

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

**TUESDAY, AUGUST 22, 2023
2:00 P.M.**

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

ALSO

PRESENT: Betsy N. Abraham, Esq., Legislative Counsel
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
Dorey Houle, Ombudsman, Human Resources

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 Legislator Ehlers who was absent.

Mr. Mahoney updated the committee on the resubmission of the variance by stating that they received the report from Delaware Engineering. There were some clarifications made with the language and the report was returned to Delaware Engineering today. They expect the report to be resubmitted to D.E.C. this week, depending on Delaware Engineering's ability to review.

Mr. Gray communicated with Delaware Engineering last week and shared what they were modifying in the report. He stated that it was more of the narrative to make it easy to understand for those who read the report, the substance has not changed.

Mr. Golden added that the clarifications Mr. Mahoney made help emphasize the economic impact to all the municipalities and the homeowners. This will strengthen their request for why they need a variance. Unless Delaware Engineering has a problem with Mr. Mahoney's changes, which he did not think there would be, they can finalize it and send it to the D.E.C.

Mr. Tuohy asked for an update on the response from Delaware Engineering.

Mr. Amo agreed with Mr. Tuohy and asked that they be informed the moment that the report is sent to the D.E.C.

Mr. Tuohy stated that they need to have the variance resubmission done first before they can get to a final facility plan and draft environmental impact statement (D.E.I.S.).

Mr. Gray pointed out that Delaware Engineering has the facility plan which is basically done and they are reviewing it but, they need the variance so they know how to design the plan. He stressed that the variance is a huge step.

Chairwoman Bonelli asked if they had an idea as to when they would get the okay to move forward and what the rest of the timeline looked like.

Mr. Gray noted that he has been working with the D.E.C. for a long time and believed that they will probably get a notice of incomplete application, he was sure it will be something. The concerns will diminish but he did not think they would get the go ahead from the D.E.C., he was sure they will want more. He added that they were encouraged by the D.E.C. to apply for a variance.

Mr. Golden referred to an email sent on August 17th from Ms. Bianconi regarding the D.E.I.S. In her email she stated that they continue to add relevant information related to the variance resubmission. The variance resubmission is a part of the D.E.I.S. and a draft of the D.E.I.S. will be provided after the variance resubmission is deemed complete for submission to the D.E.C. by the County Attorney's Office. Basically, Ms. Bianconi said they were not going to wait for another round from D.E.C., they will continue. Once the resubmission is sent, they will finalize the D.E.I.S. and they can start that process. It will need to be supplemented if they get something back from the D.E.C. That is all part of the D.E.I.S. process.

Mr. Denega added that the facility plan also feeds into the D.E.I.S. which is done for the most part like Mr. Gray mentioned, they are doing final review.

Mr. Cheney asked how long the review process will take for the facility plan.

Mr. Mahoney stated that they should receive responses back from Delaware Engineering and this was more of a follow-up. He prepared his comments and noted that there were some engineering issues that need to be addressed.

Mr. Tuohy thanked everyone for their hard work and looked forward to moving forward.

On the motion of Ms. Tautel, seconded by Mr. Cheney, the meeting adjourned at 2:18 p.m.