

# **FINAL COPY**

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

**Tuesday, September 12, 2017**

Village of Johnson City Municipal Bldg.

Members Present: George Kolba, Jr., Chairman *Pro Tem*  
Edward Crumb  
Ronald Davis  
Steve Andrew  
Ray Standish

Members Absent: Gary Holmes

Also Present: Cathy Young, Superintendent  
Charles Pearsall, Business Manager  
Howard Reeve, Facility Engineer  
Michele Cuevas, Confidential Secretary  
Chuck Robinson, Staff Accountant, City of Binghamton  
Alfred Paniccia, Jr., Esq., Co-Counsel  
Bruce King, Village of Johnson City Trustee  
Martin Meaney, Village of Johnson City Trustee  
Laura Lee Perkins, Transcriptionist (exited at 5:30 PM)

Guests: Thomas Surowka, CEBS, NFP (exited at 3:52 PM)  
James Stoddard, HFC (exited at 4:14 PM)

Chairman George Kolba called the meeting to order at 3:06 PM. A quorum of five (5) Board Members was present. Sign-in sheet was passed for signatures. Fire exits identified.

Edward Crumb requested that all draft Minutes be emailed to all Board members upon completion by the Board Transcriptionist.

George Kolba announced the death of long-time former Board Member Kenneth Kinsman, and a moment of silence was observed.

A Resignation Letter from John Perticone, Esq. was shared with the Board.

Chuck Robinson presented the Fiscal Officer's Report:

1/1/2017 Beg. Balance		
Checking	\$ 888,759.69	
Savings	<u>\$9,575,403.32</u>	
Total		\$10,463,983.01
8/31/2017		
Checking	\$ 744,918.63	
Money Market	<u>\$7,667,148.54</u>	
		\$8,412,067.17

Cathy Young informed the Board that it had come to her attention that FEMA money would be slow in being processed because of the hurricanes in Texas, Florida, and Puerto Rico, which is in the same FEMA Region as New York State.

Thomas Surowka informed the Board that each health benefit plan offered by the Plant is required to have a presented a summary document as well as a Summary Plant Description (SPD). Fines for not having these documents can run quite high. Tom thought it would be easy to get these documents prepared by Lifetime Benefit Solutions (the Third-Party Administrator), but it became quite cumbersome plus they were requesting \$2,000 per document. Tom felt that was too much. His recommendation was to use ERISA Pros to create the SPDs and to keep it updated annually. He believes that Lifetime will be willing to continue to administer our benefit plans under plan documents prepared by ERISA Pros.

Edward Crumb made a motion for the Board to accept the ERISA Pros Platinum plan to be funded in proportion to the number of employees and retirees to be paid from the respective health benefit plan lines in the budget

Steve Andrew seconded the motion

Edward Crumb made a motion for the Board to amend the above motion for it to take effect immediately.

Steve Andrew seconded the amendment

Amendment carried 5/0/1 (GH)

Motion carried as amended 5/0/1 (GH)

(Thomas Surowka exited the meeting)

Jim Stoddard discussed the removal of buildings from the Plant insurance policy, and getting credit retroactively to the removal date. The new policy year begins 1/1/18. He wanted the Board to be aware that property values will increase as new buildings are put online. Edward Crumb noted that a Certificate of Completion and Certificate of Occupancy are required in order to insure the new buildings. He also noted that an Elevation Certificate is needed in order to place flood insurance in effect, and that approximately 60 days' lead time is needed to do this.

Mr. Stoddard stated that he will set-up a meeting in the November-December timeframe regarding the property insurance renewal.

Bruce King inquired as to whether there was still liability insurance on all existing buildings;. He was informed that the Contractors and Subcontractors all have “all risk” policy coverage on the new construction until the completed structures are accepted by the Owners.

(Jim Stoddard exited the meeting)

Edward Crumb made a motion for the Board to accept, approve, and authorize and direct the Chairman Pro Tem to sign the Rockwell Automation contract extension to extend until 6/27/18 for technical support and product updates for the SCADA system in the amount of \$15,960.60 per year to be paid from Professional Services budget line J8130.54410  
Steve Andrew seconded the motion  
Motion carried 5/0/1 (GH)

Charles Pearsall informed the Board that there were plumbing problems at the “Miller” building – 2 of the 3 bathrooms were unusable. The Landlord is refusing to perform repairs. Mr. Rooter has been in; there is a blockage in the discharge piping underneath the middle of the building. It was suggested that Johnson City has cameras. Howard Reeve was directed to contact other plumbers for recommendations.

Cathy Young presented the Superintendent Report, a copy of which appears below:

**Superintendent’s Report  
September 12, 2017**

**Violations and Significant Issues**

Contractors working around the chlorine contact tank ripped through feed lines, creating a spill of approximately 10 to 20 gallons of chlorine and leaving the effluent without disinfection for approximately 20 minutes.

**Compliance**

<b>Date: August 2017</b> <b>Average Flow</b>	<b>Influent</b> <b>15.11mgd</b>	<b>Effluent</b>	<b>Average % Removal</b>	<b>Effluent Limit</b>	
<b>CBOD</b>	219	115	47.49%	Monitor	
<b>Suspended Solids</b>	199	58	70.85%	Monitor	
Other: Settleable Solids Max	9.5	0.68	92.84%	Monitor	
Total Nitrogen	July 15.2	July 12.4	18.42%	Monitor	
Chlorine	NA	1.32 Max.	NA	2.0Max.	
Avg. Temperature	20.9	20.9			
<b>Solids Removed</b>		<b>May 2017</b>	<b>June 2017</b>	<b>July 2017</b>	<b>August 2017</b>
<b>Digested</b>		0	0	0	0
<b>Lime Stabilized</b>		584.49	740.49	557.83	580.45
<b>Total</b>		584.49	740.49	557.83	580.45
<b>Grit</b>		0	0	0	0
<b>Screenings</b>		10.47	4.10	13.82	
<b>Grease</b>		0	7.58	3.79	9.78

**Operations Summary, Construction and Related Issues**

- Plant staff and Jason Greene from GHD visited the water plant to review their process of dewatering their tanks. The process consisted of a trailer mounted belt filter press with the centrate going into a holding tank that will be pumped to our treatment facility. According to the head operator, two and one half tanks had been dewatered and 200 tons of material had been taken to the landfill. Approximately one half to three quarters of one tank had been emptied to our plant when the process started. (The contract for sludge removal from the water department was recently amended to accommodate a change from 200 to 700 tons of sludge removed.)
- Flood Wall: Vestal 12" line Overflow is required. There have been Planning/ Discussion meetings with the Town Engineer, and the issue is not yet resolved
- The temporary disinfection system is in the process of being tested this week. Contractors are increasing the depth of the remaining chlorine basin to accommodate the loss of contact time from chlorine contact tank #3. The sampling and pH monitoring stations will need to be relocated for permit compliance.
- The plant thickener roof experienced a second small gouge within the past several weeks, most likely from a crane. PC has indicated it was the responsible party and will make repairs.
- Albany depositions continue. Current plant personnel should be completed at this time.
- A meeting with Simmons and State Emergency Management representatives was held on September 7 to review current work and submittals for reimbursement. With recent hurricane activity there is some indication that reimbursements from FEMA will be very slow.

Superintendent Young expressed her frustration with the Plant site; Plant personnel and equipment has been almost completely moved out. She has stressed to the contractors that their contract calls for the storage of their materials to be offsite; this is not being adhered to. They (Contractors) are asking the Plant to move everything out of the blower building (very small area where they moved things). Superintendent Yung stated that City Project Manager Ken DelBianco is not cooperating with her requests regarding safety and maintenance of Plant operations. Jacobs is also not taking her requests seriously. The situation is becoming dangerous for night Plant employees. Superintendent Young wants the site better controlled and managed. She also wanted the Board to know that one of the Contractors cut the safety railing around the chlorine effluent channel and then placed it back like it wasn't cut. One employee went to lean against the railing and discovered it was not secure.

George Kolba inquired as to what Jacobs was doing through all of this and wondered if they are capable of handling and overseeing this project. Edward Crumb suggested bringing in either the Workers Comp. carrier or an insurance Risk Manager to review and document the problems as well as offer recommendations.

George Kolba believes that Ken DelBianco needs to be involved with this situation. There are Minutes of the construction meetings, but they are 2 weeks behind. Superintendent Young knows she has made comments and requests during those meetings.

George Kolba suggested having a Special Meeting with Jacobs to discuss; would like Binghamton and Johnson City representatives to attend. Bruce King suggested that Ken DelBianco should also be at the meeting. Martin Meaney requested that Superintendent Young provide information on her concerns to the Johnson City Village Board.

Superintendent Young asked that the Board find out how many Inspectors are walking the site; not just how many are on the payroll, but how many are actually in the field.

Howard Reeve stated that he was told that "no one willfully" cut the railing.

Scheduling a Special Meeting with Jacobs put on hold until after the Johnson City Village Board meeting on the 19<sup>th</sup>.

Included in the Board Folder was a joint letter to NYS DEC requesting modifications to milestones. Superintendent Young stated she attached the agenda for this morning's DEC meeting with a summary of each Contract. If we need to make a request for a change in date, we only want to do that once with the DEC. Ken DelBianco told Superintendent Young he would have better information regarding what milestone extensions are required in January.

Also in the Board Folder is correspondence from John Perticone regarding amendments to the Rules and Regulations regarding limits. He suggests the Board approve the limits and then schedule a public hearing. Edward Crumb pointed out that the letter also states that there is no difference between what was already approved. Ray Standish pointed out that there are two

limits contained in the letter – the first is incorrect; the second is correct. Edward Crumb states it is not clear; he wants to go back to look at the documents and the Minutes.

### Committee Reports

Construction – Gary Holmes – absent

George Kolba announced that he was told that PC has let their head on-site person go, and a new person is now on site.

Finance – Edward Crumb – There was a joint Board meeting last night with the City Council and Village Board for presentation and review of the Board’s proposed 2018 Budget; the next meeting will be Thursday evening. The Board will need to ratify the 2016 audit report when it is received – the filing deadline is 09/30/2017.

Personnel – Steve Andrew  
Nothing to report

Ad Hoc – Ronald Davis

Inquired as to why the work at the Plant wasn’t going on 24 hours as we were told. They are behind and should be working to catch up. Superintendent Young explained that she was told that there were “critical items” that needed to be done first and that “it would not have been the best use of resources”. There are approximately 100 workers on site now.

It was noted that the City’s Contract documents define the work day as one day shift, five days per week (excluding holidays). A Contractor may work additional shifts but must pay the Lead Agency and the Construction Manager a fee for additional shift supervision. Thus, the Contractor must weigh the economics of the potential liquidated damages provided under the Contract against the fees for additional shift supervision.

Flow Management – Edward Crumb  
Nothing to report

Cathy Young stated that there has been a dispute about the deep backwash tank-between the shotcrete applicators and the General Contractor; they are disagreeing about what constitutes “damp” versus “wet” wall surface conditions. The applicators consider it to be wet, and they won’t warranty the product as a result. It is projected that favorable conditions will exist in two weeks.

### Old Business

Howard Reeve reported that Abbey Containers damage caused by construction was assessed at \$350.00. PC Construction has agreed to pay for this damage.

Howard Reeve reported that if the Board enters a 3-year contract with E-Maintenance, and if we decided to host the database ourselves when we get the server on-line, there would be no termination fee but there would be a software licensing fee.

Howard Reeve reported on the TPS roof – structural steel is now in for the air conditioning system, and the unit is expected “in” next week.

George Kolba asked if there were cameras on the site. He was informed that there are, but they take still pictures at pre-determined intervals, rather than create a continuous feed, and they aren't the Plant's, they belong to the Owners. It was suggested that maybe the Board might want to invest in their own security cameras – with all the property damage “accidents” that are being discovered by Plant personnel and are not being reported either to or by Jacobs.

Howard Reeve has items he would like declared surplus by the Board. Got numbers back from Mel Manassee today; John Flint no longer does the Broome/Tioga Surplus Auction. The Auction is being held on 9/23/17 at the Broome County DPW Facility. The items are:

- 5hp roto-tiller
- 12 ½ horsepower John Deere riding lawn mower
- Dodge Dakota 4x4 4-door
- 8 kilowatt generator (3 years old)
- Clark litter vacuum; unknown horsepower
- Indoor/outdoor vacuum
- 110-volt band saw
- Power hacksaw
- 12” bench cutter

Steve Andrew made a motion for the Board to declare the above items as surplus.

Ray Standish seconded the motion

Motion carried 5/0/1 (GH)

Bruce King stated the Village might be interested in purchasing the generator.

The next meeting is on October 10, 2017 at 3 PM at the Village of Johnson City Municipal Building.

Steve Andrew made a motion for the Board to adjourn.

Ron Davis seconded the motion

Motion carried 5/0/1 (GH)

Meeting adjourned at 5:40 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  
Ray Standish, P.E., City of Binghamton, City Engineer  
File