

APPROVED MINUTES

SARATOGA COUNTY SEWER COMMISSION No. 1 MINUTES OF MAY 6, 2021 3:00 PM at the Treatment Plant

COMMISSIONERS PRESENT: Howe, Bisnett, Cannon, Doyle, Fillion, Lansing

COMMISSIONERS EXCUSED: Hotaling, Keegan, Thompson

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

Chairman Howe welcomed everyone to the May 6, 2021 Saratoga County Sewer Commission meeting.

PLEDGE OF ALLEGIANCE: Led by Commissioner Bisnett

PUBLIC COMMENT: None

CHAIRMAN'S COMMENTS: Chairman Howe introduced the newest Commission member Scott Lansing, who attended last month's meeting via teleconference call. Chairman Howe said he hopes everyone got a chance to introduce themselves, he has known him for a while, he is very good at what he does, he will be representing the Town of Malta and he is going to be a great asset to this board. The Commission welcomed Commissioner Lansing and Commissioner Lansing thanked everyone.

Chairman Howe asked Executive Director Rourke to give the Commission another quick update on how the plant has been running. Executive Director Rourke said the plant is running well. He said with the change of season comes a little bit of change in operations. He said just this last weekend we really started to treat ammonia at a high rate due to a couple of factors, one being water temperatures and the higher the water temperatures the better we can treat ammonia as well as something called SRT (Solids Retention Time) and because of that he will say with ammonia treatment comes chemical costs. He stated as we talked about last month, we had good discussions with Global Foundries (GF) to share those costs, so that has been agreed upon and for our 2020 costs at \$1.1M, GF is going to cost share approximately \$725,000.00 of that. Executive Director Rourke said they are going to pay that quarterly and then we will look at that in 2022 for our costs that are incurred for 2021.

Commissioner Cannon inquired how that number came about. Executive Director Rourke said he looked at a few different things and it was a ratio of their ammonia load to our total ammonia load, they are about 75% of our total ammonia load. Commissioner Fillion said that's good. Chairman Howe added it is nice that we are actually going to be getting something and it is a move forward for sure. Executive Director Rourke agreed. Commissioner Cannon asked if there was anyone else pushing for that, besides us. Executive Director Rourke said there were definitely discussions, whether there were other discussions outside of his purview, there very well could have been that he wasn't aware of but all of the GF Corporate folks were cordial when they were talking about it and they understood and thought this was the fairest way. Commissioner Cannon said that's good. Commissioner Doyle said congratulations Dan, good job. Chairman Howe seconded that. Executive Director Rourke said thank you. Chairman Howe said he likes the fact that

in that they are acknowledging they have contributed to our issues with ammonia, and he is glad we are moving forward and our relationships are getting better.

Chairman Howe said last thing under Chairman's comments he wanted to mention that Commissioner Jim Thompson from Mechanicville has resigned from the Commission and we are awaiting the County Board to issue a re-appointment. Chairman Howe said Jim was mid-term and he could not commit to the time but he will certainly be missed.

APPROVAL OF MINUTES of April 8, 2021. *Commissioner Doyle made a motion to approve the minutes of April 8, 2021. Commissioner Bisnett seconded the motion. No discussion. The minutes of April 8, 2021 were approved. 6 Ayes, 3 Absent, 0 Nays.*

2018 CAPITAL PROJECTS

Regional Biosolids Handling Facility – Executive Director Rourke said this was discussed last month and Albany County is withdrawing from that agreement, so that title can probably change to take out regional and it is going to become just a biosolids handling facility for SCSD now. To catch Commissioner Lansing up to speed, Executive Director Rourke said we met with the joint board in late March regarding the increased costs of the project and to talk with their side of the table and discuss their reasons. He said he received their official withdrawal letter earlier this week. There is a 120 day time frame with that letter, so the IMA dissolve date is August 31, 2021. Executive Director Rourke said with that, we are looking to move forward as quickly as possible for a facility here because our costs are so high with our solids disposal, upwards of \$3M a year.

Executive Director Rourke said before the Commission today we would need a motion to amend the existing contract with Arcadis basically to shift some money around in that existing contract to do a study that would look at a few different things. He said it is a lot of work, Arcadis is assessing many options to make sure we get the best option, which includes thermal drying, anaerobic digestion with biogas utilization, anaerobic digestion with thermal drying, a proprietary process called lystek which turns biosolids to a Class A product for agriculture, and possible 3rd party composting. Commissioner Cannon asked if it will come with an opinion of what idea best suits us. Executive Director Rourke said absolutely, he said they already have an energy flow model built in excel. The inputs were Albany County, Saratoga County, some merchant sludge as well as fats, oils and grease (FOG). They are able to manipulate that and give us a good idea without those other streams on what makes the most sense. He said the energy flow model looks at everything; what does it take to run a digester, how big does the digester need to be based on different solids loads, dryer size, do we have enough biogas to run the dryer, and multiple other variables including sludge pumping, thickening, load out facilities storage, gas production etc.

Executive Director Rourke said the total cost to do the study would be approximately \$120,000.00 and there are other things included that they are doing such as funding assistance and SEQR (State Environmental Quality Review Act) assistance. He said the schedule attached is a pretty big push, we want this report done by July and the main reason for that is the state grant funding coming out for clean water is another \$500M in grant funding. Chairman Howe asked for a motion and a second to continue discussion.

Commissioner Cannon made a motion to forward a recommendation to the Board of Supervisors to authorize the chairman to execute a contract amendment with Arcadis to re-appropriate funds within the existing engineering contract for the biosolids facility design. Currently there is \$3,325,000 in a pre design and design lump sum task. This amendment will reallocate those funds to a new task 8 in the amount of \$120,000 bringing that task total down to \$3,205,000. This Task will allow Arcadis to begin work on studying the different options for a biosolids facility here at the SCSD. Commissioner Fillion seconded the

motion. Discussion involved allowance, another larger amendment with potential added funds for the actual design, the land for sale behind the WWTP, conceptual site plans, potential redevelopment of the Sewer District's ash landfill and the north plant property. Motion passed: 6 Ayes, 3 Absent, 0 Nays

Ammonia Related WWTP Upgrades – Executive Director Rourke reported the 30% design plans were submitted April 30, 2021 and on time to NYSDEC in accordance with our schedule of compliance in the consent order. He said if the engineering committee or any of the commission would like to take a look at those plans he has a digital copy that can be sent to whoever would like to see them.

2019 CAPITAL PROJECTS

Knox Woods (HM) and Riverside #1 (ST) Pump Station Upgrades – Executive Director Rourke informed Knox woods has been started up and site restoration work is being completed. Riverside is slated to be started up next Thursday and the project seems to be wrapping up shortly with some site restoration to be completed.

2020 CAPITAL PROJECTS

Environmental Benefit Project (EBP) – Executive Director Rourke reported formal Permission to Operate (PTO) requests went out earlier this week to NYSEG. He said he thinks this starts a clock for us to be able to turn the system on within 10 days and hopefully that system will be turned on, satisfying our deadline of May 31st in the consent order

Storage Building/HVAC and Roof Replacement Design – Executive Director Rourke reported we are moving through the design of these systems. GPI submitted a cost increase to bid out AHU-5 separately as this was not included in the initial scope and needed to be done to accelerate the schedule to get it operating sometime this summer. Executive Director Rourke informed we got a date for delivery that was disappointing to say the least on that unit. It was ordered 8 weeks ago, they had said it was an 8-10 week lead time, and now they are saying it won't be until July for that unit to come in. He said we will unfortunately again for the first month or two of summer looking at those rental AC units that we had last year. He said it was a disappointment that Trane couldn't deliver on their promised 8-10 week lead-time.

Executive Director Rourke informed there was an additional cost of \$11,488.00 for that contract and less than 10% of the original contract amount. He said no action is needed today, he just wanted to keep the Commission informed and let them know this change order increases the total contract amount from \$228,627.00 to \$240,115.00.

Interceptor Relining Phase VIIB – Executive Director Rourke reported the Office of State Comptroller (OSC) acknowledged receipt of our application. He said that is good, it is out the door and in their hands now for review. He said he will be reaching back out to the engineer, M.J. Engineering, to review plans and specs to see where we are at, if there are any finalizing details that need to be done, as well as reaching out to the municipalities and departments effected to notify them of the impending work, to ensure we encompass all needs of each stakeholder.

Riverside (Stillwater) I&I Reduction Design – Executive Director Rourke report all field work has been completed, including manhole inspections and CCTVing. The engineer has all of that information and is currently progressing with the design of the system. Executive Director Rourke said this is one of our oldest collection systems in Stillwater that was built in the 1950's or 1960's and before our facility and interceptor

was built. It is in need of slip lining to make sure that infrastructure continues to work the way it is supposed to.

Saratoga Springs Pump Station and F.M. Evaluation and Design – Executive Director Rourke reported that some pipe testing was completed and we are awaiting results and a finalized report to see if any pump tests are needed in the city to understand if there are other locations that we need to see the fitness of. He said pump testing will be happening soon at the station and the project is progressing well.

2021 CAPITAL PROJECTS

LED Lighting Upgrade – Executive Director Rourke reported the contractor is slated to start the construction this month. We have been receiving lamps, bulbs and ballasts so construction should start soon. The schedule is pretty quick and it will take approximately 4-6 weeks to replace all of the lights in the plant. This project will start mid May and be completed by July 1, 2021. Executive Director Rourke added the LED lights will save us approximately \$37,000.00 annually on our electricity bill.

Secondary Clarifier Gate and MCC Replacement – Executive Director Rourke reported that clarifier testing was done on April 27, 2021. He said a big thank you to staff and Chief Operator, Gene Hutchings as it was a long day of testing, from 6:00 AM to 6:00 PM. Everything went really well and we are awaiting the report to understand exactly how those clarifiers are operating and where we can see some benefit. He added that project is progressing nicely as well.

CMMS & Asset Management Implementation – Executive Director Rourke said this contract was awarded last month, contracts are almost fully executed and a kick off meeting should be happening in the next couple of weeks.

Technical Determination of Local Limits – Executive Director Rourke informed this item will require a motion. He said last month we talked about a Request for Proposal (RFP) for the Technical Determination of Local Limits. He said we have to come up with local limits for industrial users as well as commercial users and really all users to adhere to these local limits. The RFP went out and we received (5) proposals ranging from \$24,500.00 to \$69,400.00. The proposals were scored by SCSD staff, all of them were good and Executive Director Rourke recommended awarding to the low bidder Arcadis in the amount of \$24,500.00. He said part of the reason for that recommendation was Arcadis has an intimate knowledge of our collection system from our previous COVID sampling program and they understand where certain parts of our collection system flow. He added Arcadis is also currently performing plant modeling as part of our biosolids project and they have an existing model that will be able to look at the pollutants of concern for those local limits and we will get some added value there, so that is his recommendation. Chairman Howe entertained a motion per Executive Director Rourke's recommendation.

Commissioner Bisnett made a motion to forward a recommendation to the Board of Supervisors to authorize the chairman to execute an agreement with Arcadis of New York Inc. in the amount of \$24,500.00 to perform a technical determination of local limits study and evaluation for Saratoga County Sewer Districts Industrial Pretreatment Program. This work will update already defined pollutants of concerns that SCSD must regulate to protect the wastewater treatment plant, the public and the environment. Commissioner Fillion seconded the motion. Discussion involved enforceability of local limits through the Sewer Districts Environmental Protection Agency (EPA) permit and it's Sewer Use Ordinance. If a user exceeds the local limits fines are \$1,000/day per violation. If fines are not paid, a civil suit could be filed or sewer service shut off. Motion passed: 6 Ayes, 3 Absent, 0 Nays.

MISCELLANEOUS

Infrastructure Capacity Resolution – Executive Director Rourke said this was a resolution that we talked about a couple of months ago. To bring everyone up to speed, he said we enforce a rule where if a developer is looking to connect to an existing infrastructure and if that development is going to increase our capacity above 85% and 90%, we typically request that the developer invest money into our existing infrastructure to increase the capacity so that development can be built. We had a resolution in front of this Commission a couple of months ago, but the question that came about was the proper way to do it. He said further discussions with Attorney Naughton found the best way to go about it properly is to make it part of our Sewer Use Ordinance and have a public hearing with public comment and give the people of the community a chance to talk about it and raise any issues or concerns. With that, Executive Director Rourke said we will be opening up our Sewer Use Ordinance later this year for the local limits study which will likely be amended and if this Commission so chooses we can put it in the Sewer Use Ordinance then for comment and adoption.

ATTORNEY REPORT – Attorney Naughton requested the Commission make a motion to go into executive session to discuss pending litigation. Chairman Howe entertained the motion.

On a motion by Commissioner Cannon and seconded by Commissioner Fillion, the Commission moved to go into Executive Session with legal counsel and staff present at 3:38 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: 6 Ayes, 3 Absent, 0 Nays.

On a motion by Commissioner Cannon and seconded by Commissioner Fillion, the Commission moved to go out of Executive Session at 3:46 p.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2). Motion passed: 6 Ayes, 3 Absent, 0 Nays.

Attorney Naughton recommended the Commission make a motion to accept the settlement offer in the amount of \$500,000.00 provided by the defendants in the lawsuit to settle the pending litigation regarding the 2008 plant expansion project.

Commissioner Cannon made a motion to forward a recommendation to the Board of Supervisors to authorize and accept the settlement payment in the amount of \$500,000.00 to settle and conclude the pending litigation claim regarding the 2008 plant expansion project. Commissioner Bisnett seconded the motion. No discussion. Motion passed: 6 Ayes, 3 Absent, 0 Nays.

DEDICATIONS – None

A motion to adjourn the meeting was made by Commissioner Bisnett and seconded by Commissioner Fillion. The motion passed unanimously.

**Next meeting June 3, 2021
3:00 P.M. at the Treatment Plant**