

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

**TUESDAY, AUGUST 13, 2019  
2:15 P.M.**

PRESENT: Peter Tuohy, Chairman,  
Michael Amo, Laurie Tautel, John Vero

ALSO

PRESENT: Antoinette Reed, Legislative Counsel  
Joseph F. Mahoney, Senior Assistant County Attorney  
Erik Denega, Commissioner, Department of Public Works  
Robert Gray, Deputy Commissioner, EF&S  
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  
Gedalye Szegedin, Administrator, Clerk, Village of Kiryas Joel/Town of Palm Tree  
Michael Queenan, Mayor, Village of Woodbury  
Robert Jeroloman, Supervisor, Town of Blooming Grove  
Robert Valentine, Supervisor, Town of Chester  
John Bell, Mayor, Village of Chester  
Neil Dwyer, Mayor, Village of Monroe

Mr. Tuohy called the meeting to order at 2:19 p.m. and asked everyone to stand for the Pledge of Allegiance to the Flag. All committee members were present with the exception of Legislators Bonelli and Cheney who were absent.

Ms. Bianconi provided an updated longevity and capital plan improvements timeline to the committee (see original minutes). She noted the additions which were the actions of the Orange County Sewer District No. 1 subcommittee into the schedule. They also adjust the date column to include whether it is a target date or an actual date. She pointed out that there is a statutory process moving forward with regard to potential investments at the Harriman WWTP that involves preparation of a map, a plan, actions by the Legislature, public hearings to be held, resolutions and state comptroller reviews. She reviewed documents that needed to be updated including the option of adding capacity by going to the Hudson River. A decision will need to be made on how much needs to be invested in the Harriman WWTP to allow it to function to meet the needs of the district and how do they address capacity. Improvements to an existing facility can be done on a quicker timeline because it is an existing facility, rather than building a brand new one in a different location. An updated draft facility plan report will be presented to the Physical Services Committee on September 23rd. Included in the report will be all the options they had before for adding capacity at Harriman WWTP, longevity improvements and an idea of a regional approach, a Hudson River discharge plan.

Mr. Tuohy asked if there are any reporting issues about being at 85% capacity now. He asked if any of those updates be added in so they do not miss any milestones for any kind of reporting that they might need to do.

Mr. Gray replied that they do. He and Commissioner Denega plan to send out a letter.

Mr. Amo noted that the plan did not include any decisions, just moving forward and the next steps.

Mr. Tuohy stated that this is a guideline. This is laying it all out and starting to do things before they actually vote on anything.

Ms. Bianconi explained that they are in the review steps now, not make a decision step. However, at the September 10<sup>th</sup> meeting they will recommend the public hearing and present the updated facility plan. If the committee is not ready yet, then she will take note and change the dates.

Ms. Reed asked if the review of the updated facility plan scheduled for the August 28<sup>th</sup> meeting will include the facility plan for the longevity as well as capacity.

Ms. Bianconi responded that it will.

Mr. Tuohy addressed the rate payer impact meetings that were almost complete.

Ms. Bianconi reviewed the Preliminary User Rate Impact Analysis (see original minutes). Each of the municipalities has the authority to charge people whatever they choose under the law. They met with all the municipalities to discuss the longevity project, capacity and to get information about how the user charges are created in the municipalities. She did point out that there was an error and that 30,400 gpd leased to the Village of Woodbury needed to be deducted from the 3,620,400 gpd which is available to OCSD NO. 1 and apply it to 999,600 gpd for the Village of Woodbury. She apologized for the error and planned to provide a corrected analysis.

Mr. Tuohy asked what the status was on the meters.

Mr. Griffin advised him they were out to bid.

Ms. Tautel asked what the closing date on the bid was.

Mr. Griffin did not have that information but stated that it is usually a three to four week turnaround.

Mr. Mahoney updated the committee on the SPDES permit. They are still waiting for a decision. The SPDES permit contains certain parameters which the county objected to. The largest parameter being inclusion of chlorides and total dissolved solids (TDS) limit. They withdrew a hearing and are now contesting that decision. Briefs have been submitted and now they are waiting. They have been on hold for several months. The plant is operating under an old permit that was issued in either 2007 or 2008.

Mr. Amo asked what would happen if something came up about the old permit. Would we be forced to do something and what options are there.

Mr. Mahoney explained that if it comes out and the final SPDES permit is issued by the state, there are requirements. There are timelines within the permit that are triggered and part of that is, when do we need to be in compliance. They will review their options at that time.

Mr. Amo asked what are the consequences and could there be fines associated.

Mr. Mahoney stated that there are provisions within the permit allowing for a variance. Allowing for the county to request a variance if it can be demonstrated that it cannot comply. That does not relieve them of the obligation to achieve those goals.

Ms. Bianconi stated that the old permit expired in July 2013. There are usually two triggers that require a new permit. It could be there is a change in the regulatory environment, meaning you are required to treat for something that you were not required to treat before. The other trigger is if you plan to do an upgrade, the whole permit gets upgraded to whatever the modern standards are. They are in the process of a change in the regulatory environment. When there are regulatory changes added to a permit there is a timetable of compliance which states they must do certain things to advance compliance with them. The timetable usually says for example, eighteen months from today you must have an engineering report and twelve months from that you must do another thing. If you are not in compliance, they usually do not come with fines, it is more of a "do your best" and demonstrate you are doing that. Once you have a permit in effect, there is some grace period but there are some triggers that say if you cannot comply with your permit, you are subject to fines. It is not a straightforward process.

Mr. Griffin stated that the draft permit was issued 2015.

Mr. Tuohy asked about water quality testing by the DEC.

Mr. Griffin mentioned that the state was out last year looking at the stream and there should be a report.

Mr. Mahoney added that there was discussion about that with the DEC earlier this year and at that time they indicated they did not finalize their analysis. They requested a copy and he planned to follow up.

Ms. Bianconi commented that the state has a program where they rotate watersheds and conduct sampling within the watersheds. They requested their data, but she did not know if they were going to share the results. She thought they were supposed to have something to them by the end of the summer.

Mr. Tuohy asked for a follow up on that.

Mr. Tuohy announced the Moodna meeting was tonight at 6:00 p.m. at the Chester Village Hall, hosted by Mayor Bell.

Mr. Griffin announced the flow meter bid went out on August 8<sup>th</sup> and due date is September 5<sup>th</sup>.

The meeting adjourned at 3:06 p.m.