

APPROVED MINUTES

**SARATOGACOUNTYSEWER COMMISSION No. 1
MINUTES OF OCTOBER 3, 2019
3:00 PM at the Treatment Plant**

COMMISSIONERS PRESENT: Howe, Bisnett, Cannon, Doyle, Fillion, Hotaling, Keegan, Loewenstein and Thompson

COMMISSIONERS EXCUSED: All present

ALSO PRESENT: Dan Rourke P.E., Executive Director; Anne Gorman, Confidential Secretary; Assistant Chief Operator, Gene Hutchings; William Bills, Maintenance Manager; Chad M. Cooke P.E., Deputy County Administrator; Michael Hartnett, Assistant County Attorney

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

PLEDGE OF ALLEGIANCE: Led by Commissioner Hotaling

PUBLIC COMMENT: None

CHAIRMAN’S COMMENTS: Chairman Howe thanked Deputy County Administrator Cooke, Executive Director Rourke and the Capital Projects Committee for their efforts in meeting and discussing the Scale of Charges for the upcoming year.

APPROVAL OF MINUTES of September 5, 2019. *Commissioner Cannon made a motion to approve the minutes of September 5, 2019. Commissioner Bisnett seconded the motion. No discussion. The minutes of September 5, 2019 were approved. 9 Ayes, 0 Nays.*

2019 SCALE OF CHARGES

Approval of publication for the proposed rates for 2020 and scheduling the Public Hearing for 9:00 A.M., November 7, 2019 in the Board of Supervisors Chambers.

Executive Director Rourke said there was a Capital Projects Committee meeting on September 19, 2019 where they discussed and agreed on a path forward that made the most sense. He informed there is a proposed \$12.50 rate increase to the Scale of Charges this year and the Committee agreed that the increase was reasonable. Executive Director Rourke gave a presentation showing debt service, average rates, local comparisons, revenues, projected revenues, capital projects, the financial model results and other budgeted revenues for 2020.

Chairman Howe said Executive Director Rourke spent a lot of time and effort on this and he felt it was the right way to go. Commissioner Cannon thanked Executive Director Rourke for the nice work on his presentation with local comparisons and affordability. Commissioner Loewenstein added the financial model is a good tool with good information.

Chairman Howe entertained a motion to advertise the proposed Scale of Charges and schedule the Public Hearing for November 7, 2019 at 9:00 A.M.

Commissioner Doyle made a motion for approval of publication of the proposed Scale of Charges for 2020 and scheduling the Public Hearing at 9:00 A.M. on November 7, 2019 at the Board of Supervisors Chambers at the Saratoga County Municipal Center in Ballston Spa. Commissioner Thompson seconded the motion. Discussion involved debt services, projected revenues, capital projects and other budgeted revenues for 2020. The motion for approval of publication of the proposed 2020 Scale of Charges and scheduling of the Public Hearing for Thursday, November 7, 2019 at 9:00 A.M. at the County Complex passed: 9 Ayes, 0 Nays.

2018 CAPITAL PROJECTS

Regional Biosolids Handling Facility – Executive Director Rourke reported we are still pushing forward with design. Funding applications were submitted to EFC (Environmental Facilities Corporation) for consideration. Due to the possibility of subsidized financing under the Water Infrastructure Improvement Act (WIIA) Grant option, we only submitted for a WIIA Grant this year, as the low interest financing provides more savings than the larger Intermunicipal Water Infrastructure (IMG) Grant available. If SCSD is not selected, both options will be looked at next year as funding is already slated.

Ammonia Capacity Analysis and Aeration Upgrades/ Hudson River Sampling – Executive Director Rourke gave an update. He said we are still waiting for a final date of when the pilot is going to be on site and moving forward with the preliminary engineering report. He informed there is more to talk about but said it is requested to be while in Executive Session.

Clifton Park Trunk Sewer Rehabilitation – Executive Director Rourke reported there are only a couple manholes and site restoration left which should be completed by the end of this month. He informed there is a change order for a couple of things that came up: (1) the road they built to access the manholes needed to be a little more substantial due to the wet weather conditions and (2) the restoration work was not included in the contract originally. Executive Director Rourke said the total change order amount is for \$158,347.00 which is less than 10% of the original contract amount of \$2,092,925.00.00 and does not need Commission approval or BOS approval per the County’s purchasing policy but he still wanted to bring it to the Commission’s attention for discussion. Executive Director Rourke added he spoke with Attorney Hartnett to make sure it still fell within the 10% rule per the previous negative change order and Attorney Hartnett informed it is within the regulations of the original resolution amount and anything under 10% requires only Executive Director Approval. Chairman Howe said he is fine with Attorney Hartnett’s interpretation.

Interceptor Rehabilitation Design – Executive Director Rourke reported we are still moving forward with that design and he hopes to have the project ready to go out to bid by summer of next year. Executive Director Rourke also informed he has been working with the County Administrator’s office on getting a contract with a fiscal advisor to start moving our bond resolutions forward and said hopefully we will be under construction sometime next year.

2019 CAPITAL PROJECTS

Knox Woods (HM) and Riverside #1 (ST) Pump Station Upgrades – Executive Director Rourke reported we are still progressing forward with design and nothing new to report at this time.

Interceptor Rehabilitation Phase VIIA – Executive Director Rourke reported there was a pre construction meeting on September 25, 2019. Contracts are all set and construction is expected to begin October 14, 2019 or in and around that date. Construction is expected to be completed in May of 2020. Executive Director Rourke said he will continue to update as that project moves along.

MISCELLANEOUS

Fronczek Easement (Zim Smith Trail) – Resolution – Executive Director Rourke informed there is an easement for a homeowner to connect their sewer across county property into an interceptor manhole on the Zim Smith Trail in the Town of Halfmoon.

Attorney Hartnett added this is a private homeowner who approached the County about tying into the Zim Smith Trail, which would require them to get an easement. Attorney Hartnett said this requires a resolution from this Commission recommending the Saratoga County Board of Supervisors (BOS) to authorize the acceptance and execution of the easement over property owned by Saratoga County.

Commissioner Keegan moved the following resolution, seconded by Commissioner Bisnett:

RESOLUTION NO. SD 9-2019

WHEREAS, Edward Fronczek and Cynthia Fronczek are owners of property located at 57 Ushers Road in the Town of Halfmoon, by virtue of a Deed in Book 1569 at Page 332, as recorded by the Saratoga County Clerk; and

WHEREAS, Edward Fronczek and Cynthia Fronczek, desire to install across the aforementioned property a lateral sewer line to provide sanitary sewer service to a single family dwelling constructed or to be constructed on an adjoining parcel of land owned by Edward Fronczek and Cynthia Fronczek; and

WHEREAS, the County of Saratoga owns property which is commonly known as the “Zim Smith Trail” which adjoins the aforementioned land owned by Edward Fronczek and Cynthia Fronczek in the Town of Halfmoon; and

WHEREAS, Saratoga County Sewer District No.1 owns and operates sanitary sewer infrastructure and appurtenances along the length of the Zim Smith Trail; and

WHEREAS, Edward Fronczek and Cynthia Fronczek for purposes of installing and/or repairing and/or maintaining the lateral sewer line require an easement from the County of Saratoga to connect and/or repair and/or maintain the lateral sewer line to the sanitary sewer infrastructure operated by Saratoga County Sewer District No 1., a map of the proposed easement being appended to this resolution; and

WHEREAS, the preliminary plans for the installation of the lateral connection as proposed by Edward Fronczek and Cynthia Fronczek have been reviewed and approved by the Executive Director of Saratoga County Sewer District No.1; and

WHEREAS, the installation and connection of the lateral connection as proposed by Edward Fronczek and Cynthia Fronczek is subject to the requirements for Saratoga County Sewer District No. 1

lateral permit regulations and §§4.1 – 4.5 of the Rules and Regulations of Saratoga County Sewer District No.1; and

WHEREAS, the proposed easement has been reviewed and approved for acceptance by the Executive Director of Saratoga County Sewer District No. 1. and the Saratoga County Attorney's Office; and

WHEREAS, the installation of a lateral connection of a sanitary sewer line as proposed by Edward Fronczek and Cynthia Fronczek to the sanitary sewer system maintained and operated by Saratoga County Sewer District No. 1 will provide a benefit to Saratoga County and the residents of Saratoga County; and as such it is

RESOLVED, that the Sewer District Commission recommends that the Saratoga County Board of Supervisors authorize the acceptance and execution of the easement over property owned by Saratoga County as proposed by Edward Fronczek and Cynthia Fronczek. The Resolution passed: 9 Ayes, 0 Nays.

ATTORNEY REPORT – Attorney Hartnett said he had nothing to report outside of Executive Session.

EXECUTIVE SESSION

On a motion by Commissioner Cannon and seconded by Commissioner Bisnett, the Commission moved to go into Executive Session with staff present at 3:48 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: 9 Ayes, 0 Nays.

On a motion by Commissioner Hotaling and seconded by Commissioner Doyle, the Commission moved to go out of Executive Session at 4:03 p.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2). Motion passed: 9 Ayes, 0 Nays.

Commissioner Loewenstein made a motion to forward a recommendation to the Board of Supervisors to authorize the Chairman to execute a Consent Order with NYS DEC to resolve violations of Saratoga County Sewer District No. 1's SPDES Permit. Commissioner Hotaling seconded the motion. Discussion involved dates for the Order on Consent. Motion passed: 9 Ayes, 0 Nays.

DEDICATIONS

The Estates at Kelley Farms PH III – Town of Ballston – Barbera Homes/Kelley Farms, LLC requested dedication of the sanitary sewer infrastructure servicing The Estates at Kelley Farms PH III Subdivision in the Town of Ballston. *A motion to accept Resolution 10-2019 dedication of The Estates at Kelley Farms Phase 3 was made by Commissioner Doyle and seconded by Commissioner Cannon. Discussion involved conditions of the dedication. Resolution 10-2019 accepting dedication of The Estates at Kelley Farms PH III Subdivision consisting of (6) manholes and approximately 1,705 ft of 8" SDR 26 gravity main in the Town of Ballston passed **Conditioned upon receipt of an original TP-584 and RP-5217 for Deed of dedication, an original Corporate Resolution and an original Letter of Credit (LOC) from Trustco Bank**: 9 Ayes, 0 Nays.*

Dutch Lane Estates – Town of Halfmoon – T.P. Builders, Inc. requested dedication of the sanitary sewer infrastructure servicing Dutch Lane Estates Residential Subdivision in the Town of Halfmoon. *A motion to accept Resolution 11-2019 dedication of Dutch Lane Estates Residential Subdivision was made by Commissioner Hotaling and seconded by Commissioner Doyle. Discussion involved Attorney Hartnett’s compliments to the Attorney that prepared and submitted all legal documents for dedication two (2) weeks in advanced. Resolution 11-2019 accepting dedication of Dutch Lane Estates Residential Subdivision consisting of (3) manholes, approximately 90 ft of 1.25” DR-11 low pressure force main, 800 ft of 2” DR-11 Low pressure force main and 375 ft of 3” Dr-11 low pressure force main in the Town of Halfmoon passed: 9 Ayes, 0 Nays.*

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

**Next meeting November 7, 2019
9:15 A.M. at County Complex, Bldg 1 following Public Hearing at 9:00 A.M.**