

## APPROVED MINUTES

### SARATOGA COUNTY SEWER COMMISSION No. 1 MINUTES OF MARCH 30, 2023 3:00 PM at the Treatment Plant

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

**COMMISSIONERS EXCUSED:** Keegan & Smassanow

**ALSO PRESENT:** Dan Rourke P.E., Executive Director; Shannon Herrington, Sr. Account Clerk Typist; Gene Hutchings, Chief Operator; Nathan Morris, Assistant Chief Operator; Andrew Marsden, Assistant Maintenance Manager; Andrew Proler, Assistant County Attorney, Steve Bulger, County Administrator.

Chairman Bisnett welcomed everyone to the March 30, 2023 Saratoga County Sewer Commission meeting.

Chairman Bisnett called the meeting to order.

**PUBLIC COMMENT:** None

**CHAIRMAN'S COMMENTS:** Chairman Bisnett asked that the discussion on the tax break for veterans and emergency responders be put off as Attorney Naughton could not be here for the conversation.

Chairman Bisnett asked for a motion to approve the February 23<sup>rd</sup> minutes.

**APPROVAL OF MINUTES of February 23, 2023.** *Commissioner Doyle made a motion to approve the minutes of February 23, 2023. Commissioner Fillion seconded the motion. No discussion. The minutes of February 23, 2023 were approved: 6 Ayes, 0 Abstain, 2 Absent, 0 Nays.*

#### **2020 CAPITAL PROJECTS**

**Wilton Water and Sewer Collection System** – Executive Director Rourke addressed two items that did not make it on the agenda. He stated that Wilton Water and Sewer Authority, who own the collection system and some pump stations in Wilton, are looking to dedicate their system to us. They want to get out of the sewer business. Executive Director Rourke said he thinks it is worth looking into and it would definitely be worthwhile to us as they have a cash reserve they would be sending us between \$2.5 and \$3 million dollars. He stated that he wanted to bring this up today as WWSA is looking to get title companies involved, looking at what assets and titles they have, and the easiest way to transfer them. They want to make sure that we were comfortable moving forward if they invested the money to do those things. Commissioner Hotaling asked how many pump stations they had. Executive Director Rourke said that there were 9 or 10 pump stations. Commissioner Hotaling asked if anyone has looked at them and are they in decent shape. Executive Director Rourke replied that the ACE pump station was being upgraded now and that most of the pump stations had been installed under our QA projects, have been inspected, and meet our specifications. He stated that it is mainly, if not all, plastic piping which is nice. Commissioner Hotaling asked if the \$2 million was to cover the material costs if we had to upgrade anything. Executive Director Rourke said that he thinks that is part of it but also that there are some capacity issues involved. He stated that we may have to divert flows from one

pipe to another especially with Moreau coming through Wilton now as part of that project. Commissioner Hotaling asked if the capacity from Moreau hurts the Wilton project. Executive Director Rourke said that the capacity from Moreau goes through that ACE pump station, which we are upgrading, so that is not a concern but that it does take up capacity in the forcemain going down Northern Pines and Carr. Executive Director Rourke asked the commission if they wanted a motion to continue research on this or if they wanted to wait for a motion until they actually wanted to dedicate. They agreed that they would wait.

**Viall Ave Sewer** – Executive Director Rourke stated that the sewer on Viall Avenue, on the edge of Stillwater into the City of Mechanicville, had a break on Friday. Andrew Marsden pulled up the map of the area. Executive Director Rourke stated that Viall Avenue is also County Route 75. Executive Director Rourke showed the commission that there are two private lines that are starting to break, at least annually, if not more. Executive Director Rourke said that he decided to call in our emergency crew and get the pipe fixed. He stated that we need to find a solution for this but he is unsure what the solution is yet. He stated that he would like to bring the Town of Stillwater, the City of Mechanicville, along with ourselves, all to the table and find out what the solution is. He said that we could potentially use some of the ARPA money that we got from the County to install pipe that the county may already own but also get buy-in from the town and city as well, as it is serving the residents. He stated that he doesn't have a solution but he wanted to bring it to the commission's attention as there may be some expenditures associated with this. He stated that we need to address this problem to make sure that sewage isn't spilling on the ground every year and solve a problem that's been sitting out there for quite some time. Commissioner Hotaling asked if these were private lines. Executive Director Rourke replied that they were installed by a homeowner and they don't meet DEC standards. He said it was homeowner installed pipe from the 50's or 60's. He said it's a 6-inch line and doesn't meet current code and people over time have connected to it. Chairman Bisnett stated that the Alonzo family put it in many years ago and that his father-in-law and brother-in-law are connected to it. He said there have been some problems with the lines collapsing and getting them fixed. Commissioner Butler said that Pittsburgh and Philadelphia Avenue are in Mechanicville and those lines run down to those streets. Commissioner Hotaling asked if we were to replace the lines would we take ownership and is there added revenue that comes with that. Executive Director Rourke replied that he is pretty sure that we are charging everyone the user and collector fee but we are currently dye testing. He said there are between 15 and 25 homes connected so it is not a huge amount of money. He said it is more of a risk factor as it does not meet DEC standards as it's not owned by a transportation company or a sewer district. If DEC knew this was an issue they would be knocking on our door to figure it out anyway. Commissioner Hotaling asked how many linear feet there was. Executive Director Rourke said he was unsure and he was also not sure if we would run in the same spot or if we would run gravity up the hill. He said he did not know if people were going to keep the same style lateral or if we are going to have to look at grinder pumps to make it easier, but those are the questions we are going to need to answer. Commissioner Doyle said that he thinks that it is our responsibility as it is connected to our system. Executive Director Rourke said it's a little funky because we have one system that dumps into one municipality that dumps back to us which is technically against our rules and regulations. He stated that there are other areas in the county where that does happen, so it is a judgement call as to when you have to not exactly follow the letter of the law. He stated that it is not part of the local law but we need to solve the problem. Chairman Bisnett stated that we have a plan to cover the cost. He stated that we could, perhaps, have the homeowner cover the cost to put the grinder pumps in so we do not carry the total burden. Executive Director Rourke said that there is always opportunity to recoup costs on the back end with increased collector fees. He mentioned that instead of \$50.00 per year we could charge \$100.00 per year, for 5 years or something, but again it is all a part of the conversations we are going to have. Commissioner Doyle stated that we need to be careful of grinder pumps as we don't install them. Commissioner Hotaling asked who we have looking at this. Executive Director Rourke asked if he meant in terms of an engineer. Commissioner Hotaling confirmed. Executive Director Rourke said he didn't know and he wanted to talk with the town and the city. Commissioner Hotaling mentioned that we have the blanket with Delaware. Executive Director Rourke said that we have a capacity

evaluation contract with Delaware and there is still money left so it may fall under that and we could go down that road.

**HVAC Upgrade at WWTP** – Executive Director Rourke gave a status update and stated that contracts are almost executed and we have a kickoff scheduled for next Friday.

**Interceptor Relining Phase VIIB** – Executive Director Rourke gave a status update and stated that the project is going well. He said the contractor has made it past SPAC. They had a goal to make it past SPAC by mid-March and they have met that goal. He said they have a schedule to get down to the Milton pump station by June or early July and the contractor says they are on schedule. Executive Director Rourke said he met with the Saratoga Springs WMCA CEO and the Saratoga Springs Supervisors as well. There are restoration questions that need to be answered but we need the weather to turn before restoration begins. He said all in all we are happy and everything seems to be going well so far. Attorney Proler asked Executive Director Rourke if attorney Naughton had mentioned a problem with a home owner. Executive Director Rourke said he had not. Executive Director Rourke said that he did get an email from a homeowner with whom he had been in contact with before the project. He said that the contractor wanted to get past SPAC so their focus was not on the restoration, but the weather is turning and they will go back and get that restoration done as soon as possible. Executive Director Rourke asked Attorney Proler to please have Attorney Naughton contact him as he has bi-weekly meetings with the contractor and engineer to solve any of those issues that are so inevitable when it comes to capital projects.

**Saratoga Springs Pump Station and F.M Evaluation and Design** – Executive Director Rourke gave a status update and said the contracts have been generated and out for signature. He said we have a tentative date of April 10<sup>th</sup> for a pre-construction meeting.

## **2021 CAPITAL PROJECTS**

**Secondary Clarifier Gate and MCC Replacement** – Executive Director Rourke asked for a Motion to Award two contracts. He stated that Jersen was the low bidder at \$8,346,000.00. Bids ranged from that to \$11,632,000.00 from 4 bidders. The engineers estimate for the general construction was \$9 Million so we came in under budget. Stilsing Electric was the lowest bid on the electrical side. Their bid was \$3,044,517.00. With the two low bidders that brings the total cost to \$11,390,517.00. He stated that \$9 million has been reappropriated and we have another \$500,000.00 from a project that we are not going to implement this year, so currently we have a total of \$9,500,000.00 budgeted for this project. We are short \$1,890,517.00 so part of this motion would be to dip into the fund balance. We currently have \$18,380,000.00 in the fund balance and once we take that \$1.8 million out that would decrease the fund balance to \$16,490,000.00. Executive Director Rourke asked for a motion to award to the two low bidders as well as to amend the budget to fund these two projects.

**MOTION TO AWARD** – *Commissioner Doyle made a motion to award. Commissioner Fillion seconded the motion. The motion was approved: 6 Ayes, 0 Abstain, 2 Absent, 0 Nays.*

**Technical Determination of Local Limits/Inhibition Testing** – Executive Director Rourke gave a status update. He stated that we just received some comments back from the EPA last week and our engineer is addressing those. He said we have a call scheduled with the engineer next Monday to finalize comments, send it back, and hopefully be done with the local limits work.

## **2022 CAPITAL PROJECTS**

**Biosolids Handling Facility** –Executive Director Rourke asked for a Motion for a Public Hearing. Executive Director Rourke apologized that he had this as a status update on the agenda. He said he received a call this morning which may change this to a motion depending on the discussion today. He said he had a conversation this morning with EFC, The Environmental Facilities Corporation, who is responsible for grant funding and long-term financing of environmental and wastewater projects. He stated that the call was basically saying that if we can finalize financing with them by June 16<sup>th</sup> we fall above the subsidized financing line. They have a line of all these projects in New York State and if you fall above it you qualify for subsidized financing, if you fall below it you don't. What subsidized financing means is EFC will pay for half of market interest rate. If the market rate for a bond is 4% the EFC will pay 2% and over 30 years that's a ton of money. He said that we are trying to do the same thing with the ammonia project, but it's after the fact, so it's a little harder. We are financing around \$26 Million for that project and if we are able to get subsidized financing through EFC, over 30 years, we will save over \$12 to \$13 Million dollars. He stated that that amount is based on \$26 Million. The biosolids facility had an original cost of \$51,900,000.00, and the reason we would need a public hearing is because that cost estimate is from 2021 and the costs have gone up. He stated that we received a new proposed estimate this morning from the engineer of \$68,550,000.00 which includes \$4 Million in design fees, and we have a contract for design that we paid for so it is an inflated number. It also includes a \$10.4 Million construction contingency because it's not going to start for a couple of years and it also includes a \$6 Million or 5% escalation over the next two years. He said there is a lot of engineering estimation fluff in this number. Executive Director Rourke said that the reason we are pushing this public hearing now would be to increase the bond amount to the \$68,550,000.00, which could potentially be refined before the public hearing. Executive Director Rourke stated that pushing it forward makes sense because of the potential costs that we could save. He stated that that line changes year after year and it's based on projects that come in that are requesting financing. Executive Director Rourke speculated that the reason that both these projects have fallen above this line this year is because during COVID not much work was getting done and we were pushing forward. He said the longer we wait the chances of us falling above that line lessens and we won't get subsidized financing. Commissioner Hotaling asked if the commission would have to meet for the public hearing. Executive Director Rourke said that we typically have the public hearings after the law and finance meetings. He said the next law and financing meeting is April 12, 2023 and the next step after that would be moving a bond resolution and project resolution increase forward for the May law and finance and Board of Supervisors meeting to be able to submit to the EFC by June 16<sup>th</sup>.

**MOTION FOR PUBLIC HEARING** – *Commissioner Fillion made a motion. Commissioner Doyle seconded the motion. The motion was approved 6 Ayes, 0 Abstain, 2 Absent, 0 Nays.*

**Ammonia related WWTP Upgrades** –Executive Director Rourke gave a status update. He stated that we are having bi-weekly construction meetings and Jerson has equipment out back. He said we have it staked and we are waiting to get a finalized storm water pollution prevention plan and a possible relocation or temporary termination of the solar field that may be in the way. He said that once we get those two determinations they will start digging and start dewatering.

**Aeration Tank Improvements** – Executive Director Rourke gave a status update. He said we had provided comments to the engineer and they were going to get back to us early this week with response to our comments. Once we hash out all of our comments, we will get finalized drawings out to Jersen for a change order price to solidify the structure of the aeration basin.

**D&R P.S. Upgrade** – Executive Director Rourke asked for a Motion to Award 3 Contracts. He stated the D&R pump station is located in the Town of Halfmoon. He said the low bid for general construction was \$468,679.00 and the bids ranged in price from that to \$642,000.00. There were 6 bidders. Electrical

construction was \$125,000.00. The low bidder was Spring Electric. J.W. Danforth had the HVAC contract for \$35,300.00 which brings the total to \$628,979.00. Executive Director Rourke mentioned that we purchased the pumps and controls directly from Flyght because we have a sole source agreement with Flyght which provides us with a percent savings of about \$120,000.00 so the total cost of the project is \$748,979.00. Chairman Bisnett questioned Executive Director Rourke about the range in price and asked if he was confident with the \$125,000.00 bid. Executive Director Rourke said that if he didn't know Spring Electric he would definitely question this spread. He stated that Spring Electric has done work here at the plant and they are our emergency contractor for electrical along with Stilsing. He said they have done work on our pump stations before and that they understand the timing as it's not like the electricians can get all the work done in a week and then they're out. It's more like piece-mailed with general contractors and their schedule. He stated that he does have confidence in Spring Electric.

**MOTION TO AWARD 3 CONTRACTS** – *Commissioner Lansing made a motion to award. Commissioner Doyle seconded the motion. The motion was approved: 6 Ayes, 0 Abstain, 2 Absent, 0 Nays.*

**Capacity Evaluation** – Executive Director Rourke gave a status update. He stated that we are still working through the pilot system and we had a good meeting with the engineer. He said we got an initial budget number to build the pilot system of \$700,000.00. That would be to build them from scratch, our own design, and how we want it done. He said we had a meeting to discuss some of the options and we are refining that budget. He stated that what this pilot does is to help us understand what semi-conductor wastewater does to our plant. Executive Director Rourke mentioned that he was talking to Shannon Harty, Commissioner of Onondaga County Water Environment Protection. They are taking on Micron and may have some of the same issues we have and his thought was to maybe partner with them and splitting the costs. He stated that the timing may work because we need it today and they need it tomorrow. He said he met with Shannon on Tuesday at a meeting in Syracuse and she was very interested. He said he is going to continue down that road as \$700,000.00 is a good chunk of change. Commissioner Hotaling asked if Executive Director Rourke had any contacts with Utica as there is a fab plant there. Executive Director Rourke stated that they have Cree, now Wolfspeed, which is not exactly the same technology that Global Foundries is producing and it is much smaller in scale. Commissioner Hotaling asked about Albany and Executive Director Rourke said that again it is much smaller. He stated that he does know Craig and Angelo, the Executive Director, but they are probably a hard no. Executive Director Rourke asked if we knew who the contact was in Oneida County. Gene Hutchings replied Dale Lockwood and Andrew Marsden mentioned Karl Shrantz. Executive Director Rourke said that it would be a good idea to reach out.

**523 South Main Roof Projects** – Executive Director Rourke asked for a Motion to Approve Change Order. He stated that it is an asphalt roof and as they started tearing it apart they found the plywood was rotted. He said that we had an assumption that some of it would be rotted and some of it was included in the contract price, but it's all rotted. Also, the rafters were pretty rotted and the furring needs to be removed. He stated that the cost for the extra plywood was \$10,000.00, the rafter tails were \$7,000.00, and the furring was \$2,700.00. He stated that they have been good to work with and they could have demobilized and could have just walked off site. He said they have a trust and it's good to move forward. He stated that it's a 30-year-old roof and we have materials stored and it's all cold storage so it makes sense to get the roof done. He said the total change order cost is \$22,107.00. He said this is well above the 10% as the original contract was \$69,900.00. This would be a new contract amount for \$92,007.00 but we would need a motion to approve those increased costs.

**MOTION TO APPROVE** – *Commissioner Doyle made a motion to approve. Commissioner Hotaling seconded the motion. The motion was approved: 6 Ayes, 0 Abstain, 2 Absent, 0 Nays.*

**523 South Main Abatement** –Executive Director Rourke gave a status update. He said we are working on getting a pre-construction meeting on the books. He said the contractor needs more information from the designer which should be coming shortly.

## **2023 CAPITAL PROJECTS**

**Moreau Forcemain Extension** – Executive Director Rourke gave a status update. He said we received a P.E. certification approval from DEC which will allow us to move forward with our low bidder, Bellamy Construction. The contract for \$1.7 Million is underway. We will get that going and get that forcemain installed. He said that correlates with the ACE pump station which is currently out to bid as well and will be added to the agenda next month. County Administrator Bulger commented that the town board approved the project and they signed the contract.

**UV Systems Controls Upgrade** – Executive Director Rourke stated that we were scratching this from the agenda. He was under the assumption that this was going to be able to be a sole source procurement but it is very gray. He stated he wanted to follow sole source procurement law to the T on this one and we will bid it out.

## **MISCELLANEOUS**

**Heritage Springs Valuation** –Executive Director Rourke gave a status update. He said he had a kickoff meeting and it went very well. He said we are looking to have that done by June or July this year.

**ATTORNEY REPORT** – Attorney Proler had no report.

**DEDICATIONS** – Forest Ridge, Phase 2-B. Chairman Bisnett asked for a motion to approve Resolution No. SD 2-2023, Forest Ridge, Phase 2-B, located in the Town of Stillwater.

**MOTION TO APPROVE** – *Commissioner Hotaling made a motion to approve. Commissioner Fillion seconded the motion. The motion was approved: 5 Ayes, 1 Abstain, 2 Absent, 0 Nays.*

County Administrator Bulger thanked the commission, on behalf of the Board of Supervisors, for changing the dates of the meetings. He stated that it is a big help to the County and they appreciate it. Chairman Bisnett replied that they will do whatever it takes and that’s what they are here to do.

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

**Next meeting April 27, 2023  
3:00 P.M. at the Treatment Plant**