

DRAFT COPY

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

Tuesday, January 10, 2023

Plant Administration Building

Members Present: George Kolba, Chairman Pro Tem
Chris Papastrat
Edward Crumb
Stephen Andrew (Remote at 3:35PM)
Ron Lake
Bruce King

Also Present: Elliott Wagner, Superintendent
Billie J. Goodson, Business Manager
Chuck Shager, JSB Fiscal Officer and Comptroller, City of Binghamton
(Exited at 4:30 PM)
Alfred Paniccia, Jr., Esq., Co-Counsel
Howard Reeve, Facility Engineer (exited at 5:00PM)
Adam Afify, Senior Operator (exited at 5:00PM)
Larry Travis, BJCWWTP, Electrical Engineer (exited at 5:00PM)
Scott Soliday, BJCWWTP, Safety Coordinator (exited at 5:00PM)
Michele Cuevas, Confidential Secretary
Janet Smith, Transcriptionist

Chairman Pro Tem George Kolba called the meeting to order at 3:30 PM. Sign in sheet was passed and Confidential Secretary Cuevas noted roll call aloud. All six (6) Board members were present, albeit Board member Steve Andrew was present remotely at 3:35PM. Chairman Pro Tem Kolba confirmed all present signed in. Fire exits were identified, and Chairman Pro Tem Kolba 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 December 12, 2022, Regular Board Meeting Minutes with the suggested changes made and as contained in the Board Folders.

Motion seconded by Bruce King.

~~Motion carried. 5/0/1 (SA Absent)~~

Edward Crumb made a motion to amend and correct the date in the minutes of December 12, 2022 to reflect December 13, 2022 and that the Board approves said corrected minutes as corrected.

Motion to amend seconded by Bruce King.

Motion to amend carried. 5/0/1 (SA Absent)

Motion carried as amended. 5/0/1 (SA Absent)

Fiscal Officer's Report

Chuck Shager overviewed the Fiscal Officer's Report, copies of which were distributed in each of the Board folders.

Much of the increased revenue is due to the settlement coming in from FEMA and the insurance recovery. Expenses are currently underbudget.

*** (Board Member Steve Andrew entered the meeting remotely at 3:35PM) ***

Superintendent's Report

Superintendent Wagner stated that the numbers for the month of December are really looking good and then continued with overviewing his Superintendent's Report below that included graphs and charts, copies of which were distributed in the Board's folders and posted below.

Superintendents Report for December 2022

1/10/2023

It was an extraordinary year—W where we saw some of our best numbers and some of our worst, due to the Viewport issues.

We saw exemplary dedication and initiative from our new and senior employees alike.

We received outstanding cooperation from our vendors and especially our local contractors: Matco Electric, Serv-Pro, Vacri-DeveVincentis and Rotork. We received help from our engineers Ramboll and GHD as well.

Most importantly we received invaluable support from Both Mayors, City Council, Village trustees, COB eComptroller and quick and decisive action from our Board. With mention to our insurance company Travelers.

We also received a great deal of support and patience from our Local rRegion 7 NYSDEC engineers as well as the NYSDEC Commissioner Basil Seggos.

Superintendents Report for December 2022-cont.

It should be noted that without all the cooperation between the Plant personnel and those mentioned above we would not be able to say we are about to achieve our 4th consecutive month meeting all parameters of our SPDES permit, eEven though we are still allowed to meet the temporary consent order permit levels.

We were able to avoid breaking our 12-month Totals for Total Nitrogen and Phosphorus ~~TMDL's~~ for the Chesapeake Bay Total Maximum Daily Load (TMDL).

TMDL limit for TN=639,261 lbs. per 12 month rolling average; our sum for TN=498,072 ~~L~~lbs. for 2022.

TMDL limit for Phosphorus=106,543 ~~L~~lbs. per 12 Month rolling average; our sum for Phosphorus=42,432 ~~L~~lbs. for 2022.

Please note that in May 2022 we passed-through (discharged) 91,638 lbs. of Total Nitrogen, (which is 5X our average effluent quality). Had we not had the cooperation of all we would have broken the TMDL in about a month and a half.

December Average flow was 18.48 mgd, with precipitation of 3.41 inches. CBOD discharged was 14 mg/L, TSS discharged was 8.7 mg/L, NH3 discharged was 0.3 mg/L, Phosphorous discharged was 0.257 mg/L, and TN discharged was 3.8 mg/L, wWith 4 data points remaining.

In December we were able to hire a contractor to seal-up our two Circa-1959 Digesters which had begun leaking digester gas.

Our micro-Turbines have produced approximately 908,000 KWH even though we were not running our secondary treatment for 6.5 months.

We have a solution for handling/moving our Phosphoric totes that will only cost approximately \$5,100.00.

*****end of report*****

Superintendent Wagner pointed out the many positive aspects demonstrated during and after the February 198, 2022 emergency by staff, local contractors, vendors and engineers. All taking a part in coordinating and/or contributing to the achievement of the numbers posted in the report.

Superintendent Wagner continued overviewing the charts and graphs pointing out he is particularly pleased with the CBOD chart. He also produced another new ~~chart~~ graph presenting the precipitation from 2007 through 2022.

Business Manager's Report

Ms. Goodson reviewed her Business Manager's Report to include her final reporting on the CN Event recovery costs, and requests for Board approval, copies of which were distributed in the Board's folders. Ms. Goodson pointed out encumbrances, budget amounts spent, and budget amounts available. Ms. Goodson requests Board approval as follows:

Budget Transfers

Edward Crumb made a motion pertaining to the Business Manager's request for modification to the 2022 JSB Budget to disburse FEMA/NYS-DHSES check #09048914 in the amount of \$233,930.25 that the Board approves modification of the 2022 JSB Budget as follows:

Increase State Aid-Emergency Disaster Assistance Line J.43960, by \$58,482.56;

Increase Fed Aid-Emergency Disaster Assistance Line J.44960 by \$175,447.69.

Decrease Contingency line J8130.55000 by \$8,419.25;

Increase Reimburse Owner Recovery Expense line J8130.54899 by \$242,349.50,

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

Motion seconded by Bruce King.

In discussion, it was noted that the reduction in Contingency relates to a decision by FEMA/NYS-DHSES to disallow a portion of Direct Administrative Costs previously advanced to the Board, with the disallowed amount added to the amount reimbursed to the Owners.

Motion carried. 5/0/1 (SA Remote)

Edward Crumb made a motion pertaining to the Business Manager’s request for modification to the 2022 JSB Budget to disburse FEMA/NYS-DHSES check #09095677 in the amount of \$1,229,645.42 that the Board approves modification of the 2022 JSB Budget as follows:

Increase State Aid-Emergency Disaster Assistance Line J.43960, by \$307,411.36;

Increase Fed Aid-Emergency Disaster Assistance Line J.44960 by \$922,234.076.

Increase Contingency line J8130.55000 by \$155,891.68;

Increase Reimburse Owner Recovery Expense line J8130.54899 by \$1,073,753.74,

with amounts paid to the Owners line J8130.54899 \$588,417.05 paid to City of Binghamton and \$485,336.69 paid to Village of Johnson City,

and that the corresponding requests for legislation be submitted to the Owners’ Legislative Bodies.

Motion seconded by Bruce King.

Motion carried. 5/0/1 (SA Remote)

Ferric Chloride

Edward Crumb made a motion that the Board authorizes and directs the Business Manager to advertise for the supply of Ferric Chloride for the period beginning February 24, 2023.

Motion seconded by Bruce King.

Motion carried. 6/0

Committee Reports

Construction: George Kolba, Steve Andrew, Ron Lake. Steve Andrew and Ron Lake had nothing to report. **Chairman** Pro Tem Kolba had a few questions to address regarding the pallet jack project, safety notifications, and confirmation of Certificates of Insurance from vendors and contractors. Superintendent Wagner briefly advised on the plans for use of the pallet jack(s), Safety Inspector Soliday confirmed that he does review safety protocol and Facility Engineer Reeve confirmed he always required Certificates of Insurance and had them on file prior to any type of **action on-site activity for a given contract**. Superintendent Wagner, Facility Engineer Reeve and Safety Inspector Soliday will meet to discuss a best practice model for clear notification/confirmation for the Board’s consideration.

Personnel: Steve Andrew reported that he is very interested in scheduling a couple of committee meetings and to have a “sit-down” meeting with Union representatives and the Superintendent.

Finance: Edward Crumb – Mr. Crumb updated the Board with **respect to** the FEMA Project worksheets (**pertaining to Tropical Storm Lee [September 7-8, 2011]**), copies of which were distributed in an email as well as in the Board’s folders. Mr. Crumb noted the progress thus far and overviewed the highlighted lines and will follow up with Howard Weaver **regarding some ongoing matters**.

Mr. Crumb reports that ~~his~~ **e the Finance** Committee is currently working through the details in resolving the outstanding water bill from the Town of Vestal and anticipates the matter ~~to~~ **will** be placed on a near future agenda for completed reporting/**analysis** and Board approval for **payment action as appropriate**.

(Fiscal Officer Shager exited the meeting).

Flow Management: Edward Crumb – Nothing to report.

Ad Hoc: Bruce King – Nothing to report.

But on another note, Mr. King had a question regarding the status of the TPS **Building Solids Management** Project. Per Chairman Pro Tem Kolba, they were no further than they were two months ago which prompted a discussion at the table.

Edward Crumb overviewed the “*Synopsis-Asset Management Program – a Municipal Responsibility*” which was posted on the website and distributed in the Board folders. Mr. Crumb pointed out the listed 7 components, expressing the need to move toward completing the ~~is~~ **eCondition** ~~a~~ **Assessment** to have a means for updating and have the ability to share this information.

Asset Management Program

Edward Crumb made a motion that the Board approves a transfer in the amount of \$300,000.000 from Contingency line J8130.55000 in the 2022 budget to a newly created **sub-line for Asset Management Program in the 2023**2 Capital Reserve Fund budget** and that the corresponding requests for legislation be submitted to the Owners’ Legislative Bodies.**

Motion seconded by George Kolba.

Motion carried. 5/0/1 (SA Remote)

~~Personnel: Steve Andrew reporting that he is very interested in scheduling a couple of committee meetings and to have a “sit down” meeting with Union representatives and the Superintendent~~

Correspondence: Michele Cuevas – IWPP copies of which were distributed in the Board folders. If the Board members have any questions pertaining to the IWPP they should e-mail Jason Greene.

Old Business: Covered earlier in this meeting.

New Business: none

Executive Session

**Edward Crumb made a motion that the Board to go into Executive Session to discuss collective bargaining matters.
Motion seconded by Bruce King.
Motion carried. 6/0**

Executive Session

The Board entered into-Executive Session at 5:00PM.

Executive Session

**Steve Andrew made a motion that the Board exit Executive session.
Motion seconded by Bruce King.
Motion carried. 6/0**

The Board exited Executive Session at 5:12PM.
No action was taken during the executive session.

The next regular Board meeting is February 14, 2023 at 3:30PM.

Adjournment

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

Meeting adjourned at 5:15PM.

~~The next regular Board meeting is February 14, 2023 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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