

FINAL COPY

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

Tuesday, February 11, 2020

Plant Administration Building

Members Present: George Kolba, Jr., Chairman *Pro Tem*
Edward Crumb
Steve Andrew VIA SKYPE
Ray Standish (exited at 5:00 PM)
Ronald Davis

Also Present: Elliott Wagner, Superintendent
Ronald Warwick, Assistant Superintendent
Michele Cuevas, Confidential Secretary
Charles Pearsall, Business Manager (exited at 5:03 PM)
Howard Reeve, Facilities Engineer
Alfred Paniccia, Jr., Esq., Co-Counsel
Chuck Shager, Comptroller
Janet Smith, Transcriptionist

Guests: Ron Lake, P.E. City Project Manager
Aviva Friedman, Binghamton City Council, 4th District (North Side)
John Solak, @BinghamtonDaily, citizen journalist
Adam Afify, Head Operator

George Kolba called the meeting to order at 3:35PM. Five (5) 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. Introductions by the audience attendees and board.

Under Privilege of the Floor, John Solak questioned payments billed to the Owner Municipalities, the Town of Vestal, Binghamton University, and the Outside Users. Edward Crumb explained that the Debt Service charges paid by the Owner municipalities, the Host Municipality, and the Outside Users are set in their respective agreements with the Owners, and vary in accordance with the Owners' initial agreements, and that the particular municipality's agreement he questioned does not expire until 2047, at the earliest.

Elliott Wagner reviewed his Superintendent's report, a copy of which is contained in Board Members' folders and appears below.

**Superintendent's Report
February 11, 2020**

Violations and Significant Issues:

Fines: \$5000 for Phase 2 C/N Cells 9-14.

Compliance:

Date: January 2020 Average Flow 18.32 MGD	Influent	Effluent	Average % Removal	Effluent Limit	
CBOD mg/l	181 mg/l	17.67 mg/l 2633 lbs/day	90% last month 89%	No Fine Monitor until Jan 1, 2018 then 18mg/l 5,254lbs/day. \$5K Fine	
Suspended Solids mg/l	134mg/l	11.1 mg/l 1644 lbs/day	92% Last Month 95%	No Fine Monitor until Jan 1, 2018 then 20mg/l 5,828lbs/day. \$5K Fine	
Other: Settleable Solids Max ml/l	14.7ml/l	0.4ml/l	97%	Monitor	
Total Nitrogen mg/l	Dec 2019 20.81mg/l	Nov. 2019 7.46mg/l	64% Last month 45%	Monitor	
Chlorine mg/l	NA	0.29 Max.	NA	0.5Max.	
Avg. Temperature	13.1	12.9			
Solids Removed		Oct2019	Nov 2019	Dec 2019	Jan 2020
Digested		573.37	558.06	505.89	608.24
Lime Stabilized		0	0	0	0
Total		573.37	558.06	505.89	608.24
Grit		31.24		19.92	
Grit/Screenings Combined		8.6			16.65 Tons
Grease		0			

Construction Topics

- Expansion Joint at the intersecting joint between C/N cell 1-8 and 9-14 influent/effluent channels will need repair.
- We have to clean the grit and debris from the original chlorine contact chamber before we can send flow from 3, 4 and 5 to the SIPS and C/N cells. This is not a standard maintenance procedure as this channel is typically full.
- Waiting for Thickener D-Box and Yard piping to be completed this will allow us to feed Digesters and thickeners as well as Blended sludge tanks.
- Awaiting Gas burn-off so we can utilize digester #1
- Actiflo is producing sludge at 700 GPM. It continues to lose sand, every time a pallet is added it ends up in our digester.
- We await completion of Scum collection system equipment to allow us to remove scum from primaries.
- We are waiting for the Impellers to be replaced on the cooling water system pumps to allow us to utilize the Micro-Turbines.

Other Issues:

- We have reached out to the DEC to amend the Interim operating strategy. When we get the original chlorine contact chamber cleaned we will utilize primary tanks 3, 4 and 5 to increase our primary detention time and send the effluent to the SIPS and C/N cells. This will give us better treatment and potentially decrease the loading on the BioStyr system.
- We have started Lime stabilizing again to remove excess solids temporarily until the Yard piping, thickener distribution box and digester 1 gas flare equipment is completed.
- The plant has designed a temporary Seeding routine to allow us to seed Digester #1 from digester #3. We have received quotes for Nitrogen to displace O2 in the digester during that time.
- We are averaging \$2850.00/day in Electric costs.
- Micro-Turbines have the capability of producing \$480.00/day of Electricity approximately 17% of our electric cost could be offset.
- Biosytr Start Up: Biosytr continues to run 1-8
- C/N cells Plus Cell 13 and 1-4 DN cells in Automatic including backwashes. 9-14C/N cells are run for 1 hour/day to seed and feed them.
- UV continues to operate, transmittance is OK at approx. 60 NTU, Wedecco has completed its 30 day test, we await results. Tuesday they will start 2 day startup testing and training.
- Our digester # 3 continues to run well with a volatile reduction avg over 3 months of 57.25%
- We have again met our permit for CBOD5 and TSS.
- We have hired 2 candidates for Operator trainee. They started Feb 4th.
- We have made our decision on a Lab technician.
- On February 8th Plant staff had to replace PLC 7A control module due to failure. We used one of the spare controllers turned over to us. We need clarification as to whether this is a warranty issue or not.
- Operators continue performing process testing for the BioStyr.
- Operators continue to try to capture grease and move it through the existing infrastructure with limited success, permanent solution should be completed shortly. In the meantime we skim grease by hand at the C/N influent channel.
- I would like to acknowledge the work Kristen the Lab Director is doing to achieve a better than State contract price with Hach company saving us approx. \$200.00/ month and procuring updated lab equipment to maintain our certification status with the Dept of Health.
- Due to extensive wet weather preparation by operators and mechanics in the fine screen and compactor area, we have been able to avoid major system failures.
- Adam Afify passed his grade 4 test, we have offered him the Senior operators position.
- Can we adopt the Employee Health and Safety coordinator position.

Elliott Wagner said that there is a \$5000.00 fine January 2020 for incomplete construction. No fine for CBOD or suspended solids. Edward Crumb clarified that the fine is due to Lead Agency construction and not under the control of the Board nor the plant employees.

Superintendent Wagner has a concern with waiting for H-line expansion joint repairs and an issue with 6-12 inches of accumulated material, largely grit, in the original chlorine contact chamber. This is the first time in his 25 years the channel is actually empty. Plant Engineer Howard Reeve spoke on this issue and the remedy; Koberlein had been hired in the past and there was a quote submitted \$6,500.00 per day not to exceed \$19,000.00 for two (2) trucks and one (1) laborer. There was discussion on the process; Howard and Elliott explained that to do the job it needs to be started and completed in two (2) consecutive days and that good weather is key. Edward Crumb asked about the other bidding amounts and Howard Reeve advised that that no further bidding responses or declinations were received from the following:

- Dyer Excavation
- Afton septic
- Overline American Environmental
- Environmental Restoration
- Village of Johnson City Vacuum Truck

Elliott Wagner wanted to acknowledge Lab Director Kristen Tocheny's diligent work obtaining a reduced price for lab testing kits from Hach Company for a savings of \$200.00 per month, that the price she procured is less than the state contract price.

He also acknowledged that Mechanic, Adam Afify passed the NYSDEC Grade 4 Operator test and has accepted the position of WWTP Senior Operator position effective February 8, 2020.

Superintendent Wagner continued reviewing his report and submitted a sample job description used by Tompkins County for review and consideration for the requested Health and Safety Coordinator.

He advised a letter of resignation was received from the plant Computer System Engineer and that his last day will be February 28, 2020. Michele Cuevas advised that the position can now be advertised for fulfillment.

Edward Crumb questioned the tracking of the warranties on the Plant's equipment. It does not appear that the warranty information for new equipment is being turned-over by the Lead Agency. Mr. Crumb stated that, currently, there are 568 pieces of equipment which have been input by the Facility Engineer and Mechanics into the eMaint System. Elliott Wagner advised that Howard Reeves will be compiling a life span and value list for each piece of equipment and they will refer to that list when and if there is a need to replace or if there is a need for additional equipment. It will be particularly useful for budgeting.

Chuck Shager spoke on Fiscal matters; that there has been very little activity since January. He submitted the Fiscal Officer's Report:

1/1/2020	<u>Beg. Balance</u>		
	Checking	\$1,324,932.37	
	Savings	<u>\$5,028,026.56</u>	
	Total		\$6,352,958.93
1/31/2020	YTD Cash Receipts	1,149, 672.19	
1/31/2020	YTD Disbursements	1,135,347.79	
			6,367,283.33
	Checking	\$1,336,949.74	
	Money Market	<u>\$5,030,333.59</u>	
	Total		\$6,367,283.33
			(Total as of 1/31/2020)

Chuck Shager reported that monies owed are steadily coming in and will continue to be posted. He spoke on the twenty (20) cents per cubic foot difference for the Town of Conklin; that the difference is due to the initial contract agreement between the owners of the plant when the plant started and that the Board has no authority to modify that contract. He spoke on over budget expenses in the 2019 Budget. He will be making a request for adjustment of funds by transfer in the estimated amount \$80,000.00 to \$100,000.00.

New York State's Office of the State Comptroller is currently in the process of auditing the Owners' construction project. All items of interest to the auditors has been provided thus far and will continue to be provided as requested. Chuck Shager encouraged prompt attention to the auditor's requests.

Edward Crumb presented the Lead Agency Capital Project Chart Report (see Board Folder for hard copy) and Graph Report, and explained how to review the Chart Report, the color-coding system, and the scaling of the graphs.

Charles Pearsall presented the Business Manager's Report.

Regarding DEC, that we anticipate compliance for January levels but not for Lead Agency Phase II Construction Progress. The Board's WQIP construction is on schedule and that a Work Change Directive and Change Order will need to be approved.

At this time, Edward Crumb wanted to make a motion pertaining to the previous Superintendent's Report and the need to hire Koberlein to provide services in support of repair of the H-line issue by the Owners' contractor.

Edward Crumb made a motion to authorize the Superintendent or his designee to contract with Koberlein in accordance with their proposal not to exceed \$19,000.00 for cleaning and debris removal from Chlorine Contact Chamber Number 1 to be encumbered and paid for from 2019 Budget Line J8130.54804 (Sludge and Waste Disposal).

**Ron Davis seconded the motion
Motion Carried 5/0/1 (vacant)**

Edward Crumb made a motion to ratify Work Change Directive Number 2 with JB Excavation Services Inc. for the Water Quality Improvement Project dated October 15, 2019 in the amount of \$12,140.50 to be encumbered and paid for from Capital Budget Line JH8130.554063 (Plant Outfall Periodic Dredging).

**Ron Davis seconded the motion
Motion Carried 5/0/1 (vacant)**

Edward Crumb made a motion to approve Change Order Number 2 dated January 27, 2020 in the amount of (-\$18,291.90) with the credit going to WQIP Capital Budget Line JH8130.55555.J0002.

**Stephen Andrew seconded the motion
Motion Carried 5/0/1 (vacant)**

Charlie Pearsall advised that the current methanol contract expires March 6, 2020; that bid requests were posted and received with the lowest from Kemira Water Solutions at \$1.52 per gallon for 18 months.

Ron Davis made a motion to award a contract for supply of methanol in accordance with the methanol bid results articulated by Charlie Pearsall to Kemira Water Solutions at a price of \$1.52 per gallon delivered for an 18-month supply period beginning March 7, 2020, to be paid for from Budget Line J8130.54150 (Chemicals).

**Edward Crumb seconded the motion
Motion Carried 5/0/1 (vacant)**

Charlie Pearsall spoke on the bids made for Phosphoric Acid. Upon his review of all bids submitted, there was one that appeared to be a questionable amount which was considerably the lowest bid. Charlie contacted the company to confirm the submitted bid and was advised that it was a clerical error. Charlie would like to reject all bids and request permission to post a rebidding. There was a discussion whether the company that submitted the erroneous bid could rebid. Board attorney, Al Paniccia, will research that issue and advise.

There may need to be a special meeting within the next few weeks to handle this issue.

Edward Crumb made a motion to increase 2019 Budget Line J8130.54000 (Village Local Systems Costs) in the amount of \$29,234.59 by transfer from J8130.54001JG (Village Debt Service) and to increase 2019 Budget Line J8130.54000.JZ (City Local System Costs) in the amount of \$313,188.36 by transfer from J8130.54001.JZ (City Debt Service) and that the corresponding Requests for Legislation be submitted to the Owners' Legislative Bodies for approval.

George Kolba seconded the motion

Motion Carried 5/0/1 (vacant)

Charlie Pearsall spoke on sick time buyback and unemployment insurance overages for 2019 and would like Board approval for a transfer of funds on the applicable budget lines.

Edward Crumb made a motion to increase the 2019 Budget Line for Sick Time Buyback J.9089.58100 in the amount of \$7,655.15 with such funds to be transferred from Health Insurance Buyout Budget Line J9060.58001.C and to increase the 2019 Unemployment Insurance Budget Line J9050.58000E in the amount of \$1,451.29 with such funds to be transferred from Contingency Budget Line J8130.55000.

Steve Andrew seconded the motion

Motion Carried 5/0/1 (vacant)

Edward Crumb made a motion to approve designation of Schwing Bioset, Inc. of Somerset, Wisconsin as sole source distributor for parts for Schwing brand material handling equipment in the form of the motion handed out to Board Members and authorize the Chairman to execute the same on behalf of the Board effective 2/11/2020 for a one-year period.

Ron Davis seconded the motion

Motion Carried 5/0/1 (vacant)

Edward Crumb made a motion for the Board to adopt the prepared resolution -designating Koester Associates, Inc. of Canastota, New York sole source distributor for repair parts for Vogelsang brand rotary lobe pumps in the form of the motion handed out to Board Members and authorize the Chairman to execute the same on behalf of the Board effective 2/11/2020 for a one-year period.

Steve Andrew seconded the motion

Motion Carried 5/0/1 (vacant)

(Ray Standish exited the meeting at 5:00pm. A quorum of four Board Members remains).

Edward Crumb made motion to ratify the year-end Flow Credit Bank Statements and the matrix totaling (as of 12/31/2019), 2,432,865 gallons of Inflow-Infiltration Flow Credits that are exchangeable and transferable according to the table provided by the Business Manager and authorize distribution of the statements to the Municipal Users.

Steve Andrew seconded the motion

Motion Carried 4/0/1/1 (vacant)

Charlie Pearsall advised that a check from the NYS Department of Labor for 2018-19 for safety training grant monies in the amount of \$10,038.60 has been received.

(Business Manager Charlie Pearsall exited the meeting)

Committee Reports

Construction Committee - George Kolba wanted to mention that the sidewalks, stairs and curbing in front of the Administration Building are deteriorating and should be inspected to determine proper curing, quality and warranty. Ron Lake, P.E. suggested that Elliott Wagner send him an email outlining the problems so that he can properly address this issue. Mr. Lake also gave an update on the progress of work on Digester Nos. 1 and 2, as well as Settling Tanks 1 and 2.

Personnel Committee – nothing to report

Ad Hoc Committee – nothing to report

Finance Committee – Edward Crumb reminded Board Members that any remaining 2019 Claims should be submitted through the Account Clerk and/or Business Manager so as to be listed and spot-checked on the Board Listings that will be forwarded to the Fiscal Officer's office on February 21st (for 02/28/20 payment issuance).

Flow Management Committee – Edward Crumb noted that Business Manager Charlie Pearsall is beginning to receive 2019 billable flow reports from the Municipal Users and will be beginning to audit and meet with the Municipal Users regarding their 2019 flows, which are due to his office by March 31st. Mr. Crumb stated that it will also be important to discuss with the Municipal Users their reporting obligations under the Flow Management Plan, including:

- > submission of updates, if any, to New or Modified Sewer Connection Application Form;
- > submission of prioritized list of identified/available I/I Remediation Projects within the Municipal User's boundaries;
- > submission of Annual Sewer Capital Improvement Plan and/or update[s] thereto;
- > submission of annual update to Communications Plan (part of CMOM Program);
- > submission of annual update to Sewer Overflow and Emergency Response Plan ["SOERP"] (part of CMOM Program);
- > submission of annual update of as-built/record drawings of their collection systems, including sewers, manholes, pumps, siphons and other special structures;
- > submission of annual update table of modeling information for their collection systems;

and

- > submission of (5-year) cyclically updated CMOM Program Document, as applicable (also required to be submitted to NYS-DEC)

Correspondence – IWPP report was distributed as well as receipts for DEC fines.

Old Business – none

New Business

Edward Crumb made a motion to extend the performance period for the WQIP-I grant through September 30, 2020 and authorize the chairman or other appropriate parties to sign the appropriate documentation with DEC.

Steve Andrew seconded the motion

Motion Carried 4/0/1/1 (vacant)

Edward Crumb made a motion to change the designation of the Grantee Authorized Representative for the WQIP Grants from Catherine Young to Charlie Pearsall effective (retroactively to) March 29, 2019.

Steve Andrew seconded the motion

Motion Carried 4/0/1/1 (vacant)

Edward Crumb made a motion to go into Executive Session to discuss potential litigation.

Steve Andrew seconded the motion

Motion Carried 4/0/1/1 (vacant)

The Board entered Executive Session at 5:26PM.

Edward Crumb made a motion to exit Executive Session.

Steve Andrew seconded the motion

Motion Carried 4/0/1/1 (vacant)

The Board exited Executive Session at 5:31PM. No action was taken during the Executive Session.

George Kolba made a motion to adjourn.

Steve Andrew seconded the motion

Motion Carried 4/0/1/1 (vacant)

Meeting adjourned at 5:38PM

Respectfully submitted,

Janet Smith
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
Elliott Wagner, 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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