



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 179 - 2020

Introduced by Supervisors Pemrick, Kinowski, Kusnierz, Schopf, Tollisen, Winney, and Wright

SETTING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE PROPOSED INCREASE IN THE MAXIMUM ESTIMATED COST OF THE REGIONAL BIOSOLIDS DIGESTER FACILITY TO BE CONSTRUCTED BY SARATOGA COUNTY SEWER DISTRICT NO. 1 IN COOPERATION WITH THE ALBANY COUNTY WATER PURIFICATION DISTRICT

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the Board of Supervisors of Saratoga County, New York (the "Board of Supervisors"), established a county sewer district designated and known as Saratoga County Sewer District No. 1, in said County (the "District"); and

WHEREAS, for a variety of technical and financial reasons, the District was unable to comply with new federal Title V air regulations pertaining to the incineration of sludge/biosolids at the District's Wastewater Treatment Plant, and as a consequence thereof, terminated operations of the Plant's sludge incinerator on March 20, 2016; and

WHEREAS, as a result of ceasing operations of its sludge incinerator, the District had to retain the services of a commercial hauler to remove, transport and dispose of sludge/biosolids from its Treatment Plant, which services are currently being provided pursuant to Resolution 137-2017 at a cost of \$90.76 per wet ton, plus a surcharge of \$10 per wet ton for each ton collected and transported above 430 wet tons per week; and

WHEREAS, as a result of discussions between officials from the New York State Energy Research and Development Authority ("NYSERDA"), the Albany County Water Purification District ("ACWPD"), and the District, NYSERDA, ACWPD and the District agreed in principle to commission a study to determine the feasibility of constructing and operating a regional biosolids digester facility, and to share the costs of performing said feasibility study in the following percentages: NYSERDA-50%, ACWPD-25%, and the District-25%; and

WHEREAS, pursuant to Resolution 135-2017, the Board of Supervisors authorized the execution of a cooperative agreement between the County of Albany, on behalf of the Albany County Water Purification District, and the County of Saratoga, on behalf of the District, to commission a feasibility study relative to the possible construction and operation of a regional biosolids digester facility, and to share the costs of the study in the foregoing percentages; and

WHEREAS, a feasibility study (the "Feasibility Study") has been completed by Arcadis of New York, Inc., reviewed by the members of the Saratoga County Sewer District Commission and the Albany County Water Purification District's Board of Commissioners, and filed with the Board of Supervisors pursuant to Section 268 of the County Law in relation to a proposed increase and improvement of the facilities of said District; and

WHEREAS, the Feasibility Study determined that the construction of a regional biosolids handling facility (the “Facility”), to be located at the existing site of the ACWPD North Wastewater Treatment Plant in the Village of Menands, would provide a long-term, cost-effective and environmentally friendly means for Albany and Saratoga Counties to dispose of sludge/biosolids, provide for energy recovery, and result in significant annual savings for both the ACWPD and the District; and

WHEREAS, the County of Saratoga and County of Albany entered into an Intermunicipal Agreement dated as of July 1, 2018 (the “Intermunicipal Agreement”) to construct and operate the Facility, with each county to pay fifty percent (50%) of capital expenses and operations and maintenance expense; and

WHEREAS, the total maximum estimated cost of the Facility was originally determined to be \$48,500,000, as more fully described in the Feasibility Study and in the estimate of cost prepared in relation thereto, and the original plan of finance provided for the County and the County of Albany to each pay fifty percent (50%) of said estimated maximum cost, or \$24,250,000 each, with the County’s \$24,250,000 portion of said estimated maximum cost proposed to be financed through issuance of bonds by Saratoga County on behalf of the District; and

WHEREAS, following a public hearing held on July 11, 2018, the Board of Supervisors previously determined, pursuant to Resolution 170-2018, that it is in the public interest of the people of the County of Saratoga residing within the boundaries of the District to proceed with the expenditure for the District’s 50% share of the cost for construction of the Facility at a maximum estimated cost of \$24,250,000; and

WHEREAS, due to certain changes in the Facility design, the estimated maximum cost of the Facility has increased from \$48,500,000 to \$56,000,000, with the County’s portion of said estimated maximum cost increasing from \$24,250,000 to \$28,000,000; and

WHEREAS, the County’s \$28,000,000 portion of said estimated maximum cost is proposed to be financed through issuance of bonds by Saratoga County on behalf of the District; and

WHEREAS, as a result of the increase in the estimated maximum cost of the Facility, the annual net cost to the typical property in the District is now estimated to be \$4.39; and

WHEREAS, the Board of Supervisors now desires to call a public hearing regarding the proposal to construct the Facility at the increased estimated maximum cost described above.

NOW, THEREFORE BE IT

RESOLVED, that pursuant to the provisions of County Law §§254 and 268, a public hearing be and the same hereby is called upon the proposal by Saratoga County Sewer District No. 1 to construct the Facility, in cooperation with the Albany County Water Purification District, at an increased estimated maximum cost of \$56,000,000, with the County’s 50% share being \$28,000,000, and at an estimated annual net cost of \$ \$4.39 to the typical property in the District; said public hearing to be held on September 9, 2020 at 4:25 p.m. at the Chambers of the Saratoga County Board of Supervisors, 40 McMaster Street, in the Village of Ballston Spa, New York; and be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors is hereby authorized and directed to cause a notice of said public hearing to be published at least once, the first publications thereof to be not less than ten (10) days nor more than twenty (20) days before the date set therein for the public hearing, in “The Saratogian” and “The Daily Gazette”, each of said newspapers having been designated the official newspapers of the County for such publication; and, be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.