



Ray L. Standish, P.E.  
Edward Crumb

# Binghamton-Johnson City JOINT SEWAGE BOARD



George Kolba, Jr.  
Stephen Andrew  
Ron C. Davis

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

**Tuesday, September 11, 2018**

Village of Johnson City Municipal Building-, Upstairs Conference Room

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

Member Absent: Ray Standish

Also Present: Cathy Young, Superintendent  
Charles Pearsall, Business Manager  
Howard Reeve, Facility Engineer  
Chuck Robinson, Staff Accountant, City of Binghamton  
(exited at 3:44 PM)  
Al Paniccia, Esq., Counsel (arrived at 3:08 PM)  
Clark Giblin, Village of Johnson City Trustee  
Laura Lee Perkins, Transcriptionist

Guest: Ronald B. Lake, P.E., Project Manager (exited at 3:44 PM)  
Don Slota  
Jeff Platsky, Binghamton Press & Sun-Bulletin  
Jason Greene, P.E., GHD (arrived at 3:43 PM; exited at 4:00 PM)

George Kolba called the meeting to order at 3:05 PM. Four (4) Board Members were present. Board Member Standish was absent. Attendance sheet was passed for signatures. Fire exits were identified.

Charles Pearsall informed the Board that the Auditors would not be at the meeting because there were last minute questions. The Auditor realizes that Sept. 30th is the filing deadline; suggested having Special Meeting to approve the audit report. A Special Meeting was scheduled for September 27th at 4 PM at the Administration Building at the Plant to approve the Auditors' Report.

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: [bjcwwtpt@stny.rr.com](mailto:bjcwwtpt@stny.rr.com)

Chuck Robinson presented the Fiscal Officer's Report:

1/1/2018	Beginning Balance		
	Checking	\$ 92,580.64	
	Savings	<u>\$6,665,936.07</u>	
			\$6,758,516.71
8/31/2018	Checking	\$1,928,569.87	
	Money Market	<u>\$5,007,297.47</u>	
			\$6,935,867.34

Mr. Robinson reported that Revenues are fine. Chemicals and Electricity expenditures are way down. Edward Crumb pointed out that when the proposed 2019 budget was prepared, we acted in support of the Owners and the Consent Order deadline of 12/31/18 to be able to operate the First Phase of the BAF, which is a lot of money. Based on Mr. Platsky's article that was in the paper on Tuesday, as well as from viewing construction progress, he does not see how the Owners are going to be ready to turn over the First Phase of the BAF to the Board to start operating on 1/1/19. There may be some consideration needed, when going through the budget approval process, because it is not realistic and not fair to ratepayers for costs that will not be incurred to remain in the 2019 budget.

Mr. Lake stated that they are still trying to get 'a train going' in January or February. Extra chemicals may be used in the beginning to make that happen. Ms. Young stated she has not been a part of that conversation; had just heard about it from a meeting on Wednesday. Mr. Crumb asked Mr. Lake for more detail during his report. Mr. Lake stated he would have more information after 9/21. Mr. Andrew indicated that we had to present the budget to the Owners in August, but nothing is being done by the Owners until after the Mayor David's City Budget speech tomorrow. The Plant had asked for an extension to submit (the budget) because we were unsure of the operating profile of the Plant. The Owners make the ultimate decision as to money in the Chemical and Electricity lines.

Mr. Pearsall stated that if the Plant is going on-line as of 1/1/19, in October we would need to start looking for methanol suppliers, bid requests, need to know what kind of tanks, capacity are going to be in place. Ms. Young pointed out that we also would need inspections of tanks and systems, but we are nowhere close to that.

Mr. Crumb pointed out that the Town of Vestal has to certify all of that and the Owners will need to obtain an Operating Permit.

Mr. Robinson also reported:

- Town of Union still owes \$6,000 in User Fees
- Quarterly estimated bills will go out by October 1st

Mr. Crumb reviewed the Lead Agency project costs charts he had prepared

- ✓ Through the end of August (from mid-2011), total base contracts and approved Change Orders is \$266.2 million
- ✓ Payments approved through the end of August is 72.8% of the total contracted work, less retainage (70% in payments; the remainder is retainage on hand for the active construction contracts), totaling \$186.9 million:
  - \$37.2 million is engineering/professional services
  - \$149.7 million is construction/demolition costs
- ✓ There are a total of 39 contracts

Business Manager Report:

Charles Pearsall informed the Board that a new Account Clerk/Typist has been hired and has started work – Gina Paugh

Two (2) bids were received for the WQIP Project  
JB's Excavation Services, Inc. at \$1,056,000.00  
Gorick Construction Co., Inc. at \$2,964,621.00

GHD & Woitd reviewed the submissions; JB's Excavation is a qualified bid but they are not to the 23% level of MWBE participation required; JB's will have to talk to the DEC regarding a Waiver. JB's has 16% minority employees, but they are not registered with the State as a Minority Business Enterprise.

Mr. Crumb reported that several contractors on the Owners' Project have DEC Waivers; the construction work force in this area is nowhere close to 20% minority participation.

John LaGorga and GHD have advised not to award bid until a Waiver is received.

No work in the river is permitted by the DEC until after July 15 because of spawning.

Charles Pearsall will be contacting the DEC for advice. Edward Crumb requested that this item be on the agenda at the Special meeting.

George Kolba, Jr. asked about having warning signage in the river in case of emergency rescue. He asked Mr. Pearsall to discuss this with GHD to see where the signage would be posted; hopefully not above the wood weirs; he does not see any sketches for the signs in the plan drawings.

Mr. Crumb suggested that Mr. Kolba direct the Business Manager to provide to all Board Members the .pdf for the section of the specs and associated drawings relative to the signs.

Mr. Pearsall informed the Board that most of the health benefits contracts expire at the end of the year.

Edward Crumb made a motion for the Board to direct the Business Manager to develop Requests for Qualifications and Proposals for the Health Benefits Consulting and Health Benefits Broker. Ronald Davis seconded the motion

Mr. Crumb stated that it has been over 6 years since the last proposal and the RFQ needs to be updated. He suggested that the Consultant be selected before the Broker. The positions have to be independent.

Motion carried 4/0/2 (RS absent/1 vacant)

Ron Lake, P.E., reported on the Owners' Capital project. He stated that the City is going to push as hard as it can to get the start up as soon as the contractors can; as close to the 1st of the year as possible. May not be fully operational for a few months after initial start-up.

Cathy Young inquired as Performance Warranties and Guarantees. She stated that it is being considered to start up 4 cells instead of 8 and increasing the pH of the influent to kick-start the microbes. She assumes it would be run by Kruger but is unsure of the liabilities for any possible issues that would result from that under the contract with Kruger. She assumes they would not fall to the Owners or to the operators of the Plant.

Mr. Lake stated that "they" (Kruger) are the ones suggesting the winter startup. They are going to be responsible. Ms. Young stated that she is not sure that is how the Contract is laid out right now. Mr. Lake stated that they (Kruger) are still responsible until the Plant meets its performance goals.

Mr. Lake stated he was hoping to have schedule updates from all contractors by 9/21; hoping to get something realistic.

Cathy Young included the DEC update report from the monthly Construction inspection in the Board folder. The update was prepared by Jacobs.

Mr. Kolba stated that Jacobs determined that the stairs to the Administration Building were installed at an incorrect pitch; as he understands it, the stairs are being removed and corrected.

Jason Greene, P.E. joined the meeting and presented GHD's Industrial Wastewater Pretreatment Program status update, including:

- Compliance reports
- Permit renewals
- Periodic inspections
- Letter regarding fine structure
- 2 violations: Lourdes Hospital  
Binghamton University
- Lourdes – has not paid its permit fee
- City of Binghamton water filtration; there are changes in permit; no discharges unless an emergency. Edward Crumb needs a copy of the new permit for the Auditors.
- there are 20-22 permitted industries that are significant or categorical users.

Superintendent Cathy Young presented the Superintendent's Report, a copy of which appears below:

**Superintendent's Report  
September 11, 2018**

**Violations and Significant Issues**

**Compliance**

<b>Date: August 2018 Average Flow 22.47MGD</b>	<b>Influent</b>	<b>Effluent</b>	<b>Average % Removal</b>	<b>Effluent Limit</b>
<b>CBOD mg/l</b>	163mg/l	82mg/l 15,367lbs/day	49.69%	(Limit 24,840lbs/day) Monitor until Jan 1, 2018 then 5,254lbs/day. \$5K Fine
<b>Suspended Solids mg/l</b>	171mg/l	53mg/l 9,932lbs/day	69.0%	(Limit 12,765lbs/day) Monitor until Jan 1, 2018 then 5,828lbs/day. \$5K Fine
<b>Other: Settleable Solids Max ml/l</b>	12.2ml/l	0.58ml/l	95.25%	Monitor
<b>Total Nitrogen mg/l</b>	July 2018 28.2mg/l	July 2018 18.4mg/l	34.75%	Monitor
<b>Chlorine mg/l</b>	NA	1.63 Max.	NA	2.0Max.
<b>Avg. Temperature</b>	20.9	21.0		
<b>Solids Removed</b>	<b>May 2018</b>	<b>June 2018</b>	<b>July 2018</b>	<b>August 2018</b>
<b>Digested</b>	0	0	0	0
<b>Lime Stabilized</b>	596.45	485.8	483.12	530.05
<b>Total</b>	596.45	485.8	483.12	530.05
<b>Grit</b>	0	0	0	0
<b>Screenings</b>	13.56	2.70	6.78	7.61
<b>Grease</b>	8.25	5.67	3.01	2.1

### Operations Summary, Construction and Related Issues

- The flood protection of the Plant has several components that need to be completed. This work includes the installation of a gate at the flood wall for controlling storm water and wastewater in the 54" line from Binghamton. Also, in question is a gate and an emergency overflow for the line coming into the plant from Vestal at manhole 4 or 5. (This gate should be upgraded to an electronically activated gate since it will be in the middle of the river in flood conditions.) Until this work is completed, the Plant will need to be prepared to shut down at an estimated gauge level at Vestal of 23.2 feet in order to avoid being flooded from the collection system that comes into the Plant.
- Additional Digester 1 and 2 material and work has been identified and estimated to be approximately \$900,000.00. The City is requesting that the Board fund the costs for this equipment. (Contractor was to do an evaluation of equipment and include what needed to be replaced in bid price. For the digester safety equipment, during design GHD wrote the spec. to direct the Contractor to inspect, replace the equipment in-kind and recertify all equipment (for the Contract price). GHD, Jacobs and the Owner agree that is what the specs. call for. The Contractor disagrees that he needs to replace the equipment at the Contract price.) For the digester mixing equipment, the situation is similar to digester safety equipment, other than the spec. did not call for the purchase of the equipment to be replaced in-kind. The equipment was always going to be an extra cost.
- Jacobs has requested that the Plant develop a plan to store the volume of spare parts and equipment that we will be receiving under the contract requirements of the construction contract. We have thus far been notified of storage requirements for Contract 5 and are awaiting information on the additional contract requirements. They have recommended the Board lease space for storing material off site until the construction is complete. *(Still waiting to get additional information from Jacobs and the contractors regarding volume of spare parts. Jacobs will need to inspect and verify every piece of equipment being handed over and this information is needed in an Excel spreadsheet. Still do not have this information on the Administration Bldg.)*
- The Administration building is nearing completion. Plant staff has moved into both the upper and lower levels; however, there are still outstanding items that need to be addressed. Punch list items are still in the process of being identified and completed.
- The new scrubber performance testing occurred last month. There are still a number of punch list items that need to be completed, and the contractor continues to operate the facility, however, the Plant will be receiving chemicals into the scrubber tanks this week. Plant employees received training on the operation of the new scrubber building in May, however, the system has not yet been turned over to the Plant for operation pending the completion of punch list items.

### Other

- The Water Quality Improvement Contract went out for rebid. Bids were received by September 4, 2018 and GHD, our consulting engineers for the work, have made a recommendation to award.
- The monthly meeting with the DEC was held on September 6, 2018. An update on the construction progress Modifications to the consent order may be necessary.
- The DEC expressed concern regarding the Plant interim flood protection plan and vulnerabilities. *(Jacobs is working with DEC to figure out a way for us to meet the requirements and push PC to finish at least 4 cells, if that would solve the problem. Ms. Young stated she was not part of the conversation/meeting and is not in favor of it. The performance and requirements are based on 8 cells.)*

### Board Committee Reports

#### Construction:

Stephen Andrew – Nothing new to report  
George Kolba, Jr. – again mentioned the issue with the outside stairs to the Administration- Building-

#### Finance:

Edward Crumb -- Chuck Robinson stated he will get the information requested by the Auditors; the 2019 proposed budget has been a challenging process given the uncertainties regarding the Capital Project construction schedule.

#### Flow Management:

Edward Crumb – Nothing new to report

#### Personnel:

Stephen Andrew – working on coordinating Contract language

#### Ad Hoc:

Ronald Davis – Nothing new to report

### Old Business

Rules and Regulations – Ms. Young reported that there are still questions outstanding with GHD, so this item will need to be held over to a future meeting.

Attorney Paniccia stated that he needs information regarding insurance for the contractors on the site and needs copies of insurance certificates.

The next scheduled meeting will be 10/9/18 at 3:00pm.  
A special meeting will be held 09/27/18 at 4:00pm.

Stephen Andrew made a motion for the Board to adjourn.  
Ronald Davis seconded the motion  
Motion carried 4/0/4/2 (RS absent/1 vacant)

Meeting adjourned at 4:45 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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