

**ROCKLAND COUNTY SEWER DISTRICT NO. 1  
BOARD OF COMMISSIONERS MEETING  
March 26, 2024**

**Members Present:**

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

**Members Absent:**

A. Simon  
J. Tursi

**Others Present:**

M. Saber, T. Phillips, J. Gilberg, T. West, S. Torres

**Item #1:** The meeting was called to order at 6:06 pm.

M. Specht: I'll call to order this meeting of the Rockland County Sewer District No. 1 for tonight. We'll start with the pledge to the flag. I'm going to ask Commissioner Hoehmann 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. Motion to close Public Participation. G. Hoehmann, seconded by S. Lehman.

**Item #4:**

M. Specht:

**RESOLUTION NO. 10 OF 2024  
ADOPT MINUTES OF MEETING OF JANUARY 25, 2024**

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

**RESOLVED**, that the transcribed amended Minutes of the Rockland County Sewer District No. 1 Meeting of January 25, 2024, as recorded by the Clerk, are hereby adopted.

**Item #5A:**

M. Specht: I'll ask our Executive Director, Mr. Saber, to discuss the closing out of the contract with Vortex Services.

M. Saber: These resolutions are for the Close Out of the 2022 I&I contract. The contractor is under budget but over on time. I recommend that these resolutions be approved.

M. Specht: Very good.

**Motion to Approve:  
Genito/Lehman**

**March 26, 2024**

**Unan.**

**RESOLUTION NO. 11 OF 2024  
APPROVAL OF CHANGE ORDER NO. 1  
2022 SEWER SYSTEM MAINTENANCE  
PROJECT, CONTRACT RFB-RC-SWR-SM2022-01**

**WHEREAS**, Change Order No. 1, Contract RFB-RC-SWR-SM2022-01 with Vortex Services LLC for 2022 Sewer System Maintenance Project has been proposed, and,

**WHEREAS**, the project was for Sewer System Maintenance in the Towns of Clarkstown and Ramapo which consists of sanitary sewer cleaning, televising, testing and sealing; manhole sealing; manhole chimney seals; and miscellaneous additional work, and,

**WHEREAS**, the Summary of Change to Contract involves a decrease to the contract in the amount of \$430,736.50 due to reduction in quantities and a 356 day no cost extension of time to the contract, and,

**WHEREAS**, due to the contractors delay schedule and performance, the Sewer District incurred additional costs including onsite inspection, in-house report review and data collection, oversight, and supervision, and,

**WHEREAS**, the Sewer District withheld the amount of \$41,755.05 to compensate for these additional costs, and,

**WHEREAS**, Change Order No. 1 decreases the total contract amount to \$793,346.00, 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-SM2022-01 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 #5B:**

**Motion to Approve:  
Genito/Lehman**

**March 26, 2024**

**Unan.**

**RESOLUTION NO. 12 OF 2024  
SUBSTANTIAL COMPLETION  
2022 SEWER SYSTEM MAINTENANCE  
PROJECT, CONTRACT RFB-RC-SWR-SM2022-01**

**WHEREAS**, Change Order No. 1, Contract RFB-RC-SWR-SM2022-01 with Vortex Services LLC for 2022 Sewer System Maintenance Project has been proposed, and,

**WHEREAS**, the work of Contract RFB-RC-SWR-SM2022-01 has been substantially completed by Vortex Services LLC for 2022 Sewer System Maintenance 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-SM2022-01 as of May

19, 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 Substantial Completion and any other documents as may be required to carry out the intent of this resolution.

**Item #5C:**

**Motion to Approve:**  
**Genito/Lehman**

**Unan.**

**March 26, 2024**

**RESOLUTION NO. 13 OF 2024  
FINAL COMPLETION  
2022 SEWER SYSTEM MAINTENANCE  
PROJECT, CONTRACT RFB-RC-SWR-SM2022-01**

**WHEREAS**, Change Order No. 1, Contract RFB-RC-SWR-SM2022-01 with Vortex Services LLC for 2022 Sewer System Maintenance Project has been proposed, 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-SM2022-01 as being complete as of December 29, 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.

M. Saber: Mr. Chair, that’s for A, B, and C, correct.

M. Specht: A, B, and C, together. One motion.

**Item #6A:**

M. Saber: This is also for a close out. This is for the Close Out of the 2023 Spring Valley/New Square contract. The final change order was approved at the January 2024 Board meeting. I recommend that these resolutions be approved.

M. Specht: Any questions?

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

**Unan.**

**March 26, 2024**

**RESOLUTION NO. 14 OF 2024  
SUBSTANTIAL COMPLETION  
2023 SPRING VALLEY & NEW SQUARE SEWER SYSTEM  
REHABILITATION, CONTRACT RFB-RC-SWR-2023-02**

**WHEREAS**, the work of Contract RFB-RC-SWR-2023-02 has been substantially completed by Montana Construction Corp. Inc. for 2023 Spring Valley & New Square Sewer System Rehabilitation, 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-2023-02 as of November 8, 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 Substantial Completion and any other documents as may be required to carry out the intent of this resolution.

**Item #6B:**

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

**Unan.**

**March 26, 2024**

**RESOLUTION NO. 15 OF 2024  
FINAL COMPLETION  
2023 SPRING VALLEY & NEW SQUARE SEWER SYSTEM  
REHABILITATION, CONTRACT RFB-RC-SWR-2023-02**

**WHEREAS**, the work of Contract RFB-RC-SWR-2023-02 has been substantially completed by Montana Construction Corp. Inc. for 2023 Spring Valley & New Square Sewer System Rehabilitation, 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-2023-02 as being complete as of November 20, 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 #7:**

M. Saber: Since the Sewer District is part of the legislative branch of government, the Board would need to approve the Executive Order if it so desires. This Executive Order details the guidelines for the displaying of flags. I recommend that the Board consider approving this resolution.

M. Specht: Very good. Any questions?

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

**Unan.**

**March 26, 2024**

**RESOLUTION NO. 16 OF 2024  
ADOPTING EXECUTIVE ORDER 2024-01 ISSUED BY THE COUNTY EXECUTIVE RELATING TO  
GUIDELINES FOR THE DISPLAY OF FLAGS ON COUNTY FLAGPOLES BOTH INDOOR AND OUTDOOR**

**WHEREAS**, on February 15, 2024, the Rockland County Executive issued Executive Order 2024-01: Guidelines for the display of flags on County flagpoles both indoor and outdoor, and,

**WHEREAS**, this Executive Order is intended to provide consistent guidelines for the display of flags on County flagpoles both indoor and outdoor, and,

**WHEREAS**, the Board of Commissioners of the Rockland County Sewer District No. 1 has read and reviewed Executive Order 2024-01 and desires the Executive Director and employees of the Rockland County Sewer District No. 1 to implement said Executive Order, now, therefore, be it,

**RESOLVED**, that the Executive Director, shall implement Executive Order 2024-01, as applicable within the Rockland County Sewer District No. 1 and create such policies and procedures within the District to effectuate this resolution.

**Item #8:**

M. Saber: This Executive Order details the guidelines for being served with legal papers. I recommend that the Board consider approving this resolution.

**Motion to Approve:**  
**Hohmann/Diaz**

**Unan.**

**March 26, 2024**

**RESOLUTION NO. 17 OF 2024**  
**ADOPTING EXECUTIVE ORDER 2024-02 AMENDING EXECUTIVE ORDER 2018-02: AUDIT AND LAW ENFORCEMENT RESPONSE PROTOCOLS**

**WHEREAS**, on February 15, 2024, the Rockland County Executive issued Executive Order 2024-02: Amending Executive Order 2018-02: Audit and Law Enforcement Response Protocols, and,

**WHEREAS**, this Executive Order is in regard to procedures with respect to service of legal paper and procedures with respect to audits, regulator inspections, and law enforcement investigations, and,

**WHEREAS**, the Board of Commissioners of the Rockland County Sewer District No. 1 has read and reviewed Executive Order 2024-02 and desires the Executive Director and employees of the Rockland County Sewer District No. 1 to implement said Executive Order, now, therefore, be it,

**RESOLVED**, that the Executive Director, shall implement Executive Order 2024-02, as applicable within the Rockland County Sewer District No. 1 and create such policies and procedures within the District to effectuate this resolution.

**Item #9:** Orangeburg Plant Performance

M. Saber: The CBOD limit of 85% removal has not been met over the last few months. The influent concentration is very weak due to the amount of rain we have been having. We will continue to have this issue until the groundwater table recedes.

M. Specht: Any questions?

**Item #10:** New Business

M. Specht: Any other items of business?

S. Lehman: I have a question on the violations. We have one from the Solid Waste Authority. I don't think I've every seen that before.

M. Saber: They don't happen very often. They already gave us a response today. So, we could anticipate that they will come in at one of the Board meetings to ask the Board to waive the fines.

S. Lehman: So, we'll hold them in abeyance?

M. Specht: Those of us that are on both Boards will try to resolve it. Commissioner Genito.

M. Genito: Quick question. Anybody have any updates on where that lawsuit is going with flushable wipes.

M. Saber: I haven't received anything in a while.

G. Hoehmann: It's a class action suit. The County is involved. We're involved through the County with other entities as well. We haven't seen any updates. Mike, maybe you could ask the County Attorney for an update?

M. Saber: Yes.

M. Specht: We have one more item to discuss pending litigation that I think we need to go into Executive Session for.

Executive Session – to discuss items of pending litigation.

Enter Executive Session at 6:11 pm  
Motion: G. Hoehmann and M. Genito

Leave Executive Session at 6:24 pm  
Motion: P. Carroll and K. Connell

Motion to Adjourn.

**RESOLUTION NO. 18 OF 2024  
ADJOURNMENT**

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

**BE IT RESOLVED** that the March 26, 2024, Meeting of the Board of Commissioners, Rockland County Sewer District No. 1, is hereby adjourned.

The Board of Sewer Commissioners Meeting adjourned at 6:24 pm.

M. Specht: Thank you everybody. Great meeting.

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