

**ORANGE COUNTY SEWER DISTRICT NO. 1 ADVISORY COMMITTEE
MINUTES**

**TUESDAY, MARCH 19, 2019
2:00 P.M.**

PRESENT: Peter Tuohy, Chairman,
Michael Amo, Katie Bonelli, Barry Cheney, Laurie Tautel, John Vero

ALSO

PRESENT: Antoinette Reed, Legislative Counsel
Langdon Chapman, County Attorney
Joseph Mahoney, Senior Assistant County Attorney
Erik Denega, Commissioner, Department of Public Works
Anthony Griffin, Principal Sanitary Engineer, Department of Public Works
Colleen Grogan, Chief Budget Analyst
Mary Beth Bianconi, Partner/Senior Project Manager, Delaware Engineering, D.P.C.
Brock Juusola, Partner/Senior Engineer of Delaware Engineering, D.P.C.
Anthony Cardone, Supervisor, Town of Monroe
Stephen Welle, Mayor, Village of Harriman

Mr. Tuohy called the meeting to order at 2:03 p.m. and asked everyone to stand for the Pledge of Allegiance to the Flag. All committee members were present with the exception of Mr. Amo who arrived at 2:09 p.m.

Mr. Tuohy welcomed everyone to the first Orange County Sewer District No. 1 Advisory Committee. He stated that with the tremendous growth we are currently experiencing in Orange County and expected to grow further, timing and relevance of this committee is important. Members of this committee have been tasked with evaluating any and all potential solutions to address the capacity at the Harriman Sewage Treatment Plant and to assure the quality of the results once reintroduced into the Ramapo River making its way downstream to our neighbors to the south of Harriman and beyond. Mr. Tuohy read a section of Resolution No. 61 of 2019, "Orange County Sewer District No. 1 Advisory Committee" is hereby created to evaluate the Facility Plan prepared by Delaware Engineering, D.P.C., and any other studies, reports and data collected on the Harriman WWTP. They will conclude their efforts and report back to the Physical Services Committee in September 2019. Due to the need of expediency for the nature of their task, they will meet twice a month and he respectfully ask all committee members for their best efforts to be in attendance.

Mr. Chapman stated that a few decades ago they had serious problems with the need to upgrade the Harriman Waste Water Treatment Plant (Harriman WWTP). We have certain legal obligations to the district users and want to make sure we honor that. The D.E.C. is working with them and have put various requirements in place that we feel are very costly. They discussed what the future could be for Harriman and the Kiryas Joel WWTP and they met with the EPA regarding their concerns on how the D.E.C. was treating them. They can either continue to have a challenging relationship with the D.E.C. or try to find common ground. The ultimate goal is not to spend money on attorneys but to spend money on infrastructure that meet the users' needs. The Legislature and the County Executive retained Delaware Engineering to do a facilities plan. That plan was done a few years ago and there were a few recommendations worth exploring. Not just partnering with another community such as Goshen and do longevity improvements but if they ultimately treat wastewater to the Hudson

River. Time is of the essence and we owe our users an opportunity to consider every aspect in a timely fashion.

Ms. Bonelli pointed out that there was a meeting that she and Mr. Tuohy attended regarding the EPA and as far as the quality of what is happening. Reviewing the resolution, it very direct as more capacity driven than quality driven. She thought about amending it to make their task a little bit broader to include the updated information that they need because as committee members they did not have that. She addressed this with Ms. Reed to see how to pursue that. She thought it was important for this committee to address that issue and how should it be added to the resolution.

Mr. Chapman commented that the committee has the authority to deal with quality and how they treat the sewer whether it is Harriman or alternative to Harriman, so he defers to the committee. He felt that their authority to review all the issues is all on the table. They did meet with the EPA and sent a follow up letter to them requesting their assistance in trying to push the D.E.C. He strongly believed the D.E.C. is ready to resolve the issue but they just need to pull the trigger.

Ms. Bonelli added that she did not want the local municipalities to think they are only worried about the increase in capacity, but what about the quality.

Mr. Denega agreed with Ms. Bonelli and stated that they do go hand in hand, and it would be pertinent to speak to both throughout their discussions.

Ms. Tautel agreed with Legislator Bonelli and noted that the people that live in close proximity should not have to deal with any type of odor.

Mr. Denega mentioned that some of the permits they have does not deal with odor not that it is being avoided.

Ms. Tautel stressed how awful the smell is when she was over by the plant and if she lived there and had children, she would not let them play outside. She felt this has been ignored and it should not continue to be ignored and we should address not just the capacity but also address the quality of life.

Ms. Bonelli clarified when she was speaking of quality, she was really speaking about the quality of what we are doing and what we are discharging into the Ramapo like water quality.

Mr. Denega stated that they could have Delaware Engineering provide an update on the history of the odor.

Mr. Cheney stated that they have a short time frame and a big job to do. Information will need to be gathered before they can make any decisions regarding the expansion. They need to be careful not to divert their attention to other things, if it needs to be addressed then they can do that in other ways. The quality will be addressed with the ongoing negotiations between the D.E.C. and the county. Their focus needs to be on what level of expansion is needed and how do they achieve that. He felt that the quality will follow once they achieve that.

Mr. Chapman stated that if Ms. Bonelli wanted to make an amendment to the resolution, he suggested in the first RESOLVED where it reads, "with regard to increasing capacity at the Harriman WWTP" change it to O.C. No. 1. He added that it was not just about increasing capacity at Harriman from what he is understanding, it is about addressing the needs of O.C. No. 1. This is not only for water quality but quality of life.

Ms. Reed stated that one of the issues they were informed about was with the Orange County Sewer District ordinance and if that allows the county to enforce a local law and whether they have jurisdiction over certain municipalities and pollutants. Before they get involved in the water quality, they need to first address the sewer district ordinance. They need to determine what the sewer district boundaries are. She agreed with Mr. Cheney's remarks, first let's address the capacity issue and then address water quality. It is a bigger issue beyond just capacity.

Mr. Tuohy asked the procedure for amending the resolution if they were to do so.

Ms. Reed advised that it can be done at any time.

Mr. Amo stated that they need to keep an open mind about their approach to capacity because therein may be quality improvements.

Mr. Cheney stated that he believed that the quality issue is going to be dictated by the capacity of the body of water it will be entering. There is an opportunity to some way influence that by research. The D.E.C. will tell them what the quality has to be and then we need to work backwards from that to see what the treatment process is and the associated cost.

Mr. Tuohy stated that although the EPA has no jurisdiction over the D.E.C., the EPA expressed the willingness to help make a few calls and reach out to see what they can do with this. As Legislator Cheney stated, if they can get the quality up on the inflow, get the testing straightened out and go back to the polluter, try to clean up the chlorides, they will help on the outflow. The D.E.C. has new specifications for the State Pollutant Discharge Elimination System (SPDES). What is coming in is good and it is certified as the inflow. They need accurate specifications on the quality of the water.

Mr. Denega stated that we need to keep in mind the timeline because they have draft SPDES out there and they could put some restrictions on it.

Mr. Vero asked what is the time frame.

Ms. Bianconi responded that SPDES permits are five years long.

Ms. Reed stated that she noticed that the summary from Delaware Engineering there were recommended prices on each item. Past experience, whenever they do a project the State Comptroller's Office asks how much this will impact the rate user. Is there someone on board that could calculate that for us. Do we need to hire someone, and do we need money for that? Legislators will want to know what impact it will have on their residents.

Ms. Bianconi stated that in 2015 her firm was hired to prepare the facility plan for the WWTP. The Plan is a draft and they only got about two-thirds of the way through the work.

A portion of the work was to do a draft, a rate impact analysis. It is difficult when you look at the enormous numbers, there is no way to understand what the impact to the user can be. There are operations and maintenance costs which are different opportunities to address capacity and quality. You need to spend more on capital costs to reduce the operation and maintenance which results in a lower cost to users. We are not at that point yet but what they hope the committee will do would be to look at some of the alternatives and focus on one or more so they can start to do that type of analysis. Their scope of work does include that, but they did not get to that part yet.

Ms. Reed asked if that calculated future estimates and would that be calculated with increased population for ten year and twenty years.

Ms. Bianconi responded that they could do two different things; one is to make sure they are looking at capital costs and borrowing costs. A few years ago, the borrowing rate was very low, now it is up to 3.5% so they try to keep that into consideration. Something else they do is try to estimate when the system will come on line, when will payments need to be made. As they look at these different options, each one will have a different scenario and they try their best to take it into consideration and be conservative as they can.

Ms. Reed asked how long an analysis like that will take.

Ms. Bianconi replied that the analysis is not really time consuming, it is more deciding what you want to do the analysis on.

Mr. Tuohy stated that Ms. Bianconi mentioned two different options, but he noted there were three. He requested that three cost analysis to be done since there is a tight time constraint.

Ms. Bianconi agreed that she could do that.

Mr. Denega stated that there was a request to have Delaware Engineering expand the report to include other alternatives but that has not been added to the report yet. As of right now there two alternatives.

Mr. Tuohy pointed out that it would be good to get the cost analysis if the Hudson River was involved and he believed there was another that was not in the report.

Mr. Denega responded that it was technology to increase the capacity at Harriman Plant.

Ms. Bianconi mentioned that with the Hudson River, they would start by looking at other Hudson River communities that have waste water treatment facilities. There is a community there that is considering a substantial capital improvement. That can open up an opportunity to work together. She explained that the reason they are looking at the Hudson River was because the Ramapo River basin starts in Monroe and flows through Harriman ending up in Tuxedo, Ramapo, Suffern and finally in New Jersey. It is a very small watershed and a highly urbanized watershed, so besides the wastewater flows, it makes that waterbody behave in a way that we want water in the environment to look and act. In regard to capacity and quality, those two things are tied together especially when they think about the Ramapo River. This is the reason to look at the Hudson River, or Goshen or other opportunities. They

have other waterbodies that have a greater ability to receive treated water, there might be a cost benefit to do that. They need to coordinate with the Department of Environmental Conservation, and they will tell them what the character of the water needs to be for it to be safely discharged into the environment which drives costs.

Mr. Juusola explained that they want to look at a sequencing batch reactor technology so it will be four options to look at for treatment technology.

Ms. Tautel asked Ms. Bianconi to elaborate on the Hudson River plan and involvement with communities. She pointed out her district is Highland Falls and there is military land that you need to go through in order to get to Highlands.

Ms. Bianconi displayed a map of recommended alternatives for Orange County waste water facility plan regional approach. If they were looking to have waste water go from the developed area to the Hudson River, to get into Highland there is a big area that is federal and state parkland. It can be done but it is complex. It is mountainous and it is expensive. She mentioned an alternative to route differently.

Ms. Tautel asked if this did link with Fort Montgomery or Highland Falls would they be part of the Orange County Sewer District then. She further asked if it would require a memorandum of understanding because the communities will need to understand what they are looking at.

Ms. Bianconi stated that the answers do not need to be a part of another sewer district or a county sewer district. The county sewer district is small, but the service area is larger. Creating another county sewer district is an option. There are a lot of options, it is a matter of filtering down to the one that makes the most sense.

Mr. Chapman mentioned that they are working with the D.E.C. now on their SPEDES permit. He would like to go back to the D.E.C. and inform them that Orange County has formed this advisory committee and that you are expanding what Delaware Engineering's initial role was which was to look at in-county alternatives and how to improve the Harriman Plant. He stated that he would like to also share with the D.E.C. that the committee asked Delaware Engineering to look at other alternatives such as the sequencing batch reactor technology or directing this to the Hudson River. This could help the D.E.C. understand better that we are taking this seriously.

Ms. Bonelli reiterated her previous comment about having the resolution amended and she strongly suggested to have additional reinforcement language.

Mr. Tuohy asked Mr. Chapman if he could work on something with Ms. Reed to amend the resolution and he agreed to.

Ms. Reed stated that it is a public meeting and minutes are being taken. Mr. Chapman can provide the minutes to the D.E.C. and they can review for themselves. She further asked if additional money is required to pursue the study on the Hudson River.

Mr. Chapman responded that they may come to that point of needing more money but not yet. He added that they have not been as aggressive as they should have been with the

D.E.C. The plans have been on the shelf for a few years and now we are back on track. He added if additional money was needed, he would let them know.

Mr. Tuohy asked if there was any money left out of the \$925,000.00.

Mr. Chapman responded yes there is.

Mr. Tuohy asked if Mr. Chapman can inform them at the next meeting what the balance is and Mr. Chapman agreed to provide that information.

Mr. Amo wanted to know if Mr. Chapman went to the D.E.C. and informed them of what we were doing, would we be in violation of our own resolution.

Mr. Chapman replied that he did not think they were in violation.

Mr. Griffin introduced himself to the committee and shared that he has been working with the county on sewer since about 1993. He provided history of the sewer plant stating that the original plant was constructed in the mid-1970s. It was a 2 million gallon a day plant. The sewer district boundary was created based on the Ramapo watershed. The build out capacity for the Orange County Sewer District No. 1 would be about 6 million gallons a day. Things have changed and the zoning has changed. In the late 1980s the Moodna Communities wanted to have their wastewater treated at the Harriman Sewer Treatment Plant. It had a lot to do with the D.E.C. with package plants causing a lot of environmental issues and quality issues. The idea was to have centralized sewer treatment. The idea was to take a mirror image of the plant, but the problem was that 87% of the money was available through federal and state funds. He pointed out that with the Clean Water Act that took effect in the 1970s, a lot of the money was abused. They allowed money to be available if you had alternative technology so when the Moodna communities came on board they paid for it. Additional capacity was needed and in 1997 a facility plan was developed to increase capacity from 4 MGD to 6 MGD. No action was taken on that plan. Between the two plants they can treat 6 million gallons a day. In 2011 there was 85 inches of rain which exceeded capacity and then started to look at the flow numbers and what is needed for the next 10 to 20 years. If the growth continues like it has, they need to do something so that was when they put a RFP out to get an engineer on board.

Mr. Amo mentioned back in 2001 they were thinking about expanding the plan and the county was faced with a huge lawsuit.

Mr. Griffin stated that there were numerous lawsuits at the time from the late 1980s to early 1990s and even up to 2000.

Ms. Tautel confirmed we were only looking to expand 3 million or are we looking at 3 million plus.

Mr. Denega replied that right now they are looking at 3 million. The study was for 9 million.

Ms. Tautel asked what the projection of how long the 3 million will last. Between the overflow from Kiryas Joel, the new Town of Palm Tree and Seven Springs Village, how long will it be before we need another expansion.

Mr. Denega stated that they were looking at historical data and a projection of the population over the years and projecting that out 15 to 20 years.

Mr. Vero stated that Chester was looking at three larger developments; one in the Village, one in the town and the Camp LaGuardia property.

Mr. Tuohy asked for clarification. If we did get this going in the direction of the Hudson River, are we still limited to the 9 million gallons or do we have enough room to send more out.

Ms. Bianconi stated that the Harriman Plant is 6 million gallons.

Mr. Juusola added that the Hudson River will have capabilities of absorbing more discharge than the Ramapo.

Ms. Bianconi noted that Saratoga, Albany, Troy, Rensselaer County, Newburgh, Kingston, Poughkeepsie and others all discharge into the Hudson River.

Mr. Tuohy asked what the status was on the final Delaware Engineering Study.

Ms. Bianconi stated for them to finalize the study the committee needs to provide them with guidance. They discussed a lot of different things and they want to make sure the money is well spent. Once they know what to look at in detail, they will work on it. She noted that Mr. Griffin has a lot of documentation and data.

Mr. Juusola mentioned a time frame of maybe three months and Ms. Bianconi concurred.

Mr. Juusola added that what could impact that three-month time frame would going to the D.E.C.

Ms. Reed asked for clarification on the options listed in the documents provided (see original minutes). She noted the various options on page 3 and asked Ms. Bianconi if they would add on or eliminate one of the options.

Ms. Bianconi responded that the options were different technologies to get to the same objective each costing a different amount. She pointed out that the option they recommended was option 1 which would be the capacity utilizing an Integrated Fixed Film-Activated Sludge known as the IFAS process. The Ramapo River is a limited waterbody so to continue to send waste water to the Ramapo is something they need to think about. All of the options are focused on increasing the capacity of the Harriman Waste Water Treatment Plant

Ms. Reed questioned the longevity on page 4.

Mr. Denega noted that the longevity improvements need to be done regardless.

Ms. Bianconi gave an example of owing a home and you need a new roof, but you are considering putting on an extension with bedrooms. You still need the new roof whether you build the extension for the new bedrooms or not. She added that the longevity improvements are aimed at taking the investment the county already has, extending its useful life and

providing flexibility, making the facility more operable which it is, but it is difficult. The longevity improvements are the baseline conclusion to be done just to continue to operate and maintain the facility. The headworks which is where all the water comes to the facility is very vital and is about \$5 million of the total improvement which needs to be done. The longevity improvements are one step at a time but many steps.

Ms. Reed asked if the Ramapo River could handle the 9 MGD.

Ms. Bianconi replied, as stated previously, the Ramapo is highly urbanized. She explained that when they built the thruway, they turned the Ramapo into a channel. As far as how a waterbody is supposed to function and support aquatic life, the Ramapo is pretty bad. The Ramapo River receives waste water flows from numerous communities. When they are thinking about longevity and the thought to add more flow to the Ramapo, you need to think if this is a long-term solution. That waterbody is stressed.

Mr. Cheney asked if there was a way for them to get involved in the process through a study to help demonstrate that by the time it gets to the next sewage treatment plant, the river is no different than it was twenty years ago.

Mr. Juusola explained the process of the evaluation. The river is basically an empty channel but for discharges from waste water treatment plants which are generating the water. They consider that a waster water dominate watershed.

Mr. Tuohy asked Mr. Chapman to come up with an action plan for the next meeting.

Mr. Chapman suggested that they really focus on considering authorizing longevity improvements. Mr. Juusola and Ms. Bianconi will take a few months to deal with the Hudson River issues. In the meantime, longevity improvements are something that must be done no matter what and it needs to be done now. He would like to see the Legislature authorize that and that would be an action that he can show the D.E.C.

Mr. Tuohy announced the next meeting dates for April 9th and April 30th at 2:00 p.m.

Ms. Bonelli suggested putting on the April 9th agenda authorization of the longevity improvements if we are ready with the paperwork and then it could be referred to the April Physical Services Committee.

Mr. Juusola suggested maybe they wait a little bit and they will get back to them.

On the motion of Ms. Bonelli, seconded by Mr. Vero, the meeting adjourned at 3:24 p.m.