

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

**TUESDAY, MAY 16, 2023
2:00 P.M.**

PRESENT: Peter Tuohy, Chairman,
Barry J. Cheney, Glenn Ehlers, Laurie Tautel

ALSO

PRESENT: Joseph F. Mahoney, Esq., Senior Assistant County Attorney
Erik Denega, Commissioner, Department of Public Works
Robert Gray, Deputy Commissioner, Department of Public Works/EF&S
Mary Beth Bianconi, Partner/Senior Project Manager, Delaware Engineering, D.P.C.
Gedalye Szegedin, Village/Town Administrator, Village of Kiryas Joel/Town of Palm Tree

Mr. Tuohy called the meeting to order at 2:13 p.m. and asked everyone to stand for the Pledge of Allegiance to the Flag. All committee members were present with the exception of Chairwoman Bonelli and Legislator Amo who were absent.

Mr. Tuohy provided an update to the committee by stating that he and Chairwoman Bonelli sent a letter to the D.E.C. and Ms. Bianconi advised him that the D.E.C. reached out to her and that they did receive it.

Ms. Bianconi explained that the letter that was sent was a comment to the state regarding some of the proposed rules being used on the new funding that was coming out as a result of the Bipartisan Infrastructure Law that was adopted in 2021. They asked where they were in their process so she provided them a copy of the schedule so they are aware where they were. In order to be listed for consideration, an engineering report that meets the states criteria and a Smart Growth Assessment which is a form. The applications need to be submitted by June 16th.

Mr. Tuohy asked Ms. Bianconi that if they get on the list by June 16th but are not ready by 2024, do they need to reapply.

Ms. Bianconi responded that they will receive an email stating that they are now looking into 2025, do you want to stay on the list, yes or no. They will then be asked, if they choose to stay on the list, do you want to make any updates.

Mr. Szegedin stated that he wants to be sure to submit the best application. Longevity is about \$50 million of this total project. It is worthwhile to submit one application for longevity and a separate one for capacity.

Ms. Bianconi stated that if you were to look at the current plan for expansion, the longevity portion has been reduced significantly. They are now at a point where they include and continue to discuss longevity option in the environmental impact statement. Strategically they need to address the SPEDES, they need to address the consent order and how the project is integrated.

Mr. Szegedin stated that only the district properties have the right to the capacity they are building. For the application they are better off to just list the district. How do they predict hardship. They do not have Operations and Maintenance (O & M) bills for the Moodna communities,

it is a contractual relationship where Moodna pays into the county's coffers. The smaller the area is, the better off you are. You want to separate grant versus hardship law.

Ms. Bianconi stated that she asked them to send her the methodology they are using for Westchester so they can see how they did the math.

Mr. Szegedin stated that the fact that the Moodna communities are only contractually taking service, there is no indication of how many of them are going to increase their need, who needs extra capacity. It is totally in the blind. There might be five Moodna communities and only one are going to take advantage of the extra capacity, but all five will dilute the numbers when it comes to hardship. Westchester does not have the same situation.

Ms. Bianconi responded that they will do their best to do the math and make sure they do what works better for them to take advantage.

Mr. Mahoney mentioned that they looked into the issue with Moodna and pointed out that they are not there yet. There are a few more steps.

Ms. Bianconi asked if they wanted to do a State Revolving Loan Fund (SRF) listing.

Mr. Denega thought it would be a good idea and the county needs to submit it, not Delaware Engineering.

Ms. Bianconi noted that they received sampling information and commentary from legal on the variance. They can now complete the variance for submission to the D.E.C., in response to the incomplete application. She provided a Draft of the Executive Summary, dated May 15, 2023 (On file in Clerk, Legislative Office). Their staff's objective is to get documentation to county staff and legal by early June for review.

On the motion of Mr. Cheney, seconded by Ms. Tautel, the meeting adjourned at 2:53 p.m.