

ROCKLAND COUNTY SEWER DISTRICT NO. 1
BOARD OF COMMISSIONERS MEETING
January 26, 2023

Members Present:

K. Connell
P. Carroll
R. Diaz
M. Genito
G. Hoehmann
T. Kenny
S. Lehman
M. Specht
J. Tursi

Members Absent:

A. Simon

Others Present:

M. Saber, M. Dolphin, T. Phillips, J. Gilberg, T. West

Item #1: The meeting was called to order at 6:22pm.

G. Hoehmann: The Rockland County Sewer District No. 1 meeting of January 26 is hereby called to order. Everyone please stand for the salute to the flag. Commissioner Genito, please lead us in the pledge. Thank you. Please be seated.

Item #2: Roll Call

G. Hoehmann: Could our secretary could please call the roll?

Item #3: Nomination of Officers

G. Hoehmann: So, the first order of business is the Nomination of Officers for the Board of Sewer Commissioners, Rockland County Sewer District No. 1. I'd like to entertain a motion and a second for the officers.

Let's open it up for discussion. I'll just offer the following information. We designated a Committee. The Committee got together and made some recommendations. The recommendations from the nominating Committee were for Chairman – Commissioner Specht, for first Vice Chair – Commissioner Genito, for second Vice Chair – Commissioner Kenny, and for Secretary – Commissioner Hoehmann. So, we have a motion and a second. I'll open it up for any discussion from any of the Commissioners.

S. Lehman: George, I just want to say a point of appreciation for the tenure you served as our Chairman. You came in at a time when we needed strength on the Board and the last number of years with your leadership and your close supervision of everything that matters of importance to the Sewer District. You really did an amazing job from my perspective. I'm very proud to have worked under your leadership as a Commissioner.

G. Hoehmann: Thank you. Thanks for that, Seth.

M. Genito: Same here, George.

G. Hoehmann: Thank you, Michael. It's been an honor and a pleasure to serve as Chair. I'll still be on this Commission but as you know, we had some tough times with the soil and some of the

other issues that we dealt with and obviously, the unfortunate way in which our last Chairman left. It was not an easy time but what's been great about it is that I can tell you that this is a working Board of Sewer Commissioners. We've got some exceptional talent on this Board. I know that our future is in good hands with Mike, Mike, and Teresa stepping into these leadership positions.

So, if there's no further comments, what I'd like to do at this point is, I'd like to turn the gavel over to our new Chairman of the Rockland County Sewer District. I wish him well. To our new Chairman, Michael Specht. Congratulations, Mike.

M. Specht: Thank you, George. Thank you so much. I'll just very briefly state....

G. Hoehmann: So, Mike, why don't you move up to the big chair. I'm going to move down.

M. Specht: I want to just say thank you to everybody for placing this trust in me. I'm humbled and honored. I have very big and impressive shoes to follow, following after George. I hope to do a fraction of the excellent job that you did. I'm glad that you will still be here because I'll be turning to you often for guidance.

G. Hoehmann: Thank you.

M. Specht: Thank you everybody. This is an outstanding Board and the fact that everybody works together so well is really something we should all be proud of. Without further adieu, we'll go into Public Participation.

**Motion to Approve:
Genito/Connell**

Unan.

January 26, 2023

**RESOLUTION NO. 1 OF 2023
NOMINATION OF OFFICERS FOR THE BOARD OF SEWER
COMMISSIONERS, ROCKLAND COUNTY SEWER DISTRICT NO. 1**

WHEREAS, nomination of officers for the Board of Sewer Commissioners need to be appointed for the year 2023, and

WHEREAS, the positions consist of Chair, First Vice Chair, Second Vice Chair, and Secretary, now, therefore, be it,

RESOLVED, that the Board of Commissioners, Rockland County Sewer District No. 1, does hereby appoints Michael Specht as Chair, Michael Genito as First Vice Chair, Teresa Kenny as Second Vice Chair, and George Hoehmann as Secretary for the year 2023, and, be it,

FURTHER RESOLVED, that the Board of Commissioners hereby authorizes and directs the Executive Director to take such steps as are necessary to carry out the intent of this resolution.

Item #4: Public Participation

M. Specht: Anybody from the public wishing to speak? There appears to be nobody.

Item #5:

M. Specht: Approve the Minutes of the meeting held on December 6, 2022.

RESOLUTION NO. 2 OF 2023
ADOPT MINUTES OF MEETING OF DECEMBER 6, 2022

WHEREAS, K. Connell offered the following resolution, which was seconded by S. Lehman and approved unanimously, now, therefore, be it,

RESOLVED, that the transcribed Minutes of the Rockland County Sewer District No. 1 Meeting of December 6, 2022, as recorded by the Clerk, are hereby adopted.

Item #6:

M. Specht: I'll ask Mr. Saber to discuss this.

M. Saber: This agreement is to provide legal services for unforeseen matters. It is necessary to have expert legal advice available to assist the District. When issues arise, it is critical that they be addressed in a timely manner. The previous General Matters was transferred to West Group Law from Pannone, Lopes, Deveraux and West. At this time, it is appropriate to have a new contract with West Group Law. The total retainer agreement requested is in the amount of \$175,000. This retainer agreement will be for a two-year period.

M. Specht: Very good. Any questions about this item? If not, I'll call for a motion.

Motion to Approve:
Hoehmann/Genito

Unan.

January 26, 2023

RESOLUTION NO. 3 OF 2023
AWARD RETAINER AGREEMENT WITH WEST GROUP
LAW PLLC FOR LEGAL SERVICES FOR GENERAL MATTERS
OF THE ROCKLAND COUNTY SEWER DISTRICT NO. 1

WHEREAS, the District is desirous to enter into a retainer agreement with West Group Law PLLC (WGL) for legal services for General Matters of the Rockland County Sewer District No. 1, and,

WHEREAS, this agreement is for unforeseen legal matters that don't fall under other retainer agreements between the District and WGL, and,

WHEREAS, it is necessary to have expert legal advice available to assist with any issues that might arise, and,

WHEREAS, WGL submitted a cost proposal on January 17, 2023 in the amount of \$175,000, and,

WHEREAS, the staff of the District have reviewed WGL's proposal and found same to be acceptable, now, therefore, be it,

RESOLVED, that the Board of Commissioners, upon recommendation of the Executive Director, does hereby accept the cost proposal from West Group Law, PLLC, 81 Main Street, Suite 510, White Plains, NY in the amount of \$175,000 for a retainer agreement for legal services for General Matters of the Rockland County Sewer District No. 1, and, be it,

FURTHER RESOLVED, that the Executive Director is authorized to execute such agreement after review by the staff of the Sewer District and the Office of the County Attorney, and, be it,

STILL FURTHER RESOLVED, that the Executive Director is authorized to forward said documents to the County Executive for forwarding to the Legislature for their approval.

Item #7:

M. Saber: The District needs skilled electrical/electronic personnel who are familiar with our equipment at the Wastewater Treatment Plant in Orangeburg and at the 27 Pump Stations and available to respond to emergencies during off hours. Mr. Philip Ammirati previously worked for the District in the title of Electronic Equipment Repairer. We currently have only one Electronic Equipment Repairer position filled but we will need this contract with Mr. Ammirati until that person is adequately trained. The District is currently recruiting for the other Electronic Equipment Repairer position.

The District requested a proposal from Mr. Ammirati's firm, Philip Ammirati Electrical Contractor, Inc. Based on Mr. Ammirati's past experience and the needs of the District, I recommend that this contract be awarded to his firm in an amount not to exceed \$35,000.

Motion to Approve:
Kenny/Connell

Unan.

January 26, 2023

RESOLUTION NO. 4 OF 2023
AWARD OF CONTRACT FOR ELECTRICAL SERVICES FOR
ELECTRICAL AND ELECTRONIC EMERGENCIES AT THE WASTEWATER TREATMENT PLANT
IN ORANGEBURG AND TWENTY-SEVEN (27) PUMP STATIONS WITHIN THE DISTRICT

WHEREAS, Rockland County Sewer District No. 1 (District) is desirous to enter into a contract with Philip Ammirati Electrical Contractor, Inc. for Electrical Services for Electrical and Electronic Emergencies at the Wastewater Treatment Plant in Orangeburg and at the Twenty-Seven (27) Pump Stations within the District, and,

WHEREAS, the contract is needed to ensure that the District has skilled electrical/electronic personnel available to respond to emergencies during off hours, and,

WHEREAS, at the present time, the District is short staffed for electrical positions including one Electronic Equipment Repairer and a Maintenance Mechanic – Electrical, and,

WHEREAS, Philip Ammirati of Philip Ammirati Electrical Contractor, Inc. has previously worked for the District in the title of Electronic Equipment Repairer and is familiar with the equipment at the WWTP and pump stations, and,

WHEREAS, Philip Ammirati Electrical Contractor, Inc. has submitted a cost proposal on January 13, 2023 to provide electrical services in the amount not to exceed \$35,000.00 and,

WHEREAS, the staff of the District have reviewed the proposal and found same to be acceptable, now, therefore, be it,

RESOLVED, that the Board of Commissioners, upon recommendation of the Executive Director, does hereby accept the proposal from Philip Ammirati Electrical Contractor, Inc. 150 North Middletown Road, Pearl River, NY for Electrical and Electronic Emergencies at the Wastewater Treatment Plant in Orangeburg and at the Twenty-Seven (27) Pump Stations within the District in the amount not to exceed \$35,000.00, and, be it,

FURTHER RESOLVED, that the Executive Director is authorized and directed to execute such documents as necessary to carry out the intent of this resolution after review by the staff of the Sewer District and the Office of the County Attorney.

Item #8:

M. Saber: The staff at the wastewater treatment plant in Hillburn includes three District employees who are on-call 24/7. The Wastewater Operator I would like to obtain their Grade 3A Wastewater Treatment Plant Operator certification. The District would pay for the travel and lodging. Veolia Water North America – Northeast, LLC, the District's manager of the wastewater treatment plant in Hillburn, will be paying for the course per our contract with them. I recommend that the District continues to support training of our employees so that they can

obtain the necessary wastewater operator license to progress into future positions. The cost is not to exceed \$4,800.

M. Specht: Thank you, Mr. Saber.

Motion to Approve:
Genito/Lehman

January 26, 2023

Unan.

RESOLUTION NO. 5 OF 2023
AUTHORIZATION TO SEND A WASTEWATER OPERATOR I TO WASTEWATER TREATMENT PLANT OPERATOR COURSES AT MORRISVILLE COLLEGE IN MORRISVILLE, NY

WHEREAS, the wastewater treatment plant in Hillburn is staffed and on call 24/7 with Wastewater Operations and Maintenance Technician II, Wastewater Operations and Maintenance Technician I and Wastewater Operator I, and,

WHEREAS, the District would like to send Operators to courses offered at Morrisville State College to get their Wastewater Treatment Plant Operator Certifications, and,

WHEREAS, the District has a very difficult time trying to fill the Operator positions as there is a statewide shortage of licensed operators, and,

WHEREAS, these courses and experience from working in various Operator positions will qualify them to take the Wastewater Treatment Plant Operator Certification test, and,

WHEREAS, Veolia Water North America – Northeast, LLC, the District’s manager of the treatment plant in Hillburn, will pay for the courses per the District’s contract with them, and,

WHEREAS, the District will pay for the hotel, travel, and related expenses for a total amount of \$4,800.00, and,

WHEREAS, it is in the best interest of the District to approve the Wastewater Operator I to attend these courses to be able to obtain a Wastewater Treatment Plant Operator Certification since they are familiar with the treatment plant in Hillburn, now, therefore, be it,

RESOLVED, that the Board of Commissioners, Rockland County Sewer District No. 1, does hereby authorize the attendance of the Wastewater Operator I to attend Morrisville College to take the courses needed to obtain their Wastewater Treatment Plant Operator Certification, and, be it,

FURTHER RESOLVED, that Veolia Water North America – Northeast, LLC will pay for these courses and the District will pay for hotel, travel and related expenses at a cost not to exceed \$4,800.00, and, be it,

STILL FURTHER RESOLVED, that this training for the staff of the Sewer District No. 1 is subject to approval from the County Executive’s Office.

Item #9A:

M. Saber: These resolutions are for the close-out of Cleaning of Digester No. 1 at the WWTP in Orangeburg. It includes substantial completion, final completion, and the final change order. I recommend that the Board consider approving these resolutions.

M. Specht: So, we’ll vote first on Item 9A.

M.Saber: Mr. Chair, we could take them all together if you want or we can do them individually. It’s your preference.

M. Specht: That’s fine. We can take them all together. That would be easier. Same motion.

Motion to Approve:

January 26, 2023

Hochmann/Tursi

Unan.

**RESOLUTION NO. 6 OF 2023
APPROVAL OF CHANGE ORDER NO. 1
CLEANING OF DIGESTER NO. 1 PROJECT
CONTRACT RFB-RC-SWR-SM2022-02**

WHEREAS, Change Order No. 1, Contract RFB-RC-SWR-SM2022-02 with Spectraserv Inc. for Cleaning of Digester No. 1 Project, has been proposed, and,

WHEREAS, the project was for the Primary Digester No. 1 cleaning which includes but is not limited to the removal of all sludge, grit, rags, liquid, grease, and other sewage related materials, and,

WHEREAS, the Summary of Change to Contract involves a decrease to the contract in the amount of \$19,802.00 due to funds for miscellaneous work not being used, and,

WHEREAS, Change Order No. 1 decreases the total contract amount to \$348,198.00, and,

WHEREAS, the staff of the Sewer District has participated in discussions concerning Change Order No. 1 and has reviewed the details and found them acceptable, now, therefore, be it,

RESOLVED, that upon the recommendation of the Executive Director, the Board of Commissioners, Rockland County Sewer District No. 1, does hereby approve Change Order No. 1, Contract RFB-RC-SWR-SM2022-02 following review by the Office of the County Attorney, and, be it,

FURTHER RESOLVED, that the Board of Sewer Commissioners hereby authorizes and directs the Executive Director to execute said Change Order No. 1 and any other documents as may be required to carry out the intent of this resolution.

Item #9B:

**Motion to Approve:
Hochmann/Tursi**

Unan.

January 26, 2023

**RESOLUTION NO. 7 OF 2023
SUBSTANTIAL COMPLETION
CLEANING OF DIGESTER NO. 1 PROJECT
CONTRACT RFB-RC-SWR-SM2022-02**

WHEREAS, the work of Contract RFB-RC-SWR-SM2022-02 has been substantially completed by Spectraserv Inc. for Cleaning of Digester No. 1 Project, and,

WHEREAS, the staff of the Sewer District has determined that the work of this contract is substantially complete, now, therefore be it,

RESOLVED, that the Board of Commissioners, Rockland County Sewer District No. 1, upon the recommendation of the Executive Director does hereby accept the Substantial Completion of Contract RFB-RC-SWR-SM2022-02 as of September 21, 2022, subject to the terms of the Contract concerning guarantees, rules of retained percentage, posting of bonds, etc., and subject to the approval of the Office of the County Attorney, and, be it,

FURTHER RESOLVED, that the Board of Sewer Commissioners hereby authorizes and directs the Executive Director to execute said Substantial Completion and any other documents as may be required to carry out the intent of this resolution.

Item #9C:

**Motion to Approve:
Hochmann/Tursi**

Unan.

January 26, 2023

**RESOLUTION NO. 8 OF 2023
FINAL COMPLETION
CLEANING OF DIGESTER NO. 1 PROJECT
CONTRACT RFB-RC-SWR-SM2022-02**

WHEREAS, the work of Contract RFB-RC-SWR-SM2022-02 has been substantially completed by Spectraserv Inc. for Cleaning of Digester No. 1 Project, and,

WHEREAS, the staff of the Sewer District has determined that the work of this contract has obtained Final Completion, now, therefore be it,

RESOLVED, that the Board of Commissioners, Rockland County Sewer District No. 1, upon the recommendation of the Executive Director, does hereby finally accept Contract RFB-RC-SWR-SM2022-02 as being complete as of September 30, 2022, subject to the terms of the Contract concerning guarantees, rules of retained percentage, posting of bonds, etc., and subject to the approval of the Office of the County Attorney, and, be it,

FURTHER RESOLVED, that the Board of Sewer Commissioners hereby authorizes and directs the Executive Director to execute said Final Completion and any other documents as may be required to carry out the intent of this resolution.

Item #10: Quarterly Report

M. Saber: There's a report in your packet but I'll give you some of the highlights. The figures are preliminary as payments to vendors are still being processed against the 2022 budget. The Rockland County Finance Department still needs to record final journal entries.

Almost all expenses remained within the budgeted amount except for overtime. The overages should be offset by salary savings and fringes resulting from vacant positions.

While the report shows that we did not expend what was anticipated in all categories, I want to reiterate that additional entries will need to be recorded throughout.

Approximately, \$2,356,000 of the undesignated fund balance will be applied to the 2023 budget as per the adopted budget. Undesignated fund balance is estimated to be approximately \$9,826,000 after these adjustments and prior to any year-end adjustments.

M. Specht: Any questions for Executive Director Saber? Thank you, Mr. Saber

Item #11: Orangeburg Plant Performance

M. Saber: In your packet is a summary of the performance parameters of the wastewater treatment plant in Orangeburg. The CBOD limit of 85% removal had been met since May of 2022 but in December 2022 we did not meet the limit. Adjustments have been made and we are currently trending to pass this month.

M. Specht: Very good. Any questions? Do we have any new business?

G. Hoehmann: Mr. Chairman, I'm sorry Mike. Do you have anything else?

M. Saber: I just want to make sure we go into Executive Session before we end the meeting.

M. Hoehmann: To go on the record as I meant to say something before. I meant to say in the haste to do the vote for the officers, I really want to thank all of the staff. Mike, it's been a pleasure working with you throughout these years. I know we'll continue to work together. Jean, you've been great really working with you, Marty, just tremendous, great in the role that you are there. Tommy, you've been a God send, a real great addition to the District. Teno, thank you. You've been a great advisor to all of us here at the District as well as with Rockland Green. Your work is incredibly valued. Of course, again, I want to thank the County Attorney's office as well and all the staff at the County Attorney's office throughout the years as Chairman. We're very fortunate to have very good and very dedicated staff. I wanted to put that on the record and thank them for their service during my time as Chairman.

M. Specht: I'd just like to thank again Commissioner Hoehmann for his outstanding stewardship as Chairman during his tenure as Chair and the great progress made by this Board on behalf of the County of Rockland. Thank you very much, George.

G. Hoehmann: Thank you. I'll offer a motion to go into Executive Session.

Executive Session – for personnel and legal matters.

Enter Executive Session at 6:34pm
Motion: G. Hoehmann and P. Carroll

Leave Executive Session at 6:41pm
Motion: K. Connell and R. Diaz

M. Specht: Let the record reflect we discussed matters of personnel and legal matters. At this time, I'm going to call on Commissioner Hoehmann to make a motion.

Item #12: New Business

G. Hoehmann: Chairman, I'd like to offer a motion to extend the contract for Attorney Position I retroactive to ending on November 30, 2022.

Motion to Approve:
Hoehmann/Genito

Unan.

January 26, 2023

**RESOLUTION NO. 9 OF 2023
AMENDMENT TO INTERAGENCY AGREEMENT FOR SHARED SERVICES
WITH ROCKLAND GREEN FOR ATTORNEY POSITION NO. 1 AND OTHER SHARED SERVICES**

WHEREAS, the Sewer District entered into an Interagency Agreement for Shared Services with Rockland Green for Attorney Position No. 1, particularly for the services of Keith Braunfotel, Esq., and Other Shared Services on November 1, 2021 for \$75,000.00 (“IA”), and,

WHEREAS, the IA expired on October 31, 2022, and,

WHEREAS, Rockland Green and the Sewer District desires to extend the terms of the IA from October 31, 2022 to November 30, 2022, retroactively, and,

WHEREAS, this amendment for extension of terms is needed for payment purposes only, in order to reimburse Rockland Green for services previously rendered, and,

WHEREAS, this will be the final extension of the IA, and,

WHEREAS, the staff of the Sewer District has participated in discussions concerning the request for an extension of terms to the IA and found them acceptable, now, therefore, be it,

RESOLVED, that the Board of Commissioners, upon the recommendation of the Executive Director, hereby accepts the amendment request for the IA to retroactively extend the terms of the IA from October 31, 2022 to November 30, 2022, and, be it,

FURTHER RESOLVED, that the Board of Sewer Commissioners hereby authorizes and directs the Executive Director to execute any other documents as may be required to carry out the intent of this resolution.

Motion to Adjourn.

**RESOLUTION NO. 10 OF 2023
ADJOURNMENT**

P. Carroll offered the following resolution, which was seconded by K. Connell and approved unanimously.

BE IT RESOLVED that the January 26 , 2023, Meeting of the Board of Commissioners, Rockland County Sewer District No. 1, is hereby adjourned.

The Board of Sewer Commissioners Meeting adjourned at 6:42pm.

Respectfully submitted,
Jean Langan
Clerk to the Board of Commissioners
Rockland County Sewer District No. 1