

## APPROVED MINUTES

### SARATOGA COUNTY SEWER COMMISSION No. 1 MINUTES OF OCTOBER 23, 2013 3:00 PM at the Treatment Plant

**COMMISSIONERS PRESENT:** Davis, Bold, Cannon, Doyle, Howe, Loewenstein, Marshall, Ostapczuk and Rinaldi

**COMMISSIONERS EXCUSED:** All present

**ALSO PRESENT:** Chad M. Cooke P.E., Executive Director; Anne Gorman, Confidential Secretary; Sue Duff, Chief Operator; Jim Bolduc, Assistant Chief Operator; Grant Eaton, Maintenance Manager; Robert Wilcox, Assistant County Attorney and Ryan Moore, Management Analyst.

**PUBLIC COMMENT:** – None

**CHAIRMAN’S COMMENTS:** None

**APPROVAL OF MINUTES of September 25, 2013.** Commissioner Doyle made the motion to approve the minutes of September 25, 2013. Commissioner Rinaldi seconded the motion. No discussion. The minutes of September 25, 2013 were approved. 7 Ayes, 2 Absent, 0 Nays.

#### **2013 SCALE OF CHARGES:**

Approval of publication for the proposed rates for 2014 and scheduling the Public Hearing for 9:00 A.M., November 6, 2013 in the Board of Supervisors Chambers. Executive Director, Chad M. Cooke, announced that the Scale of Charges reflects a \$10.00 rate increase per user over the 2013 established rates. The Sewer District’s rates are still among the lowest in the country, even with this increase. The \$10.00 increase will result in \$750,000 of additional revenue which will be utilized for additional capital projects for next year in order to maintain reliable, consistent sanitary sewer services.

The scale of charges also reflects a change for Mt. McGregor Correctional Facility. Historically, they have always been billed based on flow. Executive Director Cooke proposed an establishment of a per unit structure based on beds as opposed to a flow rate. Included in the proposed 2014 rates is an establishment of a number of units for Mt. McGregor at 277 units based on the maximum number of inmates/beds that can be housed at that facility.

*Commissioner Loewenstein made a motion for approval of publication of the proposed Scale of Charges for 2014 and scheduling the Public Hearing at 9:00 A.M. on November 6, 2013 at the Board of Supervisors Chambers at the Saratoga County Municipal Center in Ballston Spa. Commissioner Marshall seconded the motion. Discussion involved a question of if the rates went through the County for review and approval. Ryan Moore, Management Analyst stated that the County’s 2% tax cap includes user fees that go on the county property tax bill. The County ran the formulas provided by the State Comptroller’s Office in terms of*

*the rates and what the County is planning on doing as a whole and he stated that the rates were fine. Executive Director Cooke added, for comparison, that the average user rate is \$187.00 per year and surrounding counties, Rensselaer and Albany, maintain higher rates. Commissioner Marshall questioned why the Scale of Charges did not go through the rate committee. Chairman Davis indicated that it is usually up the Chairman of the Committee to determine if a rate meeting is in order. The motion for approval of publication of the proposed 2014 Scale of Charges and scheduling of the Public Hearing for Wednesday, November 6, 2013 at 9:00 A.M. at the County Complex passed: 7 Ayes, 2 Absent, 0 Nays.*

## **2011 CAPITAL PROJECTS:**

### **McDonald Engineering – Saratoga Lake and 4&32.**

A monthly status meeting was held on October 22, 2013 with the contractor. The 4 & 32 portion of the project is substantially complete and property owners are currently hooking up to the forcemain.

The lake portion of the project is approximately 67% complete. The contractor is actively working on directional drilling as well as the installation of gravity mains along Route 9P and working at all pump stations around the lake. The contractor has been good about quickly restoring disturbed areas and home owner comments have been mostly positive in terms of the quick restoration.

Commissioners Doyle and Bold reported that McDonald Engineering requested a contract amendment for construction administration/inspection services. The quality of work is good and the project is going well but there are some issues. Although meetings have been held, more information is needed to present to the Commission. The Engineering Committee will work on gathering cost information and details to bring to a future discussion.

As part of the NYSDOT project to replace the NYS Route 9P bridge a few years ago, the State obtained three (3) permanent easements. These easements were necessary in order for the State's contractor to install new sewer infrastructure associated with Pump Station No. 2. As part of the lake project, the Sewer District has obtained property at the pump station. Attorney Wilcox has been in contact with the State regarding a procedure to get these easements assigned to the Sewer District. The following resolution was requested by the State in order to begin the process.

*Chairman Davis moved the following resolution, seconded by Commissioner Doyle:*

### RESOLUTION NO. SD 38-2013

#### RESOLUTION AUTHORIZING THE ACCEPTANCE OF PERMANENT EASEMENTS FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

*WHEREAS, in connection with the Saratoga County Route 9P Bridge, the New York State Department of Transportation acquired title to parcels delineated and described in Map 31, Parcels 52, 53; Map 189, Parcel 192; and Map 190, Parcel 193 by eminent domain ; and*

*WHEREAS, these parcels were acquired for the replacement of a sanitary sewer line, retaining wall and highway appurtenances due to the replacement of the Saratoga County Route 9P bridge; the sanitary*

sewer line was removed from beneath the Route 9P bridge and was relocated in a portion of the bed of Saratoga Lake; and

WHEREAS, the New York State Department of Transportation has offered to convey title to these parcels by deed to Saratoga County Sewer District No. 1;

NOW, THEREFORE, BE IT RESOLVED, that the offer of the New York State Department of Transportation to convey title to these parcels is hereby accepted and approved; and

BE IT FURTHER RESOLVED that the Executive Director of Saratoga County Sewer District No. 1 be, and hereby is, authorized to execute any and all documents necessary to complete the said transfer of title. Discussion involved the details of the easements involved. Attorney Wilcox stated that based upon a review of correspondence between SCSD and the State, it was always anticipated that the State would deed the Sewer District these easements. NYSDOT is maintaining one (1) easement due to a retaining wall they are required to maintain as part of the highway. As far as the other three (3) easements, there is no highway maintenance associated with those parcels. Resolution No. SD 38-2013 passed: 9 Ayes, 0 Nays

### **2012 CAPITAL PROJECTS:**

**Incinerator** – At the last meeting, it was discussed that there was an issue with the incinerator in terms of sand loss. Executive Director Cooke indicated that some changes were made and stone was added to the inside of the incinerator to help trap the sand and keep it from falling back down into the wind box. He reported that there was not as much sand loss as before however, whether or not this is working cannot be determined until we get caught up and can shut down and open up the wind box to see how much sand is in there. The incinerator is operational and working well right now and Executive Director Cooke will have more to report back once the wind box is opened.

The contractor for the incinerator project, Industrial Furnace Company, has completed all punch list items associated with construction. The project is complete and has been for some time. The contractor did not utilize all of the allowance funds as part of the project. The contractor is requesting a negative change order in the amount of \$15,000.00. The change order reduces the contract amount from \$3,259,830.00 to \$3,244,830.00.

Commissioner Loewenstein made a motion to approve the negative change order in the amount of negative - \$15,000.00 for Industrial Furnace Company, reducing the contract amount from \$3,259,830.00 to \$3,244,830.00. No discussion. Motion passed: 9 Ayes, and 0 Nays.

### **2013 CAPITAL PROJECTS:**

**Sludge Thickener** – Contracts have been executed with Blue Heron and Avanti Electric for the thickener work and notices to proceed were issued October 23, 2013. The gravity belts are currently being fabricated at BDP Industries and construction is expected to begin soon.

**Milton Pump Station Upgrade** – Our consultant, EDP, is currently working on the preliminary plans. The project is anticipated to go out to bid later this year.

**Saratoga Springs Pump Station Studies, Capacity Analysis, and WWTP Study** – Five proposals were received for this project with fees ranging from \$44,500 to \$154,400. The Engineering Committee went

through an evaluation scoring system based on qualifications. Delaware Engineering, CT Male/Arcadis Team and O'Brien & Gere/Barton & Loguidice Team were the top three (3) consultants interviewed.

*Commissioner Doyle made a motion to recommend award of the contract to the O'Brien & Gere/Barton & Loguidice Team in the amount of \$85,000.00 for the Saratoga Springs Pump Station Studies, Capacity Analysis, and WWTP Study. Commissioner Marshall seconded the motion. Discussion involved the interviews and presentations that were brought forth. Commissioners Bold, Doyle and Howe all shared comments. Commissioner Doyle stated that members of the Engineering Committee including the staff all unanimously agreed that the O'Brien & Gere/Barton & Loguidice team provided the best presentation. Commissioner Howe stated that the committee understands and appreciates the County's conservative budgetary standards and values they uphold and felt this was the best value overall for the County's dollar and it would pay short and long term dividends as well as give a definitive answer regarding the North Plant and its future. Commissioner Bold stated that the key point is to know when to build and spend money at the appropriate times and he felt this evaluation and proposal will provide these recommendations best. Motion passed: 8 Ayes, 1 Abstain, and 0 Nays.*

**ATTORNEY REPORT:**

Attorney Wilcox reported there was a tragedy involved with the owners of Pump Station No. 2 with the death of both the owner as well as the son, who was dealing with the Sewer District for the most part through Power of Attorney with regard to easements at Pump Station No. 2. Attorney Wilcox informed the Commission that there is a brother of the deceased owner and a local attorney has contacted him indicating he would be instituting an estate for the owner. The estate would stand in her stead to receive any monies that would be paid for the easements. Attorney Wilcox has not yet been notified that the estate has been established but he asked that they use all haste in that. He doesn't foresee any issues in terms of accessing the property and doing what needs to be done. The project will continue and clearing up the last piece of the eminent domain process will come when the estate is opened.

**DEDICATIONS:** None

**COMMITTEES:**

**FUTURE PLANT #2 COMMITTEE** – Commissioner Bold

**ENGINEERING COMMITTEE** – Commissioner Doyle

*A motion to adjourn the meeting was made by Commissioner Bold and seconded by Commissioner Marshall. No discussion. The motion passed unanimously.*

**NEXT COMMISSION MEETING**  
**Wednesday, November 6, 2013**  
**9:15 A.M. at the County Complex, Bldg 1 following Public Hearing at 9:00 A.M.**