

APPROVED MINUTES

SARATOGACOUNTYSEWER COMMISSION No. 1 MINUTES OF FEBRUARY 8, 2022 2:00 PM at the Treatment Plant

COMMISSIONERS PRESENT: Howe, Bisnett, Butler, Doyle, Fillion, Hotaling, Keegan and O'Neill

COMMISSIONERS EXCUSED: Lansing

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

Chairman Howe welcomed everyone to the February 8, 2022 Saratoga County Sewer Commission meeting.

PLEDGE OF ALLEGIANCE: Led by Chairman Howe

PUBLIC COMMENT: None

CHAIRMAN'S COMMENTS: Chairman Howe informed the Commission that Commissioner George Cannon was not with us today as he is no longer on the commission. He said George was with us for 17 years as a volunteer and his dedication to the County, the Sewer District and the City of Saratoga Springs should be commended. Chairman Howe said George was always there whenever asked and he would like a letter sent on behalf of this commission thanking him for his many years of service. Chairman Howe then introduced the new commissioner for the City of Saratoga Springs, Joe O'Neill. Introductions were made by Commissioners and staff and everyone welcomed Commissioner O'Neill. Commissioner O'Neill said thank you and that it was nice to meet everyone.

Chairman Howe said last month (2) advisory committees were established, the Capital Projects Committee and a Change Order Committee. A threshold of \$100,000.00 was set for the Capital Projects Committee and any project that exceeds \$100,000.00 will be reviewed by this committee before it comes before the Commission. This committee will also work with Executive Director Rourke and the Chair, Commissioner Hotaling will meet with him to set parameters of the review process before moving forward. Chairman Howe said he thinks it is important to keep the commission involved when projects of a financial magnitude come before us. Chairman Howe said being that George Cannon was on the Capital Projects Committee, he was going have Commissioner O'Neill take that place and represent the City of Saratoga Springs. Chairman Howe said the Capital Project Committee members are: Commissioners Hotaling (Chairman), Doyle, O'Neill and Bisnett and the chair will be reaching out to members soon to schedule a first meeting and then take it from there.

Chairman Howe said the Change Order Committee will be for all change orders with no threshold. This committee will have eyes on all change orders before they come before the commission. The Change Order Committee members are: Commissioners Bisnett (Chairman), Fillion and Butler. Chairman Howe said he knows he went over this last month but wanted to reiterate as some members were not here. He asked if there were any questions. There were none and he entertained a motion to approve the January minutes.

APPROVAL OF MINUTES of January 6, 2022. *Commissioner Doyle made a motion to approve the minutes of January 6, 2022. Commissioner Keegan seconded the motion. No discussion. The minutes of January 6, 2022 were approved: 8 Ayes, 1 Absent, 0 Nays.*

2020 CAPITAL PROJECTS

Storage Building/HVAC and Roof Replacement Design/Property Purchase – Executive Director Rourke reported the property purchase at 523 South Main Street in Mechanicville is finalized. We are officially owners of that property and if anyone would like to do a walkthrough, he would be more than happy to bring people over to see it. He said internally we are working out a plan to come up with a vision for that property near, medium and long term and he will include the Commission as well once a plan is developed. He said it is already coming in handy as we are currently using it for cold storage. Executive Director Rourke reminded the Commission that this purchase was in lieu of building a storage building here onsite with an engineer's estimate of \$2.6M, which would have eaten up valuable property here at the plant. He said the property purchase was \$835,000.00 plus closing costs and that was a really large savings. He added we will likely have to invest some money but we still saved a large amount with the purchase. Chairman Howe agreed it was a great savings going with that option and he appreciated Executive Director Rourke's guidance. Commissioner Doyle agreed and said we need all the space we have here at the plant.

Executive Director Rourke added that another part of this agenda item is the HVAC and roof replacement and those projects are approximately 95% complete with design. He is awaiting the 100% plans and final cost estimates to review. Once we get those, we will determine the best timing to go out to bid and get those units and roofs replaced.

Interceptor Relining Phase VIIB – Executive Director Rourke said for this item we are looking for a motion to approve a bond resolution. We passed the project resolution a while ago, it was needed for submission to the Office of State Comptroller (OSC) to get their approval for this project for anticipated rate increases. That OSC approval has come through and now we need to pass a bond resolution in an amount not to exceed \$29,800,000.00 to fund the project. Executive Director Rourke said we are still finalizing the 100% plans and a meeting is scheduled with the City of Saratoga Springs on February 17, 2022 to discuss the project. A meeting will also be scheduled with the City of Mechanicville eventually when we have a more finalized design. The hope is that we are out bid sometime late March or early April with a 45-60 day bid period and an anticipated 1 to 2.5 year construction period. Executive Director Rourke said we would need a motion to recommend a bond resolution not to exceed \$29,800,000.00 to fund the Interceptor Relining Phase VIIB. Chairman Howe entertained a motion.

Commissioner Doyle made a motion to forward a recommendation to the County Board of Supervisors to authorize the issuance of bonds in an amount not to exceed \$29,800,000.00 to fund the cost of the Interceptor Relining Phase VIIB project. Commissioner Hotaling seconded the motion. Discussion involved the Capital Projects Committee, financial ramifications of debt service, yearly costs, restoration along the Zim Smith Trail and a repair plan with Planning Department. The motion passed: 8 Ayes, 1 Absent, 0 Nays.

Riverside (Stillwater) I&I Reduction Design – Executive Director Rourke said this project was awarded to Precision Trenchless to do the contractor side of rehabilitation and the engineer, Chazen did the original design. He said in the agenda packet there was a proposal letter from Chazen to do the construction administration and inspection for this project that wasn't included in the original proposal. The proposal cost is \$33,763.00 and that would bring the contract total to \$227,263.00. He said this contract is the same contract that we got the

Riverside & Knox Woods built under. The reason it is the same contract is because when we were doing the pump station upgrades, one of the comments from NYSDEC was the correct way to handle inflow and infiltration (I&I) isn't to make pump stations bigger, it's to reduce the actual inflow and infiltration going into the pipe. Executive Director Rourke agreed that was 100% correct, and so we amended the design side for Chazen but never amended the construction administration and inspection side. That is what we need this motion to do. Chairman Howe entertained a motion.

Commissioner Bisnett made a motion to forward a recommendation to the Board of Supervisors to authorize an amendment to the agreement with Chazen Companies Engineering for construction inspection services for the Riverside #1 Pump Station for an additional cost of \$33,763.00, increasing the contract total to \$227,263.00. Commissioner Doyle seconded the motion. Discussion involved the work that wasn't accounted i.e. inspection reports, as-built drawings and engineer's certification. Also discussed was additional linear feet included in the contract with upfront cleaning and CTTV work to be done. Motion passed: 8 Ayes, 1 Absent, 0 Nays.

Saratoga Springs Pump Station and F.M Evaluation and Design – Executive Director Rourke reported we received the final reports last week for both the pump station and the forcemain evaluation and we are still reviewing those. He said we asked the engineer to review how to rehabilitate or look at the end of the Saratoga Springs forcemain on West Circular Street to ensure that we curb some of the deterioration. The pipe is in really good shape right now, but we just want to make sure and we are reviewing that information currently.

2021 CAPITAL PROJECTS

Secondary Clarifier Gate and MCC Replacement – Executive Director Rourke reported we had a meeting with both the ammonia project engineer and this project's engineer to go over sequencing and timing since they likely will overlap. After some discussion it was determined that it makes sense to hold off bidding this project by 4 to 6 months after we bid the ammonia project because we are looking at putting some pole plant generators at the front of the plant that power everything as opposed to the piecemeal generators we have now. Executive Director Rourke said that affects some of the electrical work and some of the motor control center (MMC) replacement work, so it makes sense to postpone that bid as it will save us some heartache and money in the future.

CMMS & Asset Management Implementation – Executive Director Rourke reported there were some hiccups with the data from our arc GIS software. We tagged our assets with a lot of information and uploaded that to the new software platform, but it is causing some issues with the software. It's not a hard fix, we just need to change a couple of things internally with our existing data. There has been some delay in getting that work done to send out and have it uploaded again. Executive Director Rourke said this was a slight delay that was unexpected, but we are moving forward with it.

Technical Determination of Local Limits – Executive Director Rourke reported we are still awaiting comments back from the EPA on our local limits submission. Our local limits are in our Sewer Use Ordinance (SUO) that is passed as local law on what cannot be discharged down the sewer. This is based on industrial users as well as background data that has been collected and submitted to the EPA for response. We have started process profiling of the plant, the engineer is onsite working with Chief Operator Hutchings and Assistant Chief Operator Morris and they are taking samples all throughout the plant. This has already born some good information on how this plant is running. Executive Director Rourke added we have scheduled to do profiling for approximately 6 months and he thinks it is going to be very valuable as we continue that work moving forward.

Boiler Supply and Return Piping Replacement – Executive Director Rourke reported the contractor is 95% complete with this work and they should be filling and charging that hot water line by the end of the week. After that we are looking at restoration and getting that project completed. He added the project has gone relatively smooth and that will be coming off the agenda after this meeting.

Building #2 Roof Replacement – Executive Director Rourke reported we are still working through finalizing the contract with Mid-Sate Industries. This is the project where the first low bidder VAD Contractors voluntarily withdrew from the contract. Executive Director Rourke said Mid-State is a reputable company and our manufacturer has worked with them before.

2022 CAPITAL PROJECTS

Biosolids Handling Facility – Executive Director Rourke reported we had a meeting February 2, 2022 to go over the different 3rd party vendor options. He will have a little more to report next month on the different directions we can potentially go with the project, be it private interest or us owning everything on the public side, as well as risks and benefits.

Ammonia Related WWTP Upgrades – Executive Director Rourke reported we received our finalized SPDES permit. He said everything looks okay except for NYSDEC forgot to put our storm water requirement in our SPDES permit. What that means is we are responsible for the storm water outfalls onsite here at the plant. Executive Director Rourke said we have 3 storm water outfalls onsite, so we need to go under a general storm water permit as opposed to it being under our SPDES permit. This requires sampling twice a year to make sure our storm water systems are working properly.

Chairman Howe asked if there have been any spikes in ammonia or have flows been higher than previously anticipated. Executive Director Rourke said things have been pretty consistent over the last year and nothing we can't handle with our upgrade. He said the tough part is not only the ammonia we are getting, it's the nitrification inhibition chemicals that we get as well. It's kind of a one two punch that is not common and we are one of very few plants in the country that are dealing with this type of issue.

County Administrator Bulger mentioned he was going to be meeting with representatives for Global Foundries (GF) tomorrow. He said he is happy to be another conveyance of messaging and asked the Commission if there was any message he could bring them to reinforce the impact on our sewer district. County Administrator Bulger said from what they were being told, the chip FAB funding could be approved this month or next month. Chairman Howe thanked County Administrator Bulger. He said he appreciated the information and was glad to have him in our corner. County Administrator Bulger said absolutely.

Executive Director Rourke said there was one more thing he wanted to add on the ammonia project and that is we did get the \$10M grant funding from the New York State Water Infrastructure Improvement Act (WIAA) through the Environmental Facilities Corporation (EFC). In total for that project we have received approximately \$12.75M in grant funding. There is a lot of work that takes place behind the scenes with all sorts of people that made that happen and he really appreciated that. He said it is a really good first step for that project as the anticipated budget is somewhere in the \$33M range. Commissioner Butler asked if they were straight up grants or if we have to match funds. Executive Director Rourke said they are straight up grants, but there are Minority & Women Owned Business Enterprises (MWBE) requirements that can sometimes raise the contract price a little bit. He said we have already come pretty close to percentage wise for matching funds for the project in design fees, so we should be in good shape. Commissioner Bisnett asked if there were any time constraints.

Executive Director Rourke said he thinks the money has to be spent within 5 years and added that the amount of paperwork when it comes to receiving this money is unbelievable. He said he has already had phone calls on all sorts of things that we need to do to ensure we are in good standing to receive the funding.

Aeration Tank Improvements – Executive Director Rourke informed a meeting is scheduled for tomorrow to go over the best way to get this incorporated into our ammonia project. Just a quick reminder, this was the tanks that were not built to code in 2010. We are meeting to understand what the level of effort is going to be, to not only potentially design the structural improvements of the tanks, but also get the company, Moretrench involved that was initially part of putting our temporary dewatering system in to see what it is going to take to make it permanent. Moretrench is a huge corporation that does massive digging operations and they were great to work with back in 2017 when litigation first started. Executive Director Rourke said we will work with the engineer, Ramboll and hopefully get Moretrench on board after the meeting tomorrow to get some more information on what that effort looks like.

Chairman Howe asked if dewatering would only happen if you needed to maintain the tanks to pump them down, or would we be dewatering all the time. Executive Director Rourke said it would only be if we needed to maintain the tanks. It is still a bit of an effort, dewatering the tanks to dewater the site takes 2 to 2.5 weeks. If we put rock anchors in it takes more like 3 to 4 days. He said this was a conversation had during litigation on regulations regarding rapidly dewatering the tanks. Chairman Howe gave a quick background on the litigation matter for Commissioner O'Neill. He added we had a very long lawsuit that lasted for years, we have settled and moved on and we just don't want to make those mistakes again. Executive Director Rourke said that is a good synopsis.

Commissioner Hotaling asked if there is a certain time of year for redundancy for repairing the tanks. Executive Director Rourke said the goal is to put it as part of the ammonia project because we are going to have that side down anyway to put a new diffuser system in those tanks. The question is whether it is included in the bid, included in an addendum or as a change order after, but he thinks it is going to make the most sense to have it included as part of the contract. Executive Director Rourke said the hope is for it to be part of the bid, but with timing and final approvals from NYSDEC we may not be able to do that.

Contract #22 and the D&R Pump Station Upgrades – Executive Director Rourke said this contract was awarded last month. A kickoff meeting was held with the engineer last week and we are moving forward. Chairman Howe asked if there were any questions before moving on to miscellaneous items. There were none.

MISCELLANEOUS

Town of Moreau Sewer Connection – Executive Director Rourke informed the Commission that the town of Moreau is undergoing a sewer service expansion. He said currently the town of Moreau discharges to the City of Glens Falls Waste Water Treatment Plant and it has been that way for a long time. They have an agreement with the City of Glens Falls that allows them to discharge up to a certain amount of flow and this extension would potentially have them go over that amount of flow. The City of Glens Falls is requesting a certain amount of money from the town to go over that amount of flow, so Moreau took a look at the amount of money they would be paying the City of Glens Falls and what it would take to connect to our County Sewer District. The town's engineer Laberge did a report, we reviewed that report, and Executive Director Rourke said it makes sense for them to come down to us. The intent right now, although this may change, is the amount of flow that is going to the City of Glens Falls would still continue to go there under the current rate structure and anything above that flow would then come to us. The total project cost is in the range of \$9.3M and what Moreau has asked of us is, can we handle the flow in both our collection system and our WWTP.

Executive Director Rourke said their requested flow from the outset is 135,000 gallons/day. Looking at it, the general answer is yes, we can handle it, but there needs to be some technical questions answered for example, where do they want to connect and what benefits it provides to the sewer district if they do connect. The benefit would be expanding an already working model and expanding that to include more users in another town and there is precedent to extending sewer service to different towns. We did for the town of Ballston and Ballston Lake which is currently ongoing. The other precedent, which was a little different as it wasn't necessarily the town paying for the extension, was we did extend sewer down the Routes 4 & 32 corridor back in 2012. Executive Director Rourke said the hope would be to utilize potential America Rescue Plan Act (ARPA) funding for this extension, which is Corona Virus relief funding for sewer projects.

Chairman Howe said we have a Saratoga County municipality that could use some help and he thinks it's our responsibility to do that. If we can handle the flows and it doesn't negatively impact our system then personally he is all for supporting the town of Moreau. Commissioner Bisnett asked if this is only the excess or is there a long term goal for Moreau to convert to our system 100 percent. Executive Director Rourke said the intent to the report was for just the excess to come to us. That being said, there are agreements with end dates with the city of Glens Falls, so it will be up to them.

Chairman Howe asked Executive Director Rourke what he needed from the commission today. Executive Director Rourke said he had (2) opinions in his mind: (1) a motion supporting the project and also stating that the Sewer District generally can handle these flows barring some future technical discussions and (2) issuing a will serve letter to the town that we have the capacity to accept this flow in both the collection system and treatment plant and then in both options say not just technically we are all good to go, but it is also a benefit to the model that we currently implement which is a regional sewer system that allows us to spread cost over multiple users. Commissioner Butler asked if there are any industrial flows that will be discharged in, or only residential. Executive Director Rourke said he thinks it's residential/commercial, no industrial users that he knows of. Chairman Howe entertained a motion in support of the town of Moreau sewer connection and also recommend that Executive Director Rourke supply written correspondence to the town supervisor on the findings of the motion.

Commissioner Hotaling made a motion to support the town of Moreau Sewer connection to Saratoga County Sewer District #1 and to recommend and authorize Executive Director Rourke to provide written correspondence to the town supervisor on findings of the motion. Commissioner Bisnett seconded the motion. Discussion involved our capacity limits. Motion passed: 8 Ayes, 1 Absent, 0 Nays.

Reappropriation of 2021 Capital Funds – Executive Director Rourke said this is a typical housekeeping item for re-appropriation of our 2021 capital funds to our 2022 budget. This is for unspent capital funds in our 2021 budget, funds that we haven't reached a line to where we have started spending them yet. A breakdown of the projects associated with this re-appropriation was provided in the agenda packet. The total amount is \$11,700,574.24 to re-appropriate from the 2021 ongoing capital projects to the 2022 budget. Executive Director Rourke asked for a motion to approve the re-appropriation and move it to the Law and Finance Committee.

Commissioner Hotaling made a motion to approve the request to the Saratoga County Board of Supervisors for re-appropriation of capital project funds in the amount of \$11,700,574.24 from the 2021 to 2022 Capital Project Funds. Commissioner Fillion seconded the motion. No discussion. Motion passed: 8 Ayes, 1 Absent, 0 Nays.

ATTORNEY REPORT – Chairman Howe asked Attorney Naughton if there was anything to report other than the (1) dedication. Attorney Naughton said no, nothing else to report other than (2) dedications in the works for next month. Chairman Howe asked if all paperwork was in order for today’s dedication and Attorney Naughton said that is correct. Executive Director Rourke said he wanted to add there is a decent punch list of items for today’s dedication. He said this dedication has been an uphill battle in terms of the functionality side of things. A bond is in place and we can call on it if ever needed. He said he had no issue with the conditional dedication and he just wanted to make the Commission aware. Chairman Howe thanked Executive Director Rourke for mentioning that and a motion was made to accept the dedication.

DEDICATIONS

Oakridge Subdivision PH 2A – Saratoga Springs – Oak Ridge Development, LLC requested dedication of the sanitary sewer infrastructure and pump station servicing The Oak Ridge Subdivision PH 2A in the city of Saratoga Springs. *A motion to accept Resolution 2-2022 dedication of The Oak Ridge Subdivision PH 2A was made by Commissioner O’Neill and seconded by Commissioner Bisnett. Discussion involved conditions of the dedication. Resolution 2-2022 accepting dedication of The Oak Ridge Subdivision PH 2A consisting of a pump station, (21) manholes, approximately 3,783 ft. of 8” SDR-26 gravity main and approximately 485 ft. of 6” DR-11 force main in the city of Saratoga Springs **Conditioned upon punch list items to be completed by June 1, 2022** passed: 8 Ayes, 1 Absent, 0 Nays.*

Chairman Howe thanked County Administrator Steve Bulger for being here today and he really appreciated him coming down. County Administrator Bulger said SCSD is a great operation, it is good to be at a well-run board meeting with a good team. Chairman Howe said thank you, we appreciate that very much.

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

**Next meeting March 3, 2022
3:00 P.M. at the Treatment Plant**