

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

**TUESDAY, APRIL 30, 2019
2:15 P.M.**

PRESENT: Peter Tuohy, Chairman,
Michael Amo, 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
Mary Beth Bianconi, Partner/Senior Project Manager, Delaware Engineering, D.P.C.
Frank Palermo, Supervisor, Town of Woodbury
Stephen H. Welle, Mayor, Village of Harriman

Mr. Tuohy called the meeting to order at 2:15 p.m. and asked everyone to stand for the Pledge of Allegiance to the Flag. All committee members were present with the exception of Ms. Bonelli who was absent and Mr. Cheney who arrived at 2:59 p.m.

Mr. Tuohy thanked everyone who attended the tour of the Harriman WWTP yesterday. He stated that it helped highlight what they discussed so far, and it was nice to actually see it in person.

Mr. Mahoney stated that at the last meeting they discussed what steps need to be taken with regard to accomplishing and achieving longevity improvements. The next step will be funding.

Ms. Bianconi addressed the money the county has and allocated which is available. She provided a handout that listed summaries of programs and other people's money that could be available. She noted that Governor Cuomo put out a press release which was also in the handout, the Consolidated Funding Application (CFA) which enables municipalities and other entities to apply for assistance from dozens of state programs. Steps that the Legislature needs to take in order to approve and advance these things coincide with what needs to be done in order to access funding. They need to have an engineering report and a public hearing needs to be held. The first applications are due at the end of July and we will not be ready. There is a program that will probably be due in September and they might be ready for that one.

Mr. Mahoney stated that there are many steps that need to be taken and additional steps that might be necessary depending on how the project is going to be done. First there is the evaluation under SEQRA and depending on the outcome, if there are involved agencies or not, he can provide a rough outline of where they will be and when certain decisions can be made. There could be a SEQRA resolution as early as June 2019, but most likely it will be in July 2019.

Ms. Tautel stated that they discussed various grants at the last meeting and asked who would assist with the grant writing. She asked if the contract with Delaware Engineering needs to be amended to add that.

Ms. Bianconi stated that grant writing is not included in the scope of work. It was her understanding that they were going to amend the scope of work anyway because going out to the Hudson River was not in the scope of work either. They can add in grant writing although the county has grant writers, they specialize in this type of grant.

Mr. Mahoney noted that he would coordinate with Ms. Bianconi to see that the contract gets amended accordingly. He continued to explain SEQRA and once the SEQRA resolution is passed they will need to schedule a public hearing regarding the project(s). After the public hearing a determination will be made by the Legislature to see if the proposed project is or is not in the public interest. If they are in the public interest, a determination can be made at that point as to how the projects will be funded, through surplus funds or evaluation of grants or bonding. If any of the work is going to be done through surplus funds, the Legislature can direct the administrative head to perform those portions of the work. If it is to be funded through bonding, an application must be made to the Comptroller of the State of New York. The Comptroller is the oversight authority and will make the determination whether the work itself is in the public interest and they will evaluate the work and the cost of a typical property or a one to two family home.

Ms. Reed stated that this was similar to the process that the Legislature took for the Beaver Dam project and it is a long project.

Mr. Tuohy asked Mr. Mahoney to provide a bullet point spreadsheet to be prepared for the next meeting on May 14th.

Mr. Mahoney replied he could prepare that, and it will provide a more concrete analysis as to when they will get to each step.

Mr. Tuohy stated that at the next meeting on May 14th he would like to invite all the mayors and supervisors from the sewer district to provide them with a short overview.

Ms. Tautel confirmed that the money that is being used for this project, minus any grant money, is the cost on the tax payers of the sewer district.

Mr. Mahoney replied that was not necessarily true. He explained that the rate payers in the district will pay a certain percentage.

Mr. Denega added that it is not just within the district, it can be spread out with some of the other district users.

Mr. Griffin reviewed a draft cost analysis that he prepared. He explained that everything is based on allocation of flow as far as what the cost analysis and impacts would be for the communities that would share the cost for the longevity improvements. He reviewed the flow report and noted it was not finalized yet.

Ms. Bianconi handed out an informative sheet with an explanation of SPDES permit flow, hydraulic capacity, organic capacity and design flow. She stated that once the organic

capacity reached the design capacity, you are supposed to create a plan. That is what they have been doing since they were hired. It is necessary to plan for future growth and it is smart to get ahead of it.

Mr. Tuohy asked for Ms. Bianconi to explain the chart they saw yesterday during the tour and the maximum capacity during the wet season.

Ms. Bianconi explained that the 17 million is the peak hourly hydraulic flow which is the amount of water that can come into a facility and you have to be able to accommodate that.

Mr. Tuohy asked where the flow ends up if the facility cannot accommodate.

Ms. Bianconi explained that the collection system is made up of combination of gravity sewers and sewers that are under pressure. The sewers under pressure are connected to a pump station and the excess space in the gravity system stores it. The gravity sewer is not 100% tight and there is a calculation of how much leakage will occur because nothing is perfect.

Ms. Tautel stated that it was her understanding that the Harriman WWTP takes the overflow for Kiryas Joel sewer plant which is part of their agreement. She noticed there were no reports on any meters coming out of Kiryas Joel.

Mr. Griffin stated they Kiryas Joel is a different flow report. The report Ms. Tautel was looking at was just for the Harriman WWTP. He stated that the total flow out of the Village of Kiryas Joel is about 2.2 million gallons a day. The facility is rated at .97 million gallons a day. Kiryas Joel Poultry discharges about 200,000 gallons a day directly to the Kiryas Joel Sewage Treatment Plant so there is about 770,000 of capacity from within the Village of Kiryas Joel that could ideally be diverted to the Kiryas Joel Sewage Treatment Plant.

Ms. Bianconi stated that the Orange County Sewer District covers the Village of Kiryas Joel, the Village of Monroe and Harriman, the Moodna communities and Woodbury. All of these people have an underground system of pipes which is connected to a central location and all ends up at the Harriman WWTP. In Kiryas Joel there is separate set of pipes that send water just to the Kiryas Joel WWTP.

Mr. Griffin added that in the Village of Kiryas Joel, there are two pipes that come down through the Village and goes to one central location. From the central location it either goes into a pump station and either gets pumped to the Kiryas Joel Sewage Treatment and whatever is not pumped overflows and goes to Harriman WWTP.

Ms. Tautel asked if that overflow is metered and how do we know what we are processing from there.

Mr. Griffin responded that they do not meter it. All flow into the Kiryas Joel Treatment Plant is measured. They know how much flow is coming in from Kiryas Joel Poultry and they also know how much flow in total is going into the Kiryas Joel Sewage Treatment Plant.

Ms. Tautel commented that we do not know what is bypassing the plant and coming through Harriman.

Mr. Griffin responded that we do not know that information yet but that is part of the district wide flow meter project they are conducting. There is a location alongside Route 17 that will measure once the meter is in place.

Mr. Amo asked if the other municipalities are metered, besides the Moodna communities.

Mr. Griffin responded no they are not. He added that it was part of the meter plan.

Mr. Griffin continued with the review of the draft cost analysis and reviewed existing capital projects that have been in place for a few years. The bottom line number, \$18,682,784.00, is the amount that would need to be financed, assuming they are going to apply surplus funds to the extent of \$4.867 million. Out of the \$4.867 million, all but \$3 million has been appropriated. He reviewed the open capital project balances and capital plans for 2019 and 2020. They need \$3 million for the capital plan for 2019 and the money that is available to apply for is \$2.6 million. There is currently \$400,000 that they do not have in surplus. The \$18,682,784 assumes the \$400,000 would be available. It could be available by the end of the year but currently it is not.

Mr. Griffin addressed what the cost would be for the \$18.682 million. He explained it was based on percentage of the allocated flow for each of the communities that share the service at the Harriman WWTP. He addressed the OCSD No. 1 sewer tax based on single family home full value and the impact of the sewer district rate payer (see original minutes). The Moodna Communities would need to determine the figures themselves.

Mr. Denega added that this was based on an assumed interest rate and cost estimates.

Mr. Griffin addressed the projected growth and noted in 2011 they had 85 inches of rain and exceeded the 95% threshold. There is a demand of 108,000 a year of increased capacity. They did a study and they came up with 3 million gallons a day. He displayed a graph of a 12-month average flow since 1992 for the Harriman WWTP and the Village of Kiryas Joel's treatment plant (see original minutes).

Mr. Tuohy asked if the Planning Department will need to get involved to provide insight on the unknown growth with the new communities being created.

Ms. Bianconi stated that the Planning Department will need to get involved since it is a planning methodology for doing growth analysis.

Mr. Griffin discussed an engineering report submitted by Lanc and Tully for the Village of Kiryas Joel and Town of Palm Tree which showed increasing the size of the interceptor (see original minutes). The report suggests 250,000 units to be built within the next year. At the pace they are moving, it seems likely. The projected growth would be 1 million gallons of capacity and in five years, another million gallons, fifteen years, another million.

Mr. Cheney asked how they would know if the structure being put underground is done properly.

Mr. Griffin noted that there is someone there to watch over the work.

Ms. Tautel stated that as she reviewed the documents in the handout, it appears that potentially in five years, Kiryas Joel will take up more than 1/3 of the sewer capacity. She noted that there was talk about a moratorium and asked what was planned.

Mr. Griffin mentioned that we were in this same position years ago and the county put together a priority plan in 2000. What it did was offer a lateral permit for the main line. Years ago, people would come back twenty years later and say they want to connect but they did not have the capacity and a moratorium was imposed by the D.E. C. The priority plan that was put together back in 2000 puts a limit of time on the lateral permits of 12-months. It can be extended for two 90 day periods, but after that time the permit is void. There can be multiple permits issued and someone could apply, they may tell them there is no more capacity everything has already been assigned.

Ms. Tautel asked what the assigned amount to the Town of Palm Tree was because they were doubling the size of the main that goes into the plant, so she believed it was doubling the size of the flow.

Mr. Griffin noted that the Town of Palm Tree is part of the sewer district, so they are viewed as part of the sewer district.

Mr. Chapman stated that they do not legally delineate between the Town of Palm Tree and anyone else within the district. It was the outer districts users that they have a little more flexibility. Commissioner Denega may need to declare a moratorium.

Mr. Griffin added that once you get to a certain point with the flow, there are other triggers by state law that are reached as well.

Mr. Amo pointed out that the people in the highlighted areas on the map handout pay sewer tax and if there is an improvement to the Harriman WWTP, they will pay for that as well. If capacity is increased, they will pay for it.

Mr. Chapman noted that the entire district pays for it.

Mr. Amo stressed that no one in the district is getting anything for free.

Mr. Tuohy concluded the meeting by reminding everyone the next meeting will be on May 14th and it will be a two-hour meeting since the municipal leaders will be there.

On the motion of Ms. Tautel, seconded by Mr. Vero, the meeting adjourned at 3:28 p.m.