

FINAL COPY

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

**Tuesday, August 12, 2014
Village of Johnson City Offices**

Members Present: Eugene Hulbert, Sr., Chairman
George Kolba, Jr., Vice-Chairman
Edward Crumb
Steve Andrew (arrived at 3:21 PM)
Ronald Davis
Gary Holmes

Also Present: Cathy (Aingworth) Young, Superintendent
Charles Pearsall, Business Manager
Michele Cuevas, Confidential Secretary
Chuck Shager, City of Binghamton Comptroller/Financial Officer
John Perticone, Esq., Co-Counsel
Alfred Paniccia, Jr., Esq., Co-Counsel (left at 6:15 PM)
Laura Lee Perkins, Transcriptionist

Guests: Jerry Motsavage, City of Binghamton Trustee
Bruce King, Village of Johnson City Trustee (left at 5:47 PM)
Doug Most, Jacobs Civil Consultants LLC (left at 5:38 PM)
Jason Greene, P.E., GHD (arrived at 3:57 PM; left at 4:19 PM)

Chairman Hulbert called the meeting to order at 3:03 PM; quorum present - five (5) Board Members; sign-in sheet passed for signatures; fire exits identified;

Edward Crumb made a motion for the Board to accept the June 10, 2014 Minutes in the form presented in the Board folder.

Eugene Hulbert, Sr. seconded the motion
Motion carried 5/0/1 (SA absent)

Edward Crumb made a motion for the Board to accept the June 26, 2014 Minutes in the form presented in the Board folder.

Ronald Davis seconded the motion
Motion carried 5/0/1 (SA absent)

Financial Report:

1/1/14 Beginning Balance	
Checking Account	\$938,5 71.06
Savings Account	<u>\$2,932,430.39</u>
Total	\$3,871,001.45
7/31/14 Revenue	\$18,534,156.92
6/31/14 Disbursements	<u>\$9,514,155.47</u>
7/31/14 Balance	\$12,891.002.90

(Stephen Andrew joined the meeting; all Board Members are now present.)

Edward Crumb made a motion for the Board to approve the transfers as proposed in the Board folder [\$7,000.00 from J8130.54150 (Chemicals) to J8130.54520 (Equipment Rental); \$3,568.75 from J8130-54150 (Chemicals) to [a] J8130.53002 (Acct Svcs – City) in the amount of \$500.00 and [b] J8130-.58100 (Sick Leave Buy-back) in the amount of \$3,068.75; \$6,732.98 from JH8130.554009 (SCADA) to JH8130.554022 (SCADA)] and direct the Business Manager to submit the appropriate requests for legislation to the Owners’ legislative bodies including directions to close out Capital Budget Line JH8130.554022 (SCADA) once the transfers have been completed.

Ronald Davis seconded the motion
Motion carried 6/0

Edward Crumb made a motion for the Board to approve and direct the Business Manager to submit requests for legislation to the Owners’ legislative bodies to increase estimated revenue for the 2014 year in the amount of \$2,681.25 and to increase expenses as shown on the proposed RL Cover Sheet in relation to the security deposit refund received, the only change being to remove the word ‘Treatment’ from the Board’s name.

Ronald Davis seconded the motion
Motion carried 6/0

George Kolba, Jr. made a motion for the Board to approve and submit the proposed 2015 Budget to the Owners with the explanation that the 1.55% increase is due to legal fees and to change the industrial surcharge on the revenue statement, eliminating specific listings by entity name.

Ronald Davis seconded the motion
Motion carried 6/0

Edward Crumb made a motion for the Board to approve the 7/14/14 Board List with the addition of following invoices:

City of Binghamton	\$572,581.09
Village of Johnson City	\$472,274.91
WESCO	\$ 11,646.50 (J8130.5461A)

and directing the Fiscal Officer to pay the same.

Ronald Davis seconded the motion

Motion carried 6/0

George Kolba, Jr. made a motion for the Board to approve the acceptance of a Safety Grant in the amount of \$16,964.00 and to submit a request for legislation to the Owners for approval of acceptance of the grant.

Ronald Davis seconded the motion

Motion carried 5/1 (EC)/0

Superintendent's Report

Violations and Significant Issues

Compliance

Date: July 2014	Influent	Effluent	Average % Removal	Effluent Limit
Average Flow	13.12mgd			
CBOD	215	114	47%	Monitor
Suspended Solids	247	49	80%	Monitor
Other: Settleable Solids Max	161.20	0.10	99.94%	Monitor
Total Nitrogen	June 24.21	June 18.04	25.49%	Monitor
Chlorine	NA	1.57Max.	NA	2.0Max.
Avg. Temperature	20.0	19.7		
Solids Removed	April	May	June	July
Digested	0	0	0	0
Lime Stabilized	717.91	1038.23	1075.41	872.04
Total	717.91	1038.23	1075.41	872.04

Note: May and June BWTP cleaning out solids from 4 sedimentation basins.

Operations

- The plant continues to operate in CEPT mode.
- Digester #1 is empty and will be evaluated for repair.
- Digester #2 is partially emptied. Grit and media remain.
- Digester #3 is scheduled to have repairs made to it this week to stop leaks discovered previously.

Superintendent's Report-cont.
Other

- The superintendent continues to work with the EPA regarding illegal activities of an industry in our service area.
- Security at the plant has become a concern. The Superintendent and facility engineer are working to develop costs for upgrading fencing, card swipe access and cameras around the entire facility. Preliminary estimates range from \$35,000 to \$50,000.
- We have moved into the new office building! Thanks goes to the board for doggedly following through on this project so that staff has a clean safe environment to work in. We are in the process of unpacking and filing paperwork in the appropriate areas.
- Interviews for interested engineering firms regarding the BAF Plant Rebuild were held by the City and Technical Team, and negotiations with a firm for a scope of work are underway.
- The Board Chairman, City Public Works Director/board member and Superintendent, along with the city consultant visited the Kingston Ontario BAF plant and reviewed their operations and treatment processes.
- The county is holding an auction Saturday, September 27 and plant personnel have identified potential items for the auction, pending board approval.
- Request for Reimbursement for Travel to Kingston Ontario.
- Request to award Lab Bid to Pace Analytical.

Edward Crumb made a motion for the Board to declare the items listed on the handout provided by the Superintendent in the Board folder to be surplus and to authorize the Superintendent or designee to dispose of same in the most advantageous manner.

Stephen Andrew seconded the motion

Motion carried 6/0

Edward Crumb made a motion for the Board to approve and authorize reimbursement for actual and necessary travel expenses to Kingston, Ontario on 8/1/14 in a not-to-exceed amount of \$425.00 per person.

Stephen Andrew seconded the motion

Motion carried 5/0/1 (abstained – EH)

Eugene Hulbert, Sr. made a motion for the Board to accept the PACE Analytical proposal and contract for outside laboratory services and direct the Chairman to sign the same.

Ronald Davis seconded the motion

Motion carried 4/2 (GK,EC)

Jason Greene, P.E. from GHD Consulting Engineers, LLC presented the IWWPP status report.

Edward Crumb made a motion for the Board to approve and accept the Rockwell *TechConnect* support contract for SCADA software for the year beginning June 28, 2014 in the amount of \$13,146.74 to be paid from budget line J8130.54410 (Prof. Serv).

Ronald Davis seconded the motion

Motion carried 6/0

Committee Reports

Construction – George Kolba, Jr. and Eugene Hulbert, Sr. noted concerns with NYSEG’s lack of response in relation to making permanent repairs following the traffic accident that broke the pole at the intersection of Vestal Road and Murray Hill Road. The suggestion was made to submit a detailed letter to the Public Service Commission. A discussion took place regarding the status of the leak repair and coating project for Digester No. 3. It has been suggested that all pipes/lines penetrating the cone and walls be pressure-tested to identify or rule-out leaks. Eugene Hulbert, Sr., Gary Holmes, and Cathy (Aingworth) Young reported on their recent visit to the Kingston, Ontario wastewater plant. It was noted that this plant has an aerated grit removal system, but only has a 2-stage BAF which does not denitrify. Gary Holmes suggests that all Board Members visit this plant. Features/conditions noted were the dryness of the below-grade areas, adequate ventilation, and quietness in the blower room (turbine blowers). One issue the operators continue to work with Kruger on relates to media loss, which has been somewhat more than the expected 4% or less.

Finance – Edward Crumb thanked all involved with the budget preparation process and review meetings. Ongoing items include considering changing to the Municipal Electric and Gas Alliance (MEGA) for natural gas supply, working with the Business Manager regarding the 2012 Audit, RFQ/RFP for 2013 auditing services and RFQ/RFP for Payroll Processing Services.

Personnel – Stephen Andrew reported that a labor/management meeting had been held at the union’s request in relation to staffing.

Ad Hoc – Ronald Davis reported that he had met with Superintendent Young and would like the committee to be involved with the security and fencing improvements at the Plant.

Flow Management – Edward Crumb discussed the status of amending the *Rules and Regulations*. Information is needed from the U.S. Attorney about what his concern is about claimed differences between the Binghamton City Code and the Rules and Regulations. By consensus, the Steering Committee’s next meeting will be 10/30/14 at 5:30pm at Binghamton University.

Structure/Flood – Eugene Hulbert, Sr. reported that the RamTech contract had not yet been received back for signing. A flood mitigation meeting is being held tomorrow, and the Modification Consent Order has been fully-approved and signed.

George Kolba, Jr. made a motion for the Board to approve the purchase of a Shower Trailer for an amount not-to-exceed \$14,000.00 in accordance with the Procurement Policy to be paid for from budget line JF8130.559121 (FRP-BLDG10 (RELOC LCK/SHW)).

Stephen Andrew seconded the motion

Motion carried 6/0

Edward Crumb made a motion for the Board to approve the transfer in the 2014 budget of \$87,500.00 from Electricity budget line, J8130.54202 to Professional Services BAF Remedial Design, J8130.54410.JOBAF and \$162,500.00 from Contingency budget line J8130.55000 to Professional Services BAF Remedial Design, J8130.54410.JOBAF for the Pilot Study Program and that the Fiscal Officer or City Comptroller be authorized and directed to prepare and submit the Requests for Legislation to City Council and Village Board.

Ronald Davis seconded the motion

Motion carried 6/0

Old Business – a discussion took place regarding proceeding with demolition of the Compost Facility. Consensus is that the work needs to be part of the City's Lead Agency project. Co-Counsel Perticone will coordinate with Gary Holmes regarding prior coordination he made with the insurance company's adjuster. Chairman Hulbert appointed Stephen Andrew to coordinate with Gary Holmes regarding the specifications. Regarding purchasing a replacement for the lugger truck, George Kolba, Jr. stated that what the Facility Engineer sent him was not what the Superintendent wants, so he will coordinate further.

New Business

Stephen Andrew made a motion for the Board to retain the law firm of Hinckley Allen Snyder LLP to represent the Board with respect to two (2) lawsuits: v. C&S Engineers, Inc. et. al. (Index No. 2011001832) and v. American Alternative Insurance Company; (Civil Action No. 3:12-CV-00553) to be paid from budget line J8130.54430.JOBAF.

Eugene Hulbert, Sr. seconded the motion

Motion carried 6/0

Edward Crumb made a motion for the Board to go into Executive Session to discuss pending litigation.

Stephen Andrew seconded the motion

Motion carried 6/0

(Attorney Paniccia and Transcriptionist, Laura Lee Perkins, left the meeting room.)

The Board entered Executive Session at 6:15 PM

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

Eugene Hulbert, Sr. seconded the motion

Motion carried 6/0

The Board exited Executive Session at 6:27 PM

Stephen Andrew made a motion for the Board to follow Attorney Perticone's advice to not agree to the insurance company's settlement proposal.

George Kolba, Jr. seconded the motion

Motion carried 6/0

George Kolba, Jr. made a motion for the Board to adjourn.
Stephen Andrew seconded the motion
Motion carried 6/0

Meeting adjourned 6:29 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
John Perticone, Esq.
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
City Engineer, City of Binghamton
File