

## APPROVED MINUTES

### SARATOGA COUNTY SEWER COMMISSION No. 1 MINUTES OF DECEMBER 8, 2016 3:00 PM at the Treatment Plant

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

**COMMISSIONERS EXCUSED:** Hale

**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; Paul Hotaling, Town of Halfmoon Council

Chairman Howe called the meeting to order and welcomed everyone in attendance.

**PLEDGE OF ALLEGIANCE:** Led by Commissioner Rinaldi

**PUBLIC COMMENT:** None

**CHAIRMAN'S COMMENTS:** Chairman Howe said he was sure everyone heard the good news about the Saratoga County Board of Supervisors approving the tax cap override. He said the \$15.00 rate increase was approved for the Sewer District's 2017 budget and the \$1.2M revenue will be used towards capital projects. Commissioner Howe thanked everyone for their support of the rate increase.

Chairman Howe mentioned that two (2) of our Sewer Commissioners were retiring this month, Commissioner Bold and Commissioner Rinaldi. Commissioner Bold has been on the Sewer Commission since 1999 and has served the public for over 16 years. Commissioner Rinaldi has been on the Sewer Commission since 2011. He thanked both of them for their dedication to the residents of Saratoga County and he also thanked them on behalf of the Saratoga County Sewer Commission for their dedication, hard work and faithful County service.

Commissioner Bold added a personal comment. He said during his length of time as a Commissioner for the Sewer District, he has learned a lot and it has been interesting as well as challenging. He has met a lot of good people and he respects everyone he has worked with. He offered a bit of sage advice to his fellow Commissioners. He said in your enthusiasm to do what is right for the District as a whole, don't ever lose sight of maintaining a balance with the thousands of customers that the Sewer District has because that is who we are here to serve. He said it's always a difficult balance but for what it's worth, it is always important to do what is right for both the district and our customers.

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

**APPROVAL OF MINUTES of SPECIAL MEETING of October 25, 2016.** *Commissioner Marshall made a motion to approve the minutes of the Special Meeting of October 25, 2016. Commissioner Doyle seconded the motion. No discussion. The minutes of October 25, 2016 were approved. 7 Ayes, 1 Abstain, 1 Absent, 0 Nays.*

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

## **2015 CAPITAL PROJECTS**

**Bar Screen No. 3 and Mixer Project** – Executive Director Rourke said there’s no change since last month’s report. We are still waiting for the mixers to be delivered and hope to begin installation next month.

**Bar Screen No. 1 and No. 2 Replacement** – Executive Director Rourke said the screen delivery got moved up. We anticipate having them on site by the end of January with installation following shortly after.

**Incinerator Alternatives Study** – Executive Director Rourke reminded all that a contract amendment was passed at last month’s meeting. He reached out to our consultant, GHD, and hopes to have their final amended report by the end of January. At that time we can discuss the new technologies and costs associated with them.

## **2016 CAPITAL PROJECTS**

**Odor Control RFP** – GHD was recently awarded the contract for the Odor Control RFP. Executive Director Rourke said he was hoping to have a little more information on this because of the regulatory time constraint to get the project done, but they are still moving along. He said we are looking at multiple types of technologies including: Trickling Biofilter, Manufactured Biofilter, Activated Carbon and a Packed Bed Scrubber. GHD is awaiting finalized proposals from equipment manufacturers to complete the cost analysis, and then move to design. Executive Director Rourke hopes to have more information to share at the January meeting.

Executive Director Rourke mentioned that there was a topic not listed on the agenda, under 2016 Capital Projects, that he wanted to talk about. The Financial Planning/Rate Study has been discussed the last couple of months and he wanted to give an update on that.

**Financial Planning/Rate Study** – Executive Director Rourke said he met with financial consultants to get some ideas regarding their ability to assist the District and an appropriate scope of work. He said after meeting with them, he thinks it would be beneficial to prepare an RFP and get proposals back based on what we are looking for. The costs can vary depending on the complexity of the scope of the work and could range from \$30,000 to \$65,000+. Executive Director Rourke said he reviewed a financial model, thought it was impressive and felt it would be beneficial to the Commission and himself in making future decisions related to the Capital Plan. Executive Director Rourke suggested preparing an RFP for the Financial Planning/Rate Study.

Commissioner Loewenstein said he participated in both conference calls and agreed with Executive Director Rourke. He said both consultants had a different approach. He said the model based approach tied into our rates and it was recommended that we look at our current rate structure.

*Commissioner Loewenstein made a motion to authorize Executive Director Rourke to develop an RFP (Request for Proposal) to scope out a financial plan and rate analysis to better understand our Capital Plan. Commissioner Bold seconded the motion. No Discussion. Motion passed: 8 Ayes, 1 Absent, 0 Nays.*

## **MISCELLANEOUS**

**Town of Ballston** – Planning Cost Request – Executive Director Rourke advised he received a letter from Ballston Town Supervisor, Tim Szczepaniak, which is included in the agenda packet for each Commissioner to review.

Executive Director Rourke said the Town is inquiring if the Sewer District would be willing to help fund the costs of an engineering study for two (2) areas that are being evaluated relative to providing sewer service. Carpenters Acres is an existing development that is entirely on septic systems and the second area is the section of route 50 that does not have sewer service currently. The Commission discussed possible cost, revenue, precedent as well as other municipalities that have joined the District.

Commissioner Doyle said the Town has been working with residents in this area to develop an agreement. He encouraged the Commission to consider offering some financial assistance to the Town of Ballston because he felt it will be good for the environment and it would create future growth and revenue for the Sewer District.

Chairman Howe said while he would like to help the Town of Ballston as well as any other Town that seeks help from the District, he would like to investigate the feasibility of the request and get a legal opinion from our County Attorney's office with further discussion at a later date.

## **ATTORNEY REPORT**

Attorney Wilcox said it was his understanding that there was a desire to go into executive session to discuss the litigation involving the 2008 WWTP expansion project.

## **EXECUTIVE SESSION**

*On a motion by Commissioner Ostapczuk and seconded by Commissioner Doyle, 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 Counsel regarding pending litigation regarding the 2008 plant expansion project.*

*On a motion by Commissioner Marshall and seconded by Commissioner Cannon, the Commission moved to go out of Executive Session at 4:21 p.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2).*

## **DEDICATIONS:**

**Cornerstone / Iaia Condominiums** – Town of Ballston – Traditional Builders, LTD requested dedication of the sanitary sewer infrastructure servicing Cornerstone / Iaia Condominiums in the Town of Ballston. *The motion to accept dedication of Cornerstone / Iaia Condominiums consisting of (14) manholes,*

approximately 3,352 ft of DR-11 force main and approximately 1,511 ft of 8" DR-9 gravity main was made by Commissioner Doyle and seconded by Commissioner Loewenstein. No discussion. Resolution SD 21-2016 accepting dedication of Cornerstone / Iaia Condominiums in the Town of Ballston passed: 8 Ayes, 1 Absent, 0 Nays.

**Rolling Meadows Subdivision** – Town of Clifton Park – ER Land Development, LLC requested dedication of the sanitary sewer infrastructure and pump station servicing the Rolling Meadows Subdivision in the Town of Clifton Park. *The motion to accept dedication of Rolling Meadows Subdivision consisting of a pump station, (18) manholes, approximately 2,300 ft of 4" DR-11 force main and approximately 2,700 ft of 8" SDR-26 gravity main in the Town of Clifton Park was made by Commissioner Cannon and seconded by Commissioner Doyle. No discussion. Resolution SD 22-2016 accepting dedication of Rolling Meadows Subdivision and a pump station in the Town of Clifton Park passed: 8 Ayes, 1 Absent, 0 Nays.*

**Fellows Road (Sunoco)** – Town of Halfmoon – Bruce Tanski & Halfmoon Sunoco, LLC requested dedication of the sanitary sewer infrastructure servicing the Fellows Road/Halfmoon Sunoco in the town of Halfmoon. *The motion to accept dedication of Fellows Road/Halfmoon Sunoco consisting of 4 manholes, approximately 1,015 ft of 1.5" HDPE low pressure force main and approximately 1,200 ft of 2" HDPE low pressure force main in the Town of Halfmoon was made by Commissioner Bold and seconded by Commissioner Cannon. No discussion. Resolution SD 23-2016 accepting dedication of Fellows Road/Halfmoon Sunoco in the Town of Halfmoon passed: 8 Ayes, 1 Absent, 0 Nays.*

**Warren Tire** – Town of Halfmoon – Warren Tire Service Center, Inc. requested dedication of the sanitary sewer infrastructure which is intended to serve the Warren Tire Service Center in the Town of Halfmoon. *The motion to accept dedication of the sewer system which will serve the Warren Tire Service Center consisting of 1 manhole and approximately 254 ft of 1.5" SDR-9 low pressure force main in the Town of Halfmoon was made by Commissioner Bold and seconded by Commissioner Loewenstein. Discussion involved the name of the dedicator. Commissioner Bold made a motion to amend the name of the dedicator from Warren Tire Service Center Inc. to **CDP Ridge LLC & Beverly J. Emerick Trustee of the Beverly J. Emerick Revocable Trust**. Commissioner Doyle seconded the motion which was then carried unanimously. Thereafter Resolution SD 24-2016 accepting dedication of the CDP Ridge LLC & Beverly J. Emerick Trustee of the Beverly J. Emerick Revocable Trust sewer infrastructure in the Town of Halfmoon passed: 8 Ayes, 1 Absent, 0 Nays.*

**GrandeVille Park Place Malta Phase 1** – Town of Malta – GrandeVille at Park Place LLC requested dedication of the sanitary sewer infrastructure servicing GrandeVille Park Place Malta Phase I in the Town of Malta. *The motion to accept dedication of GrandeVille Park Place Malta Phase I consisting of 9 manholes and approximately 1,448 ft of 8" SDR 26/35 gravity main was made by Commissioner Loewenstein and seconded by Commissioner Ostapczuk. Discussion involved conditions for acceptance and that there were two (2) phases for this project with two (2) separate dedicators. Resolution SD 25-2016 accepting dedication of GrandeVille Park Place Malta Phase I in the Town of Malta passed **conditioned upon the receipt of a properly executed Mortgage Subordination Agreement or Partial Mortgage Release suitable for recording in the Saratoga County Clerk's Office and a revised Sewer Maintenance Bond reflecting the proper principal**: 8 Ayes, 1 Absent, 0 Nays.*

**GrandeVille Park Place Malta Phase 2** – Town of Malta – Lecmor Multifamily LLC requested dedication of the sanitary sewer infrastructure servicing GrandeVille Park Place Malta Phase II in the Town of Malta. *The motion to accept dedication of GrandeVille Park Place Malta Phase II consisting of 4 manholes and approximately 1,135 ft of 8" SDR 26/35 gravity main was made by Commissioner Loewenstein and seconded by Commissioner Cannon. Discussion involved conditions for acceptance. Resolution SD 26-2016 accepting dedication of GrandeVille Park Place Malta Phase II in the Town of Malta passed **conditioned upon the***

*receipt of a properly executed Mortgage Subordination Agreement or Partial Mortgage Release suitable for recording in the Saratoga County Clerk's Office and a revised Sewer Maintenance Bond reflecting the proper principal: 8 Ayes, 1 Absent, 0 Nays.*

## **COMMITEES**

**Engineering Committee – No Report**

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

**NEXT COMMISSION MEETING  
Thursday, January 5, 2017  
3:00 P.M. at the Treatment Plant**