

FINAL COPY

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

Tuesday, August 8, 2023

Plant Administration Building

Members Present: George Kolba, Chairman
Edward Crumb
Chris Papastrat
Stephen Andrew
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 3:40PM)
Clark Giblin, Village of Johnson City Trustee
Ron Warwick, Asst. Superintendent
Howard Reeve, Facility Engineer
Larry Travis, Electrical Engineer
Jason Greene, PE, GHD, (Remote) (Entered 3:52PM; Exited 4:41PM)
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. 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 15, 2023, Special Meeting Minutes with the suggested changes as contained in the Board Folders.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Edward Crumb made a motion that the Board approves the submitted. July 11, 2023, Regular Board Meeting Minutes with the suggested changes as contained in the Board Folders.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Fiscal Officer's Report

Chuck Robinson briefly overviewed the Treasurer's Report prepared by Chuck Shager and distributed in the Board's folders.

Mr. Robinson asked that the Board approve the 2022 Final Billing

Final Bill 2022

Edward Crumb made a motion to ratify Version 1.4 of the 2022 Binghamton-Johnson City Joint Sewage Treatment Plant 2022 Final Billing in the total aggregate amount of \$23,463,170.80 with Net Credits to the Municipalities in the amount of \$507,760.69.

Motion seconded by Bruce King

Motion carried. 6/0

Mr. Robinson expressed his appreciation to Edward Crumb, Bruce King, and Billie Goodson for all of their help and assistance with the finalization of the 2022 Final Billing.

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 recommend that the BJCWWTP continue membership in NYWEA. He also wanted to note to the Board that as part of the warranty on the Solar Array Inverter the Plant may be billed for the electrician chosen by the company, Solar Liberty, for the installation.

Superintendent's Report-cont.

July Superintendent Report
8/8/2023

July received 6.82 inches of precipitation at the plant. Our average daily flow was 16.20 MGD with a minimum of 4.97 MGD and a Max of 58.68 MGD.

Our Sum total flow for the month was 502,200,000 Gallons. Fecal avg of 5 MPN, TSS of 3.9 mg/L, BOD of 6 mg/L (missing 3 data points), NH3=0.16 mg/L and Phos of 0.551 mg/L. With 6 data points missing the TN=3.5 mg/L

H-Line is still on-going, we met with Welliver last week and their safety coordinator met with ours last week.

Temporary Emseal repair is still holding.

Operators have inspected and cleaned the top of Nozzle decks of all the CN Cells.

All mechanic and mechanics assistants have attended a 4-day Basic Welding course in Syracuse.

Four Management staff attended the MABA Summer Symposium at The Double Tree in downtown Binghamton on July 19th and 20th. This included a tour of the Endicott plant.

Micro-Turbines have had a rough time this month. It continues to be a chore to get RSP to schedule and come to the plant to service our Micro-Turbines.

To break even we need to produce \$5,835.00 per month. $7 \times \$5,835.00 = \$40,845.00$

The following table shows KWHs produced and approximate Values for 2023:

Month	KWH	Value
Jan	115,624	7,477.09
Feb	124,466	8,197.88
Mar	120,027	7,602.04
Apr	105,593	6,794.22
May	93,052	6,148.03
Jun	85,077	6,169.62
July	77,722	5,536.13
Total	721,561	47,925.02

Superintendent's Report-cont.

The Solar array Inverter will be replaced under warranty. There were at least 3 blown caps. We are waiting for a final report.

The 2024 Budget has gone through the process with the Board. We have managed to keep the budget to approximately -0.16%. The Business Manager and Finance committee will speak further on this.

TPS project application is being finalized.

*****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 \$12,072,137.95. Also asking to approve extension of Methanol Contract with Solvents & Petroleum as well as permission to advertise technical services to procure FEMA approval of a Letter of Map Amendment taking the Plant Grounds inside the Flood Walls out of the floodplain.

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 \$3,018,034.49.

Increase ES.44960 Federal Aid- Emergency Disaster Assist. by \$9,054,103.46.

Increase ES.8130.54899 Reimburse Owner Recovery \$12,072,137.95 of which \$6,615,531.60 goes to the City of Binghamton and \$5,456,606.35 goes to the Village of Johnson City.

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

Motion seconded by Bruce King.

Motion carried. 6/0

Methanol Extension

**Edward Crumb made a motion that the Board authorizes execution of an extension of agreement with Solvents & Petroleum Services, Inc. for a one-year period following the end of our current contract ending September 13, 2023, to supply methanol under the same terms and conditions for the period September 14, 2023, through September 13, 2024. Motion seconded by Steve Andrew
Motion carried. 6/0**

Letter of Map Amendment

**Edward Crumb made a motion that the Board authorizes the Business Manager to advertise a Request for Qualifications and Proposal for technical support services to develop a request to FEMA for a Letter of Map Amendment.
Motion seconded by Bruce King.**

**Edward Crumb proposed an amendment to the RFQ/RFP that “six (6) paper copies and one (1) electronic copy in .pdf format be included on a flash drive, but an e-mailed copy may be provided in advance of the submission date in lieu of a flash drive.”
Motion to amend seconded by Bruce King.
Motion to amend carried. 6/0**

Motion carried as amended. 6/0

Chairman Kolba then gave the floor to Jason Greene, P.E.

Mr. Greene overviewed the submitted IWPP Report for July 2023, copies of which were distributed in the Board’s folders stating there were no major notices of violations, but he is still reviewing and that there are no outstanding fines or fees tracking now and the only outstanding issue is the Frito Lay Permit Renewal.

A lengthy discussion at the table ensued including Co-Counsel Paniccia, and Mr. Greene brought forth legal concerns and other points considering the issuance of a renewal permit to Frito-Lay. One potential concern about Frito-Lay’s request to increase its carbonaceous biochemical oxygen demand (CBOD) discharge has to do with limitations imposed under the Internal Revenue Service’s “Private Use Rule”. It was agreed that there must be a binding and current agreement, but more information is needed to proceed. Mr. Greene will put something together for the Board to review to be able to make their decision on the specialized terms at the next regular meeting in September.

Construction: George Kolba, Steve Andrew, Ron Lake. Mr. Lake noted there will be a meeting 8/9/23 at 9:00AM on the Emseal. Mr. Andrew and Chairman Kolba had nothing to report.

Finance: Edward Crumb – Mr. Crumb overviewed his submitted FEMA reports. Copies of which were distributed in the Board’s folders. He ended by stating he was thankful for the specialized and hard work done by Howard Weaver over many years carrying this project all the way through and that we and the Owners owe a debt of gratitude to him for his expertise and efforts. Ms. Cuevas suggested a special acknowledgment to recognize Mr. Weaver should be considered and the whole table agreed. The matter will be placed with the Ad Hoc Committee.

Mr. Crumb continued by expressing his appreciation to the Board for their participation in the budget process which resulted in some very good discussions for the proposed 2024 Budget.

Amendments to 2024 Proposed Budget

Bruce King made a motion that the Board makes a motion that the Board accepts the modification to the 2024 Proposed Budget according to the column dated 8/8/2023 on the worksheet which was distributed in the Board’s folders.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Flow Management: Mr. Crumb reported that there will be a workgroup-meeting on Thursday at 1:30PM. He will email copies of the documents used upon request as there will be nothing printed to hand out due to the size.

Chairman Kolba expressed his appreciation to Clark Giblin for his help in relation to the TPS.

Personnel: Steve Andrew – Nothing to report. Ms. Cuevas wanted to note that to date she has not received the *original* of the 6/30/23 Grievance Amendment. Mr. Andrew will follow up.

Ad Hoc: Bruce King – Nothing to report.

Correspondence: Michele Cuevas – Previously addressed earlier in this meeting.

Old Business: Chairman Kolba wanted to discuss Time and Materials contracts in the situation of emergency events which was held over for this meeting. He called on Facility Engineer, Howard Reeve and after a lengthy discussion at the table Mr. Reeve will email additional information and documents to Co-Counsel Paniccia for his review before the topic is placed on a future agenda.

New Business:

Edward Crumb made a motion that the Board adopts the August 4, 2023, Joint Sewer Operating Fund Proposed Budget (26 pages) in the total amount of \$25,241,870.00 and that the same be submitted to the Owners' Budget Officers and Legislative Body members by the August 14, 2023, deadline per the Intermunicipal Agreement.

Motion seconded by Bruce King.

Mr. Crumb has amendments to the motion for the Board to consider.

Amendment to motion to remove the manufacturer's name.

On page 11 (Equipment and Capital Outlay), lines

ES8130.52011 replace the description words Muffin Monster with Grinders

ES8130.52012 remove the description word Taco.

ES8130.52013 remove the description word Nash.

Motion to amend seconded by Bruce King

Motion to amend carried. 6/0

Amendment to update Key System.

On page 12, line ES8130.52401 (Key System) addition to italicized words under description by adding after the words "Security - locks and keys" and electronic accessories (relocating the word "and" after "locks").

Motion seconded by Steve Andrew.

Motion to amend carried. 6/0

Motion carried as amended. 6/0

Executive Session: None

The next regular Board meeting is September 12, 2023, at 3:30PM.

Adjournment

**George Kolba made a motion to adjourn.
Motion seconded by Steve Andrew.
Motion carried. 6/0**

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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