



Binghamton-Johnson City  
**JOINT SEWAGE BOARD**



Eugene Hulbert, Sr.  
Luke Day  
Edward Crumb

Stephen Andrew  
George Kolba, Jr.  
Ron C. Davis

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

**Thursday, May 16, 2013**

Village of Johnson City Training Room

Members Present: George Kolba, Chairman  
Eugene Hulbert, Sr.  
Edward Crumb  
Luke Day  
Stephen Andrew  
Ronald Davis (arrived at 4:05)

Also Present: Michele Cuevas, Confidential Secretary (arrived at 4:04)  
Alfred Paniccia, Jr., Esq., Co-Counsel (arrived at 4:11)  
John Perticone, Esq., Co-Counsel (arrived at 4:09; out at 5:04))  
Jerry Motsavage, Binghamton City Council (arrived at 4:08)  
Bruce King, JC Trustee  
Luke Slota, JC Trustee (out at @ 5:09)  
Laura Lee Perkins, Transcriptionist

Absent: Cathy Aingworth, Superintendent  
Shane Guilford, Business Manager

**CALL TO ORDER:**

George Kolba called the meeting to order at 4:01 PM. Quorum (5) present. Sign-in sheet passed for signatures. Emergency exits indicated.

**Edward Crumb made a motion for the Board to approve the 4/9/13 Board Minutes in the form with changes indicated as included in the Board folder on 5/14/13.**

**Eugene Hulbert, Sr. seconded the motion**

**Motion carried 5/0/1 (Ronald Davis, absent)**

**Edward Crumb made a motion for the Board to approve the 4/29/13 Board Minutes in the form with changes indicated as included in the Board folder on 5/14/13.**

**Stephen Andrew seconded the motion**

**Motion carried 5/0/1 (Ronald Davis, absent)**

Catherine P. Aingworth, Superintendent  
Binghamton-Johnson City Joint Sewage Treatment Facilities  
4480 Vestal Road, Vestal, New York 13850  
Phone: 607-729-2975 Fax: 607-729-0110  
Email: [bjcwtp@stny.rr.com](mailto:bjcwtp@stny.rr.com)

Ronald Davis joined the meeting. All Board Members are now present.

**Eugene Hulbert, Sr. made a motion for the Board to approve the Lease Agreement to 12/31/13 for space in the Hillside Building in accordance with the approval of terms by Alfred Paniccia, Esq. and conclusion of negotiations by Shane Guilford in accordance with Board recommendations in a not-to-exceed amount of \$21,450 to be paid from budget line J8130.54152.**

**Edward Crumb seconded the motion**

**Motion carried 6/0/0**

Michele Cuevas passed out an email from Haylor, Freyer & Coon to answer the questions asked regarding the Workers' Compensation proposal. Edward Crumb suggested that the Board retain Haylor, Freyer & Coon as the broker and explained the 3 options offered.

**Eugene Hulbert, Sr. made a motion for the Board to retain Haylor, Freyer & Coon as the Workers' Compensation broker for the annual period beginning July 1, 2013 in accordance with Option 1 as outlined in the proposal.**

**Ronald Davis seconded the motion**

**Motion carried 6/0/0**

**Edward Crumb made a motion for the Board to retain the auditing firm of Grossman St. Amour, Certified Public Accountants, PLLC for the initial NYS Retirement System proposal in a not-to-exceed fee of \$18,000 for 'Period 1' covering 4/1/11 through 3/31/12 at the hourly rates as stated:**

<b>\$140.00</b>	<b>Partners</b>
<b>\$110.00</b>	<b>Senior Managers</b>
<b>\$ 90.00</b>	<b>Supervising Accountants</b>
<b>\$ 70.00</b>	<b>Staff Accountants</b>

**to be paid from budget line J8130.54410 (Professional Services).**

**George Kolba, Jr. seconded the motion**

**Motion carried 6/0/0**

**George Kolba, Jr. made a motion for the Board to ratify a one-week delay on the bid submission date for the modular building to May 23rd.**

**Luke Day seconded the motion**

**Motion carried 6/0/0**

**Edward Crumb made a motion for the Board to approve the May 2013 Board List in the amount of \$611,144.45 and direct the Fiscal Officer to pay the same, with Claim C218 allocated:**

<b>\$123,639.05</b>	<b>against J9060.58000C</b>
<b>\$28,609.61</b>	<b>against J9060.58002C</b>
<b>\$18,018.60</b>	<b>against J632.JFLEX and</b>
<b>\$22,189.44</b>	<b>against J632H.JINS</b>

**(in other words, the Retiree allocation remains the same)**

**Stephen Andrew seconded the motion**

**Motion carried 6/0/0**

**Edward Crumb made a motion for the Board to add the following claims to the Board List:**

<b>C176</b>	<b>\$1,903.44</b>
<b>C177</b>	<b>\$3,478.64</b>
<b>C178</b>	<b>\$2,243.12</b>

**all to be paid from budget line J8130.54804 and all to be paid to Broome Bituminous.**

In discussion, it was noted that these claims have been audited based on the Plant Operator Logs, Broome Bituminous Driver Logs, and County Landfill weigh tickets.

**Ronald Davis seconded the motion**

**Motion carried 6/0/0**

**Edward Crumb made a motion for the Board to approve the May 2013 Board List – Flood in the amount of \$31,563.11 and direct the Fiscal Officer to pay the same.**

**Ronald Davis seconded the motion**

**Motion carried 6/0/0**

Michele Cuevas passed out information regarding the Digester #3 cover – quote for repair. Action was deferred until later in the meeting.

**Ronald Davis made a motion for the Board to accept the Broome County proposal to use their web site hosting services at a price not-to-exceed \$250.00 a year to be paid from budget line J8130.54420.**

**Edward Crumb seconded the motion**

**Motion carried 5/1/0 (Luke Day, opposed – stating he would have preferred using City of Binghamton and/or Village of Johnson City website services)**

**Edward Crumb made a motion for the Board to authorize the advertisement for qualifications for Construction Management/Construction Services for the Digester Complex renovations including an option to extend the contract to other projects for the Owners and/or Board.**

**Stephen Andrew seconded the motion**

**Motion carried 6/0/0**

**Edward Crumb made a motion for the Board to approve and direct the Fiscal Officer to transfer \$11,000.00 from Operating budget line J8130.54202 (Electricity) to budget line J9050.58000E (Unemployment Insurance) and to provide both Owner Legislative bodies with a Certificate of Resolution as soon as possible in accordance with Inter-Municipal Agreement IX.**

**Ronald Davis seconded the motion**

**Motion carried 6/0/0**

**Luke Day made a motion for the Board to approve and accept the Microbac proposal for outside lab services for the Plant to be paid from budget line J8130.54436 (Laboratory Services).**

**Ronald Davis seconded the motion**

**Motion carried 6/0/0**

**Luke Day made a motion for the Board to go into Executive Session regarding potential litigation.**

**Stephen Andrew seconded the motion**

**Motion carried 6/0/0**

The Board entered Executive Session at 4:44 PM

**Eugene Hulbert, Sr. made a motion for the Board to exit Executive Session.**

**Stephen Andrew seconded the motion**

**Motion carried 6/0/0**

The Board exited Executive Session at 5:03 PM with no action taken

By unanimous consent, it was agreed that Luke Day would work directly with Bernie Tinus, Facility Engineer, and Shane Guilford, Business Manager, to obtain a firm pricing proposal from the cover system vendor, broken-down by stages to (a) remove the Digester #3 cover, (b) fold and pack the cover for temporary storage, (c) repair the cover center support and support strap system, and (d) reinstall the cover. An opinion was expressed that stages (a) and (b) should be taken on an emergency basis to protect the cover from potential damage due to the damage observed to the support system. Co-Counsel Paniccia stated that he did not believe stages (c) and (d) could be performed on an emergency basis.

Edward Crumb handed out three proposed Flow Management Plan declaratory rulings, to be considered/voted on at the next meeting, and explained them.

Next scheduled meeting will be 6/11/13 at 3 PM at the Johnson City Training Room.

**Stephen Andrew made a motion for the Board to adjourn the meeting.**

**Ronald Davis seconded the motion**

**Motion carried 6/0/0**

Meeting adjourned at 5:13 PM

Respectfully submitted,

*Laura Lee Perkins*

Laura Lee Perkins

Transcriptionist

cc: Board Members  
Mayor Ryan, City of Binghamton  
Mayor Deemie, Village of Johnson City  
City Clerk, City of Binghamton  
Village Clerk/Treasurer, Village of Johnson City  
John Perticone, Esq.  
Alfred Paniccia, Esq.  
Charles Pearsall, Fiscal Officer  
Catherine Aingworth, Superintendent  
Brown & Brown Empire State  
Haylor Freyer & Coon  
Robert Bennett, P.E., Village of Johnson City, Engineer  
Philip Krey, P.E., City of Binghamton, Engineer  
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