

APPROVED MINUTES

SARATOGA COUNTY SEWER COMMISSION No. 1

MINUTES OF JULY 7, 2016

3:00 PM at the Treatment Plant

COMMISSIONERS PRESENT: Howe, Bold, Cannon, Doyle, Hale, Loewenstein and Rinaldi

COMMISSIONERS EXCUSED: Marshall and Ostapczuk

ALSO PRESENT: Dan Rourke P.E., Executive Director; Anne Gorman, Confidential Secretary; Sue Duff, Chief Operator; Jim Bolduc, Assistant Chief Operator; William Bills, Assistant Maintenance Manager; Chad M. Cooke P.E., Deputy County Administrator; Robert Wilcox, Assistant County Attorney

PLEDGE OF ALLEGIANCE: Commissioner Bold led the Commission in the Pledge of Allegiance

PUBLIC COMMENT: None

CHAIRMAN'S COMMENTS: Chairman Howe mentioned the Saratoga Lake sewage spill. A photo of the check valve was provided for viewing. Chairman Howe said we all care about the environment and Saratoga Lake is certainly a jewel for our area. It was very unfortunate that the spill happened and because it was due to mechanical failure, he didn't see how it could have been prevented.

On a positive note, he commended the Sewer District staff for their expediency in taking care of the situation making the necessary repairs on the holiday weekend. He was also impressed with Maintenance Manager, Grant Eaton and Executive Director Rourke for being on site during the holiday weekend and he appreciates knowing that staff is willing to come together and handle these situations. Chairman Howe inquired about the projected 5,000 gallons that spilled and he asked Executive Director Rourke if they could discuss if there was any recourse with NYSDEC.

Executive Director Rourke confirmed that it was an estimated 5,000 gallons and it was reported properly via the NY-Alert system within the mandatory two (2) hour time frame for the Sewage Pollution Right to Know Act. The NYSDEC opened an investigation into the spill reporting and response by the Sewer District. The Daily Gazette also reported on July 7, 2016 with a headline stating DEC: Saratoga County Sewer District responded properly to spill.

Executive Director Rourke said this was an unfortunate event and we are not positive what caused the failure or how it happened. He commended his staff for handling the situation promptly and correctly. He said once the determined actions were taken to get the station back up and running, which included switching to a non broken check valve pump and using that for operation, a new check valve was installed the next morning. Executive Director Rourke said the station is currently operating properly and we are looking into why the check valve failed with the manufacturer. We are also looking at options for alarming valve pits for water intrusion and the cost and feasibility of it with the existing frame work of the stations.

APPROVAL OF MINUTES of May 5, 2016. *Commissioner Loewenstein made a motion to approve the minutes of May 5, 2016. Commissioner Hale seconded the motion. No discussion. The minutes of May 5, 2016 were approved. 7 Ayes, 0 Abstain, 2 Absent, 0 Nays.*

APPROVAL OF MINUTES of June 9, 2016. Approval of minutes postponed to the next Commission meeting due to a lack of attending Commissioners which prevented a majority vote.

Executive Director Rourke gave updates on the following projects:

2015 CAPITAL PROJECTS

Bar Screen No. 3 and Mixer Project – Executive Director Rourke said he was informed last week that Stephen Miller General Contractors found a gross error in their bid. Executive Director Rourke said because the contract has already been awarded and executed, he will have to speak with the County Attorney’s office with respect to what steps to take moving forward.

Bar Screen No. 1 and No. 2 Replacement – Contracts have been executed with Spring Electric Inc. and we are awaiting insurance documents to finalize contracts with Jett Industries Inc.

2016 CAPITAL PROJECTS

Birchwood Force Main Upgrade – Design is complete and bids have been handed out to contractors for pricing. The bids are due back in ten (10) days. Once we look at the installation method and pricing we will award the contract to get the work done.

MISCELLANEOUS

Saratoga Lake Sewage Spill – Executive Director Rourke said the lake spill was discussed under the Chairman’s Comments. Again, he commended his staff for working so diligently on the Fourth of July holiday to terminate the spill and clean up thereafter. Director Rourke added by saying all in all, given what happened, the silver lining is this was a good exercise for disaster mitigation that was performed well.

Main Influent Pumps – O’Brien and Gere (OBG) has requested a change order in the amount of \$16,800.00 for unanticipated electrical modifications regarding existing Variable Frequency Drive’s (VFD’s) as well as the anticipated construction duration being exceeded through no fault of their own. Executive Director Rourke thinks the amount is reasonable and fair due to the circumstances and dealing with a difficult contractor. OBG helped throughout a difficult process and their level of involvement exceeded what was originally expected. The change order is over 10% of the original contract sum (\$38,100) and would need approval of the Board of Supervisors.

Commissioner Cannon made a motion to forward a recommendation to the Board of Supervisors to approve O’Brien and Gere’s change order request in the amount of \$16,800.00 for unanticipated electrical modifications and construction complexities. The change order would increase their contract amount from \$41,900.00 to \$58,700.00. Commissioner Loewenstein seconded the motion. Discussion involved the significant change order amount. Deputy County Administrator Cooke said he was aware of the situation and it was discussed while he was Executive Director at the Sewer District. Deputy County Administrator Cooke added that it was difficult at that time to put an amount on an amendment not knowing when the work

was going to be completed. Executive Director Rourke said he felt the request was reasonable as the contract time was extended by no fault to the engineer. Motion passed: 7 Ayes, 0 Abstain, 2 Absent, 0 Nays.

ATTORNEY REPORT

Attorney Wilcox said he did not have much to report and there have been no new developments with regard to the ongoing litigation. He said there was one issue that he would be talking to Executive Director Rourke about with regard to clarifying some contract documents to make sure appropriate releases are being signed with more clear language for the auditor to accept more readily. An issue was eventually resolved but the contractor had to provide new documents to meet requirements.

DEDICATIONS: None

COMMITEES

Engineering Committee – Commissioner Loewenstein said the Engineering Committee met on June 27, 2016 and discussed two (2) topics; Commissioner Bold’s visit to NH with Sewer District staff and the long term Capital Plan. The Committee discussed the updated Capital Plan and they have a list of significant projects that have been prioritized.

The Committee concluded that a financial planner is needed to assist with long term capital planning. Their projection is that there will be a capital shortfall a number of years down the road. The Committee feels that a more sophisticated analysis is necessary to warrant discussions with the County Administrators Office and the County Treasurer’s Office about what the plan is for the Sewer District moving forward.

Commissioner Loewenstien asked Deputy County Administrator Cooke if the County would be receptive to enter into a contract with a financial planner. Deputy County Administrator Cooke said he would have to discuss that with the County Administrator.

Commissioner Hale mentioned that the District may be able to take advantage of grant funding opportunities. Executive Director Rourke said there are some NYS Water Grants happening this year and next year that he would like to talk about for the interceptor relining project.

Commissioner Cannon said it is important to get the issues resolved with the Capital Plan.

Deputy County Administrator Cooke said as far as grant applications, the County is in the process of hiring Chazen Companies as a grant writer. The County Economic Development Committee wanted to advance a project to the grant writing phase through NYS CFA (Consolidated Funding Application). He talked with Executive Director Rourke about a project for gaining access to some of the Sewer District’s inaccessible manholes, which is now part of an existing NYSDEC consent order. The Administrator’s office is working with the Sewer District and Chazen Companies and will submit something by the end of July.

Deputy County Administrator Cooke also mentioned that while he was at the Sewer District there were opportunities to submit grant applications for various projects and after spending hours on research and preparation, it ended up being a fruitless effort because the result was the median income in Saratoga County was too high. Executive Director Rourke said there are now opportunities with the NYS Water Grant as the State just removed the requirement of the median household income for the wastewater side which will help the Sewer District.

Chairman Howe asked Commissioner Loewenstein to stay in touch with Executive Director Rourke and Deputy County Administrator Cooke on the Capital Plan as well as the County Administrator with regard to the possibility of hiring a financial planner to assist with long term capital planning.

A motion to adjourn the meeting was made by Commissioner Cannon and seconded by Commissioner Bold. No discussion. The motion passed.

**NEXT COMMISSION MEETING
Thursday, August 4, 2016
3:00 P.M. at the Treatment Plant**