

# FINAL COPY

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

Thursday, September 01, 2022

Plant Administration Building

Members Present: George Kolba, Chairman Pro Tem  
Chris Papastrat  
Edward Crumb  
Stephen Andrew  
Ron Lake  
Bruce King

Also Present: Elliott Wagner, Superintendent  
Billie J. Goodson, Business Manager  
Michele Cuevas, Confidential Secretary

Chairman Pro Tem George Kolba called the meeting to order at 4:04PM. Sign in sheet was passed and Confidential Secretary Cuevas noted roll call aloud. Six (6) Board Members were present. Chairman Kolba confirmed all present signed in. Fire exits were identified, and Chairman Kolba requested cell phones be turned off or silenced during the meeting. All stood to recite the Pledge of Allegiance.

Agenda items for this meeting are litigation topic and procuring, obtain & maintain flood insurance in accordance with the FEMA requirement

Chairman Pro Tem Kolba then called to address the first item on the agenda list: FEMA Flood Insurance. Finance Committee Chair Edward Crumb spoke on Flood Insurance, including the FEMA "Obtain & Maintain" requirement, coverages in relation to PW-02555 (BAF Facility), and premiums quoted. Working with Business Manager Goodson and the Board's flood insurance broker, he is making the following motion:

**Edward Crumb made a motion that the Board accept the Selective quotes for Building 15 CN Blower Building and Building 18 UV Building as follows:**

**Building 15 CN Blower annual premium is \$2,381.00 per year for \$500,000 building coverage plus \$500,000 contents**

coverage with a \$2,000 deductible as to each.

**Building 18 UV Building annual premium is \$3,114.00 per year for \$500,000 building coverage plus \$500,000 contents coverage with a \$2,000 deductible as to each.**

**Motion seconded by Ron Lake.**

**Motion carried. 6/0**

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

**Motion seconded by Bruce King.**

**Motion carried. 6/0**

The Board entered Executive Session at 4:12PM.

**Bruce King made a motion to exit Executive Session.**

**Motion seconded by Edward Crumb.**

**Motion carried. 6/0**

At 5:01PM, the Board exited Executive Session. No action was taken during the Executive Session.

**Edward Crumb made a motion to ratify and approve the various settlement amounts contingent upon Owner's agreement to reimburse the Board from the settlement proceeds for actual litigation costs and BAF Pilot Plant Study costs as follows:**

<b>C.O. Falter Construction Corp.:</b>	<b>\$ 5,000,000.00</b>
<b>C&amp;S Engineers &amp; Delta Engineers:</b>	<b>\$ 4,800,000.00</b>
<b>Camp Dresser &amp; McKee (CDM):</b>	<b>\$ 250,000.00</b>
<b>Infilco Degremont, Inc. (IDI):</b>	<b>\$20,000,000.00</b>
<b>Whitacre Engineering Company:</b>	<b>\$ 100,000.00</b>
<b>EJ Construction Group, Inc.:</b>	<b>\$ 25,000.00</b>
<b>Matco Electric Corporation:</b>	<b>\$ 25,000.00</b>

**Motion seconded by Bruce King.**

**Motion carried. 6/0**

**Motion by Steve Andrew for co-counsel Paniccia draft a letter to the Owners for the Chairman Pro Tem's signature formally requesting payment in full back to the JSB budget for actual litigation costs expended from the Board's budget on the BAF Litigation and the BAF Pilot Plant Study.**

**Motion seconded by Bruce King.**

**Motion carried. 6/0**

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

Meeting adjourned at 5:07PM.

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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