

APPROVED MINUTES

SARATOGA COUNTY SEWER COMMISSION No. 1 MINUTES OF AUGUST 3, 2017 3:00 PM at the Treatment Plant

COMMISSIONERS PRESENT: Howe, Cannon, Doyle, Hale, Hotaling, Loewenstein, Marshall and Ostapczuk

COMMISSIONERS EXCUSED: Thompson

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; Tyler Anderson, Student Intern; Dr. Petra Enzien, DMD, Parkview Family Dentistry

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

PLEDGE OF ALLEGIANCE: Led by Executive Director Rourke

PUBLIC COMMENT: Dr. Petra Enzien, owner of Parkview Family Dentistry located on Route 236 in the Town of Halfmoon addressed the Commission with regard to her sewer charges. She felt that her sewer charges were considerably disproportionate to the amount of water she is using. After previously speaking with Executive Director Rourke, she said he offered a couple of suggestions which were to install a flow meter and/or address the Commission with her concern. Dr. Enzien said she looked into the option of installing a flow meter but was told by several parties that a flow meter was not a good suggestion because they are cost prohibitive, do not work effectively and need a lot of maintenance.

Executive Director Rourke said this is not the first time a business owner has addressed the Commission with a similar concern. Chairman Howe said previous customers have installed flow meters to address their billing concerns and such installations have resulted in significant annual savings. Executive Director Rourke said the Sewer District's Scales of charges are voted on each year in November by the Sewer Commission and that is how the County's sewer units are billed. Currently, at the discretion of the Executive Director, the Sewer District's Scale of Charges allows a recalculation for sewer units if a customer installs a flow meter and provides one (1) years worth of flow data.

Maintenance Manager Eaton said there is not much maintenance involved with having a flow meter, only calibration, which is done once a year. Executive Director Rourke said he felt the best course of action would be to have Maintenance Manager Eaton contact Dr. Enzien and provide her with information as well as some cost effective solutions to installing a flow meter.

CHAIRMAN'S COMMENTS: Chairman Howe said a couple of months ago this Commission approved a motion to move forward with an emergency repair to aeration tank No. 7. He said that since then, there have been multiple discussions and meetings and with that he requested a motion to go into executive session.

EXECUTIVE SESSION

On a motion by Commissioner Marshall and seconded by Commissioner Doyle, the Commission moved to go into Executive Session at 3:14 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. Motion passed: 8 Ayes, 1 Absent, 0 Nays.

On a motion by Commissioner Cannon and seconded by Commissioner Hale, the Commission moved to go out of Executive Session at 3:38 p.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2). Motion passed: 8 Ayes, 1 Absent, 0 Nays.

On a motion by Commissioner Hotaling and seconded by Commissioner Cannon, the Commission requested authorization from the Board of Supervisors to institute a lawsuit against Town & Country Construction of Schaghticoke, Inc. for septage charges that are overdue in the amount of \$7,046.46.00. Motion passed: 8 Ayes, 1 Absent, 0 Nays.

Commissioner Hale made a motion to authorize Executive Director Rourke to develop an RFP for Direct Consulting Services relating to a capacity analysis and design for upgrades to the Sewer District's old aeration system. Commissioner Marshall seconded the motion. No Discussion. Motion passed: 8 Ayes, 1 Absent, 0 Nays

APPROVAL OF MINUTES of July 6, 2017. *Commissioner Doyle made a motion to approve the minutes of July 6, 2017. Commissioner Hotaling seconded the motion. No discussion. The minutes of July 6, 2017 were approved. 6 Ayes, 2 Abstain, 1 Absent, 0 Nays.*

2015 CAPITAL PROJECTS

Bar Screen No. 3 and Mixer Project – Executive Director Rourke said the contractors are finally back on site and ready to resume work this week. Contractor Jett Industries has finished installing gates for Bar Screen No. 3 and Stephen Miller General Contractors Inc. can now do the upgrades for their initial part of the contract. Executive Director Rourke said the work, including installing new hatches on the combined sludge tanks, should be completed in the next 2-3 weeks.

Bar Screen No. 1 and No. 2 Replacement – Executive Director Rourke said the mechanical portion of this project is substantially complete. There are a couple of things that are still waiting to be finalized, including integration to the SCADA (Supervisory Control And Data Acquisition) system and the new FRP (Fiber Reinforced Plastic) doors for the screen and grit building. Executive Director Rourke said there is a long lead time on the doors and they are expected to be delivered in the next 4-5 weeks. Other than that, all screens and gates are installed and working well.

2016 CAPITAL PROJECTS

Odor Control – This contract was awarded at last month’s Commission Meeting. Contracts are being executed and submittals are starting to be reviewed. Executive Director Rourke said lead time for equipment may run past the August 25th deadline date and he will be contacting NYSDEC to inform them that the project is in motion and that the completion date will be dependent upon the lead time of the odor control equipment.

2017 CAPITAL PROJECTS

Round Lake, Moe Road and MTP Pump Station Design – Design is proceeding as scheduled and 60% submission of plans are due sometime next week to review, with 100% submission of plans by the end of September. Executive Director Rourke said there is a contract amendment request to increase the contract in the amount of \$3,000.00 to provide asbestos removal design documents that were not included in the original scope. There are (2) two ways to handle this, one is for the licensed asbestos designer to prepare the design documents now, or the construction firm that is hired to remove it needs a licensed designer on staff to design it prior to removal. Executive Director Rourke said it made more sense to have the licensed asbestos designer prepare them now as it will allow us to get the work done up front, and have the construction inspector be familiar with the required removal prior to going to bid. He said the amendment is within 10% of the original contract amount.

Commissioner Loewenstein made a motion to approve an amendment in the amount of \$3,000.00 for MJ Engineering and Land Surveying, P.C, increasing their contract from \$148,050.00 to \$151,050.00 to prepare asbestos removal design documents. Commissioner Hotaling seconded the motion. Discussion involved past practice and contract allowances. Motion passed: 8 Ayes, 1 Absent, 0 Nays.

Rate Analysis and Cost of Service Study – Executive Director Rourke said work is progressing and he is working with multiple departments including the Treasurer’s Office on obtaining required information.

Joint Feasibility Study – Regional Biosolids Handling Facility– Executive Director Rourke said the project is moving along and there is a work shop scheduled soon to go over different technologies for pre/post anaerobic digestion.

MISCELLANEOUS

Easement for Finch Pruyn – Executive Director Rourke mentioned that last month we were contacted by Finch Pruyn for an easement to obtain access to the Sewer District property in Northumberland. Finch Pruyn was wondering if we could expedite this easement so National Grid could put a guy pole on the Sewer District’s property boundary. Executive Director Rourke said this would not inhibit the use of the Sewer District’s property.

Commissioner Cannon made a motion to approve an Easement for Finch Pruyn for access to the Sewer District property in Northumberland. Commissioner Hale seconded the motion. Discussion involved Commissioner Loewenstein’s reason for abstaining due to a conflict of interest. Motion passed: 8 Ayes, 1 Abstain, 1 Absent, 0 Nays.

Adirondack Environmental Lab Contract Amendment – Executive Director Rourke said the Sewer District has a current contract with Adirondack Environmental that was approved in June of 2016 for a not to exceed cost of \$35,000 that needs to be amended to carry us through the end of this year. This contract was for 18 months as opposed to 12 months and the \$35,000.00 a year only reflected 12 months of typical expenses. Executive Director Rourke said more testing is being performed to ensure we are going to be in compliance with the NYSDEC ammonia limit regulations coming January 2018. The Sewer District occasionally has to test discharges from Global Foundries or Cascades and most of this testing is done at their expense, but some is not. With the current outstanding invoices, and the remainder of required testing for 2017, Executive Director Rourke requested a motion to increase the not to exceed contract amount by \$20,000.00. He said the language in the contract would also need to be amended to allow for the costs of tests, not originally included in the original price sheet proposal, to be provided at the time of invoice.

Commissioner Marshall made a motion to forward a recommendation to the Board of Supervisors to approve an amendment in the amount of \$20,000.00 for Adirondack Environmental, increasing their contract from \$35,000.00 to \$55,000.00 to perform testing for ammonia limits and to amend language in the contract to allow for the cost of this testing to be invoiced. Commissioner Ostapczuk seconded the motion. Discussion involved reasons for the amendment, language for the amendment as well as price and term. Motion passed: 8 Ayes, 1 Absent, 0 Nays

ATTORNEY REPORT

Attorney Wilcox said he had nothing to report at this time. He mentioned there were two (2) dedications, both with conditions. He said he felt comfortable moving forward with them and that both conditions would be fulfilled.

DEDICATIONS:

Kelley Farms Subdivision Phase 2 – Town of Ballston – Development Group/Eastline, LLC requested dedication of the sanitary sewer infrastructure servicing The Estates at Kelley Farms Subdivision Phase 2 in the Town of Ballston. *The motion to accept dedication of The Estates at Kelley Farms Subdivision Phase 2 consisting of (11) manholes, approximately 2,295 ft of 8” SDR-26 gravity main and approximately 736 ft of 2” SDR-21 low pressure force main in the Town of Ballston was made by Commissioner Doyle and seconded by Commissioner Marshall. Discussion involved conditions for acceptance. Resolution SD 8-2017 accepting dedication of The Estates at Kelley Farms Subdivision Phase 2 in the Town of Ballston passed **conditioned upon receipt of a Release of Partial Mortgaged Premises and UCC-3 suitable for filing in the Saratoga County Clerk’s Office:** 8 Ayes, 1 Absent, 0 Nays.*

The Lands of Ronald Wayne Van Patten Subdivision – Town of Clifton Park – Ronald Wayne Van Patten requested dedication of the sanitary sewer infrastructure servicing The Lands of Ronald Wayne Van Patten Subdivision in the Town of Clifton Park. *The motion to accept dedication The Lands of Ronald Wayne Van Patten Subdivision consisting of (6) manholes and approximately 2,950 ft of 2” DR-11 low pressure force main was made by Commissioner Hale and seconded by Commissioner Cannon. Discussion involved conditions for acceptance. Resolution SD 9-2017 accepting dedication of The Lands of Ronald Wayne Van Patten Subdivision in the Town of Clifton Park passed **conditioned upon installation of one (1) sewer manhole cover within thirty (30) days of this Resolution:** 8 Ayes, 1 Absent, 0 Nays.*

COMMITTEES:

ENGINEERING COMMITTEE – Commissioner Marshall said the Engineering Committee met on July 21, 2017. The Committee discussed ammonia limits with Global Foundries as well as the Capacity Analysis and design project with the use of only one (1) consultant.

Commissioner Marshall mentioned there was a letter from the Luther Forest Technology Campus that was attached to each agenda packet. He said from his perspective, the Luther Forest Technology Campus has underperformed because there is no infrastructure that provides shovel ready sites to prospective purchasers and there is no competition with similar parks. He reminded the Commission that the County took over the roads last year and the Town of Malta changed their zoning to try to incentivize businesses to locate there. Commissioner Marshall said he felt that the sewer infrastructure is a major component that the Sewer Commission could bring to the table to help serve future growth.

Chairman Howe said it is worth investigating, but more information would be required. Commissioner Loewenstein agreed that it would be a good idea to invest in and it would be a good idea to have a discussion and investigate the potential opportunities.

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

**NEXT COMMISSION MEETING
Thursday, September 7, 2017
P.M. at the Treatment Plant**