

APPROVED MINUTES

SARATOGA COUNTY SEWER COMMISSION No. 1
MINUTES OF SEPTEMBER 8, 2016
3:00 PM at the Treatment Plant

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

COMMISSIONERS EXCUSED: Hale

ALSO PRESENT: Dan Rourke P.E., Executive Director; Anne Gorman, Confidential Secretary; Sue Duff, Chief Operator; Jim Bolduc, Assistant Chief Operator; Grant Eaton, Maintenance Manager; William Bills, Assistant Maintenance Manager; Chad M. Cooke P.E., Deputy County Administrator; Robert Wilcox, Assistant County Attorney; Glen Knecht, Casella Organics

Chairman Howe called the meeting to order and welcomed everyone in attendance.

PLEDGE OF ALLEGIANCE: Led by Commissioner Rinaldi

PUBLIC COMMENT: None

CHAIRMAN’S COMMENTS: None

APPROVAL OF MINUTES of August 4, 2016. The August minutes were tabled until the next meeting in order to provide Commissioner Bold with some information regarding the Church Hill Road resolution.

Executive Director Rourke gave updates on the following projects:

2015 CAPITAL PROJECTS

Bar Screen No. 3 and Mixer Project – A pre-construction meeting was held today, September 8, 2016. The contractor, Stephen Miller General Construction, is going to begin demo work in the next few weeks. Executive Director Rourke said there is a 16 week lead time associated with fabrication for the mixer equipment; therefore, construction will not start for at least four (4) months or until January of next year.

Bar Screen No. 1 and No. 2 Replacement – A pre-construction meeting was held last week on August 30, 2016. The contractor will begin some minor work this winter including constructing a hut for the bar screen control panel. Executive Director Rourke said there is also a 16-20 week lead time associated with the bar screen equipment and construction is not slated to begin until next year in February of 2017.

Executive Director Rourke gave an update regarding the contractor for the Bar Screen No. 3 project with reference to their bid shortage that was discussed at the July Commission meeting. He said Stephen Miller General Contractors is going to move forward with the contract and perform the work for the project.

2016 CAPITAL PROJECTS

Sludge Hauling Contract Amendment – Casella Organics (Casella) has requested some amendments to their contract for long term sludge hauling. Executive Director Rourke said the Long Term Sludge Hauling contract was bid for a price at \$76.81 per wet ton. Some things have transpired over the last few months, since Casella has taken over the contract, which have caused them to incur additional costs by no fault of their own. Executive Director Rourke said there was a letter attached to the agenda packet that outlined the requested amendments. He introduced Glen Knecht with Casella Organics and went over the amendments.

- 1) **Surcharge for excess weekly sludge volumes** – Executive Director Rourke said there was an approximate amount of sludge referenced in the bid documents of 20,000 tons/year that was equated to 385 tons/week. Due to plant process requirements, Casella has experienced higher sludge volumes than expected requiring hauling to multiple locations and being handed in different ways. This caused Casella to incur additional hauling costs and therefore they are requesting a surcharge of \$10.00/ton for any volumes over 425 tons/week moving forward.
- 2) **Demurrage charge for extraordinary load times** – Executive Director Rourke said due to operational malfunctions in the Sewer District's equipment, there were a couple of instances that resulted in extended load times which caused Casella to incur additional labor costs. Casella is requesting a \$47.50/half hour demurrage charge for load times that exceed six (6) hours.
- 3) **Fuel Surcharge** – Executive Director Rourke said a fuel surcharge was not factored into the bid from the beginning but should have been as it could have provided a savings for the Sewer District. Casella suggested a fuel adjustment, based on a calculation of the prior month's Diesel Index.
- 4) **Termination clause** – There is no termination clause on behalf of Casella in the contract, only one in favor of the Sewer District. Executive Director Rourke explained that if something were as to happen beyond Casella's control, the only recourse they have would be to not perform, or affect performance to the point where the Sewer District would have to cancel the contract. Casella is therefore requesting a 60 day mutual termination clause for its protection.

Executive Director Rourke said he has discussed the amendments with the County Attorney's office and wanted to discuss them with the Commissioners as this would require their approval as well as the Board of Supervisor's (BOS) approval in order to amend the contract. The amendments are not retroactive, and will take effect October 1, 2016.

Commissioner Marshall made a motion to accept the amendments as proposed by Casella Organics for Saratoga County Sewer District's Long Term Sludge Hauling from the WWTP subject to the approval of the County Attorney, the Executive Director and the Board of Supervisors (BOS) with a resolution if necessary. Commissioner Loewenstein seconded the motion. Discussion involved the value of the contracts, costs associated with rebidding the contract, substantial cost savings associated with the proposed amendments, and terms of a no termination clause that would be agreeable to both parties. Motion passed: 8 Ayes, 1 Absent, 0 Nays

Odor Control RFP – Executive Director Rourke said a meeting is scheduled for next Tuesday, September 13, 2016 for a walk through of the WWTP and bids are due in two (2) weeks.

MISCELLANEOUS

Procedure for Approving Proposed 2017 Scale of Sewer Charges

- Date of Commission meeting to approve 2017 Proposed Scale of Charges and schedule Public Hearing 10/6/16
- Publication of Notice of Public Hearing 10/25/16 – 10/29/16
- Date/time of Public Hearing 11/3/16 at 9:00 a.m.
- Date Commission Approves 2017 Scale of Charges 11/3/16 at 9:15 a.m.
- Publication of 2017 Scale of Charges 11/3/15 – 11/28/16

ATTORNEY REPORT

Attorney Wilcox said he would defer his report until executive session as it pertains to the pending litigation.

DEDICATIONS:

Griffins Ridge Subdivision (AKA Hillman Estates Phases I and II) – Town of Malta – Belmonte Properties, LLC requested dedication of the sanitary sewer infrastructure servicing Griffin’s Ridge Subdivision. *The motion to accept dedication of Griffins Ridge Subdivision in the Town of Malta consisting of (12) manholes and approximately 2,558 ft of 2” HDPE low pressure force main was made by Commissioner Loewenstein and seconded by Commissioner Doyle. No discussion. Resolution SD 12-2016 accepting dedication of Griffins Ridge Subdivision in the Town of Malta passed: 8 Ayes, 1 Absent, 0 Nays.*

Princeton Heights Subdivision – Town of Halfmoon – Homeland Properties, LLC requested dedication of the sanitary sewer infrastructure servicing Princeton Heights Subdivision in the Town of Halfmoon. *The motion to accept dedication of Princeton Heights Subdivision in the Town of Halfmoon consisting of (22) manholes and approximately 3,670 ft of 8” PVC SDR gravity main was made by Commissioner Bold and seconded by Commissioner Loewenstein. Discussion involved a few outstanding items on the Inspector’s end. Attorney Wilcox said all items were ready and would be forthcoming and felt comfortable accepting a conditional dedication. Resolution SD 13-2016 accepting dedication of Princeton Heights Subdivision in the Town of Halfmoon passed **conditioned upon receipt of as-built mapping, inspection reports, engineering Certification, an original Letter of Credit and County Attorney’s approval.** passed: 8 Ayes, 1 Absent, 0 Nays.*

COMMITEES

Engineering Committee – Commission Loewenstein said the Committee had an extensive meeting a little over a month ago and discussed the Capital Plan, operations and maintenance (O&M) costs, the need to raise rates to afford future improvements as well as obtaining a financial consultant to assist with long term capital planning. Commissioner Loewenstein said Commissioner Marshall recommended two (2) financial consultants and the Committee plans to follow up with those individuals to see if they would be interested in providing a proposal to allow the Committee to reasonably determine the District’s Capital Plan and what the rate structure should be to accommodate that plan and future growth.

EXECUTIVE SESSION

On a motion by Commissioner Cannon and seconded by Commissioner Ostapczuk, the Commission moved to go into Executive Session at 3:47 p.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2) for a discussion with Counsel regarding pending litigation regarding the 2008 plant expansion project.

On a motion by Commissioner Doyle and seconded by Commissioner Marshall, the Commission moved to go out of Executive Session at 4:12 p.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2).

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

**NEXT COMMISSION MEETING
Thursday, October 6, 2016
3:00 P.M. at the Treatment Plant**