Binghamton-Johnson City
JOINT SEWAGE BOARD

Eugene Hulbert, Sr.
Gary Holmes
Edward Crumb

Stephen Andrew
George Kolba, Jr.
Ron C. Davis

FINAL COPY

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

Tuesday, May 12, 2015
JSTP Office Building Conference Room

Members Present: George Kolba, Jr., Chairman
Eugene Hulbert, Sr., Vice-Chairman
Ronald Davis
Stephen Andrew
Edward Crumb
Gary Holmes

Also Present: Cathy Young, Superintendent
Charles Pearsall, Business Manager
Michele Cuevas, Confidential Secretary
Chuck Shager, Fiscal Officer
Ken DelBianco,P.E., City of Binghamton Contract Project Manager
Alfred Paniccia, Jr., Esq., Co-Counsel
John Perticone, Esq., Co-Counsel
Jerry Motsavage, City of Binghamton Councilman
(arrived @ 4:26 pm; left @ 6:00 pm)
Bruce King, Village of Johnson City Trustee
Laura Lee Perkins, Transcriptionist

Guests: John Roby, Press & Sun Bulletin

****

Chairman George Kolba, Jr. called the meeting to order at 4:02 PM. All six (6) Board Members were present. Sign-in sheet passed for signatures. Fire exits identified

Catherine P. Young, Superintendent
Binghamton-Johnson City Joint Sewage Treatment Facilities
4480 Vestal Road, Vestal, New York 13850
Phone: 607-729-2975 Fax: 607-729-0110
Email: bjcwwtp@stny.rr.com

Chuck Shager presented the Board Fiscal Officer's Report:

1/1/2015 Beginning balance			
Checking		$ 718,067.15	
Savings		$8,749,950.87	
	Total		$9,468,018.12
4/30/15 Revenue YTD		$3,279,729.77	
4/30/15 Disbursements YTD		($3,629,171.06)	
	BALANCE		**$9,118,576.33**

Mr. Shager reported that he considers revenues and expenditures to be on track for the first four months of the year. He still needs to make true-up transfers in the Flood Capital ledger, and he noted that the Account Receivables chart does not yet reflect the effect of the $4 million capital reduction approved by the Owners' legislative bodies in April.

Charles Pearsall presented the Business Manager's Report.

- Town of Dickinson flows –chart from Charles Pearsall with status update.

Stephen Andrew made a motion for the Board to extend the Don Snow Trucking on-call sludge hauling contract for one year beginning June 1, 2015 with no change in terms or conditions; to be paid from budget line J8130.54804 (Sludge & Waste Disposal).
Ronald Davis seconded the motion
Motion carried 6/0

Stephen Andrew made a motion for the Board to accept and for Chairman George Kolba, Jr. to sign the Confined Space Agreement with the City of Binghamton Fire Dept. for one year beginning June 1, 2015 at a base cost of $4,400.00 per year and $770 per hour for emergency rescue response; to be paid from budget line J8130.54435 (Emergency Confined Space Rescue).
Ronald Davis seconded the motion
Motion carried 6/0

Edward Crumb made a motion for the Board to ratify the March 27, 2015 copier lease agreement with US Bank Equipment Finance for five years at $136/month for the Konica Minolta 364e copier in the Plant Office; to be paid from budget line J8130.54520 (Equipment Lease/Rental).
Ronald Davis seconded the motion
Motion carried 6/0

Edward Crumb made a request for the Board to hold over a decision on purchase of diesel fuel.
Stephen Andrew seconded the request.
Matter held.

Mr. Pearsall also covered the following items:

- Advertising for Liquid Dewatering Polymer bids – Board consensus is to advertise based on the same terms and specifications as used when last bid three years ago.

- Local Systems Costs and Debt Service to City of Binghamton and Village of Johnson City – in order to be able to show the totality of the Joint Sewage financial activity within MUNIS, recommend adding 2 to 4 lines to operating budget. This will be coordinated further with the Board's auditor and Fiscal Officer.

- NYS Comptroller's Office is continuing to work on its audit covering the period 01/01/2013 through 11/12/2014. Catherine Young reported that NYS-OSC developed a survey to treatment plants in order to help it compare costs at other like plants.

- Pat Reagan of Haylor, Freyer and Coon has asked whether the Board is properly covered under the City of Binghamton's Lead Agency bid documents for construction at Plant (personal injury claims, for example)? Gary Holmes noted that the City still has analysis to do and will be receiving a webinar presentation from Construction Manager Jacobs. Co-Counsel Perticone recommends that the contractors' insurance be primary and non-contributory. Any coverage maintained by the Board would be secondary.

- Workers' Compensation Preferred Provider Organization (PPO) services with UHS – Pat Regan of Haylor, Freyer, and Coon recommends renewal. The Board needs a presentation at its June meeting regarding its Workers' Compensation program alternatives, including the PPO.

- Direct Energy bill – Co-Counsel Paniccia recommended that the Board not pay Direct Energy's liquidation charge for natural gas based on his recommendation that there is no valid contract.

Superintendent Report – Catherine Young presented the Superintendent's Report, a copy of which appears below.

Superintendent's Report
May 12, 2015

Violations and Significant Issues

Compliance

- The plant continues to operate in CEPT mode

Date: April 2015 Average Flow	Influent 28.11mgd	Effluent	Average % Removal	Effluent Limit
CBOD	115	65	43.48%	Monitor
Suspended Solids	154	38	75.32%	Monitor
Other: Settleable Solids Max	20.8	0.18	99.13%	Monitor
Total Nitrogen	Mar 33.0	Mar 24.8	24.85%	Monitor
Chlorine	NA	1.67Max.	NA	2.0Max.
Avg. Temperature	9.4	9.4		

Solids Removed	Jan	Feb	Mar	April
Digested	0	0	0	0
Lime Stabilized	769.60	641.84	832.52	633.93
Total	769.60	641.84	832.52	633.93

- The lime silo tower motors suffered sequential failures and needed to be replaced this past month. We are currently contracting to have the tower ladders on the silo replaced next month. It would be very beneficial to have a second lime silo for redundancy.
- A FEMA Blue Book was received today, May 12, 2015, for the Alternate Project for the Compost Facility. This is great timing because this work was bid and is about to be awarded.
- Our electrical department staff has been working with GHD to complete emergency replacement of the faulty switchgear that failed. The design is 90% completed and GHD is approaching Matco about their availability for completing the work.
- Digester 3 Update: Water was drained from the tank to facilitate evaluation. The CIM coating manufacturer had a representative here to evaluate the application of their material. Their report is included in your folders
- The TPS flood mitigation contract has been awarded and the preconstruction meeting is scheduled for this week.
    - For future planning purposes under an additional contract or change order, The TPS contract does not currently include work noted in various previous reports, including heating and ventilation, influent channel gates for shutting off flows, the isolation gate valves upstream and downstream of each pump, new roof, water utility connection, dewatering system, fire safety and communication improvements.

- A meeting was held for review of the flood wall design with the Savin, Woidt, the Owner engineer, and the DEC regarding influent flows and the need for bypassing the plant when the influent gates are shut. All agreed that is was in the best interests of the community if the bypass is constructed outside the flood wall. In the event of a flood only, the bypass gate would be opened. Discussion was had regarding a fail safe method for ensuring that the bypass gates could not accidentally be opened, and also that all flows that sill come into the plant could be handled
- Plant staff continues to work with Griffiths and Woidt Engineers in taking the next steps for the WQIP grant. A draft presentation was emailed to the board members for comments.
- Pilot study: The Bio Tower #1 from Kruger continues nitrification. The cold weather portion of the study has been completed and we are now currently working with Kruger to optimize air flows as well as methanol feed rates. A toxicity study is also being conducted, as this is a requirement for our permit once we have the full scale BAF treatment in operation. There is a substantial difference in the amount of methanol that may be required with the Kruger system and efforts are being made to minimize those impacts. The pilot plant monthly progress report is attached.
- Plant staff continue to have frequent meetings with GHD design engineers to assist in developing plans and specifications for the facility. We are working with GHD to develop a sequence and timeline for portions of construction. It is anticipated that the plant may have to have contractors bypass bar screens and grit removal for a portion of construction. Bar screens would be bypassed for approximately three months and the grit removal systems would be bypassed for approximately 18 to 24 months. This will be very challenging; it would be labor intensive and have an extremely negative impact on the equipment (flygts, pumps, grinders, centrifuges, etc.) Discussion was had regarding replacing all equipment impacted after the work is completed.
- A 60% review meeting for the BAF contract was held with the DEC, GHD, Owner representatives and the Superintended
- The superintendent and several board members met with the Vestal Fire Department to give them a tour of the facility and discuss the methanol storage and feed system. We also met with the City and GHD to review code compliance and the requirements that the Vestal Fire Department would have for the new methanol system.
- Plant staff toured the Hazelton Wastewater treatment Plant to review their nitrification and denitrification facilities. This plant has been online approximately two years and is successfully meeting a Nitrogen discharge limit of 8 mg/l. The staff plans to visit the New Rochelle Kruger BAF facility in the near future.
- Plant staff has been meeting and working with GHD regarding the compost facility demolition and salvage. All material and personnel stored in this building are in the process of being moved out. We are 95% completed
- Permission is requested for reimbursement of travel expenses for the facility head electrician to attend training recertification in Morrisville in June.

Mr. Holmes stated that he has spoken to the NYS Environmental Facilities Corporation (EFC) regarding Owner bonding for the emergency work pertaining to the Head House Motor Control Center and associated distribution and feeders. In order to obtain this financing, it will be necessary for there to be compliance with the MBE/DBE/WBE/VBE requirements.

Chairman Kolba stated that he wanted a budgetary number to be presented for the additional work on Digester No. 3 recommended by CIM, the coating manufacturer. Mr. Holmes stated that based on a report he just received from GHD [today], Digester No. 3 is probably going to be demolished because there is not enough solids handling capacity for the "max. month" loadings. Mr. Hulbert stated that he believes GHD's report is in error.

Superintendent Young reminded the Board that FEMA-approved knife valve work at the TPS is not included in the City's Lead Agency contract and, as such, would need to be accomplished by the Board.

Regarding the flood mitigation project for the Main Plant, Mr. Holmes stated that there will be a need for Vestal's Murray Hill Road and Bunn Hill Road sewers to be shut-off and then bypassed during construction. Vestal will need to work with directly the DEC on this.

(John Roby exited meeting at 5:30 PM)

Regarding the Pilot Study, Superintendent Young expressed concern that methanol costs are high. Mr. Holmes stated that operation and maintenance costs are high with a BAF system. Mr. Andrew expressed concern about the possibility of needing increased storage for methanol on-site.

Stephen Andrew made a motion for the Board to approve payment of an advance allowance to the Head Electrician for 4 days travel to Morrisville in June for training in accordance with the Travel Policy to be paid from budget line J8130.54701.
Ronald Davis seconded the motion
Motion carried 6/0

Committee Reports:

Operations: George Kolba, Jr. reported that the first dump truck is here, and the Operators are happy with it; the 2nd truck is due at the end of May.

Construction: Eugene Hulbert, Sr. discussed the need to update the organization charts for the various projects. He has concerns because he has not yet seen the "financial front end". Mr. Shager stated that, although getting copies of invoices and cancelled checks is difficult, there are issues with breaking-out invoices to the appropriate category (for example: design, construction management, as well as construction). Mr. Holmes noted that, once fully on board, Jacobs will be the central record-keeper. Mr. Hulbert stated that he wanted all Board Members to know when construction-related meetings are scheduled and where they will be held. Mr. Kolba stated that a safety railing needs to be completed at the front of the Office Building. He asked about the status of the punch list. Superintendent Young stated that there are several items remaining, and she is not satisfied with the air balancing. Mr. Kolba recommended hiring a local firm and back-charging ModSpace.

(Jerry Motsavage exited the meeting at 6:00 PM)

Finance: The Board had no comments on the proposed letter from the Fiscal Officer to Municipal Users regarding the $4 million capital reduction. Regarding the remaining direction from the Owners, the Board's consensus is that a letter be sent to the Owners' Mayors asking for an extension of the May deadline to July 10th in order to be able to review the Lead Agency's evolving project scope. Edward Crumb reported on the status of work on the 2014 Final Billing and the work needed for updating the Plant's fixed asset inventory as construction progresses. Mr. Crumb brought-up again that the Board is paying to insure $3.5 million in shale BAF filter media at the Charles Street Business Park. Mr. Holmes stated that he would work on getting a letter from both Owners declaring the media to be surplus with no insurable value. Mr. Crumb noted that part of the federal Water Resources Redevelopment Act (WRRDA) enacted last year requires that, for any state revolving fund financing application beginning October 1, 2014, the borrower will need to demonstrate or develop a "fiscal sustainability plan" identifying critical equipment and systems, its maintenance program, and the means for providing funding for cyclical maintenance and replacement of these systems. It is not known whether the Owners' borrowing for the Plant will be "grandfathered" based on the original application for funding in 2012.

Personnel: Stephen Andrew reported that there are no pending grievances, and there has been no request from the union yet regarding negotiations for a successor agreement to the contract expiring December 31st.

Ad Hoc: Ronald Davis – nothing to report.

Flow Management: Edward Crumb reported that the amendments to the Rules and Regulations had been filed with the City Clerk and Village Clerk/Treasurer, with Requests for Legislation approving the amendments.

Correspondence in folder identified:

- Johnson City Village Board Resolution #80 (approving $4 million capital reduction)
- Johnson City Village Board Resolution #90 (amending IMA re reimbursement to the City of Binghamton for employee Project Manager services)
- April 13, 2015 DEC Annual Inspection Report
- April 27, 2015 C.I.M. Industries, Inc. Report regarding Digester No. 3
- April 29, 2015 NYSEG letters confirming return of natural gas supply to NYSEG
- GHD's April 2015 IWWPP Report
- May 11, 2015 Syracuse University Center of Excellence/Environmental Finance notice regarding May 20, 2015 program: "Your Community's Biggest Capital Investment: What You Need to Know About Your Water/Wastewater Facility".

Eugene Hulbert, Sr. made a motion for the Board to go into Executive Session to discuss potential litigation and obtain advice from legal counsel.
Ronald Davis seconded the motion
Motion carried 6/0

The Board went into Executive Session at 7:14 PM.

(Bruce King, Ken DelBianco, Chuck Shager, and Laura Lee Perkins exited meeting)

Eugene Hulbert, Sr. made a motion for the Board to exit Executive Session.
Ronald Davis seconded the motion
Motion carried 6/0

The Board exited Executive Session at 7:44 PM. No action was taken during the Executive Session.

The next meeting is scheduled for Tuesday, June 9th at 3:00pm at the Conference Room of the Training and Office Building at the Plant.

Eugene Hulbert, Sr. made a motion for the Board to adjourn.
Gary Holmes seconded the motion
Motion carried 6/0

Meeting ended at 7:45 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
Richard Perkins, P.E., City of Binghamton, Acting Engineer
File