

**ROCKLAND COUNTY SEWER DISTRICT NO. 1  
BOARD OF COMMISSIONERS MEETING  
October 10, 2023**

**Members Present:**

K. Connell  
P. Carroll – arrived at 5:43 pm  
R. Diaz  
M. Genito  
G. Hoehmann  
S. Lehman  
A. Simon  
M. Specht  
J. Tursi

**Members Absent:**

T. Kenny

**Others Present:**

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

**Item #1:** The meeting was called to order at 5:36 pm.

M. Specht: Good evening everyone. I'll call to order this meeting of the Rockland County Sewer District No. 1 for tonight, October 10, 2023. I'm going to ask if Commissioner Hoehmann would lead us in the Pledge to the Flag.

If we could have a moment of silence in memory of the more than one thousand (1,000) innocent people who were inhumanly massacred in Israel on Saturday including at least, as of now, fourteen (14) American citizens. Thank you.

**Item #2:** Roll Call

M. Specht: Could you call the attendance, please? Thank you.

**Item #3:** Public Participation

M. Specht: We'll open it up to Public Participation. If anyone in the audience wishes to speak, we'll give you three minutes to do so.

**Item #4:**

**RESOLUTION NO. 49 OF 2023  
ADOPT MINUTES OF MEETING OF JULY 27, 2023**

**WHEREAS**, G. Hoehmann 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 July 27, 2023, as recorded by the Clerk, are hereby adopted.

**Item #5:**

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

M. Saber: The Western Ramapo Advanced Wastewater Treatment Plant (AWTP) was designed, built, and operated under special legislation that was enacted by the State of New York. Veolia Water North America – Northeast, LLC was the successful proposer at the time. They currently

operate the facility with three District employees. The operational term for the AWTP expires December 31, 2025. The District is desirous of potentially continuing private operations on the management side as we are currently constituted.

Attorneys at West Group Law (WGL) were special counsel to the District for the design, build, operate procurement for the AWTP. WGL was requested to submit a proposal to assist with but, not limited to, developing a request for proposal for a new operational period. WGL will be using EDR as a subconsultant to assist with the engineering and technical aspects of the procurement. The team members from EDR were also involved in the original procurement. WGL has submitted a proposal in the amount of the \$650,000 to cover these costs.

Based on the District's need for the above services, I recommend that the retainer agreement in the amount of \$650,000 for this work be considered for approval by the Board. I would also recommend that the Department of Law review WGL's proposal. As always, the amendments are estimates provided by WGL and funds will only be expended when needed.

M. Specht: Thank you, Mr. Saber; Any questions?

**Motion to Approve:**  
**Genito/Diaz**

**Unan.**

**October 10, 2023**

**RESOLUTION NO. 50 OF 2023**  
**AWARD RETAINER AGREEMENT WITH WEST GROUP**  
**LAW PLLC FOR LEGAL SERVICES FOR THE PROCUREMENT OF A NEW**  
**MANAGEMENT CONTRACTOR FOR THE ADVANCED WASTEWATER TREATMENT**  
**PLANT IN WESTERN RAMAPO**

**WHEREAS**, the Rockland County Sewer District No. 1 is desirous of using special counsel concerning the procurement of a new management contractor for the advanced wastewater treatment plant (AWTP) in western Ramapo, and,

**WHEREAS**, team members of West Group Law PLLC (WGL) were special counsel to the District for the design, build, operator procurement for the AWTP, and,

**WHEREAS**, WGL has attorneys specializing full time in procurements and contract negotiations for wastewater projects and services, and in performing related study, evaluation and research assignments, and,

**WHEREAS**, WGL will assist with, but not limited to, developing a request for proposals (RFP) for a new operational period along with reviewing RFP responses, drafting a new agreement, and assessing current AWTP assets with a potential asset renewal plan, and,

**WHEREAS**, WGL will be using EDR as a subconsultant to assist with technical and engineering aspects of the procurement, and

**WHEREAS**, team members from EDR were also involved in the original procurement process, and,

**WHEREAS**, WGL submitted a cost proposal on September 14, 2023 in the amount of \$650,000, 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 \$650,000.00 for a retainer agreement for legal services for the Procurement of a New Management Contractor for the Advanced Wastewater Treatment Plant in Western Ramapo, and, be it,

**FURTHER RESOLVED**, that the Executive Director is authorized and directed to execute such agreement as may be 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, and, be it,

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

**Item #6:**

A. Simon: I'll move that.

M. Specht: Very good. I'll just ask Mr. Saber if he could just briefly summarize it for the Board and then we have a motion by Mayor Simon to move it.

M. Saber: Sure. If you don't mind, I'd like to take items #6 through #9 together?

M. Specht: Very good.

M. Saber: The sewer mains on Twin Avenue along with the downstream sewer mains on Maple Avenue and Parker Street in Spring Valley up to the Ramapo Interceptor are near capacity. The sewer mains need to be increased in size.

For this project, \$5,700,000 is currently allocated. The project cost increase requested is \$4,602,000. The total project cost is estimated to be \$10,302,000 which includes engineering for design and construction administration services. The increase in cost is related to escalation costs and some cost items that were not included when the original estimate was prepared.

The resolutions are for the approval of SEQRA, engineering report, amending the capital budget, and requesting a public hearing for the increase in funds. I recommend that these resolutions be approved by the Board.

M. Specht: Thank you, Mr. Saber. So, we have a motion on the first one by Commissioner Simon for a negative declaration.

G. Hoehmann: Since you recommended all together, could we just do them jointly?

M. Saber: Yes, we've been able to do it in the past.

G. Hoehmann: So, resolution 6,7,8,9.

M. Specht: Very good.

**Motion to Approve:  
Simon/Hoehmann**

**Unan.**

**October 10, 2023**

**RESOLUTION NO. 51 OF 2023  
ISSUING A NEGATIVE DECLARATION FOR THE  
TWIN AVENUE SEWER UPGRADE PROJECT**

**WHEREAS**, the Rockland County Sewer District No. 1 (hereinafter "RCSD") proposes to increase the capacity of the sewer mains on Twin Avenue and downstream sewer mains on Maple Avenue and Parker Street up to the Ramapo Interceptor in the Village of Spring Valley, and,

**WHEREAS**, these sewer mains are near capacity and need to be increased in size, and,

**WHEREAS**, the Project is subject to the State Environmental Quality Review Act, 6 NYCRR Part 617 (“SEQRA”), which requires activities like the Project, that are proposed by a unit of local government, like the RCSD, to conduct an environmental impact assessment to identify and mitigate the significant environmental impacts of the proposed Project, and,

**WHEREAS**, Resolution No. 45 of 2023 authorized RCSD to designate itself as lead agency under SEQRA for the Project, and,

**WHEREAS**, RCSD notified involved parties of its intent to serve as lead agency for the Project on August 7, 2023, and,

**WHEREAS**, RCSD was established as lead agency on September 7, 2023, having not received any objection from any involved party during the 30 calendar days following the August 7, 2023 notification to involved parties, and,

**WHEREAS**, under SEQRA, the lead agency must make a determination as to whether the Project may or will not have a significant adverse impact on the environment, and,

**WHEREAS**, RCSD and its consultants have determined that the Project results in a non-significant adverse impact (a “Negative Declaration”), and,

**WHEREAS**, pursuant to SEQRA, RCSD must prepare and file a notice of the Negative Declaration, now, therefore, be it,

**RESOLVED**, that the Rockland County Board of Sewer Commissioners hereby approves RCSD’s intent to issue a Negative Declaration, and authorizes the Executive Director to take any and all necessary or appropriate actions related thereto, including but not limited to the issuance and publication of all required notices, and, be it,

**STILL FURTHER RESOLVED**, that the Executive Director is hereby authorized and directed to take such steps as are necessary to carry out the intent of this resolution.

**Item #7:**

M. Specht:

**Motion to Approve:**  
**Simon/Hoehmann**

**Unan.**

**October 10, 2023**

**RESOLUTION NO. 52 OF 2023  
APPROVE ENGINEERING REPORT AND REQUEST ROCKLAND COUNTY LEGISLATURE TO  
ACCEPT THE ENGINEERING REPORT FOR THE TWIN AVENUE SEWER UPGRADE PROJECT,  
CAPITAL PROJECT #6365**

**WHEREAS**, the sewer mains on Twin Avenue in the Village of Spring Valley and downstream sewer mains up to the Ramapo Interceptor are near capacity and need to be increased in size, and,

**WHEREAS**, an engineering report titled Twin Avenue Sewer Upgrade – Engineering Report has been prepared by Arcadis of New York, Inc. and reviewed by staff of the District, and,

**WHEREAS**, the report includes a review of alternatives and detailed cost estimates, and,

**RESOLVED**, that upon the recommendation of the Executive Director, the Board of Commissioners hereby accepts the engineering report, Twin Avenue Sewer Upgrade – Engineering Report prepared by Arcadis of New York, Inc. dated June 2023, and, be it,

**FURTHER RESOLVED**, that the Board of Commissioners, Rockland County Sewer District No. 1, upon recommendation of the Executive Director, hereby requests the Legislature of Rockland County to accept the engineering report and cost estimate for the Twin Avenue Sewer Upgrade Project, and, be it,

**STILL FURTHER RESOLVED**, that the Executive Director is authorized and directed to execute such documents as may be necessary to carry out the intent of this resolution, after review by the Staff of the Sewer District and 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 Rockland County Legislature for their approval.

**Item #8:**

**Motion to Approve:**  
**Simon/Hoehmann**

**October 10, 2023**

**Unan.**

**RESOLUTION NO. 53 OF 2023  
REQUEST ROCKLAND COUNTY LEGISLATURE TO AMEND THE CAPITAL  
BUDGET FOR THE TWIN AVENUE SEWER UPGRADE PROJECT –  
CAPITAL PROJECT #6365**

**WHEREAS**, the sewer mains on Twin Avenue in the Village of Spring Valley and downstream sewer mains up to the Ramapo Interceptor are near capacity and need to be increased in size, and,

**WHEREAS**, the Twin Avenue Sewer Upgrade Project will be to upgrade and replace 2,200 linear feet of 8 inch gravity sewer with 15 inch gravity sewer, and,

**WHEREAS**, an engineering report titled Twin Avenue Sewer Upgrade – Engineering Report dated June 2023 has been prepared by Arcadis of New York, Inc. with a total cost of \$10,302,000, and,

**WHEREAS**, the report include a review of alternatives, detailed cost estimates, a capacity analysis, and recommendations, and,

**WHEREAS**, the Twin Avenue Sewer Upgrade Project, Capital Project #6365 is currently included in the 2023 Capital Budget in the amount of \$5,700,000 for this project, and,

**WHEREAS**, the District has requested that the maximum cost of the capital project be amended to include an increase of \$4,602,000 for a total project cost of \$10,302,000, now, therefore, be it,

**RESOLVED**, that the Board of Sewer Commissioners, Rockland County Sewer District No. 1, upon the recommendation of the Executive Director, hereby requests the Rockland County Legislature to amend the District's capital budget in the amount of \$4,602,000 increasing the total project amount up to \$10,302,000 for the Twin Avenue Sewer Upgrade Project, Capital Project #6365, and, be it,

**FURTHER RESOLVED**, that the Executive Director is authorized and directed to execute such documents as may be necessary to carry out the intent of this resolution, after review by the Staff of the Sewer District and 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 Rockland County Legislature for their approval.

**Item #9:**

**Motion to Approve:**  
**Simon/Hoehmann**

**October 10, 2023**

**Unan.**

**RESOLUTION NO. 54 OF 2023  
REQUEST THE ROCKLAND COUNTY LEGISLATURE SCHEDULE  
A PUBLIC HEARING ON THE INCREASE AND IMPROVEMENT OF FACILITIES OF  
THE RCSD #1 AND TO APPROVE THE INCREASE AND IMPROVEMENT FOR THE  
TWIN AVENUE SEWER UPGRADE PROJECT AND REQUEST THE ROCKLAND COUNTY  
LEGISLATURE TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE TWIN AVENUE  
SEWER UPGRADE PROJECT**

**WHEREAS**, the sewer mains on Twin Avenue in the Village of Spring Valley and downstream sewer mains up to the Ramapo Interceptor are near capacity and need to be increased in size, and,

**WHEREAS**, the Twin Avenue Sewer Upgrade Project is included in the Rockland County 2023 Capital Budget (Capital Project #6365) in the amount of \$5,700,000, and,

**WHEREAS**, the total project cost is estimated to be \$10,302,000, and,

**WHEREAS**, the Sewer District is desirous of obtaining financing and/or a low cost State Revolving Fund (SRF) loan to finance the cost of the Twin Avenue Sewer Upgrade Project, now, therefore, be it,

**RESOLVED**, that the Board of Commissioners, upon the recommendation of the Executive Director, hereby requests the Legislature of Rockland County to schedule a public hearing and to authorize the issuance of bonds in the amount of \$10,302,000 to finance the Twin Avenue Sewer Upgrade Project and to authorize the filing of applications and signatures of project financing agreements and other documents necessary for SRF assistance, 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 and, be it,

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

**Item #10:**

M. Saber: I'm requesting that \$100,000 be transferred from the Contingency Account to Fees for Services – Non Employee in the Operations Department. As previously discussed early this year, an unexpected equipment replacement needed to be done for one of the centrifuges.

While we currently are able to manage the costs, I am requesting that the Board authorize this transfer in case it is needed. I will not be forwarding the request to the County Executive nor Legislature at this time but want to have the ability to do so if needed.

I am requesting this resolution be approved.

**Motion to Approve:**  
**Diaz/Lehman**

**Unan.**

**October 10, 2023**

**RESOLUTION NO. 55 OF 2023  
REQUEST LEGISLATURE TO AUTHORIZE  
TRANSFER OF FUNDS FROM CONTINGENCY  
ACCOUNT TO OPERATIONS DEPARTMENT**

**WHEREAS**, Rockland County Sewer District No. 1 (District) has had an unanticipated equipment replacement at the wastewater treatment plant in Orangeburg, and,

**WHEREAS**, multiple centrifuges have failed, and,

**WHEREAS**, centrifuges are needed for sludge dewatering, and,

**WHEREAS**, one (1) new centrifuge and controls was needed, and,

**WHEREAS**, to cover the costs associated with the replacement, the District needs to transfer money from the Contingency Account, and,

**WHEREAS**, the current balance in the Contingency Account is approximately \$100,000.00, now, therefore, be it,

**RESOLVED**, that the Board of Commissioners, Rockland County Sewer District No. 1, upon the recommendation of the Executive Director, hereby requests that the Legislature authorize the transfer of funds from the Contingency account according to the following schedule:

**OPERATING BUDGET**

Increase Approp. Acct.:

G-SWR-8130-E4090	Fees for Services – Non-employee	\$100,000.00
------------------	----------------------------------	--------------

Decrease Approp. Acct.:

G-SWR-1991-E5050	Contingency	\$100,000.00
------------------	-------------	--------------

and, be it,

**FURTHER RESOLVED**, that the Executive Director is authorized and directed to execute such documents as may be necessary to carry out the intent of this resolution, 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 #11:**

M. Saber: Pursuant to Rockland County Resolution 371 of 2023, for all construction projects in excess of \$4,000,000.00, the County Departments are required to explore and consider using project labor agreements. We have been doing this with the help of consultants who draft Project Labor Agreement Feasibility Studies (PFS). Arace & Company Consulting Services, LLC assisted the District with this effort. The PFS for the Sludge Dewatering Upgrade Project recommends a PLA with a potential savings of \$468,823. I recommend moving forward with a PLA for this project due to the savings potential and labor harmony.

**Motion to Approve:**  
**Genito/Diaz**

**Unan.**

**October 10, 2023**

**RESOLUTION NO. 56 OF 2023**

**APPROVAL OF THE PROJECT LABOR AGREEMENT FEASIBILITY STUDY  
PREPARED BY ARACE & COMPANY CONSULTING, LLC IN CONNECTION  
WITH THE SLUDGE DEWATERING UPGRADE PROJECT**

**WHEREAS**, the Sludge Dewatering Upgrade Project will be for the replacement of three centrifuges with three screw presses and all ancillary equipment which includes controls, sludge feed pumps, polymer feed systems, screw conveyors, hoppers, centrate piping, as well as building improvements, and struvite control, and,

**WHEREAS**, the District's existing sludge dewatering equipment has exceeded its expected useful life and needs to be replaced, and,

**WHEREAS**, pursuant to Rockland County Resolution 371 of 2023, in all construction projects in excess of \$4,000,000, the County Executive and the appropriate department head are required to explore and consider using project labor agreements to reduce construction costs, avoid delay claims and potential litigation, when the use of a project labor agreement is rationally based upon reasons in the public interest promoted by the competitive bidding statutes, and,

**WHEREAS**, the District hired Arace & Company Consulting, LLC (Arace) to conduct a Project Labor Agreement (PLA) Feasibility Study for the District's Sludge Dewatering Upgrade Project, and,

**WHEREAS**, on September 14, 2023, Arace submitted its findings to the District in a report entitled Project Labor Agreement Feasibility Study, Sludge Dewatering Upgrade Project, and,

**WHEREAS**, the report indicates that the use of a PLA for the Sludge Dewatering Upgrade Project will result in approximately \$468,823 in potential savings for labor costs if a PLA is approved for this project, and,

**WHEREAS**, Arace recommends that a PLA be incorporated into the Sludge Dewatering Upgrade Project based upon a review of many factors, including the estimated savings as well as a review of other Rockland County projects constructed utilizing a PLA, now, therefore, be it,

**RESOLVED**, that the Board of Commissioners, Rockland County Sewer District No. 1, accepts the report prepared by Arace & Company Consulting, LLC, and, be it,

**FURTHER RESOLVED**, that the Board of Commissioners, Rockland County Sewer District No. 1, authorizes the Executive Director of the District and requests the County Executive of Rockland County to present to the Legislature of Rockland County the findings and recommendations associated with the use of a project labor agreement in connection with the Sludge Dewatering Upgrade Project contained in the report prepared by Arace & Company Consulting, LLC, which recommendations will thereafter be subject to ratification by the Legislature of Rockland County, and, be it,

**STILL FURTHER RESOLVED**, that the Board of Commissioners, Rockland County Sewer District No. 1, authorizes the Executive Director of the District to do and cause to be done any and all acts necessary or proper in connection with or for carrying out this resolution.

**Item #12:**

M. Saber: Similar to the Sludge Dewatering Upgrade Project, Arace & Company Consulting Services, LLC assisted the District with this effort. The PFS for the Screening Improvements Project recommends a PLA with a potential savings of \$76,989. I recommend moving forward with a PLA for this project due to the savings potential and labor harmony.

**Motion to Approve:**  
**Hoehmann/Connell**

**Unan.**

**October 10, 2023**

**RESOLUTION NO. 57 OF 2023  
APPROVAL OF THE PROJECT LABOR AGREEMENT FEASIBILITY STUDY  
PREPARED BY ARACE & COMPANY CONSULTING, LLC IN CONNECTION  
WITH THE SCREENING IMPROVEMENTS PROJECT**

**WHEREAS**, the Screening Improvements Project at the wastewater treatment plant in Orangeburg will be for the replacement of screens, conveyors, gates, heating, ventilating, and lighting; equipment relocation; building improvements; and building addition, and,

**WHEREAS**, the District's existing influent screenings have exceeded their expected useful life and need to be replaced, and,

**WHEREAS**, pursuant to Rockland County Resolution 371 of 2023, in all construction projects in excess of \$4,000,000, the County Executive and the appropriate department head are required to explore and consider using project labor agreements to reduce construction costs, avoid delay claims and potential litigation, when the use of a project labor agreement is rationally based upon reasons in the public interest promoted by the competitive bidding statutes, and,

**WHEREAS**, the District hired Arace & Company Consulting, LLC (Arace) to conduct a Project Labor Agreement (PLA) Feasibility Study for the District's Screening Improvements Project, and,

**WHEREAS**, on September 14, 2023, Arace submitted its findings to the District in a report entitled Project Labor Agreement Feasibility Study, Screening Improvements Project, and,

**WHEREAS**, the report indicates that the use of a PLA for the Screening Improvements Project will result in approximately \$76,989.00 in potential savings for labor costs if a PLA is approved for this project, and,

**WHEREAS**, Arace recommends that a PLA be incorporated into the Screening Improvements Project based upon a review of many factors, including the estimated savings as well as a review of other Rockland County projects constructed utilizing a PLA, now, therefore, be it,



**RESOLVED**, that the Board of Commissioners, Rockland County Sewer District No. 1, accepts the report prepared by Arace & Company Consulting, LLC, and, be it,

**FURTHER RESOLVED**, that the Board of Commissioners, Rockland County Sewer District No. 1, authorizes the Executive Director of the District and requests the County Executive of Rockland County to present to the Legislature of Rockland County the findings and recommendations associated with the use of a project labor agreement in connection with the Screening Improvements Project contained in the report prepared by Arace & Company Consulting, LLC, which recommendations will thereafter be subject to ratification by the Legislature of Rockland County, and, be it,

**STILL FURTHER RESOLVED**, that the Board of Commissioners, Rockland County Sewer District No. 1, authorizes the Executive Director of the District to do and cause to be done any and all acts necessary or proper in connection with or for carrying out this resolution.

**Item #13A:**

M. Saber: I'm going to take A, B, and C together, if you don't mind, Mr. Chair.

M. Specht: Very good.

M. Saber: These resolutions are for the close-out of the 2022 project like you said. It includes substantial completion, final completion, and the final change order. The project was completed within budget.

M. Specht: Very good. Let the record reflect that Commissioner Carroll is present.

This is for resolutions A, B, and C.

**Motion to Approve:**  
**Simon/Genito**

**Unan.**

**October 10, 2023**

**RESOLUTION NO. 58 OF 2023  
APPROVAL OF CHANGE ORDER NO. 1  
2022 SPRING VALLEY SEWER SYSTEM REHABILITATION  
PROJECT, CONTRACT RFB-RC-SWR-2022-04**

**WHEREAS**, Change Order No. 1, Contract RFB-RC-SWR-2022-04 with Montana Construction Corp. Inc. for 2022 Spring Valley Sewer System Rehabilitation Project has been proposed, and,

**WHEREAS**, the project was for sewer system rehabilitation in the Village of Spring Valley, which consists of replacing and testing three (3) segments of sanitary sewer main including approximately 400 linear feet sewer pipe into satisfactory operating condition at West Street in the Village of Spring Valley; reconstructing house service connections; providing 6" diameter PVC lateral pipe with a clean out for future maintenance purposes; testing of new gravity sewer line; and miscellaneous additional work, and,

**WHEREAS**, the Summary of Change to Contract involves a decrease to the contract in the amount of \$2,710.41 due to quantity adjustments and a 46 day no cost extension of time to the contract due to an additional manhole repair located in an easement of NJ Transit Railroad, and,

**WHEREAS**, Change Order No. 1 decreases the total contract amount to \$254,400.59, 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-2022-04 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 #13B:**

**Motion to Approve:**  
**Simon/Genito**

**October 10, 2023**

**Unan.**

**RESOLUTION NO. 59 OF 2023  
SUBSTANTIAL COMPLETION  
2022 SPRING VALLEY SEWER SYSTEM REHABILITATION  
PROJECT, CONTRACT RFB-RC-SWR-2022-04**

**WHEREAS**, the work of Contract RFB-RC-SWR-2022-04 has been substantially completed by Montana Construction Corp. Inc. for 2022 Spring Valley Sewer System Rehabilitation 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-2022-04 as of December 19, 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 #13C:**

**Motion to Approve:**  
**Simon/Genito**

**October 10, 2023**

**Unan.**

**RESOLUTION NO. 60 OF 2023  
FINAL COMPLETION  
2022 SPRING VALLEY SEWER SYSTEM REHABILITATION  
PROJECT, CONTRACT RFB-RC-SWR-2022-04**

**WHEREAS**, the work of Contract RFB-RC-SWR-2022-04 has been substantially completed by Montana Construction Corp. Inc. for 2022 Spring Valley Sewer System Rehabilitation 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-2022-04 as being complete as of May 5, 2023, 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 #14:**

M. Saber: An easement at 68 Union Road in Spring Valley in the amount of approximately 6,239 square feet is being gratuitously dedicated to the Sewer District. I recommend that the Board accept this easement.

M. Specht: Thank you.

**Motion to Approve:**  
**Hoehmann/Connell**

**Unan.**

**October 10, 2023**

**RESOLUTION NO. 61 OF 2023  
APPROVING THE ACCEPTANCE OF A CONVEYANCE OF A PERMANENT  
EASEMENT WHICH IS BEING GRATUITOUSLY OFFERED TO  
ROCKLAND COUNTY SEWER DISTRICT NO. 1  
TAX LOT NO. 50.70-1-74.4**

**WHEREAS**, the District has gratuitously been offered a conveyance of a permanent easement at 68 Union Road, Spring Valley, NY, Tax Lot No. 50.70-1-74.4, and,

**WHEREAS**, the easement will allow access for the purpose of constructing, erecting, reconstructing, replacing, relocating, operating, maintaining, repairing, modifying and removing sewer line, manholes, chambers, grinder pumps, and any appurtenances thereto or other equipment or things necessary or convenient in connection with the foregoing, or for any other purpose necessary or convenient in connection with the furtherance of Grantees's public purpose, and,

**WHEREAS**, the easement will allow access to sewer infrastructure, and,

**WHEREAS**, in consideration of \$1.00, 68A Union Road, LLC and 68B Union Road, LLC, Spring Valley, NY will gratuitously offer the permanent easement to the District, now, therefore, be it,

**RESOLVED**, that upon the recommendation of the Executive Director, the Board of Sewer Commissioners, Rockland County Sewer District No. 1 approves the acceptance of a certain conveyance of a permanent easement Tax Lot No. 50.70-1-74.4 from 68A Union Road, LLC and 68B Union Road, LLC, Spring Valley, NY for the sum of \$1.00, and, be it,

**FURTHER RESOLVED**, that the Executive Director is authorized and directed to execute such documents as may be necessary to carry out the intent of this resolution, after review by the Office of the County Attorney, and, be it,

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

**Item #15:** Orangeburg Plant Performance

M. Saber: In your packet is a summary of some of the performance parameters of the wastewater treatment plant in Orangeburg. The CBOD limit of 85% removal was met last month. I just found out today that we actually passed September as well.

M. Specht: Great. Very good.

At this time, we are looking to have a brief Executive Session to discuss proposed litigation matters.

Enter Executive Session at 5:45pm  
Motion: G. Hoehmann and P. Carroll

Leave Executive Session at 5:49pm

Motion: K. Connell and P. Carroll

M. Specht: We are now out of Executive Session to discuss with counsel matters for proposed litigation.

**Item #16:** New Business - None

M. Specht: I believe we have no New Business on the Agenda.

Motion to Adjourn.

**RESOLUTION NO. 62 OF 2023  
ADJOURNMENT**

S. Lehman offered the following resolution, which was seconded by G. Hoehmann and approved unanimously.

**BE IT RESOLVED** that the October 10, 2023, Meeting of the Board of Commissioners, Rockland County Sewer District No. 1, is hereby adjourned.

The Board of Sewer Commissioners Meeting adjourned at 5:50 pm.

M. Specht: Our next meeting will be October 26<sup>th</sup>. Thank you, everybody. Have a good night.

Respectfully submitted,

Jean Langan

Clerk to the Board of Commissioners

Rockland County Sewer District No. 1