

APPROVED MINUTES

SARATOGACOUNTYSEWER COMMISSION No. 1 MINUTES OF SEPTEMBER 3, 2020 3:00 PM at the Treatment Plant

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

COMMISSIONERS EXCUSED: Hotaling

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 Naughton, Assistant County Attorney

Chairman Howe welcomed everyone to the September 3, 2020 Saratoga County Sewer Commission meeting.

PLEDGE OF ALLEGIANCE: Led by Commissioner Loewenstein

PUBLIC COMMENT: None

CHAIRMAN'S COMMENTS: Chairman Howe said he hopes everyone is doing well and surviving COVID in the crazy world we are living in. He wished everyone and their families well and said hopefully this will all be over soon.

APPROVAL OF MINUTES of August 6, 2020. *Commissioner Doyle made a motion to approve the minutes of August 6, 2020. Commissioner Loewenstein seconded the motion. No discussion. The minutes of August 6, 2020 were approved. 8 Ayes, 1 Absent, 0 Nays.*

2018 CAPITAL PROJECTS

Regional Biosolids Handling Facility – Executive Director Rourke gave a status update. He informed that last month it was discovered that a public hearing was needed for the increased cost of the Regional Biosolids project. He said the Public Hearing will be held on September 15th at 4:25 P.M prior to the Board of Supervisor's meeting. Once the public hearing is concluded, (3) resolutions will be brought to the Board of Supervisor's table: the project resolution, the bond resolution and the bond counsel retainment resolution. Executive Director Rourke said the bond counsel retainment resolution is not just for the biosolids project, but for the ammonia treatment project and the interceptor relining project as well. He also added that no motion is needed today, he just wanted to inform the Commission that the public hearing is set for September 15, 2020 at 4:25 P.M.

Ammonia Related WWTP Upgrades – Executive Director Rourke said our Basis of Design (BOD) report was due to NYSDEC on August 28, 2020 but we ended up meeting with NYSDEC and received an extension until October 30, 2020. He said part of the reasoning behind this was pilot difficulties as well as

travel restrictions that had to be overcome this summer due to Covid. Executive Director Rourke said states were going on and off the travel restriction list and when we could finally deem those who were essential, they were able to get here to perform the work. Executive Director Rourke said there were also delays in getting information from the manufacturer as well and this was all taken into consideration for the extension. He said one other concerning issue we have run into is that our sludge production numbers for this project are coming in higher than expected so we need to delve into that question a little bit more before we know how it is going to affect our Regional Biosolids Handling Facility. He said he did not have solidified answers on that yet but wanted to bring the Commissioners up to speed on that and let them know there are conversations happening about that sludge production that will need to be addressed here shortly so we can stay on track and not continue wasting money on sludge hauling.

Commissioner Loewenstein asked if that would have an impact on the cost split between Saratoga County and Albany County. Executive Director Rourke said it could, that is one option on the table. He said it could also make it so that the splitting the project isn't advantageous with Albany County at all or it could make it where we need to figure something out on our own.

Commissioner Loewenstein inquired if our numbers were down. Executive Director Rourke said depending on which technology we go with, either Modified Ludzack-Ettinger (MLE) or Integrated Fixed Film Activated Sludge (IFAS), our sludge numbers are projected to at least double.

Commissioner Loewenstein asked how that would be disadvantageous to Albany County if we would be a higher percentage of the cost. Executive Director Rourke said that's an option, it's not advantageous if we maintain the 50/50 split. The problem becomes it might not even become feasible technology wise on that site. Albany County has a current report within the last 5 years for a digester facility for just their location at \$26M. Executive Director Rourke said we were already on the cusp at \$56M to be able to sell a joint project right now. He said if our capital costs are projected to increase even more he could understand why they may question continuing the partnership, but O&M costs and other costs need to be looked at as well before any decisions can be made. Executive Director Rourke said he just wanted to bring everyone up to speed on that because it's going to happen quickly, one way or the other.

Commissioner Keegan asked where the increase is coming from. Executive Director Rourke said the increase is coming from a change in process and the change of process is coming from a high ammonia load from Global Foundries (GF). He added he has had discussions with GF about possible surcharges, not only relating to the ammonia but relating to increased disposal costs as well. These have only been preliminary discussions, nothing has been finalized yet but they do understand that sludge disposal is a part of the wastewater treatment process.

2019 CAPITAL PROJECTS

Knox Woods (HM) and Riverside #1 (ST) Pump Station Upgrades – Executive Director Rourke reported a pre-construction meeting was held on August 24, 2020. We are awaiting delivery on the pumps to set up the contractor's schedule. He said everyone is on the same page and ready to go just want to make sure we have the pumps in hand to get that project started.

2020 CAPITAL PROJECTS

Environmental Benefit Project (EBP) – Executive Director Rourke reported there was not much change since last month. All contracts are executed and equipment is in the process of being procured.

Storage Building/HVAC and Roof Replacement Design – Executive Director Rourke reported we are still working through our preliminary design effort, gathering documentation and figuring out when the contractor can come on site to look at our existing HVAC equipment and site for the storage building so we are moving forward with those efforts.

WW Covid Testing – Executive Director Rourke gave a status update. He said he had more information to share but it was received just before the meeting and he didn't have time to print it out but afterwards he will print and share. He mentioned in the agenda packet there was a graph showing known active cases vs. SARS-CoV-2 quantitative hits. He gave a brief summary on the graph and said our consultant, Arcadis, has been working with the lab and providing them with some upgrade ideas, including a new rotor for the centrifuge which will allow more efficient and higher resolution test results. He said the comparisons made will show whether or not there is a level of predictability in this technology and we hope to have more of a model and more of a quantitative based answer in about a month which Syracuse University's epidemiologist is working on. Executive Director Rourke said the goal is to project a percent of population infected in the County to predict the percent positive actual cases 1-2 weeks earlier. He asked if the Commission had any questions.

Commissioner Cannon said he wasn't sure he understood the language of saying "working toward", does that indicate some sort of proactive way of diminishing the amount, and how. Executive Director Rourke said the thought would be that if you have 1 week or so to plan, you would be able to have who was positive, what town they live in and where those contact tracers need to focus. Commissioner Cannon said it is not specific and you can't know exactly who and where that spike is. Executive Director Rourke said correct, but he has more to share that was received minutes before the meeting that would answer his question. Basically it is a GIS map that has different color coded sections of the County that get more red with the more positive tests detected in the wastewater, so you can actually see where that hot spot is happening within the County. Commissioner Cannon asked what happens after a spike zone is identified.

Executive Director Rourke said the Public Health Department would be notified and they can then use that information for contact tracing within that town or municipality. He said if it is bad enough, then hospitals can be notified to get ready for possible increased cases and this is all 1 week before people actually test positive and/or people that aren't getting tested get tracked and traced as well. Commissioner Cannon said the result is that we don't know at this point and with the economic disaster that has been caused, not COVID-19 but the reaction to it, his concern was that if we got a red flag and we are not shutting down, which would indicate that we are not sharing this information with the state. He said if they see a drastic peak, they are going to want to shut down and in order to get recouped funds you have to show results of the testes that were made and these will be made available to the state. Commissioner Cannon said he is not comfortable with being the arbiter of a shutdown. He said he is still trying to figure out if there is something in it for us, we are going to spend money and hope to recoup it but it could have an end result but isn't the inverse possible also.

Executive Director Rourke said the state has just implemented a pilot testing program for wastewater. All the state guidance to date is on the number of positive tests that what would either shut down or open certain portions of the County. It doesn't really have anything to do with the wastewater itself; this would be more to prepare localities, hospitals, Board of Supervisors and those people who make the decisions that we may have an issue on our hands. Commissioner Cannon said to him that is secondary to letting the County or anybody know about it, it's secondary if we accept that this is really a bad thing. He said the jury is still out on so much of this and yet we're jumping on the bandwagon to stop this. He said COVID's not destroying us; it's the reaction to it and he thinks it is too much too soon.

Commissioner Loewenstein said this is science that is trying to get ahead of something. He said he is not going to be able to convince him that there is a crisis going on in this country, we are just trying to isolate and get ahead of it to be predictive and trying to create a predictive model. Commissioner Cannon said he could on go forever on that but there is not point. He said he wasn't here for the vote but it wouldn't have mattered if only one other person had voted. Executive Director Rourke said he understood. Commission Cannon added he does not like to chip in on knocking us down, we have been down enough and that is just the way he looks at it. Deputy County Administrator Cooke said from a public health perspective we have a limited amount of contact tracers that we have employed at the County, one of the regional metrics are contract tracers, and we have to maintain a certain number of contact tracers for our eight (8) county region. So what this can help us do, with limited resources, is know 1 or 2 weeks ahead of time that we need to get ahead of it and bring on more contact tracers to be ready for the onslaught of it. Deputy County Administrator Cooke added the contact tracers work 24 hours a day right now. Commissioner Cannon asked when it ends and said he was not buying into the whole thing. Deputy County Administrator Cooke said contact tracing has been used for centuries and it's been proven to be effective. Executive Director Rourke said the way we ended with it last time was with a vote. He said this is an issue that people are going to fall on either side of the fence. He said he appreciated that and he also appreciated everyone's opinions.

Commissioner Thompson mentioned he saw on the news last week that other parts of state were doing wastewater testing and they didn't mention Saratoga County. Executive Director Rourke said correct and to Commissioner Cannon's point earlier, we wanted to do it on our own at first and get ahead of it. New York State is just starting it now, a pilot program that may be developed into a statewide program. If that's the case then this Commission can debate if it makes sense to give our data to the state which may negatively affect certain things or keep our data to ourselves. Executive Director Rourke said he doesn't know how that relates to FOIL laws and other things but right now the state is in a pilot stage. Executive Director Rourke reiterated when the meeting is over he has some more printable information to share with the Commission.

Interceptor Relining Phase VIIB – Executive Director Rourke reported he had the final design documents in hand and is beginning review on those. He informed the Commission has been in contact with bond counsel to begin the bond resolution process and in order to start the bond resolution process a public hearing is needed. In the agenda packet there was an Estimated Opinion of Probable Construction Cost from the engineer, MJ Engineering. Executive Director Rourke said in order to get the process started we need two (2) motions today; the first motion is to schedule a public hearing before the next Board of Supervisor's meeting in October.

Commissioner Doyle made a motion to forwarding a recommendation to the County Board of Supervisors to schedule a Public Hearing for October 14, 2020 at 4:25 P.M. before the Agenda Session at the Saratoga County Municipal Center in Ballston Spa. Commissioner Loewenstein seconded the motion. Discussion involved the estimation of probable cost, the financial model, debt service, and the effect of cost depending on what path is taken with the Regional Biosolids Project which can be reacted to at a later date if need be. The motion for approval for scheduling of the Public Hearing for Wednesday, October 14, 2020 at 4:25 P.M. at the County Complex passed: 8 Ayes, 1 Absent, 0 Nays.

Chairman Howe said the 2nd motion we need is regarding the State Environmental Quality review Act (SEQR). He said we need a motion to declare the Interceptor Relining Phase VIIB project a "Type II Action" under the State Environmental Quality Review Act, requiring no further review. Executive Director Rourke added that bond counsel recommended we pass this in conjunction with the public hearing resolution so the public understand which direction we are taking with SEQR.

Commissioner Doyle made a motion to forwarding a recommendation to the County Board of Supervisors to classify the Interceptor Relining Phase VIIB project as a type II action under SEQR. Commissioner Cannon

seconded the motion. Discussion involved what was what driving the SEQR action. Executive Director Rourke said upgrading existing linear utilities in the same location. The motion to forward a recommendation to the County Board of Supervisors to declare the Interceptor Relining Phase VIIB project a Type II action under SEQR passed: 8 Ayes, 1 Absent, 0 Nays.

MISCELLANEOUS

General Controls – Executive Director Rourke reported to the Commission that we ran into an issue with our new SCADA system which was unanticipated. He said our new servers need to be synced with the national time clock as currently with the satellite when things drift apart we end up losing our SCADA system. Executive Director Rourke said we have a yearly minor contract with General Controls that renews each year for incidentals with the SCADA system and these costs are above and beyond the yearly \$15,000.00 contract amount. He said in the agenda packet there were two (2) quotes from General Controls, one for a sonicwall/ DigiKey Cell Modem installation and another quote for work we would like to do for our PH adjustment chemical system which will be beneficial in saving substantial costs on chemicals that would operate automatically as opposed to manually. The total cost for both quotes is approximately \$9,095.00 and would increase the current contract from \$15,000.00 to \$24,095.00. Executive Director Rourke asked for a motion to complete the work related to GPS time clocks for the SCADA system and the magnesium hydroxide pumps.

Commissioner Bisnett made a motion to forward a recommendation to the Board of Supervisors to authorize an amendment to the agreement with General Controls Systems, Inc. in the amount of \$9,095.00, increasing the minor contract from \$15,000.00 to \$24,095.00 to complete the work related to the GPS clocks for the SCADA system and installation a magnesium chemical feed program for the Sewer District's magnesium hydroxide pumps. Commissioner Cannon seconded the motion. Discussion involved price, trust, dependability and reliability with the vendor General Control Systems, Inc. The Motion passed. 8 Ayes, 1 Absent, 0 Nays.

Adirondack Labs – Executive Director Rourke reported due to some unexpected costs associated with a couple of our major projects to understand how our process is operating and to share that data with our consultants so they can input that data into our financial model. He informed the Commission that in 2019 we needed to renew a contract with Adirondack Environmental Services, Inc. for half of 2019 and all of 2020 for lab services. He said we are coming to the end of the \$65,000.00 contract amount and we need a motion to increase our existing contract to get us through the end of 2020. Executive Director Rourke said the cost breakdown equates to approximately \$2,000/month, which is approximately \$8,000.00 for normal sampling through the end of the year with a small contingency of \$1,500.00 for unforeseen sampling. for a total of \$9,500.00. Executive Director Rourke asked for a motion to amend our existing contract with Adirondack Environmental in the amount of \$9,500.00, increasing the total contract amount from \$65,000.00 not to exceed \$74,500.00.

Commissioner Loewenstein made a motion to forward a recommendation to the Board of Supervisors to execute an amendment to the agreement with Adirondack Environmental in an amount not to exceed \$74,500.00 for additional lab sampling required by NYSDEC for our SPDES permit. Commissioner Fillion seconded the motion. Discussion involved the increase being more than 10% which needs BOS action. Motion passed: 8 Ayes, 1 Absent, 0 Nays

Schedule of Scale of Charges Approval – Executive Director Rourke said this month we only go over the schedule for the upcoming Scale of Charges. In October we will go over the budget and set a public hearing

for the proposed sewer rates for 2021. The schedule is to show the public hearing date and the publication dates for publication in the newspaper according to County law. Executive Director Rourke said he has been working with Assistant County Attorney Naughton and Confidential Secretary Gorman to make sure the dates make sense. He mentioned last month he met with the Capital Projects Committee and said is open to going over the budget with the rest of the Commission on what they are looking to propose. He added with COVID and extenuating circumstances everyone's budgets are hurting, he said the Sewer District is actually in a decent position as a lot of our user charges are on the County tax roll and the way our Scale of Charges hits people the hardest is small businesses. He said what he had discussed with the Capital projects committee and can be discussed more next month, is suspending the rate increase for 2021 then get back on the rate increase moving into 2022. Next month he plans on showing how that works into the financial model.

Procedure for Approving Proposed Scale of Sewer Charges – Draft Dates

- Date of Commission meeting to approve 2021 Proposed Scale of Charges and schedule Public Hearing 10/8/20
- Publication of Notice of Public Hearing 10/26/20 -10/30/20
- Date/time of Public Hearing 11/5/20 at 9:00 a.m.
- Date Commission Approves 2021 Scale of Charges 11/5/20 at 9:15 a.m.
- Publication of 2021 Scale of Charges 11/6/20 – 11/27/20

ATTORNEY REPORT – No Report

DEDICATIONS – None

A motion to adjourn the meeting was made by Commissioner Keegan and seconded by Commissioner Fillion. No discussion. The motion passed unanimously.

**Next meeting October 8, 2020
3:00 P.M. at the Treatment Plant**