

APPROVED MINUTES

SARATOGA COUNTY SEWER COMMISSION No. 1 MINUTES OF NOVEMBER 9, 2017 9:15 A.M. at the COUNTY OFFICES

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

COMMISSIONERS EXCUSED: None

ALSO PRESENT: Dan Rourke P.E., Executive Director; Anne Gorman, Confidential Secretary; Jim Bolduc, Assistant Chief Operator; Grant Eaton, Maintenance Manager; Chad M. Cooke P.E., Deputy County Administrator; Robert Wilcox, Assistant County Attorney; Stephen Dorsey, County Attorney; Daniel Keegan, Town of Clifton Park

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

PLEDGE OF ALLEGIANCE: Led by Assistant County Attorney Wilcox

PUBLIC COMMENT: None

CHAIRMAN'S COMMENTS: None

APPROVAL OF MINUTES of October 5, 2017. Attorney Wilcox informed the Commission that the 4/2 vote at the last meeting should have carried the motion to forward a recommendation to the Board of Supervisors to award a contract in the amount of \$283,500 to Barton & Loguidice (B&L) for the WWTP Ammonia Capacity Analysis and Aeration Upgrades. He stated he believed the Sewer Commission's bylaws had a provision which dealt with abstentions as votes but was mistaken. He advised that, according to Roberts Rules of Order a majority of votes cast carries the question and abstentions do not count as votes unless the by-laws provide otherwise. He advised that the motion be corrected and everything thereafter deleted.

The Minutes of October 5, 2017 were corrected under 2018 Capital Projects to read:

“Commissioner Cannon made a motion to forward a recommendation to the Board of Supervisors to award a contract in the amount of \$283,500 to Barton & Loguidice (B&L) for the WWTP Ammonia Capacity Analysis and Aeration Upgrades. Commissioner Marshall seconded the motion. Discussion involved the difference between B&L and CHA's proposals. Motion carried: 4 Ayes, 2 Nays, 2 Abstain, 1 Absent.”

Commissioner Marshall made a motion to approve the correction to the minutes. Commissioner Cannon seconded the motion. No discussion. Motion carried: 6 Ayes, 0 Nays, 2 Abstain.

Commissioner Cannon then made a motion to accept the minutes of October 5, 2017 as corrected. Commissioner Marshall seconded the motion. No discussion. The minutes of October 5, 2017 were approved as corrected. 5 Ayes, 0 Nays, 3 Abstain.

2018 SCALE OF CHARGES

Commissioner Doyle made a motion to forward the proposed Scale of Charges for 2018 to the Board of Supervisors for approval. Commissioner Hotaling seconded the motion. Discussion involved business owners and vacancy issues. Commissioner Loewenstein asked if there has been a resolution to that issue or if it would be reviewed when the Rate Analysis and Cost of Service Study is complete. Executive Director Rourke said there has been no final decision moving forward with that but when the Cost of Service Study is complete the Sewer Use Ordinance Committee will review and discuss it. The motion for approval of the proposed Scale of Charges for 2018 as presented at the Public Hearing held at 9:00 A.M on November 9, 2017 to be forwarded to the Board of Supervisors for approval was approved: 7 Ayes, 1 Nays. .

2016 CAPITAL PROJECTS

Odor Control – Executive Director Rourke advised the project is progressing. The general contractor and subcontractor are both on site excavating for the concrete tank and completion is scheduled for December 8, 2017. He reminded the Commission that this project needs to be completed by the 3rd week of February 2018 to meet the NYSDEC extension deadline. Executive Director Rourke said the schedule is being monitored very closely and the project is currently on point.

Aeration Tank #7 Repair – Executive Director Rourke reported that the repair is complete and the new side was operational by October 16, 2017 and met the deadline as requested by NYSDEC.

2017 CAPITAL PROJECTS

Clifton Park Manhole Replacement – Executive Director Rourke informed the Commission that this project was related to the public comments from Clifton Park Town Supervisor, Philip Barrett and resident Pete Schermerhorn regarding the Robinwood Estates Neighborhood. He said manholes have been ordered and work should begin in the next few weeks to repair the degraded manholes. He also said this will lead to a 2018 Capital Project to replace much needed slip lining rehabilitation to avoid future failure in that area.

Commissioner Marshall and Commissioner Loewenstein inquired about the ownership of the settling tank, located in Bear Brook, that the Sewer District has been maintaining a number of years. Executive Director Rourke said the Town of Clifton Park owns it but the Sewer District was mandated by the State to maintain it. Commissioner Loewenstein asked if the Sewer District could request the removal of the tank, therefore eliminating the maintenance. Executive Director Rourke said the tank has to do with the spawning of trout but he could inquire if the Sewer District has satisfied its mitigation efforts and see if maintenance responsibility can be handed back to the Town.

Commissioner Marshall said we may have to defer to our attorney on this issue, but we are maintaining something we do not own and he would like to know where the liability lies and he would also advocate for removal of the tank. Commission Cannon agreed. Maintenance Manager Eaton informed the Commission that an additional screen was placed over the original screen to provide an added safety barrier on the tank. Chairman Howe said we may be able to discuss this with Clifton Park and have them take over the maintenance of their own structure or negotiate an agreement for liability purposes. Executive Director Rourke said he would look into it.

Round Lake, Moe Road and MTP Pump Station Design – Executive Director Rourke said the project is currently out to bid with bid opening scheduled for November 30, 2017. He said there will be an award at the December meeting and contracts finalized within 4-6 weeks thereafter.

Rate Analysis and Cost of Service Study – Executive Director Rourke said a productive workshop was held on Monday, November 6, 2017. He was able to review the financial model that is being put together by the engineer and the next step will be the cost of service portion to look at rates for each locality.

Joint Feasibility Study – Regional Biosolids Handling Facility – Executive Director Rourke said a workshop is scheduled for November 30, 2017 to go over a couple of different models. The study is still on pace to be completed by the end of the year.

Title V Permit Requirements – Executive Director Rourke said the Sewer District has had a separate contract the last few years with O'Brien & Gere for Title V submissions of annual and semiannual reports including emission modeling for odor control, modifying our Title V requirements as well as submitting a request to eliminate our Title V requirements because our incinerator was not operational. This contract was \$14,900.00. Executive Director Rourke requested to amend the minor contract for an additional \$9,500.00 bringing the total contract amount to \$24,400.00. He said this amendment would also change the minor contract to a major contract and the additional funds would provide for annual and semiannual reporting for 2018 as well as additional monitoring for the new odor control system as soon as it is up and running.

Commissioner Loewenstein made a motion to forward a recommendation to the Board of Supervisors to amend O'Brien & Gere's contract for an additional \$9,500.00, increasing the contract amount from \$14,900.00 to \$24,400 to provide annual and semiannual reporting for 2018 as well as additional monitoring for the new WWTP Odor Control System. Commissioner Hotaling seconded the motion. Discussion involved changing the minor contract to a major contract. Motion passed: 8 Ayes, 0 Nays.

2018 CAPITAL PROJECTS

Ammonia Capacity Analysis and Aerations Upgrades – Executive Director Rourke said this was discussed at the beginning of the meeting and it ended up working itself out. He wanted to add that both companies gave a very good presentation and those that were in attendance agreed. In the end, it was decided that Barton & Loguidice (B&L) was the final choice for the award.

2018 Design RFP's – Executive Director Rourke said in the past, upcoming projects have been brought to the Commission for their approval. He gave a brief summary of the proposed projects listed for 2018 and asked the Commission for their approval to allow him to create an RFP (Request for Proposal) for each project.

- Rehab/Slip Lining of Clifton Park Trunk Line
- Interceptor Slip Lining/Rehabilitation (design only)
- Saratoga Springs Forcemain analysis and recommendation
- SCADA Upgrade

Commissioner Marshall made a motion to authorize Executive Director Rourke to develop RFP's for 2018 Capital Projects for Rehab/Slip Lining of Clifton Park Trunk Line, Interceptor Slip Lining/Rehabilitation (design only), Saratoga Springs Forcemain Analysis/Recommendation and SCADA Upgrades.. Commissioner Ostapczuk seconded the motion. Discussion involved budget impact. Motion passed: 8 Ayes, 0 Nays.

MISCELLANEOUS

Wedeco UV System Parts – Similar to the prior standards set involving Flyght pumps and E-One Grinder Pumps, Executive Director Rourke indicated that the Sewer District would like to designate Xylem, Inc. WEDECO UV system lamps, ballasts, sleeves and ancillary items as the standard to be used in procuring the necessary items to repair and replace UV system parts as required to maintain adequate levels of disinfection at the Sewer District’s Wastewater treatment plant. This would be in the best interest of the Sewer District and the County and the following resolution was brought before the Commission.

Commissioner Loewenstein moved the following resolution, seconded by Commissioner Hotaling:

RESOLUTION NO. SD 13-2017

WHEREAS, Saratoga County Sewer District #1 owns and operates a UV disinfection system at its wastewater treatment plant as part of processing up to 43 million gallons of sewage effluent per day collected throughout the County of Saratoga, New York; and

WHEREAS, the Sewer District currently operates the equipment with 3rd party replacement parts; and

WHEREAS, the UV equipment has numerous parts which require periodic maintenance and which deteriorate and break down over time requiring replacement; and

WHEREAS, over the course of the last ten (10) years, the Sewer District has utilized the WEDECO UV System manufactured by Xylem, Inc.; and

WHEREAS, the Sewer District has found that the WEDECO lamps, ballasts, sleeves and ancillary parts are more reliable and require less maintenance, less energy and are warranted for a greater number of hours than other third party manufacturers equipment utilized by the Sewer Districts in repairs; and

WHEREAS, the Sewer District operations and maintenance staff have become very familiar with and rely upon the performance of equipment manufactured by WEDECO; and

WHEREAS, there are significant efficiency and economic benefits to the Sewer District in reducing the energy utilized to disinfect wastewater; and

WHEREAS, there are significant efficiency and economic benefits to the Sewer District in reducing the maintenance burden and energy demand associated with the upkeep of non- WEDECO lamps, ballasts sleeves and ancillary parts based upon the relative cost of replacement parts and the cost of electricity; and

WHEREAS, Xylem, Inc. and their local authorized service representatives have provided superior preventative maintenance to the UV system;

NOW THEREFORE BE IT RESOLVED, that the Sewer Commission hereby determines, for reasons of efficiency and economy, to designate Xylem, Inc. WEDECO UV system lamps, ballasts sleeves and ancillary items as the standard to be used in procuring the necessary items to repair and replace UV system parts as required to maintain adequate levels of disinfection at the Sewer District’s Wastewater treatment plant, and is in the best interest of the Sewer District and the County. Resolution passed: 8 Ayes, 0 Nays.

Chairman Howe welcomed Daniel Keegan. He advised Mr. Keegan will be the new member of the Sewer Commission for the Town of Clifton Park and will be an asset to the Board. Mr. Keegan said he was a State Farm Insurance agent for 40 years and owned his own business in the Town of Guilderland. He said he retired September 30, 2015 and he looks forward to joining the Sewer Commission.

ATTORNEY REPORT – No Report

EXECUTIVE SESSION

On a motion by Commissioner Cannon and seconded by Commissioner Marshall, the Commission moved to go into Executive Session at 9:41 a.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, 0 Nays.

On a motion by Commissioner Cannon and seconded by Commissioner Doyle, the Commission moved to go out of Executive Session at 9:52 a.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2). Motion passed: 8 Ayes, 0 Nays.

Executive Director Rourke said Saratoga County Sewer District #1 operates pursuant to the terms and conditions of a State Pollution Discharge Elimination System (SPDES) Permit that is issued and regulated by the Department of Environmental Conservation (NYSDEC). He advised the Sewer District has reported numerous exceedances since 2010 due to sewage discharges resulting from problems with its collection system. Executive Director Rourke said DEC has offered to resolve these violations with a consent order, outlining penalties and actions required to cure the violations. The upfront penalty is \$20,000.00 and a suspended civil penalty of \$80,000.00 conditioned upon full compliance with the order. Executive Director Rourke said the consent order would need to be authorized by the Board of Supervisors along with the approval of the County Attorney's office.

Commissioner Loewenstein made a motion to forward a recommendation to the Board of Supervisors to authorize and execute a consent order with the New York Department of Environmental Conservation (NYSDEC) to resolve violations of the County's SPDES Permit. Commissioner Doyle seconded the motion. No discussion. Motion passed: 8 Ayes, 0 Nays.

** Commissioner Ostapczuk left the meeting*

DEDICATIONS:

Benedict Road – Town of Ballston – John Paul Builders, LLC requested dedication of the sanitary sewer infrastructure servicing the residential subdivision known as Benedict Road in the Town of Ballston. A motion was made by Commissioner Doyle and seconded by Commissioner Cannon to accept Resolution SD 14-2017 dedication of Benedict Road Subdivision sewer system consisting of (5) manholes and approximately 1,654 ft of 2" DR-11 low pressure force main and 573 ft of 3" DR-11 low pressure force main. Discussion involved conditions for dedication. Resolution SD 14-2017 accepting dedication of Benedict Road Subdivision in the Town of Ballston **conditioned upon installation of a 30kw generator at the existing pump station and the receipt of final inspection, as-builts and engineer's certification regarding such installation by 12/15/17 and failing timely installation, the ability of SCSD to draw funds from the Letter of Credit to have such generator installed** passed: 7 Ayes, 1 Absent, 0 Nays.

Route 9 & Fire Road Office Building – Town of Clifton Park – Abele Northside, LLC requested dedication of the sanitary sewer infrastructure servicing Route 9 & Fire Road Office Building located at 1712 – 1714 Route 9 in the Town of Clifton Park. *A motion was made by Commissioner Hotaling and seconded by Commissioner Marshall to accept Resolution SD 15-2017 dedication of the Route 9 & Fire Road Office Building sewer system consisting of (3) manholes and approximately 391 ft of 10” SDR 26/35 gravity main. No discussion. Resolution SD 15-2017 accepting dedication of Route 9 & Fire Road Office Building in the Town of Clifton Park passed: 7 Ayes, 1 Absent, 0 Nays.*

COMMITTEES:

ENGINEERING COMMITTEE – No report

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

**NEXT COMMISSION MEETING
Thursday, December 7, 2017
3:00 P.M. at the Treatment Plant**