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DANIEL P. MCCOY
COUNTY EXECUTIVE

DIRECTORS

JOHN W. BISHOP, JR.
GEORGE CANNON
WAYNE A. HOWE
DENNIS RIGOSU

REGIONAL BIOSOLIDS FACILITY



COUNTY OF SARATOGA
SEWER DISTRICT NO. 1
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EDWARD D. KINOWSKI
CHAIR, BOARD OF SUPERVISOR

DANIEL ROURKE
CHAIR

TIMOTHY S. MURPHY
VICE-CHAIR

Board Meeting Minutes
December 19, 2018
4:30 P.M.

On Wednesday, December 19, 2018, at 4:30 p.m., a quorum being present, a meeting of the Board of Directors of the Albany/Saratoga Joint Regional Biosolids Board (JRBB) was held in the conference room at the Saratoga County Sewer District #1 Wastewater Treatment Plant (SCSD #1 WWTP) in Mechanicville, New York 12118.

Board members present at the meeting were:

Timothy S. Murphy, Chair
Daniel Rourke, Vice-Chair
John W. Bishop, Jr., Director
Dennis Rigosu, Director
George Cannon, Director
Wayne Howe, Director

Also present:

Angelo Gaudio, Project Developer ACWPD
Tyler Masick, Superintendent of Operations ACWPD

The Chair called the meeting to order at 4:31 p.m.

The following topics were discussed and/or acted upon:

1. **Public Comment** None
2. **Approval of the October 18, 2018 meeting minutes**

The Chair requested a motion to approve the October meeting minutes. A motion was made by Director Cannon and seconded by Director Howe. The minutes of October 18, 2018 were approved unanimously.

3. **Grant application update – WOIP, NYSERDA, WIIA and IMG**

The Chair informed the Board that ACWPD & SCSD #1 were awarded a \$1,000,000 NYSERDA Grant on December 18, 2018. The Chair also informed that the WIIA and IMG grant was not approved because ACWPD was not designated as a Type 1 SEQR (State Environmental Quality Review Act) and would need permission from the Albany County Legislature to seek lead agency. The Chair advised that ACWPD met with the Albany County Legislature on Monday, December 17, 2018 and was granted approval to request that the County of Albany be lead agency for SEQR Type 1. A letter was signed by the Albany County Executive and copies of the letter were mailed to all affected agencies. The Chair anticipates a response within thirty (30) days at which time an RLA will be put together requesting legislature to declare the County of Albany lead agent. Once that that is in place, ACWPD will re-submit a bond resolution back in for SEQR Type 1 determination. At that point, ACWPD will be ready to re-submit another IMG grant application. The deadline for grant applications is June/July.

The Vice Chair added there have been multiple discussions with the EFC (Environmental Facilities Corporation) regarding Type 1 SEQR determination. Both ACWPD & SCSD #1 will be required to resubmit new bond resolutions as they are tied to each agency's SEQR. The Vice Chair also informed the resolution process will take a couple of months for Saratoga County to acquire bond counsel and go through a public hearing process for approval.

Mr. Gaudio informed the Board that EFC has agreed to do a preliminary review of ADWPD's SEQR grant application as long as it is submitted before the deadline. ACWPD is starting the process now to get the application in early to allow time to address any issues.

Additionally, the Chair scheduled a meeting for January 4, 2019 with NYS Assemblyman John T. McDonald III and Assembly Members: Patricia Fahy, Phil Steck, Carrie Woerner and Mary Beth Walsh to get them on board and ask for their support for the IMG grant application for the Albany/Saratoga Joint Regional Biosolids project.

4. **Bylaws for conduction board meetings**

The Chair stated there was a question regarding executive session for discussing matters such as Request for Proposal (RFP) review and whether the Board could enter into executive session to discuss proposals. The Chair presented the question to the ACWPD law department and the answer to that is yes. The Chair presented copies of the amended Bylaws to the Board with the modifications made by the Albany County Law.

The Chair requested a motion to accept the Albany/Saratoga IMA Board of Directors By-Laws as amended. A motion was made by Director Cannon and seconded by Director Rigosu. Discussion involved voting and question if there was a tie vote. The Chair stated if there is a tie vote, the Chair would call for a meeting of both District Boards; both Boards would reconvene and must resolve the matter. The motion passed unanimously.

5. **Comments from Walter Breakell on RFP and contract proposal**

The Chair informed the Board that they had a good conversation with Walter Breakell. Mr. Breakell reviewed the RFP and the contract language and said it is spot on. He did mention a performance based clause which was covered in the RFP. The chair added that the insurance coverage for the design was bumped up to \$10M dollars and they feel comfortable with that amount. The next phase will be for Mr. Breakell to review the construction contract; he will be able to consult with Tracy Murphy, Albany County Law who will be putting the contract together with Stephen M. Dorsey, Esq., Saratoga County Attorney.

6. **Executive Session**

The Chair requested a motion to go into executive session to discuss the RFP's for design.

On a motion by Director Cannon and seconded by Director Howe, the board moved to go into Executive Session at 4:45 p.m. to discuss potential contractual obligations in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2) pertaining to Requests for Proposal (RFP) review. The motion passed unanimously.

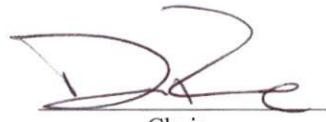
On a motion by Director Cannon and seconded by Director Howe, the board moved to go out of Executive Session at 5:15 p.m. in accordance with the Open Meetings Law (Public Officers Law § 105(1)(2). The motion passed unanimously.

The Chair requested that a motion be made to adjourn the meeting. A motion was made by Director Cannon and seconded by Director Howe. The motion passed unanimously. The meeting was adjourned at 5:15 p.m.

Respectfully submitted,
Anne M. Gorman
Confidential Secretary/SCSD #1

I certify that the foregoing is a true and correct transcript of the minutes of the meeting of the Board of Directors of the Albany/Saratoga, JRBB of Directors held on December 19, 2018, and whole therefore, that all items requiring Board Approval contained in the above minutes were approved by a quorum.

1/22/19
Date


Chair

1/16/19
Date Minutes Approved by Board