



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 MEETING OF THE BINGHAMTON - JOHNSON CITY JOINT SEWAGE BOARD

**Tuesday, January 8, 2019**  
Plant Administrative Building

- Members Present:** George Kolba, Jr., Chairman *Pro Tem*  
Edward Crumb  
Steve Andrew VIA FACETIME  
Ronald Davis  
Ray Standish (arrived at 3:24pm)
- Also Present:** Cathy Young, Superintendent  
Michele Cuevas, Confidential Secretary  
Charles Pearsall, Business Manager  
Howard Reeve, Facilities Engineer  
Alfred Paniccia, Jr., Esq., Counsel  
Chuck Robinson, Acting City of Binghamton Treasurer  
Laura Lee Perkins, Transcriptionist
- Guests:** Ron Lake, Project Manager (exited at 4:15 PM)  
Clark Gibson, Village of Johnson City Trustee  
Benjamin Reynolds, Village of Johnson City Trustee  
Dan Livingston, City of Binghamton Councilman  
Donald Slota, JC resident, exited at 4:52 PM  
Jason Greene, GHD (arrived at 4:04 PM; exited at 4:23 PM)

George Kolba called the meeting to order at 3:19 PM. Four Board Members were present. It is noted that the Board is still without a third representative from the City of Binghamton.

Attendance sheet was passed for signatures. Fire exits were identified.

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](mailto:bjcwwtp@stny.rr.com)

Chuck Robinson 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
12/31/18	<u>Balance</u>		
	Checking	\$1,426,925.29	
	Money Market	<u>\$5,012,005.39</u>	
			\$6,438,930.68

Mr. Robinson reported all bills are paid to date; 4<sup>th</sup> quarter bills are out; year end report is unaudited (i.e., not official/final)

JF fund is over-budget on some budget lines. Matt Falank is the new Assistant City Comptroller, who is responsible for populating the 2019 Budget funding and administering the pour-over true-ups from JF8130.559100 to the expenditure JF lines.

Ms. Young inquired as to who audits the Hinkley-Allen bills; Mr. Robinson stated that City Corporation Counsel Ken Frank approves those bills.

(Mr. Robinson exited the meeting;

Ray Standish joined the meeting; a quorum of five Board Members is now present)

The Lead Agency Capital Project Financial Reports were presented by Edward Crumb (see Report and charts/graphs included in Board folder); through the end of December, the Total Base Contracts and Net Approved Change Orders is \$267,760,836.45 (a cumulative number that goes back to July 2011).

Payments approved (for the same time period) are \$215,599,710.83 – 80.5% of the Contractual/Change Order Total, above.

Net Change Orders are 2.3% of the Construction/Demolition Contract/Change Order Total; within the 'well-managed' range for construction projects, generally.

The average Change Order is \$56,342.98

Mr. Crumb explained the color-coding and scaling of the graphs for the new Trustees/Councilman.

Charles Pearsall presented the Business Manager's Report.

He is requesting Board approval to accept bids for and award the WQIP work; the Plant has received waivers for the grant-required minority and women's participation requirements.

Edward Crumb made a motion for the Board to accept the Bid of JB's Excavation's Services, Inc. and award it a contract for the Water Quality Improvement Project (WQIP) in the amount of \$1,056,000.00 in accordance with the Bid and the approved plans and specifications, to be encumbered against and paid for from Capital Fund Budget lines JH8130.554063 (Plant Outfall Periodic Dredging) for up to \$483,165.00; JH8130.555555.J0001 (NYS-DEC Water Quality Improvement Project Round 11 Grant) for up to \$444,525.00); and JH8130.555555.J0002 (Grant - NYS-DEC Water Quality Improvement Project Round 13) for up to \$128,308.00 or such greater amount as approved by the NYSDEC, and authorize the Chairman Pro-Tem to sign the contract, Notice of Award, and any other necessary documents on behalf of the Board. Per JB's

Excavation's Bid, the Total Bid is allocated [a] to Schedule A: \$292,425.00, [b] to Schedule B: \$684,708.00, [c] to Schedule C: \$2,000.00, [d] to Alternate E-1: \$45,580.00, [e] to Alternate E-2: \$18,654.00, [f] to Alternate E-3: \$10,533.00, and [g] to Alternate E-4: \$2,100.00.

Ronald Davis seconded the motion

Motion carried 5/0/1 (vacant)

Mr. Kolba stated that he has yet to receive anything regarding the signage that is supposed to be installed in the river as warning signs for rescue personnel in the event of a flood. Mr. Crumb stated that there is money available in JH8130.554063 if a Change Order is needed for the signage.

Edward Crumb made a motion for the Board to issue a sole source declaration for conveyor equipment to Schwing-Bioset for 12 months (2019 calendar year).

Ronald Davis seconded the motion

Motion carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to issue a sole source declaration for Vogelsang parts and equipment through the distributor, Koester Associates, Inc. for 12 months (2019 calendar year).

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to approve, and direct Charles Pearsall to sign, the contract with UHS to renew the Workers' Compensation PPO Program for 2019.

Ray Standish seconded the motion

Motion carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to request the Board Fiscal Officer to transfer from 2018 budget line J8130.54202 (Electricity) to 2018 budget line J8130.54201 (Gas-Heat) \$267.19 as funds are needed for the additional 2018 billing received.

George Kolba seconded the motion

Motion carried 5/0/1 (vacant)

Regarding Insurance – it was noted that the Board waived the terrorism coverage endorsement for 2019 (given that no benefits would be payable in the absence of a federal declaration).

**Superintendent's Report** – Catherine Young presented the Superintendent's Report, a copy of which appears below:

**Superintendent's Report  
January 8, 2019**

**Violations and Significant Issues**

- DEC Revised Consent Order Status

**Compliance**

<b>Date: December 2018 Average Flow 21.48MGD</b>	<b>Influent</b>	<b>Effluent</b>	<b>Average % Removal</b>	<b>Effluent Limit</b>
<b>CBOD mg/l</b>	183mg/l	90mg/l 16,123lbs/day	50.82%	(Limit 24,840lbs/day) Monitor until Jan 1, 2018 then 5,254lbs/day. \$5K Fine
<b>Suspended Solids mg/l</b>	171mg/l	47mg/l 8,420lbs/day	72.51%	(Limit 12,765lbs/day) Monitor until Jan 1, 2018 then 5,828lbs/day. \$5K Fine
<b>Other: Settleable Solids Max ml/l</b>	8.1ml/l	0.88ml/l	89.14%	Monitor
<b>Total Nitrogen mg/l</b>	Nov 2018 11.05mg/l	Nov 2018 10.21mg/l	7.60%	Monitor
<b>Chlorine mg/l</b>	NA	1.47 Max.	NA	2.0Max.
<b>Avg. Temp.</b>	11.5	11.7		

<b>Solids Removed</b>	<b>Sept 2018</b>	<b>Oct 2018</b>	<b>Nov 2018</b>	<b>Dec.2018</b>
<b>Digested</b>	0	0	0	0
<b>Lime Stabilized</b>	463.49	536.15	489.42	572.29
<b>Total</b>	463.49	536.15	489.42	572.29
<b>Grit</b>	0	0	0	0
<b>Screenings</b>		3.64		
<b>Grease</b>		4.3	2.99	

### **Operations Summary, Construction and Related Issues**

- The installation of a gate at the flood wall for controlling storm water and wastewater in the 54" line from Binghamton has been completed. Testing protocol is yet to be determined, but there is a coordination meeting with the City of Binghamton Sewer Department scheduled for Wednesday, January 9<sup>th</sup>.
- A significant amount of training is taking place related to various pieces of equipment in the process of being installed in the facility. Our safety training, funded through the New York State Department of Labor, is also starting this month.

### **Other**

- The Water Quality Improvement Contract is pending approval, pending the DEC waiver for the contractor WMBE participation requirements.
- Plant employees interrupted a theft of contractor electrical materials on Sunday, January 6<sup>th</sup>. Vestal authorities were called and a police report was filed. The incident is still under investigation.
- The monthly meeting with the DEC was held on January 8<sup>th</sup>, 2019. An update on the construction progress was given and deadlines for meeting permit requirements were discussed. Possible schedule impacts include repair of imperfections to the CN Cell 2 Wall, concrete utility corridor delay, which impact the electrical and controls work to the CN cells, and Kruger media expiration dates. The DEC questioned the impact of construction on the proposed modification to the consent order. The Storm Water Protection Notice of Violation was also discussed.

Edward Crumb made a motion that a letter of appreciation be written to the Plant employees who interrupted the potential theft.

Ronald Davis seconded the motion

Motion carried 5/0/1 (vacant)

Jason Greene joined the meeting and presented the GHD status update – see GHD Report in folder. The JSTP is overdue for an EPA Pre-Treatment Program audit but they are 1.5 years behind.

#### **Committee Reports:**

Steve Andrew – Construction – nothing to report at this time

George Kolba – Construction – stairs at the front of the Administration Building – the skim-coat PC Construction applied to correct its installation error is flaking. The stairs may need to be replaced and re-poured when weather conditions allow.

Edward Crumb – Finance – discussed work needed to finalize insurance limits; the grid that Trident Insurance put together does not accurately address what is “building” property and what is “business personal” property. Believes the Board is under-insured on a number of buildings the Board is responsible to provide coverage for. Howard Weaver confirmed that the Federal

Government shutdown does affect FEMA; Mr. Weaver has submitted 4 extensions through NYS which expired on 12/31/18 – SCADA 1, Primary Power Distribution, the Flood Wall and Primary Treatment and Solids. No new progress payments have been received from the Federal Government or State Government since October 2018. NYS owes the Plant more than \$500,000 on Project Worksheet Progress Payments that the Federal share has already been paid by FEMA. Mr. Weaver has said he will look into reaching out to others for help with collecting the outstanding NYS monies.

Edward Crumb – Flow Management – nothing to report

Ronald Davis – Ad Hoc – nothing to report

Steve Andrew – Personnel – nothing to report

Mr. Kolba reminded the Board to hand in their 2018 Committee/Activity Reports to Michele Cuevas.

Correspondence: (as contained in Board Folder)

**Old Business:** Edward Crumb – GHD Work Order 9 services budget transfers. Originally, Work Order-09 was a City Contract, but the NYS Environmental Facilities Corporation (NYS-EFC): will not advance money to City or Village for the TPS Improvements Study because it is outside of the scope of the Restoration and Rehabilitation Project NYS-EFC committed to finance; Mr. Crumb suggested transferring monies for making the payment from the newly created budget line which has \$35,000 and that the Board approve payment of \$33,392.72 to the City of Binghamton as Lead Agency.

Edward Crumb made a motion for the Board to approve a payment to the City of Binghamton in the amount of \$33,392.72 from TPS Engineering Study line.

Steve Andrew seconded the motion

Motion carried 5/0/1 (vacant)

**New Business:** Howard Reeve – the Thickener upgrades are ready to start; the Thickener No. 2 Drive the Board procured and installed in mid-2016 has run out of warranty; he talked to PC Construction; they are asking Board to declare the drive as scrap.

Edward Crumb made a motion for the Board to declare the apparatus in Thickener #3 as surplus and authorize the Superintendent to pursue offers for bids to purchase or dispose of.

Ray Standish seconded the motion

Motion carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to enter Executive Session to discuss litigation.

Ronald Davis seconded the motion

Motion carried 5/0/1 (vacant)

(Trustee Giblin exited the meeting)

Board entered Executive Session at 4:51 PM

Ray Standish made a motion for the Board to exit Executive Session.

Edward Crumb seconded the motion

Motion carried 5/0/1 (vacant)

The Board exited Executive Session at 5:22 PM. No action was taken during the Executive Session.

Co-Counsel Paniccia reported that the DEC will not agree to any suspension or abatement of penalties under the proposed Third Modification Consent Order, and the draft provided to Board Members is the only version that DEC will agree to.

Edward Crumb made a motion for the Board to approve the Third Modification Consent Order in the form contained in the Board Folders.

Ronald Davis seconded the motion

Motion carried 5/0/1 (vacant)

The next meeting is scheduled for 2/12/19 at the Administration Building at 3:15 PM.

Ray Standish made a motion for the Board to adjourn.

Ronald Davis seconded the motion

Motion carried 5/0/1 (vacant)

Meeting adjourned at 5:24 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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