

APPROVED MINUTES

SARATOGA COUNTY SEWER COMMISSION No. 1 MINUTES OF OCTOBER 6, 2022 9:15 A.M. at the COUNTY OFFICES

COMMISSIONERS PRESENT: Howe, Bisnett, Butler, Doyle, Keegan and Lansing

COMMISSIONERS EXCUSED: Fillion and Hotaling

ALSO PRESENT: Dan Rourke P.E., Executive Director; Anne Gorman, Confidential Secretary; Gene Hutchings, Chief Operator; Clare Giammusso, County Attorney' office; Michael Naughton, Assistant County Attorney; Andrew J. Proler, Assistant County Attorney; Michael Hartnett, County Attorney; Steve Bulger, County Administrator;

Chairman Howe welcomed everyone to the October 6, 2022 Saratoga County Sewer Commission meeting.

PLEDGE OF ALLEGIANCE: Led by Commissioner Doyle

PUBLIC COMMENT: None

CHAIRMAN'S COMMENTS: Chairman Howe said he didn't have much except that he really appreciates everybody making time out of their busy schedules and appreciates everyone taking a Thursday morning to be here today. He said as always, he just wanted to mention staff from Executive Director Rourke and down as everybody continues to do an outstanding job in plant management, maintenance and operations. Everything is running very smooth and he really appreciates that.

Chairman Howe asked for a motion to approve the September 8th minutes.

APPROVAL OF MINUTES of September 8, 2022. *Commissioner Bisnett made a motion to approve the minutes of September 8, 2022. Commissioner Keegan seconded the motion. No discussion. The minutes of September 8, 2022 were approved: 6 Ayes, 2 Absent, 0 Nays.*

2023 SCALE OF CHARGES

Chairman Howe entertained a motion to approve and establish the 2023 Scale of Charges.

Commissioner Keegan made a motion to forward the proposed Scale of Charges for 2023 to the Board of Supervisors for approval. Commissioner Doyle seconded the motion. No discussion. The motion for approval of the proposed Scale of Charges for 2023 as presented at the Public Hearing held at 9:00 A.M. on October 6, 2022 and to be forwarded to the Board of Supervisors for approval passed: 6 Ayes, 2 Absent, 0 Nays.

Chairman Howe said at this time he would have Executive Director Rourke go over some status updates starting with the 2020 Capital Projects. Executive Director Rourke said thank you Chairman.

2020 CAPITAL PROJECTS

HVAC, Roof Replacement Design – Executive Director Rourke gave a status update and said we are working toward a final review. The goal is to still go out to bid before the end of the year but it has been sitting on our plate to get the final review completed.

Interceptor Relining Phase VIIB – Executive Director Rourke reported the project is out to bid and today is our pre-bid conference being held today at the sewer plant at 10:00 a.m. Maintenance Manager, William Bills and Assistant Maintenance Manager, Andrew Marsden who aren't here today are down there assisting our engineer in that pre-bid conference. The bid opening date is set for October 25, 2022 and the hope is that we will be able to award that project at our November Commission meeting and move that through the Board of Supervisors (BOS) if bids come in under budget. He said just as a reminder, we passed the bond resolution for just under \$29.8M for that project. That included approximately \$3.5M in contingencies. Executive Director Rourke said he spoke to some of the contractors that would potentially bid this work to understand what fluctuations they see in the line of work and they said it is pretty tightly tied to oil prices. He said a large project like this is somewhat difficult to bid in the environment we are in but the hope is that we stay under the \$29.8M with a decent over 10% contingency, so we will see what we have on bid day. He also added we do have Bond Anticipation Notes (BAN) funds ready to go for this project that were received at the end of September. We are ready to start this project and begin processing payment applications. He said depending on how the bids go there may be a need to split the scope up and rebid it with a smaller scope to stay under that \$29.8M just to be able to ensure that we can use those BAN funds.

Chairman Howe said winter work is preferred, correct? Executive Director Rourke said winter work is preferred, especially in certain municipalities and when it is a little more solid ground, restoration costs can actually go down. Chairman Howe said perfect.

Saratoga Springs Pump Station and F.M Evaluation and Design – Executive Director Rourke reported the engineer is finalizing design here. They had to make a couple of last minute site visits to ensure some of the things could fit onsite, for example moving the generator from inside to outside at that location. We are currently awaiting 100% plans on that. He said this is another project where the goal is to bid the project by the end of the year.

2021 CAPITAL PROJECTS

Secondary Clarifier Gate and MCC Replacement – Executive Director Rourke reported we completed 95% design review and submitted comments to the engineer and are awaiting 100% design plans back based on those comments as well as a revised cost estimate. He said as discussed last month, he believes our cost estimate is a little outdated at this point and we know that with the changing environment the goal here is to get an update cost estimate so we can understand where we might have shortcomings or where we might be okay. Chairman Howe asked for a ballpark on the estimate. Executive Director Rourke said original cost estimate was approximately \$9.5M, Chairman Howe asked if that was low and Executive Director Rourke responded he believes that is going to be low and based on that cost estimate is going to drive how we fund the project. If we phase the project, his goal is that we don't bond for the project, but we will see how the cost estimate comes in. Chairman Howe said thank you.

Technical Determination of Local Limits/Inhibition Testing – Executive Director Rourke gave a status update. He said just a reminder, this technical determination/inhibition testing has to do with our inhibited ability to nitrify the ammonia loads that are coming down to the plant. He shared some of our concerning results with Global Foundries (GF). He said they understand and we are working towards a plan to better understand exactly what the causes are of that inhibition. A meeting is scheduled for next week with both SCSD, GF and both engineers to come up with a plan and a path forward because now is the time as 8.2 is getting designed and we need to understand where we can do the work, where we can't, how to collaborate what make sense to do on their site and what to potentially do on our site. Executive Director Rourke said we are working towards a solution on that and it is going to be a fast moving solution here as he knows they are moving quickly on that.

2022 CAPITAL PROJECTS

Biosolids Handling Facility – Executive Director Rourke reported the same status update we have had for a while. We are just awaiting 30% design plans and basis of report to be completed by the end of the year. He informed the Commission that he and staff took a couple of trips to look at some dryers. One trip was to New Jersey, Middlesex County to look at a thin film dryer. Executive Director Rourke said it was great honestly and pretty eye opening on the scope of the upgrades we are looking to do at our facility, it gave us an idea on the thin film technology. He said another trip they took was to Rensselaer County who has a different style dryer and spoke with their chief operator about their concerns, the good, the bad, the ugly and definitely learned some things. From there we actually had a couple of technical meetings with our engineer later this afternoon to go over some of the pump and dryer design options. Chairman Howe asked the Commission if there were any questions and to feel free to jump in. There were none.

Ammonia related WWTP Upgrades – Executive Director Rourke reported a pre-construction meeting was held last week. This project has been awarded and Notice to Proceed was issued to the contractors. The kickoff meeting went well, we understood where they potentially saw some issues. He said really what it comes down to is they are leaning on manufacturers and lead-times and they are told that we should be getting our main pieces of equipment which are our aeration blowers as well as our generator sets. They were told a (1) year lead-time but they also said in the same breath that they have been told that before and it has been (18) months. Executive Director Rourke said that is really going to be the key to whether or not we are able to hit our Consent Order. He said just as a reminder our Consent Order date with NYSDEC is 12/31/24 so if for some reason there are delays in the manufacturing process or the supply chain and lead-times are greater than expected, then we will have to go back to NYSDEC for an extension of that Consent Order based on some of those issues that we may run into.

Aeration Tank Improvements – Executive Director Rourke reported the engineer for this structural design is working with our Ammonia Upgrade engineer in collaborating to understand if there is going to be any effects on our equipment that we are buying before the Ammonia Upgrade, mainly our diffuser system and the diffuser layout. They are working together to understand how much of an impact there will be, if any and trying to catch that prior to the submittal process so we can comment on the submittals and make those changes. Executive Director Rourke said from what he has heard and what he has seen, the changes are minor in general and he's not too worried about it, but he wants to make sure they are caught now before the submittal process to understand any implications of cost as opposed to when installation begins and costs go up then as opposed to a planned increase cost that will happen now.

D&R P.S. Upgrade – Executive Director Rourke reported we received 100% design plans, they have been reviewed and we are awaiting comments. This project is just about wrapped up and should be out to bid in the

next couple of weeks. He added for edification that this is a pump station located in the Town of Halfmoon off of Route 146.

Capacity Evaluation – Executive Director Rourke reported he met with the engineer a couple of weeks ago about GF’s 8.2 expansion as well as some other items and determined we really want to push the pace on understanding what the issues and where we could potentially see some state aid in the future to address those problems and also collaborate with GF. He said that is moving well and a couple of the areas they are working on as well is the Town of Moreau future connection which he will touch on later, as well as some of the pinch points that are in the collection system throughout the different municipalities. The eventual goal is to have some type of model that we can use throughout the collection to be able to better predict where we might have pinch points system and capacity issues.

523 South Main Roof Projects – Executive Director Rourke reported both of these projects for the roof and abatement were moved forward last month. We received the contract back and are awaiting final execution on.

523 South Main Abatement – Executive Director Rourke said again awaiting final execution from the contractor. The abatement project is just to generate the abatement plan. We did receive the plan and are working on getting a cost estimate to understand if we need to go out to bid for that project or if we can utilize and existing DPW contract. Chairman Howe asked if there were any surprises in the abatement. Executive Director Rourke said no, it was better than expected. He said the roof on the very old building we had an idea of and that is going to be taken care of. The good news is we did a test on the large building and assumed the whole building was built the same and the analysis firm tested each room individually and it turned out that only (1) room in that whole 17,000 square foot building had asbestos in it, so that is going to save us a lot of money by spending a little extra on the front end. Chairman Howe said good call there and thank you.

MISCELLANEOUS

Carpenter Acres O&M Agreement – Motion to Authorize Execution – Executive Director Rourke gave a bit of history. He said the Town of Ballston did the Ballston Lake sewer project and are completing some of the portions of that right now. Approximately 4 or 5 years ago we worked with the Town of Ballston to generate an O&M Agreement where we would provide the operations and maintenance of that sewer system which contains a pump station, a gravity section as well as low pressure mains. We generated that O&M Agreement with a motion here at this board and to have the Chairman execute that agreement laying out what our responsibilities were and what the town’s responsibilities were and that went well. Executive Director Rourke said that was used as an example for another sewer district that the town created called Carpenter’s Acres which is a development that is in rough shape with their septic systems. One side of the development is great and has really sandy soil and the other side is in clay wetlands with a lot of failed systems. The Town made the decision to create the sewer district and put in infrastructure but the town is not in the business of maintaining sewer. Executive Director Rourke said we were willing to operate and maintain that system as well. An O&M Agreement is in draft form and the County Attorney has been working on that, so today we would be looking for a motion to execute that agreement once the County Attorney has final approval of that document.

Chairman Howe said for full disclosure he would like to say he is working part time in the building department currently for the Town of Ballston and doesn’t believe there is any conflict in his actions today but did want to mention that for full disclosure. He entertained a motion for the O&M Agreement.

Commissioner Doyle made a motion to authorize Sewer Commission Chairman Howe to execute an O&M Agreement with Carpenter’s Acres for operation and maintenance of their sewer lines. Commissioner Bisnett

seconded the motion. Discussion involved background information on the sewer system, duration of the agreement, costs associated with SCSD's \$50.00 collector fee for the operations and maintenance, grinder pumps that are owned by homeowners that SCSD will not be responsible for and any future connections that would be inspected and certified by SCS. The motion to execute an O&M Agreement with Carpenter Acres passed: 6 Ayes, 2 Absent, 0 Nays.

WWSA O&M Agreement/Town of Moreau Connection – Executive Director Rourke said this was talked about a few meetings ago. The Town of Moreau is looking to connect to our sewer district and as part of that connection the County is pledging ARPA funding for us to construct some of that sewer line and we are moving quickly with this. Also as part of that connection, one of the Wilton Water and Sewer (WWSA) pump stations needs to be upgraded and for permitting issues it is also easier for WWSA to hand that operations and maintenance of the pump station over to us as well as the upgrades. Executive Director Rourke said we are working on an O&M Agreement, the County Attorney's office is also working on that and it is going to be a very similar style agreement except it's only going to encompass a single pump station and the upgrades that we are going to take on for that pump station will be invoiced to the Town of Wilton. It just allows for the project to move a little bit quicker and all the costs of that are being covered. He said the only thing we have been asked that has changed as of late is to bring the sewer where we originally had it stopping, which was just short of the town line up to the town line of Wilton and Moreau. The cost estimate for that is \$508,000.00 and we are working with our capacity evaluation engineer to try to get some state funding for but Executive Director Rourke said he ran a return on investment to understand if this investment would make sense for us. He said the cost estimate of \$508,000.00, we would be day one (1) taking on 600 equivalent EDU's at an average price of \$250.00 per EDU and that equates to a 3.5 year payback. After 3.3 years our project would be paid off and those will be funds for us to use as we see fit on potential other problems within the county as that is going to be a brand new system. Executive Director Rourke said today we are looking for a motion to authorize the execution of a similar style O&M Agreement to take on O&M of the WWSA pump station and in the agreement define that the pump station will be invoiced to the town for those upgrades. Chairman Howe said after hearing Executive Director Rourke's recommendation, he entertained a motion for the O&M Agreement.

Commissioner Lansing made a motion to authorize Sewer Commission Chairman Howe to execute an O&M Agreement with WWSA O&M Agreement/Town of Moreau Connection for the operation and maintenance of these sewer lines. Commissioner Doyle seconded the motion. Discussion involved helping out the Town of Moreau and looking at possible future extensions as well as possibly adding a Commissioner for the Town of Moreau to support that municipality. The motion to execute the O&M Agreement with WWSA & Town of Moreau connection passed: 6 Ayes, 2 Absent, 0 Nays

The Church Aid of the Protestant Episcopal Church D/B/A Home of the Good Shepherd (Sewer Easement Modification) – City of Saratoga Springs – Executive Director Rourke said to be candid he is not exactly sure what this modification is and referred to Attorney Naughton. Attorney Naughton said it is a corrective easement because they built the building over our sewer easement. He said it is a very minor correction. Chairman Howe asked for a motion to approve the easement modification.

Commissioner Bisnett made a motion to approve Resolution 14-2022 sewer easement modification for The Church Aid of the Protestant Episcopal Church D/B/A Home of the Good Shepherd. Commissioner Doyle seconded the motion. No discussion. Resolution 14-2022 accepting the easement modification from The Church Aid of the Protestant Episcopal Church D/B/A Home of the Good Shepherd passed: 6 Ayes, 2 Absent, 0 Nays

Chairman Howe said before the attorney report he would like to recognize some people in the room, Michael Hartnett, County Attorney; Andrew Proler, Assistant County Attorney and County Administrator, Steve Bulger. Chairman Howe thanked them all for being here today and for all the support they give the sewer district.

ATTORNEY REPORT – No report other than (1) dedication for Wood Road Lot 2 & 3 in the Town of Clifton Park. All paperwork has been received, reviewed and is in order.

DEDICATIONS

Wood Road Lot 2 & 3 – Town of Clifton Park – Donald C. Greene requested dedication of the sanitary sewer infrastructure servicing Wood Road Lot 2 & 3 in the Town of Clifton Park. *A motion to accept Resolution 15-2022 dedication of Wood Road Lot 2 & 3 was made by Commissioner Keegan and seconded by Commissioner Lansing. No discussion. Resolution 15-2022 accepting dedication of Wood Road lot 2 & 3 consisting of (3) manholes and approximately 864 ft. of 8" PVC gravity main in the Town of Clifton Park passed: 6 Ayes, 2 Absent, 0 Nays.*

Chairman Howe thanked everyone. A motion to adjourn the meeting was made by Commissioner Lansing and seconded by Commissioner Doyle. The motion passed unanimously.

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