

UNAPPROVED MINUTES

SARATOGA COUNTY SEWER COMMISSION NO. 1

MINUTES OF July 22, 2009

3:00 PM Treatment Plant

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

COMMISSIONERS EXCUSED: Loewenstein

ALSO PRESENT: James DiPasquale, Executive Director; Linda MacNeal, Administrative Assistant; Stephen Dorsey, First Assistant County Attorney; Spencer Hellwig, Management Analyst; Sue Duff, Chief Operator; Grant Eaton, Collection System Manager; Ed Hernandez, Delaware Engineering; Rosemary and Ernest Lefner, wife and son of late commissioner Ernest Lefner; Steve Williams, *The Daily Gazette*.

PUBLIC COMMENT - None

CHAIRMAN'S COMMENTS - Chairman Davis introduced the new Commissioner Joseph Kearney replacing the late Commissioner Lefner. Chairman Davis appointed Commissioner Kearney to the following committees; Law and Finance, Plant Operations and Halfmoon-Mechanicville Corridor Committee. Chairman Davis instructed the Engineering Committee to focus their attention for the next interceptor relining project; to areas that are in close proximity to waterways which would have the greatest impact on the environment if the system failed. He cited several spills across the country including the spill at Lake George two weeks ago. Chairman Davis expressed his disappointment that no response has yet been received from requests to the State and Federal agencies for funding of this major project.

Chairman Davis asked the Commissioners if anyone had a problem with the 3:00 PM Commission meeting on August 26, 2009, ensuring there was a quorum. Commissioner Crowley stated he would not be in town; the meeting will remain as scheduled at 3:00 PM on Wednesday August 26, 2009.

RESOLUTION RECOGNIZING ERNIE LEFNER'S CONTRIBUTION - Commissioner Mike Shrock on behalf of the Sewer Commission presented to Commissioner Lefner's; wife, Rosemary and son, Ernest, resolution SD06-09 recognizing Commissioner Lefner's contributions to his Country, County, Community and Commission. Commissioner Shrock also presented to them Commissioner Lefner's name plate. Rosemary Lefner thanked the Commissioners and mentioned that Ernie would have been pleased that Joseph Kearney is the person replacing him as Commissioner.

APPROVAL OF MINUTES of June 24, 2009. *Commissioner Doyle made the motion to approve the minutes of June 24, 2009. Commissioner Nelson seconded the motion. No discussion. 8Ayes, 0 Nays. The minutes of June 24, 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 and on budget. The contractors have approximately 100 employees on-site; work is progressing and the new concrete structures should be completed within the next four weeks. Work will then begin on the UV system and by next month's Commission Meeting it will be apparent. The new maintenance building's roof system is scheduled for next week; the building is expected to be completed within the next 60 to 90 days. 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 has been requested for extending Phase 1 Contract times, a total of 105 days due to the severe weather conditions experienced this past winter and preloading for the blower building foundation; it only involves adjustment to the contracts for an extension of an internal deadline schedule. The overall project schedule will be maintained and does not affect the cost. *Commissioner Doyle made the motion for approval of a change order extending the internal deadlines of the contracts with Jett, Gross and J&K a total of 105 days; 60 days for concrete work and 45 days for preloading of the Blower building . Commissioner Bold seconded the motion. No discussion. The motion passed 8 Ayes, 0 Nays.*

PROJECT BONDING - The sale of 23 million dollar of General Obligation Serial Bonds and 23.7 million dollars of Bond Anticipation Notes was held on July 7, 2009 and received favorable rates. The \$23.7 million dollars Bond Anticipation Notes will be due next year and the same process will be followed for conversion to possible permanent financing. The Serial Bond's interest begins at 3% and increases in steps with the final rate of 4.75% in the final year 2039. The Saratoga County Treasurer related these favorable rates to the positive fiscal ratings of Saratoga County.

2010 SEWER DISTRICT BUDGET AND RATES - A meeting with SCSD and the County Administrator is scheduled for July 30, 2009 addressing the 2010 budget. The County Treasurer is compiling the information for the debt service obligations and its impact on the budget.

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 progressing; last week the pumps came on-line, today the Emergency generator was installed.

A Change Order addressing liquidated damages as the project has gone beyond its contract deadline of 6/19/09 for C.O. Falter was presented by Commissioner Doyle. Change Order #1 a \$27,100 reduction from Contractor CO Falter's original contract of \$1,534,601 has been verbally agreed to; \$5,900 engineering costs related to the evaluation of the redesign that was proposed, \$20,000 additional inspection time that will be needed for Grooms Road Pump Station and \$1,200 increased labor rates for Brunswick Electric which becomes effective after the original date of completion. *Commissioner Doyle made the motion to approve Change Order #1; a \$27,100 reduction from the original contract of \$1,534,601 to \$1,507,501 and extension of the Contract completion date to 1/6/2010 for C.O. Falter. Commissioner Bold seconded the motion. Discussion included clarification of need for this change order. The motion passed to approve Change Order #1 for C.O. Falter; a reduction to the original contract changing the contract to \$1,507,501 from \$1,534,601 passed; 8 Ayes, 0 Nays.*

Change Order #2 increasing TVGA's contract from \$59,910 to \$85,810, an increase of \$25,900 was presented by Commissioner Doyle. The increase will be offset by Change Order #1 for C.O. Falter. The breakdown for the \$25,900 is; \$5,900 for additional evaluation of the proposed design change which was not accepted by the Commission and \$20,000 for additional inspection hours needed due to the slow start with Crescent Estates Pump Station that used more inspection time than originally anticipated.

Commissioner Doyle made the motion to forward a recommendation to Law and Finance and Board of Supervisor to approve Change Order #2 for TVGA, increasing the current contract of \$59,910 to \$85,810. The \$59,910 contract included the original contract of \$54,910 and Change Order #1 for \$5,000. Commissioner Nelson seconded the motion. Discussion involved clarifying that this will not increase the cost of the overall project as the cost will be funded by Change Order #1 for C.O. Falter. The motion to forward a recommendation to approve Change Order #2 for TVGA increasing the contract to \$85,810 to Law and Finance and the Board of Supervisors passed, 8Ayes, 0 Nays.

Change Order #1 increasing Brunswick Electric's contract by \$1,200 was presented by Commissioner Doyle. The Original contract completion date was 6/19/09 but due to delays related to C.O. Falter the completion date is changed to be 1/6/2010. In June 2009, the electrician labor rate increases resulting in an estimated increase of \$1,200 to Brunswick Electric's costs. This increase will not affect the overall cost of the project, as the funds will be allocated from Change Order #1 for C.O. Falter. *Commissioner Doyle made the motion to approve Change Order #1 for Brunswick Electric increasing the contract to \$384,062.00 from the original contract of \$382,862, an increase of \$1,200 and an extension of the Contract completion date to 1/6/2010. Commissioner Bold seconded the motion. Commissioner Bold stated that usually an increase in labor rates are absorbed by the Contractor. However, the change order is appropriate due to the work extending beyond the completion date of the original contact resulting from the delay of the General Contractor C.O. Falter. The motion to approve Change Order #1 for Brunswick Electric passed 8 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.

BURNING BUSH PUMP STATION UPGRADE - C.T. Male is the Engineer on the project. Trinity Construction is the contractor. The Town of Clifton Park's easements have been received with the help of First Assistant Attorney, Stephen Dorsey. This project is a carryover from the 2008 Long Term Capital Plan. The project is approximately 98% complete, awaiting sign off of a few minor items.

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.

COLLECTION SYSTEM INFORMATION:

LFTC TRUNK SEWER - The project started on April 27, 2009, with completion expected by September 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. Upon completion, expected in the Fall of 2009, the system is proposed for dedication to SCSD. The project was started at the intersection Route 67 and Farley Road and is progressing north up Farley and Fitch Roads toward the entrance of the Technology Campus on Cold Springs Road. Sewer District personnel have been reviewing the progress and have been informed of all the construction meetings and inspections. A construction meeting on July 9, 2009 was attended by Jim DiPasquale. The schedule was reviewed and testing requirements addressed. Prior to dedication to Saratoga County Sewer District, the easements will be reviewed to ensure Saratoga County Sewer District will have access to the sewer line.

ROUTE 4 AND 32 CORRIDOR - Town of Halfmoon- The RFP for a preliminary Engineering report on service in the corridor was released; a meeting providing specific information to prospective Consultants will be held at the Treatment Plant July 30, 2009 at 10:00 AM. Proposals will be accepted at General Services in Ballston Spa; the deadline is Thursday, August 13, 2009 at 5:00 PM. Responses to the RFP will be presented at the August Commission meeting.

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.. Jim DiPasquale has been in communication with the City of Saratoga Springs and received confirmation that projected growth flow numbers previously submitted are valid; he also received information from the Town of Stillwater. Progress is seen in receipt of the requested information needed from the municipalities prior to proceeding with engineering services for proceeding with the improvements. In response to a request from the Commission, a breakdown of estimated costs for Grinder Pump Rehab Project has been attached to the Agenda. Collection Manager Grant Eaton stated that the grinder pumps need to be raised a minimum of 12", some 24" or higher, he expects to raise 1 or 2 pumps the Fall of 2009. Chairman Davis asked Mr. Eaton to compile information of the costs in the past year due to the problems with the grinder pumps to compare with the costs associated for rehab.

GLOBAL FOUNDRIES (AMD) DISCHARGE PERMIT- Delaware Engineering is providing technical support to the District; they are conducting a technical review of submitted information relative to content of proposed discharge flows from the facility. Engineer Ed Hernandez is analyzing the data to confirm that the approved discharge limits will be permitted within parameters, allowing SCSD to maintain compliance with regulatory discharge permit requirements and USEPA pretreatment requirements. Delaware Engineering and Saratoga County personnel are meeting with Global Foundries tomorrow, July 23, 2009 at 2:30 PM.

FEMA - Aid for the December 12, 2008 ice storm payment applications were submitted and payments totaling \$96,846.47 were received and deposited.

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.

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. A meeting was held with SCSD's consultant EDP representatives on July 8, 2009 discussing bypass provisions and relocation of the District's force main. The report was forwarded to NYS DOT on July 10, 2009. The proposed plan is to directional drill under the lake with an 8¼ inch inside diameter pipe instead of placing under the new bridge. Assistant County Attorney Stephen Dorsey advised that a resolution from the Sewer Commission is required to forward a recommendation to the Board of Supervisors to adopt a resolution requesting the County to enter into an "betterment" agreement with New York State DOT. The County, and specifically the Sewer District, would pay the difference in the cost between installing a replacement 6 inch pipe with an 8 ¼ inch interior diameter pipe, the charge is \$86,250. The money must be posted in advance with the New York State Comptroller before the NYS Department of Transportation will undertake the betterment. If the money is not made available, the project will proceed with the smaller force main. For the Sewer District to undertake this upgrade without coordination with the bridge replacement, the costs would be about 4 times this amount

Chairman Davis made the motion for a resolution for the Sewer District to accept the "betterment" cost of \$86, 250 and forward to the Board of Supervisors a request for the County to enter an agreement with NYS DOT making the requested funds available to New York State. Commissioner Nelson seconded the motion. Resolution SD07-09 was passed 8 Ayes, 0 Nays.

EXIT 11 BYPASS - A site inspection was done by Executive Director James DiPasquale and Collection Manger Grant Eaton on July 10, 2009 with NYS DOT, locating the sewer facilities and confirmation of the access to the Saratoga County Sewer District lines. The bypass officially opened Tuesday 7/21/09.

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. It was noticed that the girders were put in place on Monday 7/20/09.

CENTRAL HALFMOON SEWER CORPORATION - Transportation Corporation in the Town of Halfmoon. Report on delinquent payment for maintenance has accumulated to \$40,030.23 for portions of 2008 and 2009; this reflects the 200 units accepted for ownership by SCSD in 2009. Services have been provided by SCSD under terms of an agreement executed in 1993. The Oak Brook Commons portion in Clifton Park is paid in full; the Town of Halfmoon portion is delinquent. A letter was sent on July 7, 2009 directing the corporation to either submit payment or the Commission may take action to cease maintenance service at this meeting. *Chairman Davis made a motion that unless payment was received; the Saratoga County Sewer District #1 will stop services effective 30 days from notice. Commissioner Doyle seconded the motion. Discussion included turning the matter over to a collection agency. It was also mentioned that the Corporation has stated that they have limited funds. The motion passed 8 Ayes, 0 Nays.*

CARLTON HOLLOW SENIOR CONDOMINIUM PROJECT - Executive Director James DiPasquale on behalf of the designated agent of the project, Michael McNamara from Environmental Design Partnership requests a final six month extension of Reserve Capacity for Carlton Hollow Senior Condominium Project in the Town of Milton due to the present economic conditions. *Commissioner Nelson made the motion to approve the final six month extension for Reserve Capacity to Carlton Hollow Senior Condominium Project. Commissioner Schrock seconded the motion. No discussion. The motion passed 8 Ayes, 0 Nays.*

CARDIN SUBDIVISION - Executive Director, James DiPasquale on behalf of the designated agent for the project Yates Scott Lansing of Lansing Engineering requests a final six month extension of Reserve Capacity for Cardin Subdivision in the Town of Halfmoon due to the present economic conditions; they expect to begin construction in the Fall of 2009. *Commissioner Bold made the motion to approve the final six month extension of Reserve Capacity to Cardin Subdivision. Commissioner Doyle seconded the motion. No discussion. The motion passed 8 Ayes, 0 Nays.*

A motion to adjourn the meeting was made by Commissioner Doyle. Commissioner Cannon seconded the motion. No discussion. 8Ayes, 0 Nays. The motion was passed.

NEXT COMMISSION MEETING
Wednesday, August 26, 2009
3:00 P.M. at the Treatment Plant