



Binghamton-Johnson City
JOINT SEWAGE BOARD



Ray L. Standish, P.E.
Gary Holmes
Edward Crumb

Stephen Andrew
George Kolba, Jr.
Ron C. Davis

FINAL COPY

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

Tuesday, June 12, 2018
Johnson City Municipal Bldg.

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

Also Present: Cathy Young, Superintendent
Michele Cuevas, Confidential Secretary
Charles Pearsall, Business Manager
Howard Reeve, Facility Engineer
Alfred Paniccia, Jr., Esq., Counsel
Chuck Shager, Fiscal Officer and City of Binghamton Comptroller
(exited at 4:43 PM)
Chuck Robinson, Acting Assistant Comptroller, City of Binghamton
(exited at 4:43 PM)
Laura Lee Perkins, Transcriptionist

Guest: Howard Weaver, Simmons (arrived at 3:53 PM; exited at 4:17 PM)
Don Slota

George Kolba called the meeting to order at 3:07 PM. Five (5) Board Members were present. Attendance sheet was passed for signatures. Fire exits were identified.

Edward Crumb made a motion for the Board to approve the 4/10/18 Minutes in the form found in the folder with the changes shown.
Steve Andrew seconded the motion
Motion Carried 5/0/1 (Vacant)

Edward Crumb made a motion for the Board to approve the 4/26/18 Minutes of the Special Meeting in the form found in the folder with the changes shown.

Catherine P. Young, Superintendent
Binghamton-Johnson City Joint Sewage Treatment Facilities
4480 Vestal Road, Vestal, New York 13850
Phone: 607-729-2975 Fax: 607-729-3041
Email: bjcwwtp@stny.rr.com

Steve Andrew seconded the motion
Motion Carried 5/0/1 (Vacant)

Edward Crumb made a motion for the Board to approve the 3/13/18 Minutes as located on the Google Drive with the changes shown.
Stephen Andrew seconded the motion
Motion Carried 5/0/1 (Vacant)

Chuck Shager presented the Fiscal Officer's Report:

| | | | |
|----------|---------------------|-----------------------|----------------|
| 1/1/2018 | <u>Beg. Balance</u> | | |
| | Checking | \$ 92,580.64 | |
| | Savings | <u>\$6,665,936.07</u> | |
| | Total | | \$6,758,516.71 |
| 5/31/18 | <u>Balance</u> | | |
| | Checking | \$1,239,186.86 | |
| | Money Market | <u>\$6,425,218.21</u> | |
| | | | \$7,664,405.07 |

Mr. Shager noted that the Town of Union still owes interest from late payment of its 4th quarter 2016 billing.

Revenues are tracking fairly well.

New IWWPP surcharge rates were approved at June 2017 Board meeting. Frito Lay rates are calculated under its Agreement based on JSTP operating and capital costs, including the interest incurred by the Owners on Debt Service; there will be a need to recalculate prior 2018 billings per billing period when new IWWPP surcharge rates are approved for 2018. It appears that Frito Lay is a few months behind in payment. Steve Andrew – noted that it appears IWWPP revenue is lagging - \$120,000 to \$125,000 – Water Dept. is not sending solids (\$20,000/month); not being billed

Mr, Shager noted that NYS-OSC is suggesting yearly rates be put into the annual budget; Edward Crumb pointed-out that the budget cycle and rate cycle are different; we do not know the rates until after the end of the year given the operating data needed for calculation, whereas the proposed budget is due to the Owners in August. Given that the NYS-OSC suggestion is not a requirement, and in our case cannot be implemented in a practical way, it does not appear feasible to proceed with this.

Mr. Shager stated that Expenses – are looking good. Regarding Health Insurance - \$150,000 remains available in the bank account from which the Individual Accounts are funded. Almost everything else is under budget.

Edward Crumb handed out the Lead Agency's monthly 4-page construction finance report: 66% of the approved total Project Cost has been approved for payment (and retainage) through the end of May: 63% of the approved construction project cost; and 83% of the approved Engineering and external Professional Services project costs. Details by contract appear on pages 2, 3 and 4.

Graph report – shows money approved for payment but not disbursed yet given the financing process with the NYS Environmental Facilities Corporation (EFC); helpful to the Owners to see how the Project and its contracts are progressing. At the present rate of payment issuance, it appears that there are about 18 months to Project completion

It was noted that proposed Change Orders for GHD and Jacobs will be coming through next week for presentation to the Owners' legislative bodies.

The Annual Update document for 2017 (AUD) was handed out by Chuck Shager – not part of MUNIS ledgers.

Total Fund Balance:

| | |
|------------------|--------------|
| Last year (2016) | -\$9,000,000 |
| This year (2017) | +\$2,000,000 |

Chuck Shager suggested not using the same auditing company as used last year; they do not have the resources needed to handle the work; suggested using a stronger firm.

Cathy Young is working on development of the 2019 budget; will have a 1st draft to Board next week.

EFPR Group had the second lowest price proposal (lowest was the current firm) and has wastewater utility auditing experience.

Chuck Shager suggested interviewing up to three (3) companies

The Board will hold a Special Meeting for the WQIP bid opening and award of the auditing services contract.

Charles Pearsall presented the Business Manager's Report.

Edward Crumb made a motion for the Board to approve splitting the \$40,000.00 payment to City of Binghamton for accounting services into two (2) semi-annual payments.

Stephen Andrew seconded the motion

Motion Carried 5/0/1 (Vacant)

Edward Crumb made a motion for the Board to accept the NYS Hazard Abatement Board Safety Training Grant in the amount of \$10,024.76 for the program year 8/1/18 to 7/31/19 and authorize the Business Manager to submit a Request for Legislation to the Owners' Legislative Bodies to approve accepting the Grant and provide to them a copy of the Grant application.

Stephen Andrew seconded the motion

Motion Carried 5/0/1 (Vacant)

Edward Crumb made a motion for the Board to extend the training agreement with JC Fiorentino Associates for an additional one year service period at the same hourly rate as the current agreement and at the same terms and conditions.

Stephen Andrew seconded the motion

Motion Carried 5/0/1 (Vacant)

The Business Manager informed the Board that there are changes to the 2018 IWWPP rates.

Edward Crumb suggested adding this to the Special Meeting Agenda and requested the changes be emailed to Board Members before the meeting for review, including the proposed Fine Schedule.

Edward Crumb made a motion for the Board to advertise for bids for supply and delivery of Sodium Hypochlorite and Sodium Thiosulfate.

Stephen Andrew seconded the motion

Edward Crumb moved to amend the motion to provide that if Amrex is willing to extend its contract for supply and delivery of Sodium Thiosulfate at the same terms and conditions in accordance with the prior bid and existing contract terms, then advertising as to this chemical is not required.

Stephen Andrew seconded the Amendment

Amendment carried 5/0/1 (Vacant)

Motion Carried 5/0/1 (Vacant)

Edward Crumb made a motion for the Board to accept the renewal funding contribution calculation contained in the renewal proposal letter from the Municipal Workers Comp. Alliance in the amount of \$89,479.00 for the period 7/1/18 to 6/30/19, payable from budget line H9040.58000.D together with the NYS Workers' Comp assessment to be billed in an amount not to exceed \$7,000.00.

Stephen Andrew seconded the motion

Motion Carried 5/0/1 (Vacant)

Howard Weaver reported Simmons Recovery has \$1.5 million in changes in scope and cost pending with NYS Division of Homeland Security and Emergency Services (DHSES); by elevating the actual costs, adding in Change Orders, detailed drawings for Flood Wall, pump stations.

CEPT – mandated by the State as an Emergency Response measure to the 2011 Flood. Chemicals are not typically covered because they are operating expenses; however, there is a recognized exception for emergency protection; and has to be for vector control (stopping diseases); the Plant can't operate the CEPT without the chemicals. Mr. Weaver believes the Plant meets both criteria.

Mr. Weaver reported that FEMA is trying to only pay 50% of eligible damages (as opposed to 75%, as it has obligated), but there are exceptions; FEMA is trying to prevent overpayments; so far, this change has not affected the Plant.

Many personnel changes have taken place within FEMA; all upper management is now leaving.

Due to its Owner's health issues, Simmons Recovery is shutting down operations; it has rescinded most contracts. Howard Weaver states that it is his intention to be available as long as needed; the Plant may transition to a company he is forming once the details have been worked-out.

The construction Contract for the River Grant is being bid out shortly; GHD is going to revamp that Contract and resubmit to the Plant staff – it will be submitted under Howard Reeve's name; Mr. Weaver stated that, regardless of how the grant is administered, documenting work and Plant share of expenses is crucial to full recovery under the grant.

Charles Pearsall asked Mr. Weaver about his best guess on FEMA/NYS-DHSES recoveries for the 2019 budget

Cathy Young presented the Superintendent Report, a copy of which appears below.

**Superintendent's Report
June 12, 2018**

Violations and Significant Issues

Compliance

| Date: May 2018 Average Flow 18.49MGD | Influent | Effluent | Average % Removal | Effluent Limit |
|-----------------------------------------------------|----------------------|--------------------------|------------------------------|---------------------------------------------------------------------------------------|
| CBOD mg/l | 216mg/l | 121mg/l 18,659lbs/day | 43.98% | (Limit 24,840lbs/day) Monitor until Jan 1, 2018 then 5,254lbs/day. \$5K Fine |
| Suspended Solids mg/l | 198mg/l | 58mg/l 8,944lbs/day | 70.71% | (Limit 12,765lbs/day) Monitor until Jan 1, 2018 then 5,828lbs/day. \$5K Fine |
| Other: Settleable Solids Max ml/l | 9.6ml/l | 0.80ml/l | 91.67% | Monitor |
| Total Nitrogen mg/l | Apr 2018 15.8mg/l | Apr 2018 14.7mg/l | 6.96% | Monitor |
| Chlorine mg/l | NA | 1.43 Max. | NA | 2.0Max. |
| Avg. Temperature | 16.3 | 16.2 | | |
| | | | | |
| Solids Removed | Feb 2017 | Mar 2018 | Apr 2018 | May 2018 |
| Digested | 0 | 0 | 0 | 0 |
| Lime Stabilized | 436.57 | 435.21 | 489.18 | 596.45 |
| Total | 436.57 | 435.21 | 489.18 | 596.45 |
| Grit | 0 | 0 | 0 | 0 |
| Screenings | 13.24 | 8.22 | 3.51 | 13.56 |
| Grease | 5.79 | 3.75 | 3.27 | 8.25 |
| | | | | |

Operations Summary, Construction and Related Issues

- The plant is having operational challenges with chemical storage capacity for the disinfection process related the warm weather. Amrex is assisting us in providing daily deliveries of chemicals and will provide onsite storage totes to expand our storage capacity.
- Pump 2 has been pulled and is being repaired at the contractor's expense and refurbished under the owner's contract. We have an estimated date of late June for the reinstallation of this pump.
- The Administration building is nearing completion and plant staff have moved into both the first and second floors. Fire alarm testing and inspection is being completed this week. Punch list items are in the process of being identified and completed.
- Plant employees received training on the operation of the new scrubber building, however, the system has not yet been turned over to the plant for operation pending the completion of punch list items. PC Construction is operating the process in the interim.
- A training schedule is being developed with staff and the contractors for all new equipment that is being installed. Because most equipment will all be coming online about the same time, we plan to spread training out through the summer and fall.

Other

- The Water Quality Improvement Contract has gone out to bid. Bids are anticipated to be received back by June 26, 2018.
- We have moved all equipment from temporary storage to the lower level of the admin building pending completion of that area. We also moved the small generator from storage to the Village of Johnson City.

Amrex is assisting Plant with chemical storage to help get through the challenges resulting from the construction process.

Fire alarm inspections took place today in the new Administration and Maintenance Building – the system did not pass, and the results did not look good.

Chuck Shager needs model number of generator sold to the Village of Johnson City for the Fixed Asset records. There needs to be a letter to Mayor Deemie and/or Bob Bennett regarding terms for payment/credit for the generator.

NYSDEC monthly inspection of the Plant – see letter included in the Board folder – we need to request modification to the Permit for another overflow/adding another discharge point to the Plant in relation to the Flood Wall.

Steve Andrew inquired as to whether Ken DelBianco was the 'pointman' with the State – which he was quite adamant about at prior meetings. Ms. Young stated it should be either herself or one of the Owners and that someone needs to be copied on all correspondence directed to Ken DelBianco, given that he is leaving the City's employment by July 3rd.

Committee Reports:

Construction: Steve Andrew

- Wants to take another tour; has been attending construction progress meetings; PC Construction is certifying an interim flood wall height now to 838 feet, as construction progresses.
- PC is catching up under its schedule.
- Ready for the WQIP road that is going in.
- Waiting for a flow-thru plug to be installed in the east influent manhole so that the gate valves can be installed.
- Streeter has a contract directly with City of Binghamton Fire Dept. for emergency confined space rescue.

Finance: Edward Crumb

Noted that we are entering Budget preparation season.

- Handed out a proposed budget schedule
- Steve Andrew cannot attend 7/17 meeting
- Ed Crumb suggested switching subjects for the 7/17 and 7/25 meetings
- Coordinated with JC to use their conference room; open to the public
- Need to be out of JC's conference room on the 17th by 5:15 PM

Edward Crumb made a motion for the Board to adopt the proposed schedule for the 2019 Plant Budget with changes as discussed.

Ronald Davis seconded the motion

Motion carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to approve the 2017 final billing, version 1.3, dated May 24, 2018 in the total amount of \$15,312,656.65 in the form that was emailed and presented in the Board folders.

George Kolba seconded the motion

Motion carried 5/0/1 (vacant)

Chuck Shager informed the Board that the letters will go out tomorrow; everyone is getting money back; giving municipalities options and deadlines.

Flow Management: Edward Crumb – nothing new to report

Personnel: Steve Andrew

Ed Crumb and he are going to meet to finalize the Contract – finally got copy from Union. Also noted that the vacant Account Clerk position has been posted/advertised.

Ad Hoc: Ronald Davis – nothing new to report

Correspondence:

GHD Report

Village of Johnson City Resolution

Letter from Mr. Paniccia to Univar; Ms. Young reports she received a phone call from Univar – very concerned, they discussed issues, promised to do better.

George Kolba saw that the hypochlorite tank was taken to the Broome County Farm Auction – was not made of metal – 8,700 gallons – sold at auction (for \$700); cleaned and certified.

Steve Andrew asked about discussing the Simmons/Howard Weaver/negotiations. Ray Standish stated that the Board will have to see how smooth the transition between Simmons and Howard will be; the Board can't do anything until we see how that happens; it is important that the proposal gets reviewed by Co-Counsel Paniccia and he either approves or disapproves the terms.

Michele Cuevas inquired as to ErisaPros – we have no boilerplate, ErisaPros is supposed to be writing a Summary Plan Description, user-friendly that personnel can refer to for answers. Michelle informed the Board that she has absolutely nothing to guide her.

The next regular Board meeting is scheduled for 7/10/18 at 3 PM at the Johnson City Village Hall.

Ray Standish made a motion for the Board to adjourn.

Ronald Davis seconded the motion

Motion Carried 5/0/1 (Vacant)

Meeting adjourned at 5:56 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
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, City Engineer
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