

## APPROVED MINUTES

### SARATOGA COUNTY SEWER COMMISSION No. 1 MINUTES OF SEPTEMBER 8, 2022 3:00 PM at the Treatment Plant

**COMMISSIONERS PRESENT:** Howe, Bisnett, Butler, Doyle, Fillion, Hotaling, Keegan and Lansing

**COMMISSIONERS EXCUSED:** All present

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

Chairman Howe welcomed everyone to the September 8, 2022 Saratoga County Sewer Commission meeting welcomed Executive Director Rourke via webcam.

**PLEDGE OF ALLEGIANCE:** Led by Commissioner Doyle

**PUBLIC COMMENT:** None

**CHAIRMAN'S COMMENTS:** Chairman Howe said he was talking with Chief Operator Hutchings and things are running pretty well at the plant and asked him to elaborate a little bit. Chief Operator Hutchings said things are running real well and been pretty quiet for 3 months now across the board. We are treating everything on permit handling and the biosolids upstairs are pressing well and staff is doing a great job. Chairman Howe said perfect, it's nice to not be in violation and he thanked him for the update.

Chairman Howe asked for a motion to approve the August 4<sup>th</sup> minutes.

**APPROVAL OF MINUTES of August 4, 2022.** *Commissioner Doyle made a motion to approve the minutes of August 4, 2022. Commissioner Bisnett seconded the motion. No discussion. The minutes of August 4, 2022 were approved: 7 Ayes, 1 Abstain, and 0 Nays.*

### 2023 SCALE OF CHARGES

Chairman Howe said we have the Scale of Charges and are going to schedule a public hearing, He asked Executive Director Rourke (via webcam) if he would recap of a few things for the Commission. Executive Director Rourke said yes and thank you. First he apologized for not being present today. He said he sent an email yesterday to the Commission that had some brief highlights of what the 2023 budget is going to entail. He added if there are any questions, in short of going through everything again right now, he would be happy to answer any questions. Executive Director Rourke said what we need to do today is vote to schedule a public hearing and publish the scale of charges, which represents an \$8.00 increase compared to last year. That moves our weighted average annual rate for trunking and treatment from \$254.00 to \$262.00 for the average homeowner, adding this represents a 3% increase which is a weighted average increase because we have multiple municipalities that get billed differently; therefore, it is a flat rate of \$8.00 across the scope of the

scale of charges. Executive Director Rourke said again if there are any questions on any of the expenditures that were shared yesterday he would be happy to answer, if not he would continue with what our rate analysis study showed looking forward. He said this shows where we stand in terms of debt service and our rate meeting household incomes, so it is whatever this Commission feels comfortable moving forward with. Chairman Howe asked if there were any questions and there were none.

Executive Director Rourke gave a recap of information he shared via email as well a brief overview of the rate analysis study that was done by Raftelis a few years ago. This study phased the next 5-8 years of where we want to be in terms of revenue generated verses expenditures and all of our own expenses as well. As well as our capital expenditures go, the end goal is that a certain amount in past reserves that we deemed appropriate as a Commission. He added that one year of O&M (Operation & Maintenance) is worth \$9M to \$11M in the bank which is ideal. So basically this model takes that amount of cash and works backwards to see how much we will have after all of our revenue, expenditures, rate increases moving forward over the next few years. This rate analysis study started in 2020 and we've moved forward through the years. We did not raise sewer rates in 2021 as that was a COVID-19 decision, in 2022 we did a \$5.00 rate increase and for our next fiscal year 2023 he put in for a 3% increase which puts us in a good space for our reserve fund. Executive Director Rourke went through some totals for the next few years, including debt service for large capital projects and capital improvements that we want to maintain for the next few years and then building that fund balance back up in the future.

## **2022 SCALE OF CHARGES**

Chairman Howe entertained a motion to approve the publication for the proposed Scale of Charges rates and schedule a public hearing for 9:00 a.m. on October 6, 2022 at the Board of Supervisors' Chambers (BOS)

*Commissioner Doyle made a motion for approval of publication of the proposed Scale of Charges for 2023 and scheduling the Public Hearing at 9:00 A.M. on October 6, 2022 at the Board of Supervisors Chambers at the Saratoga County Municipal Center in Ballston Spa. Commissioner Bisnett seconded the motion. Discussion involved the fair cost increase, the safety net in our fund balance as well as short term inflation concerns and influx in prices we have managed through this year with chemical costs as well as bond interest rates. The Commission felt comfortable with the rate increase for next year. The motion for approval of publication of the proposed 2023 Scale of Charges and scheduling the Public Hearing passed: 8 Ayes, 0 Nays.*

Chairman Howe thanked everyone and said we will touch base before the meeting and maybe meet for breakfast before the 9:00 a.m. public hearing.

## **2020 CAPITAL PROJECTS**

**HVAC, Roof Replacement Design** – Executive Director Rourke reported we still have the final plans, need to go through and do a final review and is on the docket to be completed ASAP. The hope is to be out to bid soon and have bids received back before the end of the year.

**Interceptor Relining Phase VIIB** – Executive Director Rourke reported a good meeting was held with the engineer this week. It looks like we will be able to be on the street with that bid next Thursday, September 15, 2022 with a bid opening date at the end of October. He said if everything goes smoothly at that bid opening, we will be hopefully awarding that contract in November. Those BAN (Bond Anticipation Notes) should have funds ready to spend here by the end of this month, so the timing works out well to be able to get that contract going hopefully by December or January of next year.

**Saratoga Springs Pump Station and F.M Evaluation and Design** – Executive Director Rourke reported we had a meeting with this project’s engineer as well and are finalizing the plans. The plan is to be out to bid sometime in November and open those bids before the end of the year. He added it is going to be a busy few months here with lots of bids on the street. He said he does not know if we will award before the end of the year for this project, but we will open those bids and see where we stand and this project is reaching its end.

## **2021 CAPITAL PROJECTS**

**Secondary Clarifier Gate and MCC Replacement** – Executive Director Rourke said we finalized our 95% comments last week and had a good meeting with the engineer this week. They acknowledged all the comments and are updating the plans and we should see a final set shortly. He added this is another project we are hoping to be out on the street to bid here in the next 30 days, with an award towards the end of the year. Executive Director Rourke said the only thing he is waiting on is an updated cost estimate as it has been a bit of time since we received the last one and as Commission Bisnett pointed out earlier we want to make sure any of those inflation numbers are up to date and included in that cost estimate. Currently we plan to pay for this project in cash and not bond it. The last cost estimate was approximately \$9M and that is where some of the fund balance ended up going. He said but if this project ends up coming in at a new cost estimate \$2M - \$3M higher, we may have to look into phasing out the project as opposed to doing it all at once.

**Technical Determination of Local Limits/Inhibition Testing** – Executive Director Rourke gave a status update. He said we are working through the jar testing and got some results back that will be discussed with the engineer tomorrow, Friday, September 9, 2022 to determine our next steps. After the meeting, we will decide how many more jar tests we want to do and how we want to bring GF (Global Foundries) into the fold to understand what their discharges are as well and figure out if there is any more cost associated with doing some more of that jar testing.

**Building 2 Roof Replacement** – Executive Director Rourke reported this project is just about complete, they have one more topping that has to be put onto the roof. All the work was done well and we are pretty happy with the product, so all satisfactory and this project will come off next month’s agenda.

## **2022 CAPITAL PROJECTS**

**Biosolids Handling Facility** – Executive Director Rourke reported we are still working towards the goal of 30% design and basis of design report by the end of the year. Something since May that we have been working on because our hauling costs have gone up so much is fast tracking a potential dryer option, whether that is us purchasing a dryer outright and getting one in here sooner, or potentially working with a third party private vendor to look at absorbing some of the capital costs for that so it can happen faster than a typical design bid build, just to offset some of those costs that we’ve seen because our hauling cost went from approximately \$2.8M last bid cycle and it is going to be approximately \$3.5M in this new bid cycle. Again, another area where we are getting squeezed cost wise, but this project if we can move this portion of it quicker it will save us a lot of money in the near term. Executive Director Rourke said hopefully that will be able to happen and we are working on it diligently.

**Ammonia related WWTP Upgrades** – Executive Director reported we are receiving executed contracts back and hoping to schedule a pre-construction meeting this month with a Notice to Proceed to follow soon after. The current schedule only has a little bit of minor work happening this year. Most of the work the GC (General Contractor) is going to be working will start after the initial snow melt next year.

**Aeration Tank Improvements** – Executive Director Rourke reported a meeting was held yesterday, Wednesday September 7, 2022 with the engineer and they are coordinating with the ammonia project engineer on how this is going to affect that project. A meeting is scheduled for September 14, 2022 to go over what some of those conflicts may be. He said he thinks it is all workable but we just want to get that all defined before the submittal process happens for the ammonia project, so any changes can be made during that point of construction as opposed to putting it in and then tearing it back out. So, we are awaiting for that to happen and get a cost estimate, then the thought here is to get a change order to the ammonia project but we won't know if that's the case until we see the final cost estimate from the engineer.

**D&R P.S. Upgrade** – Executive Director Rourke reported we received the 100% plans over the last week and will get them reviewed. This is a smaller project but hopefully we will get this out to bid here shortly as well.

**Capacity Evaluation** – Executive Director Rourke informed we have shared all of the required information with the engineer and they are catching up on some of the unique aspects of our facility, especially some of the industrial influent that we receive. With the 8.2 fab facility coming more to light and with our first round of inhibition testing being completed he would like to schedule a review meeting with this engineer to develop a plan for evaluation of the effect of 8.2 and how we want to approach GF with our requests because based on some of the preliminary results, there is definitely going to be some requests on our end that need to happen with 8.2 so we will loop in both our inhibition engineer and this engineer as well for some of the planning efforts. Executive Director Rourke said they are also helping us with some of the funding efforts as well to find some more money, which is always a good thing when we are spending this much at the state level to help us pay for some of these potential changes that may need to be made or that GF will need to make at their facility.

**Contract 22** – Executive Director Rourke reported this work is complete. This project was done under an emergency contract. The work went okay and to be completely candid, there were 2 overflow incidents that were really concerning and did not make us happy. We stressed our concerns to the contractor and they apologized, there was a lack of willingness to listen to our people in the field which was a bit frustrating. After those 2 overflow incidents, they understood it was a lack of communication on their part in terms of listening that was needed but this project is complete and will come off the agenda for our next meeting.

**523 South Main Roof Projects** – Executive Director Rourke said this will be a potential for award and has to do with our maintenance facility. One of the first things that needs to happen over there is roof repairs and roof replacements, so we went out to bid for that work for Building #1 and Building #4. Building #1's bid came back and the low bidder was Titan Roofing, Inc. that came in at \$212,065.00 and the other work that was just repair for Building #4 which came in at a low bid of \$38,400.00 from James A. Edgar Co., Inc. This puts the total cost for that facility including purchase price at approximately \$1.1M which is still a huge savings of approximately \$1.7M compared to a new facility. We are still doing pretty well but this work does need to be completed so we would need 2 separate motions for that work to be completed.

*Commissioner Lansing made a motion to forward a recommendation to the Board of Supervisors to authorize an agreement with Titan Roofing, Inc. for the roof replacement of building #1 at the Sewer District's maintenance facility in Halfmoon at an amount not to exceed \$212,065.00. Commissioner Keegan seconded the motion. No discussion. Motion passed: 8 Ayes, 0 Nays.*

*Commissioner Lansing made a motion to forward a recommendation to the Board of Supervisors to authorize an agreement with James A. Edgar Co., Inc. for the roof repairs of building #4 at the Sewer District's maintenance facility in Halfmoon at an amount not to exceed \$38,400.00. Commissioner Bisnett seconded the motion. No discussion. Motion passed: 8 Ayes, 0 Nays.*

Chairman Howe thanked Executive Director Rourke for all the leg on the new maintenance facility and he really appreciated it. Executive Director Rourke said absolutely and he said thanks to our staff as well for getting all the specs ready to go.

**Alpine Environmental** – Executive Director Rourke said this is a motion to amend a contract with Alpine Environmental. We previously had a minor contract not to exceed \$15,000.00 for pre renovation asbestos inspection and mold assessment. We originally received 3 quotes for that work and paid \$13,400.00 to see where the asbestos is and at this point we would like to prepare a report of remediation to be able to put that out to bid to have a contractor come in and abate that asbestos and mold. This would increase the total contract from a not to exceed amount of \$15,000.00 to not to exceed \$25,450.00 to generate a report so we can get that site remediated.

*Commissioner Doyle made a motion to forward a recommendation to the Board of Supervisors to authorize an amendment to the agreement with Alpine Environmental Services for pre-renovation asbestos inspection and mold assessment, abatement design and monitoring at the Sewer District's maintenance facility in Halfmoon at an amount not to exceed \$25,450.00. Commissioner Bisnett seconded the motion. No discussion. Motion passed: 8 Ayes, 0 Nays.*

### **MISCELLANEOUS**

Georgia Entities, LLC Easement – 203 Ruhle Road S – Malta (Zim Smith Trail) – Executive Director Rourke said there should be a resolution in the agenda packet and this is another property along the Zim Smith Trail that is looking to tie into our sewer along the Zim Smith Trail. He said we have done this in the past and it is basically granting a resolution to the homeowner to be able to install across our property. This does have to go to the BOS eventually but this is just to provide sewer services to homeowners along the trail.

*Commissioner Lansing made a motion to recommend the Saratoga County Board of Supervisors authorize Supervisors authorize the acceptance and execution of the easement over property owned by Saratoga County as proposed by Georgia Entities, LLC located at 203 Ruhle Road S in the Town of Malta for the purpose of allowing future dedications of sanitary sewer infrastructure and appurtenances. Commissioner Bisnett seconded the motion. No Discussion. The motion passed: 8 Ayes, 0 Nays.*

**ATTORNEY REPORT** – Attorney Naughton said he had nothing to report other than the possibility of going into executive session. Executive Director Rourke said he put it on the agenda for the purposes of discussing the claim that was made by Heritage Springs against the town of Milton. Chairman Howe entertained a motion to go into executive session to discuss possible litigation.

### **EXECUTIVE SESSION**

*On a motion by Commissioner Bisnett and seconded by Commissioner Hotaling, the Commission moved to go into Executive Session at 3:38 p.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2) for a discussion with attorney and staff present, regarding the Heritage Springs claim in the Town of Milton. Motion passed: 8 Ayes, 0 Nays.*

*On a motion by Commissioner Bisnett and seconded by Commissioner Doyle, the Commission moved to go out of Executive Session at 3:47 p.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2). Motion passed: 8 Ayes, 0 Nays.*

## **DEDICATIONS**

**Impact Athletic** – Town of Halfmoon – Litchfield Holdings, LLC requested dedication of the sanitary sewer infrastructure servicing The Impact Athletic Center in the Town of Halfmoon. *A motion to accept Resolution 9-2022 dedication of The Impact Athletic Center was made by Commissioner Hotaling and seconded by Commissioner Bisnett. No discussion. Resolution 9-2022 accepting dedication of The Impact Athletic Center consisting of (1) manhole and approximately 540 ft. of 2” DR-11 low pressure force main in the Town of Halfmoon passed: 7 Ayes, 1 Abstain, and 0 Nays.*

**Iron Springs (aka Rowland Street Residential Subdivision)** – Town of Milton – RSD Development, LLC requested dedication of the sanitary sewer infrastructure servicing Iron Springs Estates aka Rowland Street Residential Subdivision in the Town of Milton. *A motion to accept Resolution 10-2022 dedication of Iron Springs Estates was made by Commissioner Howe and seconded by Commissioner Keegan. No discussion. Resolution 10-2022 accepting dedication of Iron Springs Estates consisting of (6) manholes, approximately 1,200 ft. of 2” DR-11 HDPE low pressure force main, approximately 2,160 ft. of 3” DR-11 HDPE low pressure force main and approximately 760 ft. of 4” DR-11 HDPE low pressure force main in the Town of Milton passed: 7 Ayes, 1 Abstain, and 0 Nays.*

**Oak Ridge Subdivision PH 2** – City of Saratoga Springs – Luciano Properties, LLC requested dedication of the sanitary sewer infrastructure servicing Oakridge Subdivision Phase 2 in the City of Saratoga Springs. *A motion to accept Resolution 11-2022 dedication of Oak Ridge Subdivision PH 2 was made by Commissioner Lansing and seconded by Commissioner Hotaling. No discussion. Resolution 11-2022 accepting dedication of Oak Ridge Subdivision PH 2 consisting of (6) manholes and approximately 1,104 ft. of 8” SDR-26 gravity main in the City of Saratoga Springs passed: 8 Ayes, 0 Nays.*

**Olympia Gardens** – Town of Stillwater – Bordeau Builders, Inc. requested dedication of the sanitary sewer infrastructure servicing Olympia Gardens in the Town of Stillwater. *A motion to accept Resolution 12-2022 dedication of Olympia Gardens was made by Commissioner Bisnett and seconded by Commissioner Doyle. No discussion. Resolution 12-2022 accepting dedication of Olympia Gardens consisting of (3) manholes, approximately 985 ft. of 3” DR-11 ft. low pressure force main and approximately 865 ft. of 2” DR-11 low pressure force main in the Stillwater passed: 7 Ayes, 1 Absent, 0 Nays.*

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

**Next meeting October 6, 2022  
9:15 A.M. at County Complex, Bldg. 1 following Public Hearing at 9:00 A.M.**