be approved and paid from budget line J8130. 54804 (Sludge & Waste Disposal).

Ronald Davis seconded the motion
Motion carried 6/0

George Kolba, Jr. made a motion for the Board to approve a one-year Workers' Compensation broker of record designation extension to Haylor, Freyer and Coon with respect to Workers' Compensation benefits, and to accept the proposal of the NYS Municipal Workers' Compensation Alliance for the coverage year beginning 7/01/14 in the guaranteed premium amount of \$93,609.00 and estimated New York State assessment of \$6,359.00 to be paid from from budget line J9040.58000D (Workers' Compensation).

Stephen Andrew seconded the motion

Motion carried 6/0

George Kolba, Jr. made a motion for the Board to instruct the Chairman to negotiate, approve and execute a Change Order in a not-to-exceed amount of \$6,449.00 for Louis N. Picciano & Son, Inc. to install an additional tap and west gas shut-off valve as well as plumb and hook-up the six heating/air conditioning units on the modular building (which was not in Picciano's contract) to be paid from JH8130.554088 (Training Room/Offices) and to pursue ModSpace for credit for work not performed in relation to plumbing and hook-up of the heating/air conditioning units.

Edward Crumb seconded the motion

Motion carried 5/1/0 (Ron Davis, nay)

Stephen Andrew made a motion for the Board to adjourn the meeting

George Kolba, Jr. seconded the motion

Motion carried 6/0

Meeting adjourned at 4:30 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 Perticone, Esq.
Alfred Paniccia, Esq.
Chuck Shager, Fiscal Officer
Catherine Young, Superintendent
Charles Pearsall, Business Manager
Brown & Brown Empire State
Haylor Freyer & Coon
Robert Bennett, P.E., Village of Johnson City, Engineer
Philip Krey, P.E., City of Binghamton, Engineer
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