

APPROVED MINUTES

SARATOGA COUNTY SEWER COMMISSION NO. 1
MINUTES OF February 24, 2010
3:00 P.M. Treatment Plant

COMMISSIONERS PRESENT: Davis, Bold, Cannon, Doyle, Loewenstein, Ostapczuk

COMMISSIONERS EXCUSED: Crowley, Kearney, Nelson

ALSO PRESENT: James DiPasquale, Executive Director; Linda MacNeal, Administrative Assistant; Stephen Dorsey, First Assistant County Attorney; Sue Duff, Chief Operator; Bernie Gurtler, Assistant Chief Operator; Grant Eaton, Collection System Manager; Steve Conners, Attorney with Rosch & Conners; Walt Hayes, Custom Builders.

PUBLIC COMMENT - Attorney Steve Conners representing his client, Glenn Phillips, requested the Commission allow his client a connection to the sewer line for a house in the initial stages of construction at 10 Lake Ave, Town of Malta adjacent to Saratoga Lake. Other requests in the area have been denied. He contends that due to the fact the Town of Malta issued his client a building permit Mr. Phillips should be granted approval for connection. His client has incurred substantial expenses and should not be penalized that an electrical drop box providing power to 15-20 grinder pumps was mistaken for a grinder pump. Attorney Conners asked if there was a method to present a formal request.

Executive Director, James DiPasquale stated that according to SCSD's Rules and Regulations, a review application must be submitted with a check for \$25.00 for a single family home. However, due to the fact there is no capacity in the area, the application would be denied. Director DiPasquale explained there have been other requests in the area with similar circumstances which have been denied.

Chairman Davis explained that due to capacity problems and the age of the collection system in the area, this will be the next Capital project addressed. Due to the fact there is no capacity to allow additional connections, Chairman Davis stated that the connection would be denied and suggested that perhaps they should consider not incurring the additional expense of submitting a review application.

CHAIRMAN'S COMMENTS - None

APPROVAL OF MINUTES of January 27, 2010. *Commissioner Cannon made the motion to approve the minutes of January 27, 2010. Commissioner Doyle seconded the motion. No discussion; 6 Ayes, 0 Nays. The minutes of January 27, 2010 was approved.*

TREATMENT PLANT EXPANSION - The weekly tour of the construction site and review of upcoming activities with Delaware Engineering on Monday mornings at 10:30 AM. is continuing; all the commissioners are invited to attend. Delaware Engineering's Ed Hernandez could not make the meeting today; Executive Director James DiPasquale gave a brief synopsis of the current status. The contractors are working on the new lab area and the lab is expected to be relocated in five weeks, after which the Administration Offices will be temporarily located in the old Lab area while the refurbishing is done for the Administration area. NYS will be here February 26, 2010 to re-inspect the new maintenance building so there can be an issuance of the Certificate of Occupancy. The new U.V. system is expected to start up soon. The scheduled date for start up of the new infrastructure continues to be projected for April 1, 2010.

NYS DEC CONSENT ORDER - The Board of Supervisors by resolution, executed the order recommended by the Law and Finance Committee to accept the settlement of \$100,000; \$50,000 in cash and up to \$50,000 depending on the appraised value of property on Spruce Mountain. The second \$50,000 figure will be reduced by the appraised value of the Spruce Mountain property. The property needs to be surveyed and an evaluation conducted by a Real Estate appraiser. The original fine was \$200,000 and was reduced by \$100,000 due to the efforts of Saratoga County's legal department, information supplied by the Sewer District staff and contributions of the County Administrator. The Board of Supervisors has no criticism of the Sewer District; in fact they commended the SCSD for their efficient operation of the system. The Board was given information pertinent to understanding how the process for tabulation of violations causes one sampling incident to result in multiple SPDES permit violations subject to fines. Chairman Davis expressed his appreciation for the fine work of everyone involved in negotiating this settlement.

CAPITAL PROJECTS:

GROOMS ROAD AND CRESCENT ESTATES PUMP STATIONS - located in the Towns of Halfmoon and Clifton Park. TVGA is the Consulting Engineer for the project and the contractors are C.O. Falter and Brunswick Electric. Work at the Grooms Road Pump Station in Halfmoon is ongoing. Start up of the Grooms Road Pump Station is expected next week. After 72 hours of operation, the Pump Station can be turned back over to the Sewer District for operation. During the installation of the Grooms Road Pump station, additional work has been required; two additional helical piers were needed to be installed, additional reinforcement was required for the concrete slab and the piers were required to be installed deeper than originally specified to attain sufficient bearing capacity. Therefore, *Commissioner Doyle made a motion for a Change Order of \$12,400 to C.O. Falter for the addition of two helical piers not specified in the original Contract. Commissioner Bold seconded the motion.* Discussion included mentioning the multiple difficulties, the length of time this project has taken and a question was asked if there are any more anticipated change orders. *The motion for approval of the \$12,400 Change Order for C.O. Falter was passed; 6 Ayes, 0 Nays.*

2010 CAPITAL PROJECTS - Interceptor relining from the most recent project in the vicinity of Coons Crossing, upgrades at the Kashmiri Pump Station in Clifton Gardens and the CK Pump Station on Grooms Road in Clifton Park, eight responses for the RFP for engineering services were received on 2/18/10. The proposals ranged from a high of \$163,000 from J. Kenneth Fraser & Associates to a low of \$78,000 from Environmental Design Partnership LLP. After a review by Commissioner Doyle and Sewer District Staff and considering compliance with the RFP and positive experiences with EDP, *Commissioner Doyle made a motion to award the Engineering Contract to Environmental Design Partnership. Commissioner Bold seconded the motion.* The proposals from the other Engineers is as follows; J. Kenneth Fraser & Associates \$163,000; C&S Companies, \$149,500; CHA \$148,950; WSP-Sells, \$144,204; John M. McDonald P.C., \$109,780; Delaware Engineering, P.C. \$94,500; C.T. Male, \$80,715 and Environmental Design Partnership, LLP, \$78,000. *The motion to award the engineering contract for services involving the third phase of interceptor relining and upgrades of the Kashmiri and CK Pump Stations passed; 5 Ayes 0 Nays, Commissioner Loewenstein abstained.*

COLLECTION SYSTEM INFORMATION:

LFTC TRUNK SEWER - Cleaning and internal TV inspection of the Line has been completed. Sewer District personnel observed the process. Copies of the TV inspection and inspection reports have been received by SCSD and were reviewed by Staff and Commissioner Doyle. Several areas require remediation; there are cracks in the pipes, joints that do not line up, portions of pipes that are deformed, sags in the line and significant infiltration in the pipe. Commissioner Doyle met with the Project manager from C.T. Male and expressed his opinion that sections need to be replaced and asked why repairing them should even be considered. The consensus of the Commissioners is that the pipe should not have passed inspection and per the contract documents, should be replaced; not repaired as would be considered with older pipe systems. Executive Director, James DiPasquale received information yesterday that the Town of Stillwater has requested bids for the reconstruction of roads over the installed pipe under concern. The Director asked the Commissioners for guidance in replying to these concerns, as the line is not in accordance with the Sewer District's Specifications. Jim DiPasquale cited specific areas and was advised to prepare a report of the substandard sections. Chairman Davis will issue a letter to Mike Relyea stating the line is not in accordance with Saratoga County Sewer Districts Standards; listing specific sections of concerns including pictures and requesting replacement of the pipe in these areas. It is imperative that this is rectified before GLOBAL FOUNDRIES comes on-line and begins discharging to the line.

SARATOGA LAKE SEWER SERVICE - A meeting with the Town of Malta is scheduled for February 25, 2010 at 8:30 AM with Executive Director, James DiPasquale and Commissioners Davis and Loewenstein to coordinate the Route 9 Corridor service and Saratoga Lake Studies. Commissioner Doyle stated that due to the proximity of this area to Saratoga Lake, this area should be targeted as the Sewer District's next major undertaking. He added that his concern comes from the fact that the infrastructure around the Lake is 26 years old and the integrity of the system needs to remain intact. Chairman Davis suggested that bonding options for this project should be investigated to expedite this project's process. The expected influx of growth in Malta in anticipation of the opening of the Chip Plant was commented on by Commissioner Loewenstein stating that the Town of Malta's planning board has recently been exceptionally busy.

GLOBALFOUNDRIES (AMD) DISCHARGE PERMIT- Delaware Engineering under contract to SCSD is conducting a technical review and determining discharge limits to ensure compliance with the District's SPDES permit and EPA pretreatment program. Comments from GLOBALFOUNDRIES were received on February 9, 2010; a response with further comments will be forwarded to GLOBALFOUNDRIES. Septage from the construction site is currently being transported to the Plant by a Septage Hauler. The Collection System Manager has been invited to observe the inspection and testing of their private sewer lines tomorrow morning.

HALFMOON ROUTE 4 & 32 CORRIDOR - Consulting Engineer, Environmental Design Partnership attended a meeting with the Town of Halfmoon Planning Department on February 19, 2010. Executive Director, James DiPasquale received information from Travis Mitchell yesterday that enough information has been provided to proceed with the study.

NYS DOT PROJECTS:

The 9P bridge project - The contract for construction has been awarded and the project is expected to begin in April.

The Curry Road and Route 9 Intersection - Town of Malta - Details are being finalized by NYS DOT regarding the reconfiguration of the intersection and relocation of the access to SCSD's Round Lake Pump Station.

ATTORNEY REPORT - Stephen Dorsey, 1st Assistant County Attorney gave information concerning a motor vehicle accident involving damage to the fences at the Kinns-Carlton Pump Stations. He is pursuing our rights and remedies from the driver.

CITY OF SARATOGA SPRINGS - Executive Director, James DiPasquale has spoken with the City involving questions; the increased rate for 2010, projection of 2011 rates and clarification of the metering of flows. Commissioner Cannon requested that Jim DiPasquale forward information on the questions to him.

New construction permitting - Executive Director, James DiPasquale requested that the Commission consider adopting a policy requiring permits for all connections discharging to the Sewer District system. Chairman Davis requested First Assistant County Attorney, Stephen Dorsey to review the Sewer Use Ordinance and the Rules and Regulations for any provisions which may be relevant.

COMMITTEES:

SCALE OF CHARGES - No meeting has occurred. First Assistant County Attorney, Stephen Dorsey, stated that additional issues need to be addressed in addition to the Condominium billing including: administration of User charges to GLOBALFOUNDRIES and other facilities that may not be covered by our current Scale of Charges.

FUTURE PLANT #2 COMMITTEE - No additional meetings have been held.

A motion to adjourn the meeting was made by Commissioner Doyle. Commissioner Loewenstein seconded the motion. No discussion. The motion was passed; 6 Ayes, 0 Nays.

NEXT COMMISSION MEETING
Wednesday, March 24, 2010
3:00 PM Treatment Plant