

APPROVED MINUTES

**SARATOGA COUNTY SEWER COMMISSION No. 1
MINUTES OF NOVEMBER 3, 2022
3:00 PM at the Treatment Plant**

COMMISSIONERS PRESENT: Butler, Doyle, Fillion, Hotaling, Keegan and

COMMISSIONERS EXCUSED: Bisnett and Lansing

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

Vice Chairman Hotaling welcomed everyone to the November 3, 2022 Saratoga County Sewer Commission meeting.

PLEDGE OF ALLEGIANCE: Led by Commissioner Doyle

PUBLIC COMMENT: None

CHAIRMAN’S COMMENTS: None

Vice Chairman Hotaling asked for a motion to approve the October 6th minutes.

APPROVAL OF MINUTES of October 6, 2022. *Commissioner Doyle made a motion to approve the minutes of October 6, 2022. Commissioner Butler seconded the motion. No discussion. The minutes of October 6, 2022 were approved: 5 Ayes, 2 Absent, 0 Nays.*

Executive Director Rourke informed the Commission that Chairman Howe has resigned and is no longer part of this Commission. Executive Director Rourke said the By-Laws were attached to the agenda packet and the By-Laws state we need to elect a Chairperson and Vice-Chairperson via a vote from the Commission. He added we haven’t had a formal Vice-Chairman but Commissioner Hotaling and Commissioner Bisnett have both stepped in as Vice-Chair in the past. He said if the Commission sees so fit, elect a Vice-Chair for this month and he will draft up an email for the full Commission on if we want to elect a chairman next month but we need a Vice-Chair over the next 30 days as we have dedications and paperwork that needs to be signed. Per the By-Laws, Vice-Chair can act as Chair and he was putting that out there for discussion. The Commission concurred and Executive Director Rourke asked for a motion to vote Commissioner Hotaling as Vice-Chairman for this month.

Commissioner Butler made a motion to elect Commissioner Hotaling as Vice-Chair for the next 30 days to complete Sewer District business. Commissioner Fillion seconded the motion. Discussion involved a quorum for and we did meet the requirements of 5 votes per the By-Laws. The motion passed: 5 Ayes, 2 Absent, 0 Nays.

Executive Director Rourke thanked the Commission and he also thanked Commissioner Hotaling for stepping in as Vice-Chair. He said now we can get the business done that needs to be done and move forward in December to elect a chairperson that they see fit.

2020 CAPITAL PROJECTS

HVAC, Roof Replacement Design – Executive Director Rourke gave a status update. He said we shipped off our final comments to the engineer and they are supposed to respond by November 11, 2022. This project will likely be out to bid next month, the week of November 14th with a bid date set for December 15, 2022 with the county purchasing department. Executive Director Rourke said that money is already budgeted and has been re-appropriated from last year and according to the cost estimate and the updated cost estimate, we should have enough funds.

Interceptor Relining Phase VIIB – Executive Director Rourke said he sent an email late last week to the Commission with a revised cost estimate. We had the bid opening Tuesday, November 1, 2022. Good news is we had a low bid under the \$29.8M and the bids ranged from \$26M to \$38.9 M. Executive Director Rourke said a recommendation letter was in the agenda packet from the engineer, MJ Engineering recommending award to Insituform Technologies, LLC in the amount of \$26,338,455.00. So, we would need a motion to award to the low bidder, Insituform Technologies, for that amount.

Commissioner Doyle made a motion to forward a recommendation to the Board of Supervisors to authorize an agreement with Insituform Technologies, LLC for Interceptor Rehabilitation Phase VIIB in an amount not to exceed \$26,338,455.00. Commissioner Fillion seconded the motion. Discussion involved the spread between bids. Executive Director Rourke said he saw a fair spread and added Insituform's base bid was higher by \$130,000.00 but recognized a math error for 2 items but is going to honor the unit prices as shown in their bid. Discussion also included scheduling, reaching out to municipalities for discussion, and Insituform's performance in completing the last 4- 5 phases successfully. Motion passed: 5 Ayes, 2 Absent, 0 Nays.

Saratoga Springs Pump Station and F.M Evaluation and Design – Executive Director Rourke reported he received 100% design plans. He is going to do a final review and send comments back to the engineer. The goal is to at least advertise or go out to bid the week of November 14th with a bid opening date of December 20, 2022. He added funds have been budgeted for a couple of years now and we keep re-appropriating and waiting for the design to get done. He said it is finally done and according to the cost estimate we should be okay. He added for edification the Saratoga Springs Pump Station is approximately \$1.7 to \$2M and the HVAC project is approximately \$1.4M to \$1.6M.

2021 CAPITAL PROJECTS

Secondary Clarifier Gate and MCC Replacement – Executive Director Rourke apologized for not having a chance to reach out to the change order committee on this, but was hoping the Commission could act today after a discussion regarding a motion to amend the agreement with Wright Pierce Engineering for additional scope items during 60% and 95% design phases due to modifications related to the Ammonia Project. Executive Director Rourke said he was going to go through everything that would have been discussed with those committees and said he hopes we can still act on them this month but he would totally understand if the Commission wanted to pause on it and will leave it up for discussion. He said this is a motion to amend the contract with Wright-Pierce the design engineer, there are a few scope additions and he referred to the amendment memo in the addenda packet outlining the additional scope items. In between the 60% and 90% design basis, the scope changes were for additional electrical design components that made sense to add as

part of this project. We are looking at replacing our motor control center and moving transformers and some of this is needed to coordinate with our ammonia project and we were not sure if we were going to include our generators as part of the ammonia project or not as that was based on cost and we needed to understand how that was going to work out. He said another item was our RAS pump gally right now is very difficult operationally right now to drain tanks and waste at the same time which has been a big headache for the operations department. Executive Director Rourke said with this new design we decided to implement it here and get a cross over pipe, which was not included in the RFP. He said added cost is \$39,500.00 and over 10% which requires Board of Supervisor approval and would bring the total contract amount to \$514,080.00. Vice Chairman Hotaling entertained a motion.

Commissioner Doyle made a motion to forward a recommendation to the Board of Supervisors to authorize an amendment to the agreement with Wright-Pierce Engineering Consultants, P.C. in the amount of \$39,500.00 for additional evaluation and design services for upgrades to the secondary clarifiers, gates, motor control center and 4160V transformers at SCSD's WWTP at a total cost not to exceed \$514,080.00. Commissioner Fillion seconded the motion. Discussion involved the need for upgrading these items and making sense to do the upgrades under this project. Motion passed: 5 Ayes, 2 Absent, 0 Nays.

Technical Determination of Local Limits/Inhibition Testing – Executive Director Rourke gave a status update. He said this is another motion to amend the contract. He said a good meeting was held with Global Foundries (GF), Arcadis of New York, and SCSD staff to go over the effect of discharge on us and in that meeting, there were some action items that we took away from there on both sides. On the GF side, they have committed to looking at their internal processes, understanding blow down schedules better, moving upstream from the sampling points that we currently have upstream to different parts of their fabrication process to understand what chemicals are potentially being discharged there that could cause inhibition, also doing further testing there and understanding what those concentrations are and they have committed to doing that. We said we will commit to doing process modeling to understand our AOB (Ammonia-Oxidizing Bacteria) growth rates and looking at Arcadis to perform a modeling effort to understand the effects on our new facility from these new growth rates. Executive Director Rourke added that doing process modeling was not in the initial scope and a proposal was in the agenda packet from Arcadis. He said this is going to be a requirement to ensure we understand fully what is happening at 8.1 and what load, if any, can be handled from 8.2. We are hoping to influence their 8.2 design as well with what we find, which is happening very fast. He said the total cost of the amendment is a lump sum of \$44,500.00 and would bring the total contract amount to \$237,000.00. Executive Director Rourke said the other side of this modeling will better inform us of what our ask of 8.2 shall be. Currently it is 0% more inhibition and 0% more ammonia. He said we are definitely starting on the conservative side but this modeling will help us refine that ask if need to. Vice Chairman Hotaling entertained a motion.

Commissioner Doyle made a motion to forward a recommendation to the Board of Supervisors to authorize an amendment to the agreement with Arcadis of New York in the amount of \$44,550.00 for additional professional services related to the performance of additional testing and technical determination of local limit study and evaluation for the SCSD's industrial pretreatment program. Commissioner Butler seconded the motion. Discussion involved this being a big step in the right direction due to Global Foundries 8.2 fab coming quickly. The Commission agreed and Executive Director Rourke thanked them for their support. Motion passed: 5 Ayes, 2 Absent, 0 Nays.

2022 CAPITAL PROJECTS

Biosolids Handling Facility – Executive Director Rourke reported we are working toward making our final equipment decisions, especially the dryer. He said we are also looking to take a trip to Lebanon PA to look at

their process and dryer on December 6, 2022. Our engineer is awaiting our dryer tech decision to continue to move forward with the BOD and 30% design. He said we are taking time with our decision to make sure we are making the right choice, so that might get pushed out to January or February.

Ammonia related WWTP Upgrades – Executive Director Rourke reported contracts have been executed and we are still working through front end documentation, schedules, a finalized schedule of values, safety plans and submittals.

Aeration Tank Improvements – Executive Director Rourke reported we are still awaiting a final plan from our engineers on our path forward. This will become a critical path quickly as submittals are expected to start flowing in and we will see how that affects the schedule for the Ammonia Project. Once we have the information we will know if the cost comes in at or above our bonded cost. If it goes above then we would need to have another public hearing and increase our BAN (Bond Anticipation Note) or pay cash if it doesn't include the full scope. The cost is currently approximately \$2M.

D&R P.S. Upgrade – Executive Director Rourke reported final comments were sent to the engineer and we are hoping to have this project out to bid in the next 30 days. He said we ended up looking at another section of trunk line and there was an amendment in the agenda packet from our engineer, Delaware to provide services for wetland delineation and mitigation at a cost not to exceed \$85,000.00. The engineer said they can shift design at no additional cost but the section includes wetlands and we would need to establish the existence (location) and physical limits (size) of a wetland for purposes of federal, state, and local regulations. The cost includes 4A and 4B and are not cumulative as only 4A or 4B would be completed and that depends on the acreage size of wetlands. Vice Chairman Hotaling entertained a motion for discussion.

Commissioner Butler made a motion to forward a recommendation to the Board of Supervisors to authorize an amendment to the agreement with Delaware Engineering in the amount of \$85,000.00 for engineering services related to planned improvements including delineation of wetlands and additional mitigation and permitting for relining sewer main to the SCSD #1 Englemore Pump Station. Commissioner Doyle seconded the motion. Discussion involved if the sewer line was already in place at that location. Executive Director Rourke said yes, the pipe is already cured and in place and we have other sewer lines near creeks and wetlands where we do regular, planned and required maintenance. Motion passed: 5 Ayes, 2 Absent, 0 Nays.

Capacity Evaluation (Strategic Infrastructure Planning) – Executive Director Rourke reported we are still moving forward with future growth, the town of Moreau as well as our collection system evaluation and awaiting some more technical information on the Global Foundries (GF) front to understand how we could leverage some funding opportunities to continue getting a clearer picture on our ability to treat ammonia. Executive Director Rourke said it is possible this project can be used for potential funding for a pilot program for growth rate variables and will have our engineer to look into funding for economic development with the County.

523 South Main Roof Projects – Executive Director Rourke reported all contracts are signed and the building #1 roof project is set to kick off tomorrow, November 4, 2022 with a pre-construction meeting.

523 South Main Abatement – Executive Director Rourke said we should be getting quotes by this week which will inform us if we can move forward with quotes or need to bid it out to meet our purchasing policy.

MISCELLANEOUS

Mission Communications – Contract Amendment – Rate change/outstanding invoice – Executive Director Rourke gave a background on our mission communications system. He said Mission Communication is what we use as a remote alarm system at our pump stations. It provides background flow, data, auto dial, call numbers, and points on our system. We used to own our own radio frequency, but now we use cellular based modems to communicate alarms and flows from our pump stations. Our contract with Mission Communications is from 2013 and reflects old rates. Their rates increased this year and because of that we need to amend the contract to reflect the rate change. We believe this is going to reflect an approximate \$5,000.00 increase annually for this service. A breakdown of the price increases were in the agenda packet for the Commission to view. Vice Chairman Hotaling entertained a motion for discussion.

Commissioner Fillion made a motion to forward a recommendation to the Board of Supervisors to authorize an amendment to the agreement with Mission Communications to include updated rates to maintain the cellular based communications system for the Sewer District. Commissioner Doyle seconded the motion. Discussion involved fees per model number and how long they have been in service, going from 3G to 4G, as well as good service and response times from Mission Communications. Motion passed: 5 Ayes, 2 Absent, 0 Nays.

Belt Press Control Panel Replacement – Motion to Enter into Agreement – Executive Director Rourke gave a background on this item. He said our sludge belt presses which take our primary and waste activated combined sludge and press it to about 23% solids have control panels that operate them. Those panels are in rough shape as they are in a high H₂S (Hydrogen Sulfide) environment. BDP Industries, the press manufacturer has unique insights and the original proprietary drawings to how the panels were built. Their quote in the amount of \$174,100.00 to perform the sole source work was included in the agenda packet. Executive Director Rourke said the sole source requirements were cleared with the County Purchasing Department and the County Attorney, and we meet all sole source requirements. He said in this instance it is the right call. Vice Chairman Hotaling said BDP is a great company and he entertained a motion for discussion.

Commissioner Doyle made a motion to forward a recommendation to the Board of Supervisors to authorize an agreement with BDP Industries, Inc., for the design, fabrication, assembly, installation and testing of replacing local and master control panels for the sludge filter belt at Saratoga County Sewer District's WWTP. Commissioner Keegan seconded the motion. No discussion. Motion passed: 5 Ayes, 2 Absent, 0 Nays.

Executive Director Rourke mentioned there were (2) items that didn't make the agenda and he went over those items.

- (1) Septage Hauler Fees Discussion** – Executive Director Rourke informed our price for septage intake is \$35/per 1000 gal which is still the lowest in the county. It is not bad but it compares to other county fees such as Albany County \$40/per 1,000 gal, and out of county \$60/per 1,000 gallons, and Gloversville at \$90/per 1,000 gallons. Executive Director Rourke said he wants the Commission to think about these costs and have a discussion for changes in the upcoming year. He added we should be raising rates on septage and was thinking an \$8 to \$10 increase wouldn't have too much effect on haulers. Commissioner Doyle said it is about time and agreed. Commissioner Hotaling mentioned Glens Falls cost and said a small bump wouldn't hurt as costs have increased in the last (3) years due to Covid. Executive Director Rourke said he will run a baseline to get the cost of septage we take in at the Milton Pump Stations, We will be replacing brushes and cutters and the ballpark cost for that is approximately \$20,000.00. He said we used to take sludge here at the WWTP but now it all goes to the Milton Pump Station and it is becoming less cost effective at this point. There is nothing to decide or vote on today but he wanted to mention it for future discussion.

(2) Executive Session – Executive Director Rourke said he wanted to go into Executive Session to talk about Heritage Springs in the Town of Milton.

Vice chairman Hotaling entertained a motion to go into Executive Session with attorney and staff present.

EXECUTIVE SESSION

On a motion by Commissioner Butler and seconded by Commissioner Fillion, the Commission moved to go into Executive Session at 3:42 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 in the Town of Milton. Motion passed: 5 Ayes, 2 Absent, 0 Nays.

On a motion by Commissioner Fillion and seconded by Commissioner Butler, the Commission moved to go out of Executive Session at 4:00 p.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2). Motion passed: 5 Ayes, 2 Absent, 0 Nays.

2023 Meeting Date Discussion – Executive Director Rourke brought up meeting dates for next year and said it would make sense to move our meeting dates a couple days up or the last Thursday of the month for the following month’s meeting dates to prepare and submit sewer information to Law and Finance (L&F). A draft meeting dates schedule was attached to the agenda packet for reference of possible dates and he said we can discuss what dates make the most sense at next month’s meeting

ATTORNEY REPORT – No report other than (5) dedications, (3) all paperwork received and are in order and (2) dedications conditioned upon receipt of original documents received for filing with the County Clerk’s Office.

DEDICATIONS

1451 Route 50 – Town of Ballston – Kensington Court II LLC requested dedication of the sanitary sewer infrastructure servicing 1451 in the Town of Ballston. *A motion to accept Resolution 16-2022 dedication of 1451 Route 50 was made by Commissioner Doyle and seconded by Commissioner Fillion. No discussion. Resolution 16-2022 accepting dedication of 1451 Route 50 consisting of (2) manholes, approximately 185 ft. of 8” SDR-26 gravity main and approximately 220 ft. of 6” SDR-26 gravity main in the Town of Ballston passed: 5 Ayes, 2 Absent, 0 Nays.*

Ushers Road Subdivision Lots 2 & 4 – Town of Clifton Park – Global Montello Group, Corp. requested dedication of the sanitary sewer infrastructure servicing Ushers Road Subdivision Lots 2 & 4 in the Town of Clifton Park. *A motion to accept Resolution 17-2022 dedication of Ushers Road Subdivision lots 2 & 4 was made by Commissioner Keegan and seconded by Commissioner Doyle. No discussion. Resolution 17-2022 accepting dedication of Ushers Road Subdivision lots 2 & 4 consisting of (6) manholes and approximately 1,428 ft. of 8” SDR-26 gravity main in the Town of Clifton Park passed: 5 Ayes, 2 Absent, 0 Nays.*

Ushers Road Subdivision Lot 3 – Town of Clifton Park – SCF RC Funding IV, LLC requested dedication of the sanitary sewer infrastructure servicing Ushers Road Lot 3 in the Town of Clifton Park. *A motion to accept Resolution 18-2022 dedication of Ushers Road Subdivision lot 3 was made by Commissioner Keegan and seconded by Commissioner Fillion. No discussion. Resolution 18-2022 accepting dedication of Ushers Road*

Subdivision lot 3 consisting of (1) manholes and approximately 140 ft. of 8" SDR-26 gravity main in the Town of Clifton Park passed: 5 Ayes, 2 Absent, 0 Nays.

Tanner Road subdivision – Town of Clifton Park – Tanner Road LLC requested dedication of the sanitary sewer infrastructure servicing Tanner Road Subdivision in the Town of Town of Clifton Park. *A motion to accept Resolution 19-2022 dedication of Tanner Road Subdivision was made by Commissioner Keegan and seconded by Commissioner Doyle. Discussion involved conditions of dedication. Resolution 19-2022 accepting dedication of Tanner Road Subdivision consisting of (5) manholes and approximately 2,546 ft. of 2" SR-11 low pressure main in the Town of Clifton Park passed **conditioned upon receipt of all original documents**: 5 Ayes, 2 Absent, 0 Nays.*

Forest Ridge Phase 2A – Town of Stillwater – Stillwater Apartments, LLC requested dedication of the sanitary sewer infrastructure servicing Forest Ridge Phase 2A in the Town of Stillwater. *A motion to accept Resolution 20-2022 dedication of Forest Ridge Phase 2A was made by Commissioner Fillion and seconded by Commissioner Doyle. Discussion involved conditions of dedication. Resolution 20-2022 accepting dedication of Forest Ridge Phase 2A consisting of (8) manholes, approximately 1,413 ft. of 6" SDR-26 gravity main, approximately 87 ft. of 8" C-900 gravity main and approximately 300 ft. of 6" SDR-26 gravity main in the Town of Ballston passed **conditioned upon confirmation that a mortgage subordination agreement from Construction Loan Services II. LLC was filed in the Saratoga County Clerk's Office and receipt of an original signed security agreement**: 5 Ayes, 2 Absent, 0 Nays.*

Executive Director Rourke thanked everyone. A motion to adjourn the meeting was made by Commissioner Fillion and seconded by Commissioner Doyle. The motion passed unanimously.

**Next meeting December 8, 2022
3:00 P.M. at the Treatment Plant**