



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 REGULAR MEETING OF THE
BINGHAMTON - JOHNSON CITY JOINT SEWAGE BOARD**

Tuesday, December 12, 2017

Village of Johnson City Municipal Bldg.

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

Also Present: Craig Matias,
Charles Pearsall, Business Manager
Howard Reeve, Facility Engineer
Michele Cuevas, Confidential Secretary
Chuck Shager, City of Binghamton Comptroller (arrived at 3:29 PM)
Chuck Robinson, Staff Accountant, City of Binghamton (arrived at 3:10 PM)
Alfred Paniccia, Jr., Esq., Counsel
Bruce King, Village of Johnson City Trustee
Conrad Taylor, Trustee, City of Binghamton (exited at 5:12 PM)
Laura Lee Perkins, Transcriptionist

Guests: George Fowler, P.E., Woidt Engineering (exited at 3:37 PM)
John LaGorga, P.E., BCEE, GHD (exited at 4:10 PM)
Howard Weaver, Simmons (arrived at 3:30 PM; exited at 4:35 PM))
Ken DelBianco, P.E. (exit at 4:50 PM)

George Kolba called the meeting to order at 3:02 PM. All six Board Members were present. Attendance sheet was passed for signatures. Fire exits were identified.

To assist with improving the timeliness of review and approval of the Board's meeting Minutes, Chairman Pro Tem Kolba instructed Transcriptionist Perkins to e-mail draft Minutes to Board Members so requesting at the same time as e-mailed to the JSTP Offices.

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

George Fowler, P.E. presented the Woidt Engineering 90% design update/progress report and draft drawings for the Water Quality Improvement Project (WQIP), including removal of the gravel bar, physical connection of two islands and installation of flow diversion structures in the river. Woidt recommends that the WQIP be done in three phases as shown on Drawing 17:

1. Fuller Hollow Creek culvert and access road construction; Bunn Hill Creek contained by bypass system, with dredging of the western section;
2. Complete dredging work and installation of flow diversion structures in the middle section;
3. Complete dredging work, island interconnection, and installation of flow diversion structures in the eastern section; Plant outfall and Fuller Hollow Creek diversion adjustments; demobilize;

Probable construction costs: \$1,499,772.00 based on the 90% plans, with a pre-approved disposal site for dredged material;

Woidt recommends development of a list of pre-approved contracting companies with wood diversion structure experience, to be included with the bidding documents; the tentative schedule is presently:

Advertise for bids in March 2018

Construction to begin July 2018 (based on NYS-DEC stream disturbance restrictions)

Project completed September 2018

George Kolba stated he believed the construction probable cost estimate numbers are low.

John LaGorga, P.E. (GHD) initiated a conference called regarding the NYSERDA grant application for the solar panels to be installed on the new Administration Building Roof with GHD's design engineers (led by Tom DeVine, P.E.). An overview was presented, the document and cash flow (as between the Sewage Board and the City of Binghamton, as Lead Agency) was outlined, and Board Member questions were asked and answered. (3:37 PM to 4:05 PM). Mr. DeVine stated that the solar panels and inverter modules have a projected life of 30-40 years (with some periodic servicing of the inverters required). Over this time span, the project is expected to "pay for itself". The Board would be required to fund any required repairs after expiration of the one-year warranty period. Participation in the NYSERDA grant program for this project does not restrict the Board (or the Owners) from participating in other NYSERDA grant programs.

(Messrs. Fowler and LaGorga exited the meeting)

Howard Weaver gave the Simmons update (see Report in the Board Folder). Mr. Weaver reported that approximately \$18.4 million in reimbursements (of \$22.3 million requested) has been received. There is a \$3 million shortfall in payments due to New York State not paying its 25% share since January 2017 (despite federal share payments, signifying federal approval of the progress payment submissions made). Based on a projected workflow decrease, Mr. Rossi will be reassigned from the BJC project at the end of January 2018. Simmons has not received a response to its proposal for management of the WQIP grant reimbursement process.

Mr. Weaver continues to collect, analyze, catalog, and process data files with proof of payment records being provided by the City of Binghamton on an ongoing basis.

(Mr. Weaver exited the meeting)

Ken DelBianco, P.E., presented the Lead Agency's Plant Restoration and Rehabilitation update:

The Mayors met with a Press reporter; will be touring the construction site with a photographer on Thursday (12/14)

Chemical Building – work is progressing

Scrubber

Digester 3 – coating done; Leak testing successfully completed;

Digesters 1 & 2 – stripping off old coating; Quandel has encountered problems with degradation of the concrete, which will require restoration before recoating;

Primary Settling Tanks 7 – 10 – coating December to January, followed by equipment installation – on schedule

Bypass pumping – on track to remove around January 31st;

The two large Generators, required by Ten States Standards to give the Plant a secondary power source, are due to be delivered any day now, with installation to follow; Mr. Reeve noted that the top of the slabs on which the generators will be installed is above the 100-year flood plain;

CN1 – 8 Cells – columns and beams installed, next comes installation of the nozzle decks;

Backwash Tank – 90-95% complete; working on completing application of Shotcrete liner; the elevated slab has been poured and is the curing stage;

Flood Wall (North and East portion) – last section connecting to the UV disinfection tank remains to be completed; a completion date extension has been requested from NYS-DEC);

Mr. DelBianco estimates that Phase I – is about three months behind; when Construction Manager Jacobs' January update to the schedule is presented (after coordination with PC Construction), the Lead Agency will request a Consent Order Modification from NYS-DEC; Mr. Kolba asked about whether the Contractors can be required to add an additional shift. Mr. DelBianco stated that the means and methods are up to the Contractors, and they are well aware of the liquidated damages provisions of their contracts in the event that the Substantial Completion 1, Substantial Completion 2, and Final Completion milestones are not met; it was also noted that, in order to add an additional shift, the Contract documents – authored by GHD – require the applicable Contractors to make payments to both the Construction Manager and the Lead Agency to defray the costs of additional oversight; Mr. King expressed concern that, heading into the winter, the Contractors are losing ground.

(Mr. DelBianco exited the meeting)

Chuck Shager presented the Fiscal Officer's Report:

1/1/2017 Beg. Balance		
Checking	\$ 888,759.69	
Savings	<u>\$9,575,403.32</u>	
Total		\$10,463,983.01
 11/30/2017		
Checking	\$2,670,756.34	
Money Market	<u>\$7,967,416.63</u>	
		\$10,638,172.97

The Board is under budget year-to-date on Chemicals and Personnel.

Mr. Shager stated that NYS-EFC is expected to close with the Owners on the Solids Handling Improvements (SHI) bonding in January, after which the Owners will be able to refund the monies advanced by the Board on a "bridge funding" basis.

The 2016 Final Billing computation and the 2018 Estimated Bills were presented.

Edward Crumb made a motion for the Board to ratify 2016 Final Bill V2.5 dated 11/17/17, as prepared by the Fiscal Officer's Office, in the total amount of \$13,052,375.59, and direct that statements be issued to the Municipal Users with a letter explaining their respective debit, credit or refund payment status/options.

Steve Andrew seconded the motion

Motion carried 6/0

(It was noted that, given it is an estimate in accordance with the Owner-approved 2018 Budget and various IMAs, no vote is needed to issue the 2018 Estimated Bills)

(Messrs. Shager and Robinson exited the meeting)

Charles Pearsall presented the Business Manager's Report (see report in folder)

Steve Andrew made a motion for the Board to transfer \$4,000.00 in the 2017 budget from Legal Services (J8130.54430) to Vehicle Repair (J8130.54450) and submit the requisite Requests for Legislation to the Owners' Legislative Bodies.

Ronald Davis seconded the motion

Motion carried 6/0

Edward Crumb made a motion to combine with the prior motion for the Board to transfer \$5,000.00 to Vacation Buy Back (J9089.43101) from Personal Services (J8130.51000) in the 2017 budget and combine with the Requests for Legislation from the prior motion.

Ronald Davis seconded the motion

Motion carried 6/0

Edward Crumb made a further motion to combine with the prior motions for the Board to transfer \$125,000.00 from Clerk of Works (J8130.54418) to Equipment Repairs (J8130.54621) in the 2017 budget and combine with the Requests for Legislation from the above motions.

Steve Andrew seconded the motion

Motion carried 6/0

Edward Crumb made a motion for the Board to approve increasing 2017 Revenue line J8130.44960 (Federal Aid – Disaster Assistance) by \$1,302,707.28 and increase Expense line J8130.54899 (Transfer to Owners) by \$1,302,707.28, and that appropriate Requests for Legislation be submitted to the Owners’ Legislative Bodies.

Steve Andrew seconded the motion

It was noted in discussion that these amounts all relate to the Flood Wall Project Worksheet (PW-02504).

Motion carried 6/0

In the Superintendent’s absence, Howard Reeve presented the Superintendent’s Report, a copy of which appears below:

**Superintendent’s Report
December 12, 2017**

Violations and Significant Issues

The stipulated penalties set forth in the consent order are set to go into effect on January 1, 2018.

Compliance

Date: November 2017 Average Flow	Influent 12.72mgd	Effluent	Average % Removal	Effluent Limit
CBOD	314	165mg/l 17,502 Lbs	47.45%	Monitor until Jan 1 2018 then -5254 lbs
Suspended Solids	269	71mg/l 7,532 Lbs	73.61%	Monitor until Jan 1, 2018 then -5,828 lbs
Other: Settleable Solids Max	14.9	0.53	96.44%	Monitor
Total Nitrogen	Oct 26.4	25.2 Oct	4.55%	Monitor
Chlorine	NA	2.0 Max.	NA	2.0Max.
Avg. Temperature	16.7	15.9		
Solids Removed	Aug 2017	Sept 2017	Oct 2017	Nov2017
Digested	0	0	0	0
Lime Stabilized	580.45	536.53	558.11	507.13
Total	580.45	536.53	558.11	507.13
Grit	0	0	0	0
Screenings	5.07	9.63	11.33	
Grease	9.78	0	2.14	7.1

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Operations Summary, Construction and Related Issues

- We continue to operate with challenges related to the bypass pumping configuration, capacity of the new temporary chlorine contact chamber and the temporary effluent discharge pipe.
- At times, during wet weather events, weirs in the settling tanks were submerged. GHD and Jacobs are working to resolve the issue.
- The solids handling phase of the construction has begun. There is discussion regarding the possibility of dewatering the primary sludge in order to put the digesters into service before the rest of the plant is on line.
- Flood Wall: Vestal 12" line Overflow is required. There have been Planning/ Discussion meetings with the Town Engineer, and the issue is not yet resolved
- Our next meeting with SEMO is scheduled for December 14th to review submissions and anticipated reimbursements for projects thus far.
- Request Authorization for travel, advance of \$200.00 and reimbursement of any related expenses for Facility Engineer and Superintendent to attend the NYWEA Annual Conference on February 4 thru 7, 2018.

Steve Andrew made a motion for the Board to approve travel advances of \$200.00 for reimbursement of related expenses to attend the NYWEA Conference on February 4-7, 2018 for the Facility Engineer and Superintendent, payable from the Travel and Training budget line (J8130.54701), together with related expenses for registration and lodging in accordance with the Board's Travel Policy.

Gary Holmes seconded the motion

Motion carried 6/0

Steve Andrew made a motion for the Board to approve a travel advance in accordance with the Board's Travel Policy for January 29 to February 2, 2018 to Morrisville Environmental Training Center for Facilities Engineer to take Grade 3 operator training at the Morrisville Environmental Training Center payable from the Travel and Training budget line (J8130.54701).

Ronald Davis seconded the motion

Motion carried 6/0

Edward Crumb made a motion for the Board to approve a transfer in the 2018 budget of \$55,000.00 from J8130.5500 (Contingency) to J8130.54802 (Permit Fees, Fines and Penalties) in order to fund the Owners' and Board's obligations under the Consent Order (must be submitted to the Owners' Legislative Bodies shortly after January 1, 2018).

Steve Andrew seconded the motion

Motion carried 6/0

Gary Holmes – Construction – because Ken DeIBianco covered this, nothing further to report.

Edward Crumb – Finance – Continuing work on revised 2016 audit and worked to finalize the 2016 final billing (approved earlier during the meeting) – not getting feedback from Michael Lisson regarding the audit; Charles Pearsall to send an email to Mr. Lisson; schedule conference call including at least the Fiscal Officer, or his designee, and a representative of the Finance

Committee. Regarding FEMA claims and NYS monies (no State Share Funds have been received since January 2017), believes that the Board may need to engage with the state elected officials overseeing the Division of Homeland Security and Emergency Services.

Steve Andrew – Personnel – requesting Executive Session

Edward Crumb – Flow Management – Nothing new to report

Ronald Davis – Ad Hoc – Nothing new to report

Correspondence:

GHD November IWWPP Report

NYWEA meeting syllabus for February 4-7, 2018

Press release from City of Binghamton regarding NYS money award for lead abatement in its water distribution system

City of Binghamton RFQ for Consultant Firm to Attract Water Intensive Businesses to City - submissions due 12/20

Email from Sierra Club requesting a presentation regarding the JSTP upgrades – referred to Jim Barriere, Esq. - litigation cannot be discussed

Alfred Paniccia reported that he had written to Town of Union Attorney (Alan Pope) regarding its claim for a \$23,988.43 offset against its fee balance; pending resolution, the sense of the Board is that no refunds or credits should be issued or applied to the Town's financial obligations.

Health Plan docs – Edward Crumb reported that he was working with the ERISAprs SPD wording – he finds it not user friendly and believes significant simplification, clarification, and organization is needed; Alfred Paniccia to communicate with ERISAprs.

Flood Policy Refund – Co-Counsel Paniccia's letter to Brown and Brown was reviewed; regarding the Modular and Compost Buildings – the Board did not pay 2016/17 renewal premiums; due to demolition work, these structures no longer qualified as "buildings" eligible for Flood Insurance coverage. Alfred Paniccia sent an email to Brown and Brown on December 3, 2017; he will send another.

Edward Crumb recommended that the Board develop and approve a Request for Qualifications for appraisal services for the new office building and other facilities – in a format that corresponds to flood and property insurance policy definitions.

George Kolba inquired of Bruce King whether the Village of Johnson City wants to purchase the generator installed for the former Office Building. Mr. King inquired as to cost; he said he will discuss with Mayor Deemie and Bob Bennett.

Steve Andrew made a motion for the Board to go into Executive Session to discuss Personnel matters.

Ronald Davis seconded the motion

Motion carried 6/0

The Board entered Executive Session at 5:52.

Steve Andrew made a motion for the Board to exit Executive Session.

Ronald Davis seconded the motion

Motion carried 6/0

The Board exited Executive Session at 5:59 PM. No action was taken during the Executive Session.

Edward Crumb made a motion for the Board to approve raises for the Management and Salaried Staff, effective with the Pay Period beginning 11:00pm December 29, 2017:

	<u>Increase in Maximum Weekly Salary To:</u>
Superintendent	\$1,700.25
Assistant Supt. (VACANT)	\$1,504.50
Senior Operator	\$1,367.75
Lab Director/Safety Mgr.	\$1,176.75
Head Electrician	\$1,306.75
Computer Systems Eng.	\$1,340.00
Facility Engineer	\$1,370.00
Head Mechanic	\$1,238.50
Business Manager	\$1,440.75
Confidential Secretary	\$ 764.25

Steve Andrew seconded the motion

Motion carried 6/0

The Board intends to discuss the 2018 evaluation process for Cathy Young, Superintendent in January.

Gary Holmes announced that he would be resigning from membership on the Board as of December 31, 2017.

Steve Andrew made a motion for the Board to adjourn.

Gary Holmes seconded the motion

Motion carried 6/0

Meeting adjourned at 6:07 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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