

## UNAPPROVED MINUTES

### SARATOGA COUNTY SEWER COMMISSION NO. 1

MINUTES OF August 26, 2009

3:00 PM Treatment Plant

**COMMISSIONERS PRESENT:** Davis, Bold, Cannon, Crowley, Doyle, Kearney, Loewenstein, Nelson and Schrock

**COMMISSIONERS EXCUSED:**

**ALSO PRESENT:** James DiPasquale, Executive Director; Linda MacNeal, Administrative Assistant; Stephen Dorsey, First Assistant County Attorney; David Wickerham, County Administrator; Bernie Gurtler, Assist. Chief Operator; Grant Eaton, Collection System Manager; Ed Hernandez, Delaware Engineering; Scott Lansing of Lansing Engineering representing Farley Subdivision; Robert DeCelle, Malta resident; Steve Williams, *The Daily Gazette*; Emily Donohue, *The Saratogian*.

**PUBLIC COMMENT - None**

**CHAIRMAN'S COMMENTS - None**

**APPROVAL OF MINUTES of July 22, 2009.** *Commissioner Doyle made the motion to approve the minutes of July 22, 2009. Commissioner Nelson seconded the motion. No discussion. 9Ayes, 0 Nays. The minutes of July 22, 2009 was approved.*

**TREATMENT PLANT EXPANSION** - The weekly tour of the construction site and review of upcoming activities with Delaware on Monday mornings at 10:30 AM. is continuing, all the commissioners are invited to attend. The contractors met with Delaware Engineering, Saratoga County Sewer District Personnel and several Commissioners prior to this Commission Meeting. An update on the project was given by Ed Hernandez of Delaware Engineering; the project is on schedule. The work is progressing; work is finishing up on the concrete structures, the aeration grid is installed, 3 new clarifiers have been installed and the internal equipment is being installed. The Maintenance garage is approximately 60% complete. Work has begun on the UV system. The garage space in building #1 will then be relocated to the new maintenance building. Then, construction can begin for the new lab. After relocation of the lab, construction of new office space will begin in the present lab area and rehab of the current Administrative offices. When the new treatment system comes on-line at the end of this year, facilities of the existing system will be rehabilitated

A Change Order #1 for QCQA is requested in the amount of \$5,680 due to increased testing requirements for a greater level of testing of concrete and soil compaction than in the Contract/Bid documents.

*Commissioner Doyle made to motion to approve Change Order #1 with QCQA, Commissioner Crowley seconded the motion. Commissioner Bold questioned if this testing is beyond what was originally bid and Commissioner Doyle responded that was correct. The circumstances that led to this change order were due to both; an underestimate of the amount of testing by Delaware Engineering and weather conditions which required additional testing. Commissioner Nelson asked Ed Hernandez of Delaware Engineering about the additional concrete testing on the rehab portion of the expansion and he responded that this testing would primarily be the responsibility of Delaware Engineering. The motion passed to approve Change Order #1 for QCQA in the amount of \$5,680 increasing the Contract amount from \$56,800 to \$62,480; 9Ayes, 0 Nays.*

**2010 SEWER DISTRICT BUDGET AND RATES** - A tentative 2010 Budget has been submitted to the County Administrator's Office this week.

**CAPITAL CONTRACTS FOR UPGRADES:**

**GROOMS ROAD AND CRESCENT ESTATES PUMP STATIONS** - located in the Towns of Halfmoon and Clifton Park. TVGA is the Project Engineer for the project and the contractors are C.O. Falter and Brunswick Electric. Crescent Estates pump station is 98% complete; there is a site meeting scheduled on 8/31/09 and another general coordination meeting scheduled with all parties on 9/3/09. A request was made for Change Order #2 with Brunswick Electric for \$5,284; for five items due to unforeseen conditions at the time of the Bid. *Commissioner Doyle made the motion to approve Change Order #2 with Brunswick Electric for \$5,284, Commissioner Loewenstein seconded the motion. Commissioner Doyle mentioned the majority of the miscellaneous items were part of the Control System. The motion to approve Change Order #2 with Brunswick Electric for \$5, 284 increasing the contract from \$384,062 to \$389,346 was passed; 9 Ayes, 0 Nays.*

A request was made for Change Order #2 with C.O. Falter, \$3,172.39 for replacement of 32 year old door frames; door replacement was included but degree of frame deterioration was not recognized at the time of the bid. *Commissioner Doyle made the motion to approve Change Order #2 for C.O. Falter for 3,172.39, Commissioner Crowley seconded the motion. Commissioner Bold question why the frames were not part of the original contract and Commissioner Doyle stated during the time of the initial evaluation to now, additional deterioration of the frames have occurred. The motion to approve Change Order #2 with C.O. Falter in the amount of \$3,172.39 increasing the contract from \$1,507,501.00 to \$1,510, 673.39 passed; 9 Ayes, 0 Nays.*

Equipment for the Grooms Road Pump Station has been ordered and construction will not begin until after all the equipment is on site to keep the bypass pumping at a minimum. The Grooms Road Pump Station is expected to be substantially completed in the later part of this year.

**INTERCEPTOR RELINING** - Insituform has completed the work in the area of Coons Crossing Road, awaiting confirmation of site restoration from; the County's Zim Smith Trail, Town of Halfmoon and Railroad property. A meeting with the Insituform is scheduled for 9/1/09.

Jim DiPasquale reported that he submitted paperwork yesterday to EFC for potential funding from the Stimulus Funds toward the additional interceptor relining that has been recommended.

**BURNING BUSH PUMP STATION UPGRADE** - C.T. Male is the Engineer on the project. Trinity Construction is the contractor. This project is 99% completed. A Change Order for Trinity Construction of \$2,642.11 was requested due to pressure conditions in the completed system. *Commissioner Doyle made the motion to approve Change Order #1 for Trinity Construction for \$2,642.11, Commissioner Cannon seconded the motion. Commissioner Doyle explained that the ball check valves were installed on the recommendation of the supplier however, due to pressure conditions in the completed system, spring loaded valves are needed to alleviate conditions of water hammer. The supplier gave credit for the ball valves toward the spring loaded valves; the change order is for the labor required in the installation of the new valves. The motion to approve Change Order #1 for Trinity Construction in the amount of \$2,642.11 changing the contract from \$124,313.00 to \$126,955.11 passed; 9 Ayes, 0 Nays.*

Executive Director James DiPasquale commended Commissioner Doyle on all his time, efforts and meetings involved in presenting these change orders to the Commission.

## **COLLECTION SYSTEM INFORMATION:**

**CENTRAL HALFMOON SEWER CORPORATION** - Transportation Corporation in the Town of Halfmoon. Report on delinquent payments for maintenance. Services provided by SCSD under terms of the executed agreement. Payment of \$41,339.53 due August 20, 2009 was not received, with additional penalty has accumulated to \$41,752.93. First Assistant County Attorney, Stephen Dorsey reviewed that a certified letter was sent to the Corporation President stating that unless payment was made by 3:00 PM today, that SCSD would declare the Central Halfmoon Sewer Corporation in breach of its service agreement and SCSD would cease maintenance on the system. The president, Gregory S. Mills visited the County Attorney Mark Rider on Friday, requesting an extension of 60 to 90 days to enable him to bill his customers. Attorney Rider suggested that 60 days would be more acceptable and that a request in writing should be received by SCSD prior to the Commission meeting at 3:00PM today. Saratoga County Attorney Mark Rider spoke with Mr. Mills in person last Friday, and by phone on Tuesday of this week. A request from Mr. Mills was not received before the meeting and Commissioner Davis suggested that the Commission act to discontinue service immediately, notifying them, and to not resume service until payment has been received. *Commissioner Doyle made the motion to terminate the maintenance contract with Central Halfmoon Sewer Corporation immediately due to nonpayment, notifying The Central Halfmoon Sewer Corporation and to not reinstate maintenance services until full payment is received and a new agreement is executed, Commissioner Bold seconded the motion. Discussion included repercussions if a violation occurs. Executive Director James DiPasquale responded that the owner of Central Halfmoon Sewer Corporation would be held responsible. Attorney Dorsey stated that verbal notification should be made as soon as possible followed by a formal letter. The motion to terminate the contract of service with Central Halfmoon Sewer Corporation immediately due to non-payment, resuming service when payment is received in full with a new executed agreement and notifying the Central Halfmoon Sewer Corporation immediately of this action, passed 9Ayes, 0 Nays.*

**FARLEY LOCUST GROVE SUBDIVISION** - Scott Lansing on behalf of Ms. Farley requested approval of connection for 4 lots, presented a proposal for rehabilitation of grinder pump units per her letter, presenting a proposal to rehabilitate 22 grinder pumps; 10 by Ms Farley, 2 by neighbor Robert DeCelle and 10 by neighbor Robert Gilluero. Mr. Lansing stated it is his calculations that rehabilitation of the grinder pumps would reduce the amount of infiltration into the system by more than the expected flow from the additional connections. Executive Director James DiPasquale asked why the neighbors have become involved in this project. Mr. Lansing stated that it is his understanding that the neighbors have lots that they would also like connected, he didn't have specifics but indicated possibly 2 additional connections. Mr. Lansing also mentioned that Ms. Farley's lots were outside the flood plain and that the grinders would be inside the residences.

Executive Director James DiPasquale noted that at least one grinder pump rehabilitation by SCSD is scheduled for this Fall at a cost of \$600 to \$700 per unit which is more than the \$500 which Ms Farley referenced in her letter. James DiPasquale requested clarification if the amount would be \$11,000 or 22 pumps and how many additional connections will be requested.

Commissioner Doyle expressed his philosophical concern of granting additional connections when violations are occurring relative to non-compliance which continues to occur. Commissioner Doyle suggested separating the grinder pumps rehabilitations from the proposed upgrades of the Pump Stations around Saratoga Lake. By separating the projects perhaps the funding for the rehabilitation of the grinder pumps could enable that issue to be addressed sooner than the Pump Station upgrades.

Commissioner Loewenstein stated his concern of the continuing environmental issues and that a further examination and plan should be instrumented for correction of the 140 grinder pumps that are located in the Flood Plain. He feels that something needs to be done about the grinder pumps or the Sewer District will continue to struggle with the issues. He also suggested contacting the Town of Malta Planning Board for information of the total number of possible connections that could be added, impacting the Saratoga Lake Station #7.

Chairman Davis directed Mr. Lansing to provide the Commission with additional information regarding the additional 22 grinder pump rehabilitation proposed as soon as possible and a response to the request will be forwarded in 60 days.

**LFTC TRUNK SEWER** - The project started on April 27, 2009, with completion expected in October 2009. The sewer line is being installed by the Luther Forest Technology Corporation. Rifenburg is the General Contractor. C.T. Male will provide full time inspection of the project; issue certification, As-Builts plans and documents. As of today; there are 38 manholes, 1,000 feet of 18 inch pipe and 11, 000 feet of 30 inch pipe on Farley, Fitch and Cold Spring Road have been installed and air tested. Currently, pipe is being installed from Farley Road parallel to Route 67 heading east. Next they will bore under Route 67, installing a siphon connecting with a SCSD interceptor line manhole in Coons Crossing Road. Upon completion, expected in October 2009, the system is proposed for dedication to SCSD. Executive Director, James DiPasquale stated that work near the Anthony Kill has a deadline of the work being completed by the end of October. Sewer District personnel have been reviewing the progress and have been informed of all the construction meetings and inspections. Prior to dedication to Saratoga County Sewer District, easements for the line will be reviewed to ensure Saratoga County Sewer District will have access to the sewer line.

**ROUTE 4 AND 32 CORRIDOR - Town of Halfmoon**- Proposals for a preliminary Engineering evaluation on service in the corridor were received on August 13, 2009. Nine proposals were received. Commissioners Bold and Doyle have reviewed the proposals. Commissioner Bold stated that they have determined that they need more information before they can make a recommendation. They will be requesting more information and clarification from three firms and plan to have a recommendation for the next Commission meeting in September.

**SARATOGA LAKE SEWER STUDY**-A review of prior reports and evaluations; information includes the 2001 S.L. #8 pump station evaluation, the 2003 Saratoga Lake facilities evaluation, the 2006 Saratoga Lake Sewer Study and the Town of Malta's current study for service in the north corridor of Route 9, north of the Highpointe Pump Station presented by Clough Harbour. The City of Saratoga Springs has submitted information which was considered in the size of the pipe associated with the 9P bridge replacement. Commissioner Loewenstein stated that the Engineering Committee needs to meet to summarize the information for presentation to the Commission.

**GLOBAL FOUNDRIES (AMD) DISCHARGE PERMIT**- Delaware Engineering is conducting a technical review and determining discharge limits to ensure compliance with the District's SPDES permit. Their consultant is designing the onsite pump station, which will remain under ownership of Global Foundries. Delaware is waiting for additional information from Global Foundries for parameters of the manufacturing process.

**CITY OF SARATOGA SPRINGS** - The City's consultant, Stantec Engineering has forwarded information for a proposal to redirect flows in the Nelson Ave. area from the Saratoga Springs Pump Station to the Crescent Ave. gravity sewer. Jim DiPasquale doesn't have all the information, but his opinion is it would reduce the amount of flow needed to be pumped from the Saratoga Springs Pump Station which would benefit SCSD. Impacts on capacity of the Crescent Avenue Trunk Sewer will need to be evaluated. The City Engineer has spoken with Executive Director James DiPasquale and the City is continuing to pursue this.

**CONGREGATION BETH SHALOM** - Town of Clifton Park- A request was received from the Congregation Treasurer for consideration of reducing sewer units from 8 to 6 units due to financial hardship. Although sensitive to financial hardships in accordance with the Sewer District's Scale of Charges, this is not within the authority of the Commission. Executive Director, James DiPasquale will send a formal response to this request reflecting that the request presented to the Saratoga County Sewer Commission is not able to be granted.

**NYSDOT PROJECTS:**

**ROUTE 9 AND CURRY ROAD** - DOT will be reconstructing the intersection of Route 9 and Curry Road entering the Village of Round Lake, information was provided to the NYS DOT in consideration of existing sewer lines that are under the intersection and a manhole located in the intersection. Access to the Round Lake Pump Station will be relocated to Route 9.

**NYS ROUTE 9P BRIDGE REPLACEMENT** -. Saratoga County Sewer District has contracted with Environmental Design Partnership to assist the District in review of the design specifications and hydraulics of the replacement line. The proposed plan is to directional drill under the lake with an 8¼ inch inside diameter pipe instead of placing under the new bridge. The betterment agreement was approved by the Saratoga County Board of Supervisors and is being distributed for execution.

**ROUTES 4 & 32 BRIDGE REPLACEMENT** - located near the entrance to the Treatment Plant. The bridge closed on Tuesday, May 26, 2009 and is expected to reopen in September 2009. The official detour route designated by NYS DOT is Upper Newton Road in the Town of Halfmoon. The bridge work is progressing and paving of the approaches has recently been completed.

**CHRISTOPHER MILLER** - Treatment Plant Operator - Chris began employment as an Operator Trainee about a year and one half ago and recently was successful in gaining NYSDEC certification as a WWTP Operator Grade 2A. This requirement involved considerable schooling and testing. Chairman Davis requested a congratulation letter be sent to him on behalf of the Commission.

**ATTORNEY REPORT** - First Assistant County Attorney, Stephen Dorsey provided information on the Board Resolution No. 174 of 1977, procedure for publishing notices of Public Hearing for the annual Scale of Sewer Charges and the Scale of Charges. Earlier this year the Ballston Journal indicated that they would no longer publish a paper. In anticipation of this occurrence, the Saratoga County Board of Supervisors adopted a resolution in March 2009 designating The Saratogian and The Daily Gazette as Saratoga County's official newspapers for publication of legal notices and notices. Since then, the Ballston Journal decided to continue to publish. Every year the Board of Supervisors designates two Saratoga County newspapers as the County's official newspapers. Resolution 174 of 1977 specifically requires that publishing of the Sewer District's Scale of Charges and the date of the Public Hearing on the Scale of Charges is to be done in The Saratogian and The Ballston Journal, with publication of the Scale of Charges to also be done in the official newspapers of each municipality within the Sewer District.

*Chairman Davis made a motion to recommend to the Board of Supervisors to amend Resolution No. 174 of 1977 to publish the Sewer District No. 1's Scale of Charges and date for Public Hearing for the Charges to be published in Saratoga County's Official newspapers and the County website, Commissioner Nelson seconded the motion. The motion forwarding a recommendation to the Board of Supervisors for Saratoga County Sewer District to publish the Scale of Charges and date of Public Hearing on the Charges in Saratoga County's Official Newspapers, no longer naming specific newspapers and including the posting on the Saratoga County Website amending Resolution No. 174 of 1977 passed; 9 Ayes, 0 Nays.*

*A motion to adjourn the meeting was made by Commissioner Crowley. Commissioner Kearney seconded the motion. No discussion. 9Ayes, 0 Nays. The motion was passed.*

**NEXT COMMISSION MEETING**  
**Wednesday, September 23, 2009**  
**3:00 P.M. at the Treatment Plant**