

**(related Budget Modification motion approved separately)**

**RESOLUTION DECLARING EMERGENCY**

WHEREAS, between mid-July and September 18, 2024, employees of the Binghamton-Johnson City Joint Sewage Treatment Plant (“Plant”) discovered unforeseen degradation of the pump shafts of all three Plant Water System Pumps supplying recycled process water to the on-site Plant Water System serving the Plant’s influent Bar Screens and Fine Screens, Primary Settling Tanks, Secondary and Tertiary Treatment Processes, and Disinfection Process, which water requirement may not be able to be made-up through purchase and use of potable water from the Town of Vestal’s public water supply due to potential intermittent limitations associated with the Town’s ongoing water main replacement project along Vestal Road/Old Vestal Road west of the Plant; and

WHEREAS, as a result, a significant portion of the Plant’s sewage treatment operations are in jeopardy, which could lead to inability of the Plant to meet the requirements of the State Pollution Discharge Elimination System (SPDES) Permit issued by the New York State Department of Environmental Conservation (NYS-DEC); and

WHEREAS, the quality of the Plant’s discharges into the Susquehanna River and Chesapeake Bay Watershed are in peril of being negatively impacted, which could negatively affect public and/or employee health, as well as the health of the local river environment; and

WHEREAS, the Binghamton-Johnson City Joint Sewage Board declares that the conditions discovered constitute an emergency and require immediate procurement and actions to repair/remedy so as to restore proper and productive operating conditions at the Plant as

promptly as possible, which procurement cannot await competitive bidding processes to be completed; now, therefore, be it

RESOLVED, that in accordance with the Board's procurement policy and New York State law, the Board waives compliance with Board policy and State law with regard to purchases of goods, procurement of public works and/or professional services contracts but said waiver is limited to purchases, public works, and/or professional services related to analysis and repair of the affected Plant Water pumping systems and related hardware/systems, as well as actions appropriate to maintain the Plant's discharges in compliance with State law and applicable permits; and be it further

RESOLVED, that in accordance with Section 1(C) of the Board's Procurement Policy, the Plant Superintendent and Board Chairman shall take prudent action to secure the least total cost method of making purchases, engaging in public works, and procuring associated professional services consistent with the nature of this emergency; and be it further

RESOLVED, that this resolution shall be effective through December 31, 2024.