

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

**TUESDAY, JUNE 20, 2023
2:00 P.M.**

PRESENT: Peter Tuohy, Chairman,
Katherine Bonelli, Michael Amo,
Barry J. Cheney, Glenn Ehlers, Laurie Tautel

ALSO

PRESENT: Richard B. Golden, County Attorney
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
Anthony Griffin, Principal Sanitary Engineer, Department of Public Works/EF&S
Michael Zwart, Assistant Sanitary Engineer, 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 2:05 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 addressed the committee by stating that the Orange County Sewer District No. 1 Advisory Committee was formed a little over four years ago and noted that a tremendous amount of work, research and due diligence has gone into it. They are moving along and he would like to see them get back on track. They have been thrown some curve balls and D.E.C. requests for additional things. He pointed out that he is available to meet with anyone individually if they choose to or even as a group.

Ms. Bianconi updated the committee on the Facility Plan by stating that at the last meeting, they discussed filing a listing so that the county's contemplated project would be considered for scoring and potential future funding through the State Revolving Loan Fund (SRF) Program. It does not commit anyone to do anything but it provides the opportunity to consider future financing. It also shows how competitive the project might be compared to others. On June 16th, the project was listed with the state for ranking and scoring. They used the Facility Plan as the basis for the filing. The plan includes a lot of technical information and alternative analysis. She provided a draft copy of the letter that was sent along with attachments outlining the plan (On file in Clerk, Legislative Office). The Environmental Facilities Corporation (EFC) preparation will take all the information into consideration and prepare a draft intended use plan for federal fiscal year 2024. The draft plan will be a public document subject to public comment and it should be released sometime in August. They will be sure to update the committee when it is released. The final intended use plan for fiscal year 2024 is issued on October 1st. In the past, the state had some challenges to have it happen on time, however, for the past few years they have been able to make it happen.

Mr. Tuohy asked if the financial status and noted that there are the three villages, and there is mention of a portion of the Town of Monroe, are they the only areas looked at and he asked about the Moodna Communities, the outside communities. He asked if the financial status applies to them.

Ms. Bianconi responded that the financial status is connected to the Orange County Sewer District No. 1, which is the three communities, and a portion of the Town of Monroe, which is how the district was created back in 1972. They do have the outside satellite communities and EFC is aware that those areas exist and as they proceed, they will request a copy of intermunicipal agreements which will be taken into consideration.

Chairwoman Bonelli asked when would they start that process.

Mr. Mahoney responded that towards the end of the year they would address it.

Mr. Szegedin pointed out that there was a July 28th deadline.

Ms. Bianconi commented on the July 28th deadline which is for another set of grants. There are a few things taking place, one is the Consolidated Funding application process which is the state's process for the last 11 years. Instead of having agencies offering grants for everything and doing it on their own, the state put it all on one application location to make it easier. The eligibility requirements for the Water Infrastructure Improvement Act include having an engineering report, which they have, having SEQRA completed, they are in the process but will not be completed by July 28th. They would need all of the intermunicipal agreements that will fund the project which was just asked by Chairwoman Bonelli, when they would start that project and Mr. Mahoney stated towards the end of the year. There is a legal procedure which includes a public hearing and they would need a bond resolution but cannot have that until SEQRA is done. This project does not meet the eligibility for this type of funding this year, but next year they will be in a better position.

Mr. Szegedin inquired about the intermunicipal agreements and noted that they are already in place but just need to be updated.

Mr. Tuohy noted that the old Intermunicipal Agreements (IMAs) need to be reviewed and he was sure it would all fall into place.

Mr. Amo asked about the IMAs and bonding, how do you project out 30 years and more people coming into the district. How does that get factored in.

Mr. Mahoney responded that if there was an outside user who wanted to increase capacity, there would be a third cost option, which would be an additional capital cost.

Mr. Amo asked if the bonds were revenue bonds where there is an obligation from the participating municipalities, an obligation to pay.

Ms. Bianconi stated that in her experience most of the bonds are General Obligation Bonds (GO Bonds). The IMAs provide framework, but they will not state that you owe \$65.86 for example. They state that there is a bond payment due and the division of the cost is "X." It is more structured and handled in a way that the agreements are durable.

Mr. Tuohy asked about the status of the draft environmental impact statement (DEIS).

Ms. Bianconi mentioned that it was just about complete, there are a few new things that came up that need to be included and once it is 100% complete, they will have staff and legal review it. Once it is complete it will go before this committee and Physical Services.

Mr. Golden pointed out that it is misleading because once the DEIS is complete, it is still subject for public review. The next real decision making will be determining that the DEIS is complete. He would rather not use the word complete, instead say that it is now adequate for public review.

Mr. Amo asked for an update on the timetable.

Ms. Bianconi stated that they anticipate getting it to staff in July.

Mr. Amo asked what staff thought about the timeline for review.

Mr. Mahoney responded that he felt review would take around 2 to 3 weeks.

On the motion of Ms. Tautel, seconded by Mr. Cheney, the meeting adjourned at 2:51 p.m.