

APPROVED MINUTES

SARATOGACOUNTYSEWER COMMISSION No. 1 MINUTES OF DECEMBER 5, 2019 3:00 PM at the Treatment Plant

COMMISSIONERS PRESENT: Howe, Bisnett, Doyle, Keegan and Thompson

COMMISSIONERS EXCUSED: Cannon, Fillion, Hotaling and Loewenstein

ALSO PRESENT: Dan Rourke P.E., Executive Director; Anne Gorman, Confidential Secretary; Assistant Chief Operator, Gene Hutchings; William Bills, Maintenance Manager; Andrew Marsden, Assistant 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 Thompson

PUBLIC COMMENT: None

CHAIRMAN'S COMMENTS: Chairman Howe said he hoped everyone had a nice Thanksgiving. He mentioned with the holidays upon us the Sewer District's annual Christmas party is this month and said all Commissioners are welcome to attend.

APPROVAL OF MINUTES of November 7, 2019. *Commissioner Doyle made a motion to approve the minutes of November 7, 2019. Commissioner Bisnett seconded the motion. No discussion. The minutes of November 7, 2019 were approved. 5 Ayes, 4 Absent, 0 Nays.*

2018 CAPITAL PROJECTS

Regional Biosolids Handling Facility – Executive Director Rourke reported there was a productive workshop held on November 19, 2019. He and Assistant Chief Operator Hutchings attended and discussed the site layout, cell lysis and sludge thickening technologies. Pros, cons and costs were considered as well and the next technical workshop is scheduled for December 20, 2019 where they will talk about the market for Biosolids in New York. Executive Director Rourke said he will send out an email reminder for anyone who would be interested in attending.

Ammonia Related WWTP Upgrades – Executive Director Rourke gave an update. He said the preliminary design report was submitted on time to NYSDEC on November 27, 2019 for our first consent order date. The report touched on a few different technologies including, MicroVi (a Green Technology Company), BioMag (secondary treatment process), MLE (Modified Ludzack-Ettinger) process and the IFAS (Integrated Fixed Film Activated Sludge) process. Executive Director Rourke said it was determined that the IFAS process gave the most operational flexibility for changes or increases in load for the future. The MLE process met parameters initially and was cheaper, but with the changing regulations on the water quality

standards for ammonia it would be too close to invest the \$27M just to need more tanks in the next 5-10 years. Executive Director Rourke said the IFAS system is anticipated to cost approximately \$39,200,000, which is slightly higher than the anticipated cost of \$33,000,000 in the current capital plan. Executive Director Rourke said he will need to review the capital plan to see how it affects revenue requirements. One other item he reported that was discussed a few months ago regarding the EPA was that they were going to hold off on imposing an administrative order against the Sewer District but now it seems they are not. He said there is a draft in his inbox and he will report more on that next month. He added there are requirements, it is a legal document and it is concerning.

Clifton Park Trunk Sewer Design – Executive Director Rourke reported the project went well and is substantially complete. With that, he said the engineer ended up performing some additional out of scope work and requested an amendment in the amount of \$30,490.00. A copy of the engineers request letter was attached to the agenda packet. Executive Director Rourke said half of the cost was associated with construction administrative services related to reviewing Closed Circuit TV (CCTV) videos that were not included in the initial scope of the project as well as assisting the public during unexpected meetings with homeowners. The other half was for inspection hours that were originally estimated at 500 hours which were a little low and needed to be increase to 826 hours. Executive Director Rourke said the original contract amount was \$92,800.00 and this amendment would increase the total contract amount to \$123,290.00. He said he negotiated the pricing down for things he thought were included in the scope and felt the numbers were fair and recommended approving the amendment request. Chairman Howe entertained a motion for the amendment and offered a discussion.

Commissioner Doyle made a motion to forward a recommendation to the Board of Supervisors to approve an amendment to Weston & Sampson's contract in the amount of \$30,490.00 for additional construction administration and construction inspection services, increasing the contract amount of \$92,800.00 to \$123,290.00. Commissioner Thompson seconded the motion. No discussion. Motion passed: 5 Ayes, 4 Absent, 0 Nays.

Interceptor Rehabilitation Design – Executive Director Rourke reported he received the basis of design report last week but has not had a chance to review it in its entirety. He said he would have a better update on what that entails next month at the January meeting. He said our goal is to complete hard design by May – June of 2020 and go to bid June – July of 2020 which will initiate work under our agreement with Fiscal Advisors to begin financing requirements six (6) months prior to construction.

2019 CAPITAL PROJECTS

Knox Woods (HM) and Riverside #1 (ST) Pump Station Upgrades – Executive Director Rourke reported we are still moving forward with design and he is awaiting a finalized update from our consultant, Chazen. He said he would have more of an update next month in January. He said we are moving forward, the pumps are sized and we are trying to remedy the issue of the Inflow and Infiltration (I&I) at that site which is a bigger issue than that pump station.

Interceptor Rehabilitation Phase VIIA – Executive Director Rourke reported the bypass pumping started yesterday. They are on schedule with what was proposed in the preconstruction meeting and things are going well. Chairman Howe informed that safety is at the forefront and Executive Director Rourke added Maintenance Manager Bills and Assistant Maintenance Manager Marsden have made some site visits and will continue to monitor the project.

Screen and Grit Roof Replacement – Executive Director Rourke reported there were four (4) bids received for the Screen and Grit Roof Replacement ranging from \$138,900.00 to \$164,785.00. Executive Director Rourke said the low bidder was S&L Sheetmetal, Incorporated for \$138,900.00 and he recommended awarding the contract to S&L Sheetmetal. Chairman Howe entertained a motion for the recommendation.

Commissioner Doyle made a motion to forward a recommendation to the Board of Supervisors to authorize an agreement with the low bidder S&L Roofing and Sheetmetal Incorporated in the amount of \$138,900.00 to demolish the existing roof on the Screen and Grit Building at the WWTP and install a new replacement roof. Commissioner Keegan seconded the motion. Discussion involved the age and condition of the roofing and the need for the replacement. Motion passed: 5 Ayes, 4 Absent, 0 Nays.

2020 CAPITAL PROJECTS

Environmental Benefit Project (EBP) Service Agreement – Executive Director Rourke gave a status update and reported we are currently working through getting the service agreement executed and hopefully moving forward with the IGA audit shortly thereafter as this is a scheduled driven path project and needs to be operational by next year.

MISCELLANEOUS

Attorney Hartnett gave an update on the pending reimbursement request from a Clifton Park homeowner that was discussed at the October meeting. Attorney Hartnett and Director Rourke discussed the current status grinder pump ownership and historical maintenance of some pumps as provided by the District. It was noted that it has been the practice for the District to maintain a limited number of pumps.

Attorney Hartnett noted that this was a claim for a grinder pump repair that occurred off-hours and was a pump historically maintained by the Sewer District. Following a request from Director Rourke, research was conducted on the history of agreements and easements for both that individual homeowner and the surrounding subdivision. Attorney Hartnett discussed the potential liability of the District if a claim were to be denied and the homeowner sought legal recourse. Attorney Hartnett reported that the established case law on this issue indicates that if a municipal Sewer District has an established track record of maintenance of a grinder pumps, under certain circumstances Courts have held them responsible for both ownership and ongoing maintenance of the pumps, and that the cost for such maintenance should be factored into the scale of charges. Attorney Hartnett discussed documenting history of ownership of grinder pumps with Executive Director Rourke and referenced that we now have a permit process where when a new home owner connects to the sewer they sign a permit which recites that the homeowner owns and maintains their grinder pump. Attorney Hartnett and Executive Director Rourke discussed number of pumps where this is an issue and historic costs with maintaining these grinder pumps and it was noted that anecdotally the Sewer District has invested approximately \$10 - \$20,000.00 in the past 20 years. Executive Director Rourke noted that this is a problem that was created long ago and to the extent that the District is responsible for some of these outlier grinder pumps, the District will have to continue to work that cost into the budget and Scale of Charges.

Executive Director Rourke mentioned the Sewer Commission passed a resolution a few years ago, authorizing himself and the County Attorney's office to pay out any claims less than \$1,000.00 without needing Commission approval. Executive Director Rourke said this reimbursement is in the amount of \$899.34 and he was keeping them informed and updated on the claim.

ATTORNEY REPORT

Attorney Hartnett had nothing to report at this time other than the two (2) dedications and one (1) easement modification.

DEDICATIONS

Timber Creek Phase 3 (Sewer Easement Modification) – Town of Ballston – Heritage Development, LLC requested modification of the sanitary Sewer Easement for Timber Creek Phase 3 located on the easterly line of Benedict Road in the Town of Ballston. *A motion to accept Resolution 14-2019 request for modification of the sanitary Sewer Easement for Timber Creek Phase 3 as proposed by Heritage Development, LLC was made by Commissioner Doyle and seconded by Commissioner Bisnett. Discussion involved the narrowing of the easement from 30 ft to 20 ft. Resolution 14-2019 accepting the modified sanitary Sewer Easement for Timber Creek Phase 3 in the Town of Ballston passed: 5 Ayes, 4 Absent, 0 Nays.*

Timber Creek Phase 4 (Abele Woods) – Town of Ballston – Eastline Holdings, LLC requested dedication of the sanitary sewer infrastructure servicing Timber Creek Preserve Phase 4 (Abele Woods) in the Town of Ballston. *A motion to accept Resolution 15-2019 dedication of Timber Creek Preserve Phase 4 (Abele Woods) was made by Commissioner Doyle and seconded by Commissioner Bisnett. Discussion involved dedication conditioned upon installation of a generator at the pump station and any work associated to be completed within thirty (30) days. Resolution 15-2019 accepting dedication of Timber Creek Preserve Phase 4 (Abele Woods) consisting of a pump station, (37) manholes, approximately 5,000 ft of 4” SDR-9 force main and approximately 4,277 ft of 8” SDR 26 gravity main in the Town of Ballston passed **Conditioned upon installation of a generator at the pump station and any work associated to be completed within (30) days: 5 Ayes, 4 Absent, 0 Nays.***

Spencer’s Landing Subdivision– City Saratoga Springs – Spencer’s Landing, LLC requested dedication of the sanitary sewer infrastructure servicing Spencer’s Landing Subdivision in the City of Saratoga Springs. *A motion to accept Resolution 16-2019 dedication of Spencer’s Landing Subdivision was made by Commissioner Thompson and seconded by Commissioner Bisnett. Discussion involved dedication conditioned upon receipt of the original letter of credit (LOC) within five (5) business days. Resolution 16-2019 accepting dedication of Spencer’s Landing Subdivision consisting of (7) manholes and approximately 1,235 ft of 8” SDR-26 gravity main in the City of Saratoga Springs passed **Conditioned upon the receipt of the original letter of credit (LOC) within five (5) business days: 5 Ayes, 4 Absent, 0 Nays.***

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

**Next meeting January 9, 2020
3:00 P.M. meeting at the Treatment Plant**