

FINAL COPY

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

Thursday, September 22, 2022

Plant Administration Building

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

Also Present: Elliott Wagner, Superintendent
Billie J. Goodson, Business Manager
Chuck Robinson, Assistant Comptroller, City of Binghamton (Exited at 4:43PM)
Alfred Paniccia, Jr., Esq., Co-Counsel
Larry Travis, Electrical Engineer (Exited at 4:45PM)
Michele Cuevas, Confidential Secretary
Janet Smith, Transcriptionist

Guests: Thomas Smith, CPA, Auditor, EFPR Group (Audio/Visual) (Exited at 4:20PM)
Brian Sawma, Auditor, EFPR Group (Audio/Visual) (Exited at 4:20PM)

Chairman Pro Tem George Kolba called the meeting to order at 4:03PM. Sign in sheet was passed and Confidential Secretary Cuevas noted roll call aloud. Six (6) Board Members were present. Chairman Kolba confirmed all present signed in. Fire exits were identified, and Chairman Kolba requested cell phones be turned off or silenced during the meeting. All stood to recite the Pledge of Allegiance.

Agenda items for this meeting are 2021 Audit, Budget Modification, Civil Service Job Title, Town of Vestal Water Agreement, and Flood Insurance Quotes.

Chairman Pro Tem Kolba then called to address the first item on the agenda list, Audit. Finance Committee Chair Edward Crumb spoke on the Audit of the Financial Statements for the years ended December 31, 2021, and 2020 draft submitted by EFPR Group, LLP, independent auditors, copies of which were distributed in advance to the Board members. Mr. Crumb introduced Thomas Smith, CPA and Brian Sawma, the primary auditors who performed the audit and prepared the draft report. Mr. Crumb also noted that he had a concern about the language referring to the CN-1 viewport event on draft pages 8 and 20 and on draft page 39 referring to Frito-Lay.

There was a discussion during which the auditors summarized their process, stated that they had determined that a Single Audit report was not required for 2021 based on financial activity less than the reporting threshold, and concluded by reporting that they had issued a “clean” unmodified opinion. It was agreed that the auditors will submit revisions/updates of said the pages discussed at the outset.

Edward Crumb made a motion that the Board accept and ratify the independent auditors’ audit report and Financial Statements for the years ended December 31, 2021 and 2020 in the draft form distributed to the Board members subject to revisions to the pages 8 and 20 discussion referring to the February 18, 2022 viewport expulsion from the CN-1 wall and the page 39 reference to the Frito-Lay agreement covering January 1, 2021 through December 31, 2023 that the Board voted to approve at the September 13, 2022 meeting.

Motion seconded by Bruce King.

Motion carried. 6/0

Co-counsel Paniccia will investigate the updated open meetings law, guidance, and requirements.

Business Manager Goodson is requesting the Board approve Requests for Legislation for budget modifications with respect to New York State Department of Taxation and Finance Check #08916033 in the amount of \$667,013.21, as well as an amendment to the motion adopted at the September 13, 2022, meeting with respect to New York State Department of Taxation and Finance Check #08876837 in the amount of \$2,533,639.59.

Edward Crumb made a motion with respect to the check that was received Friday, September 16, 2022 in the amount of \$667,013.21 that the Board approves budget modifications and that corresponding Requests for Legislation be proposed to the Owners’ Legislative Bodies in the form shown by the spreadsheet (with a note to correct a transposition of line number J9910 to reflect J9901, as shown below) viewed by the Board on the audio-visual screen dated September 22, 2022:

Increase Estima- ted Revenues	Increase Appropriations	Ledger Account	Account Title
\$ (166,753.30)		J.43960	State Aid - Emergency Disaster Asst
\$ (500,259.91)		J.44960	Fed Aid - Emergency Disaster Asst
\$ (16,854.65)		JF.45031	Interfund Transfers
	\$ 16,854.65	JF9901.59000	Interfund Transfer
	\$ 650,158.56	J8130.54899	Reimburse Owner Recovery Expense
	\$ 16,854.65	JF8130.559105	Professional Services (JF [Flood])

as soon as possible, and that with respect to the check that was received Friday, August 19, 2022, in the amount of \$2,533,639.59 the Board approves amended budget modifications revising the motion approved September 13, 2022, and that amended Requests for Legislation be proposed to the Owners’

Legislative Bodies in the form shown by the spreadsheet, *shown below*:

<u>Increase Estima- ted Revenues</u>	<u>Increase Appropriations</u>	<u>Ledger Account</u>	<u>Account Title</u>
\$ (633,409.90)		J.43960	State Aid - Emergency Disaster Asst
\$ (1,900,229.69)		J.44960	Fed Aid - Emergency Disaster Asst
\$ (53,966.67)	\$ 53,966.67	JF.45031	Interfund Transfers
		JF9901.59000	Interfund Transfer
	\$ 2,479,672.92	J8130.54899	Reimburse Owner Recovery Expense
	\$ 53,966.67	JF8130.559105	Professional Services (JF [Flood])

as soon as possible.

Motion seconded by Bruce King.

Motion carried. 6/0

Bruce King made a motion to approve the Town of Vestal Water Service Agreement, copies of which were distributed to the Board members.

Motion seconded by Chris Papastrat.

Motion carried. 6/0

Edward Crumb made a motion that the Board accepts the Flood Insurance Quote with Houston Specialty Company in the amount of \$11,764.70 per year for \$2,000,000.00 in excess flood coverage on top of what the National Flood Insurance Program (NFIP) policies provide with respect to the Digester Control Buildings 4-B1 and 4-B2 and the Head House Building 10 and paid for out of the Insurance budget line.

Motion seconded by Bruce King.

Motion carried. 6/0

Edward Crumb made a motion that the Board authorizes and directs the Chairman Pro Tem to sign the Release Agreement with respect to AAIC on behalf of the Board and that the same be forward to the Hinckley Allen Law Firm.

Motion seconded by Bruce King.

Motion carried. 6/0

Steve Andrew made a motion to go into Executive Session to discuss personnel matters.

Motion seconded by Bruce King.

Motion carried. 6/0

The Board entered Executive Session at 4:43PM.

**Bruce King made a motion to exit Executive Session.
Motion seconded by George Kolba.
Motion carried. 6/0**

At 5:10PM, the Board exited Executive Session. No action was taken during the Executive Session.

**Chris Papastrat made a motion to adjourn.
Motion seconded by Bruce King.
Motion carried. 6/0**

Meeting adjourned at 5:12PM.

The next regular meeting is October 11, 2022, at 3:30PM.

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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