

APPROVED MINUTES

SARATOGA COUNTY SEWER COMMISSION No. 1 MINUTES OF AUGUST 4, 2016 3:00 PM at the Treatment Plant

COMMISSIONERS PRESENT: Howe, Bold, Cannon, Doyle, Hale, Marshall, Ostapczuk and Rinaldi

COMMISSIONERS EXCUSED: Loewenstein

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT: None

CHAIRMAN'S COMMENTS: Chairman Howe said he wanted to discuss an issue that was brought to his attention today by Executive Director Rourke, Deputy County Administrator Cooke and Assistant County Attorney Wilcox with regard to the Town of Halfmoon. He asked Executive Director Rourke to give some background on the situation.

Executive Director Rourke said the issue Chairman Howe mentioned is with regard to the Church Hill Road Sewer District in the Town of Halfmoon. There was an agreement signed twenty (20) years ago around 1995 whereby the Church Hill Road Sewer District (CHRSD) would transfer title to grinder pumps and force mains to the Saratoga County Sewer District (the Sewer District) after the sooner of twenty (20) years or the pay off of the debt service. Executive Director Rourke said the debt service is due to be paid on September 6th of this year and, with that, there have been discussions on what a dedication is going to entail with regards to taking over pumps and force mains.

Executive Director Rourke said there are issues relating to the very existence of easements associated with access to the grinder pumps as well as the force mains. Also, there is language in the agreement stating CHRSD will abide by all rules and regulations adopted by the Sewer District. Saratoga County Sewer District has since adopted a policy to decline dedications of grinder pumps. Executive Director Rourke said he has had discussions with the Town of Halfmoon about these issues and he wanted to bring it to the Commission's attention to let them know where we are at currently and discuss what the Commission advises moving forward. Executive Director Rourke asked Attorney Wilcox to give some additional information on the agreement.

Attorney Wilcox said there is a question as to whether or not the Sewer District can perform the agreement. He said it is a question because what are believed to be easements are not actual easements, but licenses at best, as they are not defined as to dimensions and accompanying rights. He said there is no standard easement language or descriptions, therefore no rights associated with access. Attorney Wilcox said without proper easements, Sewer District staff cannot get to the grinder pumps, piping and some of the

appurtenances to perform maintenance and repair. He also made reference to the provision in the agreement that states all of the Sewer District's rules and regulations shall be applicable. He said there were a couple of other regulatory items that do not meet the Sewer Districts standards for compliance as they exist today.

The Commission had a lengthy discussion on the agreement and the language with regard to the grinder pumps, piping and easements, as well as the Sewer District's rules and regulations. Each of the Commissioners expressed their thoughts and opinions on what they felt the Sewer District's obligations were as well as the Town's obligations to the homeowners. The Commission suggested that the Executive Director, Chairman Howe and a representative of the Engineering Committee meet with the Town of Halfmoon to discuss the agreement as well as options moving forward.

Commissioner Marshall made a motion stating that the Sewer Commission feels strongly that the Town of Halfmoon should fulfill its agreement to grant the Sewer District an easement for the secondary access road to the treatment plant prior to engaging in negotiations relative to the dedication of CHRSD. Commissioner Doyle seconded the motion. Discussion involved the importance of obtaining the easement and concluding the original agreement for the secondary access road as it is critical for the operation of the plant and it is a matter of health and safety. The motion was approved. 7 Ayes, 0 Abstain, 1 Absent, 1 Nays

Chairman Howe thanked everyone for their input and said he felt that Executive Director Rourke and Attorney Wilcox had enough information and direction from the Commission to move forward.

APPROVAL OF MINUTES of June 9, 2016. *Commissioner Howe made a motion to approve the minutes of June 9, 2016. Commissioner Ostapczuk seconded the motion. No discussion. The minutes of June 9, 2016 were approved. 5 Ayes, 3 Abstain, 1 Absent, 0 Nays.*

APPROVAL OF MINUTES of July 7, 2016. *Commissioner Hale made a motion to approve the minutes of July 7, 2016. Commissioner Doyle seconded the motion. No discussion. The minutes of July 7, 2016 were approved. 6 Ayes, 2 Abstain, 1 Absent, 0 Nays.*

Executive Director Rourke gave updates on the following projects:

2015 CAPITAL PROJECTS

Bar Screen No. 3 and Mixer Project – A Notice to Proceed was issued on July 28, 2016. The engineer will soon be scheduling preconstruction meetings with the contractors.

Bar Screen No. 1 and No. 2 Replacement – A Notice to proceed will be issued next week and a preconstruction meeting will be scheduled shortly thereafter.

2016 CAPITAL PROJECTS

Birchwood Force Main Upgrade – This project is currently under construction and an estimated completion date is slated for early September.

Dwass Kill Rehabilitation CFA – The Chazen Companies submitted our application last Friday, July 29, 2016. We are expecting a response by October 3, 2016 to see whether or not we will receive funding for this project.

MISCELLANEOUS

Reimbursement for Sewer Main Break – Executive Director Rourke informed the Commission that there was a sewer main break on Round Lake Road in the Town of Ballston. The home owner hired a contractor to do repairs and during excavation it was found that it was a SCSO issue, not the responsibility of the home owner. The home owner paid the contractor and is requesting reimbursement in the amount of \$864.00. Executive Director Rourke said the Sewer Commission passed a motion on May 25, 2011 authorizing the Executive Director to initiate payment for minor claims against the Sewer District up to \$1,000.00 contingent on approval of the Legal Department. The homeowner has provided a receipt to process the reimbursement.

ATTORNEY REPORT

Attorney Wilcox said there were two (2) dedications and all paperwork is complete for both. The first dedication is Clifton Park Plaza, which is the new Price Chopper on Route 146 & Vischer Ferry Road and the second dedication is the Loudon Road Conservation Subdivision in the Town of Wilton.

DEDICATIONS:

Clifton Park Plaza Redevelopment – Town of Clifton Park – Clifton Park Plaza Associates, L.L.C. and SUAA CP LLC requested dedication of the sanitary sewer infrastructure servicing the Clifton Park Plaza in the Town of Clifton Park. *The motion to accept dedication of Clifton Park Plaza in the Town of Clifton Park consisting of (5) manholes and approximately 609 ft of 8” SDR 26/35 gravity main was made by Commissioner Hale and seconded by Commissioner Doyle. No discussion. Resolution SD 10-2016 accepting dedication of Clifton Park Plaza in the Town of Clifton Park passed: 8 Ayes, 1 Absent, 0 Nays.*

Loudon Road Conservation Subdivision – Town of Wilton – Cottage Hill Townhomes, LLC requested dedication of the sanitary sewer infrastructure servicing the Loudon Road Conservation Subdivision in the Town of Wilton. *The motion to accept dedication of Loudon Road Conservation Subdivision in the Town of Wilton consisting of (5) manholes, approximately 1000 ft of 2” DR-9 low pressure forcemain and approximately 800 ft of 3” DR 9 low pressure forcemain was made by Commissioner Ostapczuk and seconded by Commissioner Cannon. No discussion. Resolution SD 11-2016 accepting dedication of Loudon Road Conservation Subdivision in the Town of Wilton passed: 8 Ayes, 1 Absent, 0 Nays.*

COMMITTEES

Engineering Committee – No Report

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

NEXT COMMISSION MEETING
Thursday, September 8, 2016
3:00 P.M. at the Treatment Plant