

FINAL COPY

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

Tuesday, August 13, 2024

Plant Administration Building

Members Present: George Kolba
Edward Crumb
Chris Papastrat
Ron Lake
Bruce King
Stephen Andrew

Also Present: Elliott Wagner, Superintendent
Michele Cuevas, Confidential Secretary
Alfred Paniccia, Jr., Esq., Co-Counsel
Ron Warwick, Asst. Superintendent
Billie Goodson, Business Manager
Chuck Robinson, JSB Fiscal Officer/City of Binghamton Comptroller
(exited 4:41pm)
Rachel Perkins, City of Binghamton Assistant Comptroller (exited 4:41pm)
Larry Travis, E.E., Electrical Engineer

Chairman Kolba called the meeting to order at 3:32 PM. Sign in sheet was passed. Six (6) Board members were present. Confidential Secretary Cuevas read aloud roll call. Chairman Kolba confirmed all signed in, identified fire exits and requested cell phones be turned off or silenced during the meeting. All stood to recite the Pledge of Allegiance.

Privilege of the Floor

Chairman Kolba asked if anyone would like the privilege of the Floor. No one wished to speak. The Chairman closed the floor.

Chairman Kolba mentioned that Village of Johnson City trustee Mr. Giblin notified him that he would not be present at the meeting; Chairman Kolba also noted that there was no representative from the City of Binghamton City Council present.

Chairman Kolba gave the floor to Mr. Robinson, the City of Binghamton Comptroller and Joint Sewage Board Fiscal Officer, and he introduced Rachel Perkins who is the new Assistant Comptroller for the City of Binghamton. Everyone welcomed Ms. Perkins.

Meeting Minutes Approval

Edward Crumb made a motion that the Board approves the submitted July 9, 2024, Regular Board Meeting Minutes with the suggested changes as contained in the Board Folders.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Fiscal Officer Report

Mr. Robinson noted that all financials are tracking well. He also noted that the Lead Agency HX Fund report will no longer be printed because the Owners will no longer have expenditures from that Fund. For the project at TPS, there will be a separate report. The 2023 audit is going well. Hopefully a draft will be presented by the next regular meeting. Chairman Kolba initiated a brief discussion about establishing a credit card for JSB usage. Mr. Robinson stated that the Board would need to have a policy in place, a credit limit, and an authorization procedure, etc. Business Manger Goodson and Fiscal Officer Robinson will work together on this.

Superintendent's Report

Superintendent Wagner overviewed his Superintendent's Report below which included graphs, charts, copies of which were distributed in the Board's folders. The first page of the report is set forth below.

July Superintendents Report August 12, 2024

July received 6.02 inches of precipitation for a total of 27.64 inches so far this year.

Total avg. flow was 13.79 mgd with the sum being 427.34 million gallons.

CBOD=9 mg/L, TSS=6 mg/L, NH3=0.199 mg/L, Phos=0.48 mg/L (12 Month avg lbs.=24,991 or 23% of our 12-month limit of 106,543 lbs.), TN=2.3 mg/L with 1 data point to go. (12-month avg lbs.=210,000 lbs. or 32.45% of our 12-month limit of 639,261 lbs.)

Micro turbine production was 44,495 kwh. Solar produced 9,345 kwh

Superintendents Report-cont.

In July we had 2 of our 3 Plant Water pumps fail. We contracted with W20 to remove and analyze why they failed and whether to replace or repair them. We brought in Abbey Crane to lift the pumps out of the effluent channel. They were able to get 2 of the pumps out but the third pump pedestal was too small and out-of-round shape to allow removal. We are investigating our options to remove the pedestal without damaging the pump and or allowing the concrete to fall into the effluent channel.

On 8/11/24 we had an elevating conveyor shaft break again.

Electrical/Instrumentation department was alerted on Friday to a Fiber-Optic cable smoking. Matco Electric was called into help diagnose the cause. This project is ongoing. Mark Freije and Devin Ashman from Matco came out after seeing the pictures of conduit. They said they would be able to help and would get me a budgetary price for a replacement of Fiber optic and power cabling by tomorrow. Superintendent Wagner reports that this is an Emergency Situation.

The EPA performed an Industrial Pre-Treatment Program Audit, which began Tuesday, July 16th with a 2-hour interview, followed by 3-days of on-site inspections. We visited the Binghamton Water Filtration Plant, Frito-Lay, SUNY University, and Triple Cities Metal Finishing, Inc. (TCMF). The written report should be turned over in 3-5 months.

Superintendent Report continuation - Plant Water Pump Issue

Early in July, one of our 25 hp Plant Water pumps failed, and mechanics reached out to Siewert Equipment who were the suppliers for these pumps. The pumps were part of the PC Construction project under Pumping Equipment-General (11300) and Plant Water System Pump (11302).

As of 8/13/24 we have had no response from Siewert Equipment after repeated phone calls by our Facilities Engineer and Head Mechanic.

Approximately 2 weeks ago a second Plant Water pump failed, and we were unable to meet our water requirements for Coarse and Fine Screens, and other plant water uses, with the one remaining pump.

We use approximately 370,000 gallons of plant water per day. If we need to purchase this water from Vestal, based on our rate it would cost us an extra \$32,000.00/month.

I reached out to Scott Groats head of the Vestal water department to inform him of our possible need, and he referred me to W20 a pump repair and replacement contractor out of Cortland NY.

Superintendent Report continuation cont. Plant Water Pump Issue

We called them and they sent one of their principals out the next morning. He said he could do the project for \$3,500.00 and offered to do the 3rd on for a total of \$4,000.00. The project included removal and analysis of the failed pumps.

We scheduled Abbey Crane for \$2,600.00 to work with W20 to lift the pumps through the roof of the building.

Two of the pumps required sawing of cardboard (Sono-tube) and foam to be able to remove them from their pedestal.

The last pump they were unable to remove due to the Sono-Tube collapsing inward during the pouring of the pedestal concrete. The round shaped hole ending up looking somewhat Egg-shaped.

As of today, two pumps are on the bench at W20 and the third is still on its pedestal. This pump sits over the top of the effluent channel and will require removal by a contractor and re-pouring.

Photos of this issue were shown to all.

RESOLUTION DECLARING EMERGENCY-Duct Bank BB1A

WHEREAS, during the August 9, 2024 wet weather event, employees of the Binghamton-Johnson City Joint Sewage Plant discovered an unforeseen penetration by a threaded rod into an electrical conduit of Duct Bank BB1A which rod has damaged the outer jacket of a fiber optic cable integral to the CN Biological Aerated Filtration (BAF) Complex Control System, and has caused the lower east wall of the BAF Blower Building (Building 18) to become energized during wet weather conditions, posing an electrical shock hazard to Plant personnel; and

WHEREAS, as a result, a significant portion of the Plant's sewage treatment operations are in jeopardy; and

RESOLUTION DECLARING EMERGENCY-Duct Bank BB1A-cont.

WHEREAS, the quality of the Plant's discharges into the Susquehanna River and Chesapeake Bay Watershed are in jeopardy of being negatively impacted, which conditions 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 to restore safe and proper 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 and public works contracts, but said waiver is limited to purchases, public works, and/or professional services related to analysis and repair of the affected electrical and control systems of the Plant, and 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 and engaging in public works, consistent with the nature of this emergency; and be it further

RESOLVED, that this resolution shall be effective through November 21, 2024.

Edward Crumb made a motion that the Board declares an emergency with respect to the Duct Bank BB1A in accordance with the long form Resolution set forth above.

Second by Bruce King.

Motion carried. 6/0

Edward Crumb made a motion that the Board accepts the Emergency Electrical Repair Proposal & Scope of Work from Matco Electric Corporation in accordance with the Proposal of August 13th, 2024, in the amount of \$79,636.00 to be encumbered and paid from a new budget line named Duct Bank BB1A Electrical Repair.

Motion seconded by Bruce King.

Motion carried. 6/0

Edward Crumb made a motion to transfer \$90,000 from ES8130.54150 (Chemicals) to a new line to be created by the Fiscal Officer named Duct Bank BB1A Electrical Repair.

Motion seconded by Bruce King.

Motion carried. 6/0

*****end of report*****

Business Manager's Report

Ms. Goodson is reporting and requesting Board approval.

Edward Crumb made a motion that the Board approves a 2024 Expenditure, Revenue, and Fund Balance Amendment as follows:

Increase ES.1994.54999 Depreciation by \$16,091,299.36

Decrease ES.49999 JS Fund Balance by \$8,833,877.36

Decrease ES.8130.54001.COB Debt Service COB by \$3,868,687.00

Decrease ES.8130.54001.VJC Debt Service VJC by \$3,388,735.00

and that corresponding requests for legislation be submitted to the Owners' legislative bodies.

Motion seconded by Steve Andrew.

Motion carried. 6/0

Business Manager's Report-cont.
Property Insurance Amendment 2024 Budget

Edward Crumb made a motion that the Board approves a 2024 Budget transfer for Insurance as follows:

Increase ES.8130.54300 (Insurance) by \$65,000
Decrease ES.8130.55000 (Contingency) by \$65,000

and that corresponding requests for legislation be submitted to the Owners' legislative bodies.

Motion seconded by Bruce King.
Motion carried. 6/0

Methanol Extension

Edward Crumb made a motion that the Board authorizes execution of an extension of agreement with Solvents & Petroleum Services, Inc. for a one-year period following the end of our current contract ending September 13, 2024, to supply methanol under the same terms and conditions for the period September 14, 2024, through September 13, 2025.

Motion seconded by Steve Andrew
Motion carried. 6/0

City of Binghamton Municipal Cooperation Agreement-Emergency Confined Space Rescue

Edward Crumb made the motion to enter into a Municipal Cooperation Agreement for Emergency Confined Space Rescue with the City of Binghamton Fire Department with added verbiage in Section 5 - Liability last sentence to read as follows:

“The Board agrees to this indemnification only as it applies to the negligence of the Board”.

Motion seconded by Chris Papastrat.
Motion carried. 5/1 (RL)

Letter of Map Amendment (“LOMA”) - Hulbert Engineering

Bruce King made a motion that the Board accepts the Hulbert Engineering and Land Surveying, DPC proposal dated August 8, 2024, to provide technical services to develop and assist in submitting a Letter of National

Business Manager's Report-cont.

**Letter of Map Amendment ("LOMA")-Hulbert Engineering-cont.
Flood Insurance Program Map Amendment ("LOMA") Request to the
Federal Emergency Management Agency ("FEMA") outlined on
the 8/13/24 engagement letter to be paid for from Professional Services
(ES.8130.54410).**

Motion seconded by Steve Andrew.

Motion carried. 6/0

Policies and Benefits for Salaried/Management Staff Benefits Section 16

Policies and Benefits for Salaried/Management Staff Benefits Section 1

Retiree Medical and Prescription Drug Insurance/Benefits Paragraph 8, Page 32

After a brief discussion it was suggested to present the proposals to the Personnel Committee for review.

HRA Funds Handling

Business Manager Goodson made mention that Haylor Freyer & Coon has asked for additional \$50,000 in the Health Reimbursement Account (HRA) funding for 2024. Also, there is an issue with HRA funds handling protocol with respect to a claim of an employee at the facility. This matter will be discussed in Executive Session. A Finance Committee meeting will be set up with Thomas Surowka from NFP, Tom Augustini from Haylor, Freyer & Coon and Lifetime Benefit Solutions representative.

Committee Reports

Construction: Nothing new to report.

Finance: Mr. Crumb gave a brief overview of the 2025 JSB proposed budget. There were 4 Finance Committee work session meetings, and Mr. Crumb thanked everyone that was involved with the process.

Mr. Crumb noted that there were 2 Finance Committee insurance meetings last week regarding limits and coverage for commercial and flood insurance.

Also noted was that the Finance Committee received the updated 2023 final billing from the Comptroller of City of Binghamton, which is being reviewed, and possibly will be ready to approve by the next regular meeting.

Flow Management: Mr. Crumb mentioned that the Board received an Application for a New/Modified Sewer Connection Permit submitted by The Metro Group Properties, Inc. for 187 Clinton Street. After a brief discussion, it was decided to refer the Application back to the

Flow Management: cont.

City of Binghamton to complete the Principal Municipal User and the Affected Owner action on the backside of the Application, which did not indicate the action taken.

Edward Crumb made a motion that the Board return the Application to the City of Binghamton to complete the Application.

**Motion seconded by Steve Andrew.
Motion carried. 6/0**

Personnel: Nothing new to report.

Future Planning: Nothing new to report.

Ad Hoc: Nothing new to report.

Correspondence: July status report from GHD for the IWPP was in folders.
Notice of Cyber Breach with Haylor Freyer & Coon. The Board should inquire on this. Business Manager will contact our representative at HF&C.

Old Business:

By-Laws

Bruce King made the motion to approve the updated By-Laws of the Binghamton Johnson City Joint Sewage Board in the form contained in the Board Folders effective August 14, 2024.

**Motion seconded by Steve Andrew.
Motion carried. 6/0**

New Business - 2025 Proposed JSB Budget

Mr. Crumb mentioned that since the last Finance Committee 2025 Budget meeting the following correction was made:

Increase Index Line #145 ES.42122 by \$1,111.00
Increase Index Line #146 ES.42374 by \$8,889.00

Edward Crumb made a motion that the Board make corrections to the proposed 2025 JSB budget to reflect the following:
Increase Index Line #145 ES.42122 by \$1,111.00 (Sewer Charges - IWWPP)
Increase Index Line #146 ES.42374 by \$8,889.00 (Sewer Services- Other Governments)

**Motion seconded by Bruce King.
Motion carried. 6/0**

New Business-2025 Budget-cont.

Edward Crumb made a motion that the Board ratify the proposed 2025 Joint Sewage Board Budget in the form presented and as amended in the total amount of \$34,779,994.36 and authorize and direct that the same be presented to the Owner's Legislative Bodies together with the proposed 2025 Joint Sewage Board Member stipend computation document.

**Motion seconded by Bruce King.
Motion carried. 6/0**

Executive Session:

Bruce King made a motion to enter Executive Session to discuss personnel matters.

**Motion seconded by Steve Andrew.
Motion carried. 6/0**

The Board entered Executive Session at 5:33pm.

Exit Executive Session:

Steve Andrew made a motion to exit Executive Session.

**Motion seconded by Bruce King.
Motion carried. 6/0**

The Board exited Executive Session at 5:50pm. No action was taken during the Executive Session.

The next Regular Meeting will be Tuesday, September 10, 2024, at 3:30pm.

Adjournment:

Steve Andrew made a motion to adjourn.

**Motion seconded by Bruce King.
Motion carried. 6/0**

The meeting was adjourned at 5:55pm.

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 Robinson, 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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