

**ROCKLAND COUNTY SEWER DISTRICT NO. 1  
BOARD OF COMMISSIONERS MEETING  
January 25, 2024**

**Members Present:**

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

**Members Absent:**

S. Lehman

**Others Present:**

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

**Item #1:** The meeting was called to order at 6:05 pm.

M. Specht: I'll call to order this meeting of the Rockland County Sewer District No. 1 for tonight. Welcome, everybody. We'll start with the pledge to the flag. I'm going to ask Commissioner Genito to lead us in the Pledge.

**Item #2:** Roll Call

M. Specht: I'll ask the Clerk to call the roll. Thank you.

**Item #3:** Public Participation

M. Specht: If any member of the public wishes to speak, we'll give you an opportunity to do so.

G. Hoehmann: Mr. Chairman, there being no one present wishing to speak, I offer a motion to close Public Participation. Seconded by P. Carroll.

**Item #4:**

M. Specht: The only thing I would ask if we could make one correction of the first page under item #5. The lengthy paragraph attributed to me about the rates I think should be attributed to Mr. Saber. It has me saying, "I'll ask the Executive Director, Mr. Saber, to discuss this." Then there's a discussion about the rates. Then I say any questions for Mr. Saber. So I think we can amend it.

**RESOLUTION NO. 1 OF 2024  
ADOPT AMENDED MINUTES OF MEETING OF DECEMBER 5, 2023**

**WHEREAS**, G. Hoehmann offered the following resolution, which was seconded by M. Genito and approved unanimously, now, therefore, be it,

**RESOLVED**, that the transcribed amended Minutes of the Rockland County Sewer District No. 1 Meeting of December 5, 2023, as recorded by the Clerk, are hereby adopted.

**Item #5:**

M. Specht: Mr. Saber, if you could discuss this with us?

M. Saber: So, if you don't mind, Mr. Chairman, I would like to take resolution number 5, 6, 7, and 8, together.

M. Specht: Very good.

M. Saber: For your consideration are the resolutions necessary to request authorization for financing the project from the Rockland County Legislature. For this capital project, \$20,535,000 is currently allocated. The project cost increase requested is \$17,070,450. The total project cost is now estimated to be \$37,605,450 which includes engineering for design and construction administration services.

The 69 kV substation along with the unit substations and electrical distribution system were originally constructed in the 1980's and the backup generator was constructed in the 1990's. Currently, the equipment is past or near its useful life. Most of the electrical improvements are included in the District's Capital Improvement Plan developed under the Asset Management Plan. Failures of the electrical distribution system could potentially have an adverse impact on treating the wastewater.

The costs increases are due to labor and material increases along with adding additional scope such as the electrical feeders.

I recommend that the Board approve these resolutions.

M. Specht: Any questions for Mr. Saber? So, I think we have to vote each one separately or could we do one vote for all?

M. Saber: We could move them all together.

**Motion to Approve:**  
**Hoehmann/Tursi**

**Unan.**

**January 25, 2024**

**RESOLUTION NO. 2 OF 2024  
DECLARING THE INTENT OF THE RCSD NO. 1 TO ESTABLISH  
ITSELF LEAD AGENCY FOR THE 69 kV SUBSTATION UPGRADE PROJECT**

**WHEREAS**, Rockland County Sewer District's (RCSD) power system at the wastewater treatment plant (WWTP) in Orangeburg consists of a 69 kV power service, a 15 kV power service, underground 15 kV feeders, switchgears, unit substations, underground 480 volt feeders, motor control centers, and backup generators, and,

**WHEREAS**, the major power equipment has exceeded its expected useful life and needs to be replaced, and,

**WHEREAS**, spare parts are no longer available, and,

**WHEREAS**, failures could potentially have an adverse impact on treating the wastewater at the WWTP, and,

**WHEREAS**, the 69 kV Substation Upgrade Project (hereinafter "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**, under SEQRA, a lead agency must be designated to conduct the environmental assessment of the proposed Project, and,

**WHEREAS**, RCSD is the agency that will most closely be involved with the planning, designing and construction of the proposed Project, now, therefore, be it,

**RESOLVED**, that the Rockland County Board of Sewer Commissioners hereby approves RCSD’s intent to declare itself as lead agency for the purpose of conducting an environmental assessment of the proposed Project, and, be it,

**FURTHER RESOLVED**, that the Executive Director is hereby authorized and directed to take any and all necessary or appropriate actions for the RCSD to be lead agency, including, without limitation, the issuance of all necessary notices.

**Item #6:**

**Motion to Approve:**  
**Hoehmann/Tursi**

**Unan.**

**January 25, 2024**

**RESOLUTION NO. 3 OF 2024  
APPROVE ENGINEERING REPORT AND SEQRA TYPE II ACTION AND  
REQUEST ROCKLAND COUNTY LEGISLATURE TO ACCEPT THE  
ENGINEERING REPORT FOR THE 69 kV SUBSTATION UPGRADE  
PROJECT, CAPITAL PROJECT #6345**

**WHEREAS**, Rockland County Sewer District’s (RCSD) power system at the wastewater treatment plant (WWTP) in Orangeburg consists of a 69 kV power service, a 15 kV power service, underground 15 kV feeders, switchgears, unit substations, underground 480 volt feeders, motor control centers, and backup generators, and,

**WHEREAS**, the major power equipment has exceeded its expected useful life and needs to be replaced, and,

**WHEREAS**, spare parts are no longer available, and,

**WHEREAS**, failures could potentially have an adverse impact on treating the wastewater at the WWTP, and,

**WHEREAS**, an engineering report titled Electrical Substation Upgrade Project has been prepared by Lyn Staar Engineering, P.C. and reviewed by staff of RCSD, and,

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

**WHEREAS**, review of this Project indicates the State Environmental Quality Review Act (SEQRA) process classifies this Project to be a Type II Exempt action as defined in Section 617.5 (c) (2) of 6 NYCRR Part 617, the Statewide SEQRA regulations and is therefore not subject to the provisions of those regulations, now, therefore, be it,

**RESOLVED**, that upon the recommendation of the Executive Director, the Board of Commissioners hereby accepts the engineering report, Electrical Substation Upgrade Project by Lyn Staar Engineering, P.C. dated July 2023 and SEQRA Type II Exempt action, 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 69 kV Substation Upgrade Project and SEQRA Type II Exempt action 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 RCSD 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 #7:**

**Motion to Approve:**  
**Hoehmann/Tursi**

**Unan.**

**January 25, 2024**

**RESOLUTION NO. 4 OF 2024  
REQUEST ROCKLAND COUNTY LEGISLATURE TO AMEND THE CAPITAL  
BUDGET FOR THE 69 kV SUBSTATION UPGRADE PROJECT –  
CAPITAL PROJECT #6345**

**WHEREAS**, Rockland County Sewer District's (RCSD) power system at the wastewater treatment plant (WWTP) in Orangeburg consists of a 69 kV power service, a 15 kV power service, underground 15 kV feeders, switchgears, unit substations, underground 480 volt feeders, motor control centers, and backup generators, and,

**WHEREAS**, the major power equipment has exceeded its expected useful life and needs to be replaced, and,

**WHEREAS**, spare parts are no longer available, and,

**WHEREAS**, failures could potentially have an adverse impact on treating the wastewater at the WWTP, and,

**WHEREAS**, an engineering report titled Electrical Substation Upgrade Project July 2023 has been prepared by Lyn Staar Engineering, P.C. with a total cost of \$37,605,450, and,

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

**WHEREAS**, the 69 kV Substation Upgrade Project, Capital Project #6345 is currently included in the 2023 Capital Budget in the amount of \$20,535,000 for this project, and,

**WHEREAS**, RCSD has requested that the maximum cost of the capital project be amended to include an increase of \$17,070,450 for a total project cost of \$37,605,450, 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 \$17,070,450 increasing the total project amount up to \$37,605,450 for the 69 kV Substation Upgrade Project, Capital Project #6345, 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 #8:**

**Motion to Approve:**  
**Hoehmann/Tursi**

**Unan.**

**January 25, 2024**

**RESOLUTION NO. 5 OF 2024  
REQUEST THE ROCKLAND COUNTY LEGISLATURE SCHEDULE A PUBLIC  
HEARING ON THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE RCSD NO. 1  
AND TO APPROVE THE INCREASE AND IMPROVEMENT FOR THE 69 kV SUBSTATION UPGRADE  
PROJECT AND REQUEST THE ROCKLAND COUNTY LEGISLATURE TO AUTHORIZE THE ISSUANCE  
OF BONDS FOR THE 69 kV SUBSTATION UPGRADE PROJECT**

**WHEREAS**, Rockland County Sewer District's (RCSD) power system at the wastewater treatment plant (WWTP) in Orangeburg consists of a 69 kV power service, a 15 kV power service, underground 15 kV feeders, switchgears, unit substations, underground 480 volt feeders, motor control centers, and backup generators, and,

**WHEREAS**, the major power equipment has exceeded its expected useful life and needs to be replaced, and,

**WHEREAS**, spare parts are no longer available, and,

**WHEREAS**, failures could potentially have an adverse impact on treating the wastewater at the WWTP, and,

**WHEREAS**, the 69 kV Substation Upgrade Project is included in the Rockland County 2023 Capital Budget (Capital Project #6345) in the amount of \$20,535,000, and,

**WHEREAS**, the total project cost is estimated to be \$37,605,450, and,

**WHEREAS**, RCSD is desirous of obtaining financing and/or a low cost State Revolving Fund (SRF) loan to finance the cost of the 69 kV Substation 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 \$37,605,450 to finance the 69 kV Substation 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 #9:**

M. Saber: As I previously informed the Board, I requested that an emergency be declared to repair a collapsed pipe of the Lower Main Interceptor in order to protect the environment and the life, health, safety, and property of the County and its residents.

Initially, we had a collapsed pipe located along NYS Route 303 in the Town of Orangetown. We were able to contain it without a sewer spill. While we were setting up the bypass pumps to make the initial repair, two additional sections of collapsed pipe were identified upstream of the initial break. Due to the pipes condition, approximately 1,334 linear feet of pipe needs to be replaced in total including the initial repair. Colonnelli Brothers, Inc. was hired to stabilize the situations and then make the necessary repairs. The estimated costs for the repairs are expected to exceed \$4,390,000. Costs for additional paving and any unforeseen circumstances are not included in this estimate.

I plan on funding these repairs with designated fund balance since we are increasing the capacity of the pipes. The designated fund balance is where we deposit our impact fees. Currently, the designated fund balance is approximately \$5,371,000.

I request that the Board authorize \$4,900,000 be transferred from designated fund balance to the operating budget to cover the expenses of the repairs.

M. Specht: Any questions for Mr. Saber?

**Motion to Approve:**  
**Genito/Tursi**

**Unan.**

**January 25, 2024**

**RESOLUTION NO. 6 OF 2024  
APPROPRIATION OF FUNDS FROM DESIGNATED FUND BALANCE  
FOR LOWER MAIN INTERCEPTOR EMERGENCY REPAIR**

**WHEREAS**, sections of the Lower Main Interceptor have collapsed, and,

**WHEREAS**, the Lower Main Interceptor needs to be immediately repaired to protect the environment and the life, health, safety, and property of the County and its residents, and,

**WHEREAS**, an emergency was declared by the County Executive and Chair of the Legislature at the request of the Executive Director and Director of Purchasing to effectuate the repairs, and,

**WHEREAS**, approximately 227 linear feet of pipe was initially identified as being severely deteriorated and is in immediate need of replacement along with the upstream and downstream manholes, and,

**WHEREAS**, upon further investigation, it was found that an additional 1,107 feet of sewer main immediately upstream is also severely deteriorated and will need to be replaced, and,

**WHEREAS**, the costs for the repair of the Lower Main Interceptor and additional sewer main work are estimates, and,

**WHEREAS**, the estimated costs for the repairs are expected to exceed \$4,390,000, and,

**WHEREAS**, the costs are not finalized, and,

**WHEREAS**, a transfer of \$4,900,000 is being requested, and,

**WHEREAS**, the Sewer District proposes to use funds in designated fund balance for the Lower Main Interceptor emergency repair, and,

**WHEREAS**, through the collection of fees, funds in excess of \$5,371,394 have been collected and designated in fund balance for wastewater treatment plant and collection system upgrades, and,

**WHEREAS**, funds from the Appropriated Fund Balance account (9952-R5990) need to be transferred to Trunk Repairs account (8120-E4580) for this project, now, therefore, be it,

**RESOLVED**, that upon the recommendation of the Executive Director, the Board of Sewer Commissioners hereby requests that the Legislature authorize the appropriation of funds in the amount of \$4,900,000.00 from the Sewer District’s designated fund balance account G8898 (Designated for Sewer Treatment Plant & Collection System) according to the following schedule:

**OPERATING BUDGET**

<u>Increase Approp. Acct.:</u>		
G-SWR-8120-E4580	Trunk Repairs	\$4,900,000.00
<u>Increase Est. Revenue Acct:</u>		
G-SWR-9952-R5990	Appropriated Fund Balance	\$4,900,000.00

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 #10:**

M. Saber: This change order is for the Spring Valley, New Square project. It is for additional paving and some televising work above the original contract requirements.

I request that the Board approve this change order in the amount of \$24,239.80.

M. Specht: Very good.

**Motion to Approve:**  
**Tursi/Connell**

**Unan.**

**January 25, 2024**

**RESOLUTION NO. 7 OF 2024  
APPROVAL OF CHANGE ORDER NO. 1  
2023 SPRING VALLEY & NEW SQUARE SEWER SYSTEM  
REHABILITATION, CONTRACT RFB-RC-SWR-2023-02**

**WHEREAS**, Change Order No. 1, Contract RFB-RC-SWR-2023-02 with Montana Construction Corp., Inc., 2023 Spring Valley & New Square Sewer System Rehabilitation, has been proposed, and,

**WHEREAS**, this contract is to replace approximately 312 linear feet existing 8” diameter VCP sewer line with new 12” PVC pipe including reconstruction of 6” diameter PVC lateral house connection into satisfactory operating condition at Memorial Park Drive in the Village of Spring Valley; connect existing sewer main to new sewer main and re-establish house connections on new sewer main at Truman Avenue in the Village of New Square, and,

**WHEREAS**, the Summary of Change to Contract involves an increase to the contract in the amount of \$24,239.80 due to unforeseen conditions and miscellaneous additional work, and,

**WHEREAS**, Change Order No. 1 increases the total contract amount to \$470,350.80 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-2023-02 in the amount of \$24,239.80 for a total contract amount of \$470,350.80, and, be it,

**FURTHER RESOLVED**, that the Board of Sewer Commissioners hereby authorizes and directs the Executive Director to execute Change Order No. 1 and any other documents as may be required to carry out the intent of this resolution following review by 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 #11:**

M. Saber: Under the Western Ramapo Sewer Extension Project, a few sewer mains still need to be installed. Wetlands may exist and permitting may be required along Seven Lakes Drive in the Village of Sloatsburg.

EDR submitted a proposal to provide a determination as to the existence of wetlands and to perform the permitting work. EDR is included on the County of Rockland’s Qualified Suppliers List.

I recommend that the Board consider awarding a contract to EDR to perform the associated work in the amount of \$19,500.

M. Specht: Do we have a motion to approve?

**Motion to Approve:**  
**Carroll/Hoehmann**

**Unan.**

**January 25, 2024**

**RESOLUTION NO. 8 OF 2024**  
**AWARD CONTRACT FOR ENGINEERING SERVICES FOR WETLANDS**  
**DETERMINATION - SEVEN LAKES DRIVE, SLOATSBURG, NY**

**WHEREAS**, the Sewer District (District) is desirous of entering into an agreement with Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR) for engineering services for Wetlands Determination - Seven Lakes Drive, Sloatsburg, NY, and,

**WHEREAS**, under the Western Ramapo Sewer Extension Project (Project), a few sewer mains still need to be installed, and,

**WHEREAS**, wetlands may exist along Seven Lakes Drive in Sloatsburg and required permitting could be needed, and,

**WHEREAS**, the District has received a cost proposal from EDR on January 18, 2024 for engineering services to provide a determination as to the existence of wetlands and to perform the permitting work for Wetlands Determination - Seven Lakes Drive, Sloatsburg, NY, in the amount of \$19,500.00, and,

**WHEREAS**, EDR will also conduct discussions and coordination with the involved agencies and will prepare the required documents for the permitting, and,

**WHEREAS**, EDR is on the qualified supplier's list for engineering services established under RFP-RC-2018-034, and,

**WHEREAS**, the staff of the District have reviewed the proposal from EDR and found same to be within the scope of services needed, now, therefore, be it,

**RESOLVED**, that the Board of Commissioners, upon the recommendation of the Executive Director does hereby accept the proposals from Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C., 217 Montgomery Street, Suite 1100, Syracuse, NY 13202, in the amount of \$19,500.00 for Engineering Services for Wetland Determination - Seven Lakes Drive, Sloatsburg, NY, 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 the Office of the County Attorney.

**Item #12:** Quarterly Report

M. Saber: In your packet there's the Quarterly Report along with the Quarterly Report that goes to the Legislature as well. Some highlights from my report: the figures are preliminary as payments to vendors are still being processed against the 2023 budget; the Rockland County Finance Department still needs to record final journal entries.

Almost all expenses remained within the budgeted amount except for overtime in Department 8110 (Admin), Department 8120 (Maintenance), and Department 8130 (Operations). The overages should be offset by salary savings and fringes resulting from vacant positions.

Most of the available budget has been expended with approximately \$141,000 still available for use. I want to reiterate that additional entries still need to be recorded throughout.

Approximately, \$1,105,000 of the undesignated fund balance will be applied to the 2024 budget as per the adopted budget. Undesignated fund balance is estimated to be approximately \$12,017,099 after these adjustments and prior to any year-end adjustments.

M. Specht: Very good. Does anyone have any questions for Mr. Saber? Thank you.

**Item #13:** Orangeburg Plant Performance

M. Saber: The CBOD limit of 85% removal had been met over the last few months but in December we did not meet the limit. That does not look very likely for January as well. A lot of it has to do with high flow conditions that we have been having due to the weather.

M. Specht: Any discussion questions? Commissioner Tursi.

J. Tursi: Chairman, I just want to say that I see that Hillburn is still not on there as a plant performance, which is a good thing, obviously. Now, there was that project in Tuxedo. It's back on again, I believe from what I've been hearing, just north of Sloatsburg there. Is there any plan for them to tap into this system?



M. Saber: No. A number of years ago, we had tried to coordinate with Tuxedo Reserve to connect which was the project at that time but now I think it's Tuxedo Farms. Between the County Legislature and the Town of Tuxedo, they couldn't come up with an agreement. So, my understanding is that they've already built the treatment plant in Tuxedo to handle that development.

J. Tursi: Okay. Thank you.

M. Specht: Very good.

**Item #14:** New Business  
None

M. Specht: I think we have an Executive Session discussion item that we need to add to talk about current pending litigation.

Executive Session – to discuss items of pending litigation.

Enter Executive Session at 6:13pm  
Motion: G. Hoehmann and M. Genito

Leave Executive Session at 6:23pm  
Motion: G. Hoehmann and R. Diaz

Motion to Adjourn.

**RESOLUTION NO. 9 OF 2024  
ADJOURNMENT**

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

**BE IT RESOLVED** that the January 25, 2024, Meeting of the Board of Commissioners, Rockland County Sewer District No. 1, is hereby adjourned.

The Board of Sewer Commissioners Meeting adjourned at 6:23 pm.

M. Specht: Thank you everybody.

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