

FINAL COPY

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

Tuesday, July 11, 2023

Plant Administration Building

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

Also Present: Elliott Wagner, Superintendent
Billie J. Goodson, Business Manager
Alfred Paniccia, Jr., Esq., Co-Counsel
Chuck Robinson, Asst. Comptroller, City of Binghamton (Exited 3:45, reentered 3:55PM, Exited 5:10PM)
Chuck Shager, Comptroller, City of Binghamton (Entered 3:55PM. Exited 5:10PM)
Clark Giblin, Village of Johnson City Trustee (Exited 5:10PM)
Bryan Witbeck, CMMS Clerk, CSEA Unit Union President (Exited 5:10PM)
Ron Warwick, Asst. Superintendent
Larry Travis, Electrical Engineer (Exited 5:10PM)
Michele Cuevas, Confidential Secretary
Janet Smith, Transcriptionist

Chairman Kolba called the meeting to order at 3:30PM. Sign in sheet was passed. Confidential Secretary Cuevas took roll call aloud. All six (6) Board members were present, albeit Steve Andrew was present remotely. Chairman Kolba 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 June 13, 2023, Regular Board Meeting Minutes with the suggested changes as contained in the Board Folders.

Motion seconded by Chris Papastrat.

Motion carried. 5/0/1 (SA remote)

Fiscal Officer's Report

Chuck Robinson briefly overviewed the Treasurer's Report prepared by Chuck Shager. He also noted that he brought along a copy of the legislation from the City of Binghamton and Village of Johnson City which pertained to reserves. Edward Crumb commented which prompted a discussion at the table.

Mr. Crumb noted that the Board has received the updated AUD Report.

Corrected AUD Report

Edward Crumb made a motion to ratify the corrected AUD Report in the form that was provided to the Board members via email and that the updated report be placed on the Board's website in replacement of what's already there.

Motion seconded by Bruce King

Motion carried. 5/0/1 (SA remote)

Mr. Robinson noted that the Board's auditors are expected to be in-house sometime within the next couple of weeks to perform their field work for the 2022 audit.

Superintendent's Report

Superintendent Wagner overviewed his Superintendent's Report below which included graphs and charts, copies of which were distributed in the Board's folders. The face page of the report is set forth below.

Superintendent Wagner wanted to note that he added TKN to the Superintendent's Summary Report and modified the Landfill Summary to include the costs per month for up-to-date number tracking and cost clarity for budgeting ease.

Superintendent's Report-cont.

**June Superintendents Report
7/11/2023**

May saw an avg. Q of 13.19 mgd, with a max Q of 56.77 mgd, and Min Q of 3.55 mgd.

SS=0.10 mg/L TSS=4.0 mg/L CBOD=8 mg/L Fecal=3 MPN

2 days in June we received more than 1 inch of rain.

Plant staff and City Engineer Ron Lake met with GHD, J.L. Richards, and Welliver to discuss locations of Emseal to be replaced, safety and planning concerns.

Temporary Emseal repair is still holding.

The Budget has been turned in to the Board and we will continue the budget process on Thursday at 3:30pm.

Micro-Turbines produced 85,077 KWH totaling \$6,169.00 worth of electricity. Solar produced 6,030 KWH. Instrumentation dept noted the solar inverter not working on June 28th. Contacted Solar Liberty the installers, waiting to hear back.

Mechanics replaced 2 Batteries and a Starter on the Caterpillar Backup generator at TPS prior to wet weather event last weekend.

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

Business Manager's Report

Ms. Goodson is reporting and requesting Board approval for budget transfers; that a check from FEMA was received in the amount \$16,933.75. There were two responses to the RFQ for lab services that are awaiting the Board's acceptance and approval for award of the contract.

Budget Modifications

Edward Crumb made a motion that the Board approves a 2023 budget modification as follows:

Increase ES.43960 State Aid- Emergency Disaster Assist. by \$4,233.44;

**Increase ES.44960 Federal Aid- Emergency Disaster Assist. by \$12,700.31;
Increase ES.8130.55000 Contingency \$16,933.75.**

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

Motion seconded by Bruce King.

Motion carried. 5/0/1 (SA remote)

Lab Services

Edward Crumb made a motion that consistent with the recommendation of the Business Manager the Board accepts the proposal from Microbac Labs for outside laboratory services agreement for a one-year period with option for two one-year extensions at the bid price of \$86,9673.00 /yr. and that the corresponding contract be developed and signed by the Board Chairman.

Motion seconded by Bruce King.

Motion carried. 5/0/1 (SA remote)

Ms. Goodson asked the Board about the status of the RFQ-RFP for Property and Equipment Valuation as New Business. A lengthy discussion bringing up many points was had.

IAC Proposal

Edward Crumb made a motion that the Board accepts the IAC Proposal and that the Board enter into a contract with wording acceptable to counsel for the above grade/below grade appraisal in accordance with the proposal.

Motion seconded by Bruce King.

Motion carried. 5/0/1 (SA remote)

Construction: George Kolba, Steve Andrew, Ron Lake. Both Mr. Andrew and Mr. Lake had nothing to report. Mr. Kolba wanted to report on the TPS, and that permission was received to investigate the broken Village pipeline and for the Village to obtain costs to move forward; that he will be keeping the Board up to date with the progress.

Finance: Edward Crumb – Mr. Crumb is reporting that they are working on the review of the 2022 final billing and a meeting with the Fiscal Officer is scheduled for Wednesday, July 26, 2023, at 3:15PM.

There is a 2024 budget meeting scheduled for Thursday July 13, 2023, at 3:30PM, and there will be a link to participate remotely.

RFQ/RFP Flood Insurance

Edward Crumb made a motion that the Board directs the Business Manager to develop an RFQ proposal for the professional engineering and technical

services needed to prepare the required Letter of Map modification for FEMA to take the Joint Sewage Treatment Plant out of the floodplain now that the floodwall has been certified by the Army Corp of Engineers.

Motion seconded by Bruce King.

Motion carried. 5/0/1 (SA remote)

Mr. Crumb spoke about the IMG grant and designating the City of Binghamton as the required lead municipality as has been done in the past and made the following motions:

IMG Grant

Edward Crumb made a motion that the Board approve submission of Requests for Legislation designating the City of Binghamton as “lead municipality” to apply for a NYS IMG Grant on behalf of the Owner municipalities in relation to the TPS Improvements Project.

Motion seconded by Bruce King.

Motion carried. 5/0/1 (SA Remote)

Edward Crumb made a motion that the Board recommend that the Owners enter into a valid and binding project Intermunicipal Agreement (IMA) related to financing of the TPS Improvements Project (IMG project) that describes the proposed project (based on GHD’s preliminary engineering report), the role of each municipality, and the costs attributable to each municipality.

Motion seconded by Bruce King.

Motion carried. (5/0/1 SA Remote)

Edward Crumb made a motion for the Board to approve submission of Requests for Legislation that the Owners approve the Funding Resolution adopted by the Joint Sewage Board for the TPS Improvements Project not to exceed \$4.2 million to be paid via transfer and obligation of Fund Balance monies remaining after settlement of the 2022 JSTP Final Billing.

Motion seconded by Chris Papastrat.

Motion carried. 5/0/1 (SA Remote).

Edward Crumb made a motion for the Board to approve submission of Requests for Legislation that the Owners approve designation of the City of Binghamton as a Lead Agency for State Environmental Quality Review [SEQR].

Motion seconded by George Kolba.

Motion carried. 5/0/1 (S/A Remote)

Motion se

Edward Crumb made a motion for the Board to approve submission of Requests for Legislation that the Owners approve that the City of Binghamton be designated as the entity that will complete/submit the NYS State Historic Preservation Office [SHPO] Cultural Resource Information System [CRIS] Application for the TPS Improvements Project.

Motion seconded by Bruce King.

Motion carried. 5/0/1 (SA Remote)

Flow Management: Edward Crumb – Mr. Crumb reported that the Johnson City request from Mr. Holland and the developer's Mill Street Development in the City of Binghamton are still pending.

Personnel: Steve Andrew – Nothing to report.

Mr. Andrew inquired to confirm receipt of a Memorandum of Agreement with the BJCJSB and CSEA employees on submitted paperwork. Ms. Cuevas confirmed receipt of the document with an electronic signature and Ms. Goodson confirmed receipt as well. Ms. Cuevas will follow through obtaining a hard copy signature for the file.

Ad Hoc: Bruce King – Nothing to report.

Correspondence: Michele Cuevas – Ms. Cuevas reported pertaining to the IWPP that all fines have now been paid.

Old Business: Chairman Kolba wanted to discuss Time and Materials contracts in the situation of emergency events and is requesting that it be held over until the next meeting.

Co-Counsel Paniccia wanted to advise that he is interested in reviewing the (County) piggyback contracts; that not all contracts are allowed to be piggybacked. Ms. Goodson advised that they were all piggyback contracts, and she will forward him the documents.

New Business: Some Board members touched on 1099 and 1099NEC reporting with Chuck Shager.

Executive Session:

Chairman Kolba made a motion to go into Executive Session to discuss Personnel Matters.

Motion seconded by Chris Papastrat.

Motion carried. 5/0/1 (SA Remote)

The Board went into Executive Session at 5:10PM.

Chris Papastrat made a motion to exit Executive Session.

Motion seconded by Bruce King.

Motion carried. 5/0/1 (SA Remote)

The Board came out of Executive Session at 5:31PM.
No action was taken during the Executive Session.

The next regular Board meeting is August 8, 2023, at 3:30PM.

Adjournment

**Chris Papastrat made a motion to adjourn.
Motion seconded by Steve Andrew.
Motion carried. 5/0/1 (SA Remote)**

Meeting adjourned at 5:32PM.

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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