

APPROVED MINUTES

**SARATOGA COUNTY SEWER COMMISSION No. 1
MINUTES OF JANUARY 26, 2023
3:00 PM at the Treatment Plant**

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

COMMISSIONERS EXCUSED:

ALSO PRESENT: Dan Rourke P.E., Executive Director; Shannon Herrington, Sr. Account Clerk Typist; Gene Hutchings, Chief Operator; Nathan Morris, Assistant Chief Operator; William Bills, Maintenance Manager; Andrew Marsden, Assistant Maintenance Manager; Michael Naughton, Assistant County Attorney.

Chairman Bisnett welcomed everyone to the January 26, 2023 Saratoga County Sewer Commission meeting.

Chairman Bisnett called the meeting to order.

PLEDGE OF ALLEGIANCE: Led by Commissioner Butler

PUBLIC COMMENT: None

CHAIRMAN’S COMMENTS: Chairman Bisnett welcomed Commissioner Smassanow to the board. Commissioner Bisnett asked for a motion to approve the December 8th minutes.

APPROVAL OF MINUTES of December 8, 2022. *Commissioner Doyle made a motion to approve the minutes of December 8, 2022. Commissioner Keegan seconded the motion. No discussion. The minutes of December 8, 2022 were approved: 7 Ayes, 1 Abstain, 0 Absent, 0 Nays.*

2020 CAPITAL PROJECTS

HVAC, Roof Replacement Design – Executive Director Rourke asked for a Motion to Award. He gave a reminder and background update for Commissioner Smassanow that we were upgrading the HVAC and AH units. He stated that we received three bids ranging from \$1,273,000.00 to \$1,529,000.00 for the mechanical portion and three bids ranging from \$149,100.00 to \$198,000.00 for the electrical portion. Executive Director Rourke asked for a Motion to Award the mechanical bid to T. Lemme for \$1,273,000.00 and the electrical bid to J. McBain Inc. for \$149,100.00. Commissioner Hotaling questioned the adder which Executive Rourke explained was for AHU 6, which is above the lab and runs on R22 refrigerant which needs to be reported to EPA. He explained that our original budget for the project was \$2.2 million and it made sense to get rid of the R22 refrigerant since we were still under budget. Commissioner Hotaling questioned if there were any other units that use that refrigerant. Executive Rourke said he believed there were other units using it but that AHU 8 & AHU 6 were being replaced. Executive Rourke noted that we received draft letters of recommendation from the engineer, GPI. He explained that there will be a 6-month lead time as they are big units which supply three stories in the plant.

MOTION TO AWARD BID – *Commissioner Doyle made a motion to award. Commissioner Keegan seconded the motion. The motion was approved: 7 Ayes, 1 Abstain, 0 Absent, 0 Nays.*

Interceptor Relining Phase VIIB – Executive Director Rourke asked for a Motion to amend the engineering contract. Executive Director Rourke gave an update for Commissioner Smassanow that we would be rehabing the pipe for the remainder of our interceptor which was about 14 miles. They are looking to begin bypass pumping the week of February 1st. He stated that one thing that came up at the pre-construction meeting was the concern that the sub-contactor had done some work for us in the past and had some safety concerns. Executive Director Rourke stated that they would like to increase the inspection hours for MJ Engineers by 200 hours to account for site safety inspections. MJ Engineers said they were not sure that they would need it but Executive Rourke thought it best to take the measures to ensure there were no safety issues as in the past. Executive Director Rourke asked for a Motion to Amend the Contact to include 200 hours, a total cost of \$23,000.00. He noted that the funds would come from the fund balance which currently has \$19.9 million and would decrease to approximately \$19.88. Commissioner Doyle agreed that safety was important and Chairman Bisnett also agreed that it is best to be covered.

MOTION TO AMEND ENGINEERING CONTRACT – *Commissioner Hotaling made a motion to Amend. Commissioner Doyle seconded the motion. The motion was approved: 8 Ayes, 0 Abstain, 0 Absent, 0 Nays.*

Saratoga Springs Pump Station and F.M Evaluation and Design – Executive Rourke gave a status update. He stated that the bid date was moved to February 9th and he would have more information at the next meeting.

2021 CAPITAL PROJECTS

Secondary Clarifier Gate and MCC Replacement – Executive Director Rourke gave a status update saying that the project is currently out to bid and set to open March 9th. He stated that as part of the exercise of going out to bid, he had asked for a new construction estimate. He said he received a new estimate which was substantially higher than the one received over a year ago. He stated that there is \$9 million appropriated and the new estimate was \$13,997,000.00. He said again that this was just a status update and we don't know what the final costs are going to be, but we have been saving money to do this project. If the price comes in higher than the \$9 million it will be a hit to the fund balance. He stated that we will discuss this further when we have final numbers but he wanted the commission to be aware so as not to be blindsided if we did have a motion.

Technical Determination of Local Limits/Inhibition Testing – Executive Director Rourke gave a status update. He said we are continuing to work on this. He stated he had a lengthy meeting with Global Foundries for them to develop a plan to manage some of their chemicals that are on site. He said we are working on helping them develop this plan. He also stated that we are collecting data and still trying to figure out how we are being affected by their discharge. Commissioner Butler asked if their testing was done here or there. Executive Director Rourke explained that it was done here. He said an Engineer comes on site, has a bay in the garage, and sets it all up. Commission Butler asked if we ever tested there. Executive Director Rourke said we are looking into this.

2022 CAPITAL PROJECTS

Biosolids Handling Facility – Executive Director Rourke gave a status update. He said it is moving along nicely. He said there was some subsurface investigation being done this week. We are looking to get a 30% design and BOD report in the next month or so. He stated that it would probably come with a higher cost estimate than we anticipated as it's been over a year.

Ammonia related WWTP Upgrades –Executive Rourke apologized for the last-minute email but was hoping the commission had a couple hours to look it over. He asked for a change order to increase the scope of the already existing construction administration and construction operation services for the engineer’s contract for the ammonia upgrade. He referred to the packet of information and the breakdown of why they think we need to increase these costs. He stated that in 2017 we had an original contract to do just the mechanical upgrades to the plant and included 7 months of part time inspection because it was all super-structures. He said from 2017 to now, understanding how ammonia is affecting us, and getting this design so we can actually treat what is coming down the line. He said the original contact amount is currently \$2,027,800.00 and the change order would add \$1,773,600.00. It would be about 5,900 hours of inspection. It would also be the submittal review process as we are getting a lot of equipment and want to ensure that the submittals are properly reviewed and questions are answered. With the design fee, construction, observation and administration fees it is about 12.5% of the total cost which is very fair. He said they would be putting someone on site who is a well-known inspector and had been on wastewater projects before. He also stated that due to the complexity and the fact that it has been a 5-year process it makes sense to go with a design engineer. Executive Director Rourke said the fee would come from the fund balance bringing it from \$19,886,233.00 to \$18,112,633.00. Commissioner Hotaling asked if there were three grants. Executive Director Rourke said there was a WQIP (Water Quality Improvement Project) Grant for \$10 million, WIIA (Water Infrastructure Improvement Act) for \$5 million, and ESD (Empire State Development) for \$2.7 million. He also stated that it was \$50,000.00 for the administration of the grants and that it is a bit of a bear to do these grants, so the price is quite fair. He stated that he should have more information for the next meeting in February with respect to the total of the fund balance.

MOTION TO AMEND ENGINEERING CONTRACT AND APPROPRIATE FUNDS FROM FUND BALANCE – *Commissioner Doyle made a motion to amend. Commissioner Lansing seconded the motion. The motion was approved: 8 Ayes, 0 Abstain, 0 Absent, 0 Nays.*

Aeration Tank Improvements – Executive Director Rourke gave a status update. He said we are still reviewing the plans to get a change order for this work. The work is to get tank 4 up to code. In 2018 we paid Moretrench \$500,000.00 for a temporary dewatering system so we could take those tanks down.

D&R P.S. Upgrade – Executive Director Rourke gave a status update. He said we have DEC approval to go ahead and plans will be advertised for bid next week with a bid opening in early March.

Capacity Evaluation – Executive Director Rourke gave a status update. He said we have a call scheduled for February 3rd to go over different pilot options. We determined it was a good idea to build some type of pilot on a small scale of the large-scale operations of what we do here every day and dose it with current and future “cocktails” of different industries in the area and see how it reacts on a smaller scale compared to a larger scale. Executive Rourke said he had not personally seen it done and asked the engineer to kind of scope it out and he’s looking forward to hearing from them on the 3rd to see if its worth going forward or not.

523 South Main Roof Projects – Executive Director Rourke gave a status update. He said we are in the process of finalizing building 2 contract with S & L Roofing. He stated that Building 1 is 90% complete and we are just waiting for the metal delivery to finish the flashing.

523 South Main Abatement –Executive Rourke stated that this work is relating to the mold and asbestos report for some of the buildings at 523 South Main Street. The lowest responsible bidder was Jupiter Environmental Services at a cost of \$119,200.00. There are funds allocated in the 2023 budget to cover these costs and there is no need to touch the fund balance. We are hoping to get this work done and make this a habitable environment.

MOTION TO AWARD BID – *Commissioner Doyle made a motion to award. Commissioner Lansing seconded the motion. The motion was approved: 8 Ayes, 0 Abstain, 0 Absent, 0 Nays.*

2023 CAPITAL PROJECTS

Moreau Forcemain Extension – Executive Director Rourke gave a history of the project stating that the Town of Moreau is looking to connect to our system. We received bids that range from \$1,750,000.00 to \$2,618,840.00. The low bidder was Bellamy Construction, a directional drilling firm. He stated that all of the project is directionally drilled pipe. The one caveat is that the engineer has not received DEC approval yet, therefore, the award as well as any future contract is contingent upon DEC approval. The project will be paid for through the ARPA (American Rescue Plan Act) funding we received through the county in the amount of \$4,000,000.00. Commissioner Fillion asked what the DEC hold up was. Executive Rourke stated that it was just submission timing by the engineer. He stated that we would not execute a contract and put ourselves at risk without getting DEC approval. He stated that Bellamy is aware of this as well. Commissioner Hotaling asked if the homeowners would be liable for the hookups. Executive Rourke replied, “yes”. He stated that right now we do not anticipate any hookups. It is just a line to get from point A to point B. In the future that will be the goal but it is not looking that way right now. Commissioner Smassanow asked the size of the pipe. Executive Rourke said it was a 10-inch pipe.

MOTION TO AWARD BID – *Commissioner Doyle made a motion to award. Commissioner Fillion seconded the motion. The motion was approved: 8 Ayes, 0 Abstain, 0 Absent, 0 Nays.*

MISCELLANEOUS

DOT Resolution for Raising Manholes – Executive Director Rourke gave a status update. This came across his desk in mid-December but we did not have a meeting in December to cover this. He stated we passed a resolution last month. They are repaving part of Route 67 and there are manholes that they are going to need to raise. The resolution says that we are allowing them to raise those manholes at our cost and we will continue maintaining those manholes. It is a formality that DOT needs. Commissioner Hotaling asked if we inspect the manholes. Executive Rourke said he was unsure but we could definitely send someone out there to take a look. Commissioner Smassanow asked if the manholes were in the road. Executive Director Rourke said that one was in the road and one was on the shoulder.

Reappropriation of 2022 Capital Funds – Executive Director Rourke asked for a motion to reappropriate unspent funds from 2022 to 2023. He stated that is a house keeping motion and needed to reappropriate 2022 unspent funds to be spent on 2023 projects. He stated some highlights that there was unspent money from the clarifier project, the HVAC project, Arcadis biosolids project, \$9 million for the clarifier project is on there as well.

MOTION TO AWARD REAPPROPRIATION – *Commissioner Doyle made a motion to award. Commissioner Hotaling seconded the motion. The motion was approved: 8 Ayes, 0 Abstain, 0 Absent, 0 Nays.*

UV Quarterly Maintenance Contract – Executive Director Rourke explained that our UV System is the last system that the wastewater hits before it enters the Hudson. We have a requirement to meet fecal coliform levels on a daily basis so it is an important piece of equipment. We have had a quarterly maintenance contract in place for some time now. The problem is that the price has gone up. If it is less than \$15,000.00, we can do a minor contract, but now the cost has gone up to \$15,970.00 so we need a motion and a second and approval from the Board of Supervisors.

MOTION TO AWARD CONTRACT – *Commissioner Hotaling made a motion to award. Commissioner Lansing seconded the motion. The motion was approved: 8 Ayes, 0 Abstain, 0 Absent, 0 Nays.*

Septage Receiving Rates –Executive Director Rourke explained that our permit compliance manager, Jared Kline, did some research on rates that other municipalities were charging. He said that right now we charge \$35.00 per thousand gallons which is at the low end. He thinks we should raise the rate to \$45.00 per thousand. He thinks we will still be competitive. He estimates that it will bring in \$100,000.00 per year in revenue. He explained that we raised the rates of the homeowners last year but have not increased the haulers.

MOTION TO APPROVE RATES – *Commissioner Fillion made a motion to approve rates. Commissioner Lansing seconded the motion. The motion was approved. 8 Ayes, 0 Abstain, 0 Absent, 0 Nays.*

Heritage Springs Valuation –Executive Director Rourke explained that there have been many discussions with the county administrators and they think it is wise to get a valuation of the system as it will define our potential liability in the future if there is any. Executive Director Rourke said he reached out to Raftelis, the company that does our rate analysis. The Vice President said he does this work all the time. Executive Director Rourke was afraid we would not find anybody as it is unique to do a valuation of a sewer system. The VP said he has done 50 to 60 of them. He has also been called to be an expert witness. Executive Rourke gave him the size of the system and asked for a ball park cost and he said somewhere between \$30,000.00 and \$40,000.00. We do not have a formal proposal letter. The consensus, per the meetings before, was to push this forward in a timely fashion. Executive Rourke said the motion would be for a contract not to exceed \$45,000.00. Executive Rourke hopes to have the formal letter in less than a week. Commissioner Keegan asked if they were looking to hook to our line. Executive Rourke explained that they were already hooked to us. He explained that we were already charging for the treatment of the waste but they were charging for the maintenance of the lines. Commissioner Hotaling asked how many pump stations they had. Executive Director Rourke replied that there were 6. Executive Director Rourke explained that we already did an assessment and TV'd the lines to make sure that was in good shape. He said Gary Robinson did an assessment of the system to make sure it's in good shape so there is a lot of information on what they have done to keep the system updated. Chairman Bisnett asked if they would include the condition of the system in the valuation report. Executive Director Rourke explained that the Gary Robinson report already had that information. The valuation report would tell us just how much the system is worth. Commissioner Smassanow suggested that we look at the condition the pipes are in and if there is sand. He suggested looking at the revenue it generates verses the cost to keep it going to see if its an asset or liability. Executive Rourke commented that they are a transportation corporation and are subject to foil. He said a lot of information is out in the public due to past litigation. Executive Director Rourke said that we have a mechanism to generate more revenue, our scale of charges. Executive Director Rourke commented that he has been in contact with the Town of Milton and they are aware that an increase is possible. Commissioner Fillion questioned if the cost is for the appraisal or if he would go on site. Executive Director Rourke said they would go on site and gather as much information as they could. Commissioner Hotaling asked if this would be a separate tax district. He asked if the Milton residents would incur the cost. Executive Director Rourke said that it would be a service-based fee. He used an example that instead of the \$50.00 collector fee, they may be charged \$75.00 for a few years or so. Commissioner Hotaling stated that if some residents are charged and some are not, there will be residents knocking on our doors and calling supervisors. Executive Director Rourke explained that the whole area is a part of Heritage Springs. He stated that the cost right now is around \$200 per year, so the residents will be saving money. Commissioner Doyle suggested to delay the motion for a month until more information is received. Executive Rourke said that there is litigation with the county entity, Milton, therefore, it is best to move forward quickly to avoid any issues with the litigation. Executive Director Rourke stated that is good to do the valuation even if we don't move forward with it.

MOTION TO AWARD VALUATION – *Commissioner Doyle made a motion to award valuation. Commissioner Fillion seconded the motion. The motion was approved: 8 Ayes, 0 Abstain, 0 Absent, 0 Nays.*

ATTORNEY REPORT – Attorney Naughton had no report.

DEDICATIONS – None

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

**Next meeting February 23, 2023
3:00 P.M. at the County Complex**