

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

**Members Present:**

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

**Members Absent:**

G. Hoehmann

**Others Present:**

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

**Item #1:** The meeting was called to order at 6:00 pm.

M. Specht: I will call to order this meeting of the Rockland County Sewer District No. 1 for today, July 25, 2024. I will ask Commissioner Kenny if she will lead us in the Pledge to the Flag. Thank you.

**Item #2:** Roll Call

M. Specht: I'll ask our clerk to call the attendance. Thank you.

**Item #3:** Public Participation

M. Specht: If anybody in the audience would like to speak, this would be your time to do so. Does anybody wish to speak? It appears to be nobody. Motion to close Public Participation – K. Connell, seconded by P. Carroll.

**Item #4:**

**RESOLUTION NO. 44 OF 2024  
ADOPT MINUTES OF MEETING OF JUNE 24, 2024**

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

**RESOLVED**, that the transcribed Minutes of the Rockland County Sewer District No. 1 Meeting of June 24, 2024, as recorded by the Clerk, are hereby adopted.

**Item #5:**

M. Specht: We'll ask Mr. Saber to discuss that with us.

M. Saber: I am requesting that \$100,000 be transferred from the Contingency Account. The District had unanticipated equipment replacements at the wastewater treatment plant in Orangeburg. Multiple RBC A frames have failed. RBCs are needed to biologically process the sewage.

While we currently have funds to manage the costs, I am requesting that the Board authorize this transfer and approve the resolution since multiple budget line items are running low.

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

**Motion to Approve:**  
**Genito/Connell**

**July 25, 2024**

**Unan.**

**RESOLUTION NO. 45 OF 2024  
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 RBC A frames have failed, and,

**WHEREAS**, RBCs are needed to biologically process sewage, and,

**WHEREAS**, to cover the costs associated with the repairs, 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 #6:** Quarterly Report

M. Saber: So, for the quarterly report, we’re running over on a few line items as outlined in the memo to the Board. One of my main concerns is that we’re able to offset some of the deficiencies but I’m concerned about the number of equipment failures that we had over the past year and are continuing to have. These failures could negatively impact the budget later in the year. The overall budget will continue to be monitored but funds may have to be withdrawn from fund balance if the rate of failures continue, independent of the one I’m asking for tonight.

M. Specht: Any questions from the Commissioners?

**Item #7:** Orangeburg Plant Performance

M. Saber: The CBOD limit of 85% removal has not been met over the last few months. While we have not met the 85% removal last month, we are improving on a monthly basis.

M. Specht: Very good. Any questions for our Executive Director?

**Item #8:** Rockland Bakery

M. Saber: As requested at the last meeting, enclosed with the Board packet is an update from Joan Roth and Rockland Bakery. I will attempt to answer any questions that the Board may have.

M. Specht: Any questions?

S. Lehman: I think it was brought up at our last Board meeting about the frequency of their violations.

M. Saber: Right. You had asked for an update so there's a memo from Joan Roth to me in the packet and there's also an email from Mike Battaglia from Rockland Bakery.

S. Lehman: Thank you for the follow up.

R. Diaz: My assumption is, I know that they did spell out all the things they've done and are going to be doing. Are we going to be paying close attention to them to make sure that they are actually doing what they say they are going to do?

M. Saber: We do it for them and everyone else.

R. Diaz: Go get them. That's all I want to know.

M. Specht: Very good. Thank you, Mr. Saber.

**Item #9A:** New Business

M. Specht: These were emailed to us yesterday.

M. Saber: On July 23, 2024, I was informed that the County of Rockland was not going out for borrowing in August, and they are unsure if they will borrow later this year. The District has ongoing need for some projects to progress while the County of Rockland proceeds with a borrowing. I propose the use of undesignated fund balance to cover the gap. The current undesignated fund balance is approximately \$16,183,246.

Therefore, I request that the Board authorize the transfer from undesignated fund balance to the appropriate accounts in the total amount of \$2,500,000.

M. Specht: Are there any questions?

S. Lehman: Your expectations are that with the borrowing, we'll be reimbursing or recapturing our fund balance so this is a temporary withdrawing, right?

M. Saber: Yes. I reached out to bond counsel and they informed me that we would have 18 months to reimburse the funds. Past that time, we would not be able to reimburse the funds.

M. Specht: Very good. If there are no further questions, I'll call for a motion to approve.

Unan.

**RESOLUTION NO. 46 OF 2024  
AUTHORIZING THE APPROPRIATION OF FUNDS FROM UNDESIGNATED  
FUND BALANCE FOR CAPITAL PROJECT NO. 6310, 6315, AND 6340**

**WHEREAS**, the Board of Sewer Commissioners has awarded contracts to Tomar Construction NY and Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C.; Hazen and Sawyer, D.P.C.; and Stantec Consulting Services Inc. for capital projects 6310, 6315, and 6340, respectively, and,

**WHEREAS**, the Sewer District has an ongoing need for these projects to progress until the County of Rockland proceeds with a borrowing, and,

**WHEREAS**, the Sewer District proposes to use funds in undesignated fund balance in the amount of \$1,000,000 for the Main Pump Station Upgrade Project, Capital Project # 6310 until the borrowing is completed, and,

**WHEREAS**, the Sewer District proposes to use funds in undesignated fund balance in the amount of \$500,000 for the Screening Improvements Project, Capital Project # 6315, until the borrowing is completed, and,

**WHEREAS**, the Sewer District proposes to use funds in undesignated fund balance in the amount of \$1,000,000 for the Pump Station Screenings Upgrade Project, Capital Project # 6340 until the borrowing is completed, and,

**WHEREAS**, the current undesignated fund balance is approximately \$16,183,246, and,

**WHEREAS**, funds from the Appropriated Fund Balance account (9952-R5990) need to be transferred to Fees for Services, Non-Employee account (8130-E4090) 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 transfer of funds according to the following schedule:

**OPERATING BUDGET**

<u>Increase Approp. Acct.:</u>		
G-SWR-8120-E4090	Fees for Services, Non-Employee	\$1,000,000
<u>Increase Approp. Acct.:</u>		
G-SWR-8130-E4090	Fees for Services, Non-Employee	\$1,500,000
<u>Increase Est. Revenue Acct.:</u>		
G-SWR-9952-R5990	Appropriated Fund Balance	\$2,500,000

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 #9B:** New Business

M. Saber: The project is to provide engineering services for an engineering report for the Supervisory Control and Data Acquisition (SCADA) hardware communication system; as well as improvement options to the pumping stations that utilize Variable Frequency Drives (VFD) and Programmable Logic Controller (PLC) units to operate these pump stations. The purpose of the study is to recommend improvements as the existing hardware is approaching its useful lifecycle and maintenance parts are becoming harder to find.

A total of four (4) proposals were received and scored by three (3) employees of the District. The pricing was not made known to us until our technical review was completed. D&B Engineers & Architects provided the best overall proposal even though they had a higher cost. I recommend that the Board award this contract to D&B in the amount of \$46,000.

M. Specht: Any questions?

M. Genito: Not so much a question as a comment. First of all, I have no problem with this being done but one of the things that the Office of the State Comptroller just came out with was the concern over wastewater and water treatment plants and their susceptibility to being invaded by foreign nations by cyber attack. Apparently, it's on the rise across the Country. They specifically mentioned things like SCADA systems and other systems that have access to the internet where somebody would be able to get in and hack it. The only thing I would express is that when the engineers are doing their work, is to see what controls are in place to prevent it and we should have a record of that. If we haven't done so already, there should be a cyber security audit performed of our systems to ensure that we're as protected as possible.

M. Saber: So, it's two fold because the County IT department takes care of the firewalls and everything to our SCADA system. We'll talk to the consultants about that in conjunction with our IT department. We keep the SCADA system on a separate network from the main network that the County uses.

M. Genito: In many cases, they're not a problem because I know with a certain water treatment plant that I'm familiar with, they have a SCADA system and the data never actually goes back and forth between the plant. It goes through the internet through a service that somebody could go and read but they can't actually access that data to access the equipment itself.

M. Specht: Very good points. Thank you. Any other questions?

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

**Unan.**

**July 25, 2024**

**RESOLUTION NO. 47 OF 2024  
AWARD CONTRACT FOR ENGINEERING SERVICES  
FOR AN ENGINEERING REPORT FOR THE PUMP STATION  
TELEMETRY UPGRADE PROJECT**

**WHEREAS**, Rockland County Sewer District No. 1 requested proposals under RFP-RC-2024-023 for a qualified firm for Engineering Services for the Pump Station Telemetry Upgrade Project, and,

**WHEREAS**, the engineering report will include improvement options for the Supervisory Control and Data Acquisition (SCADA) hardware communication system; as well as improvement options to the pumping stations that utilize Variable Frequency Drive (VFD) and Programmable Logic Controller (PLC) units to operate these pump stations, and,

**WHEREAS**, the report will also include a recommendation control plan to operate more efficiently the Mahwah Pump Station that pumps to both the Orangeburg and Hillburn wastewater treatment plants, and,

**WHEREAS**, the existing hardware is approaching its useful lifecycle and maintenance parts are becoming harder to find, and,

**WHEREAS**, the District developed a Scope of Services and the Purchasing Department solicited proposals under RFP-RC-2024-023, Engineering Services for the Pump Station Telemetry Upgrade Project, and,

**WHEREAS**, proposals were received from four (4) consulting teams as follows:

<u>Consultant</u>	<u>Proposal Amount</u>
Fellenzer Engineering, LLC	\$19,250.00
D&B Engineers and Architects, D.P.C	\$46,000.00
Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C.	\$66,920.00
Stantec Consulting Services Inc.	\$79,500.00

and,

**WHEREAS**, a selection committee was formed to review and score the proposals using an on-line platform called Bonfire, and,

**WHEREAS**, the Director of Purchasing tallied the scores and reported the scores to the selection committee, and,

**WHEREAS**, the Selection Committee and the staff of the Sewer District, have determined that the proposal from D&B Engineers and Architects, D.P.C, in the lump sum amount of \$46,000 is the best firm for engineering services for the Pump Station Telemetry Upgrade Project, now, therefore, be it,

**RESOLVED**, that the Board of Sewer Commissioners, upon the recommendation of the Executive Director, hereby accepts the proposal of D&B Engineers and Architects, D.P.C, 4 West Red Oak Lane, White Plains, NY 10604, in the lump sum not to exceed amount of \$46,000.00 for engineering services for the Pump Station Telemetry Upgrade Project, 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 #9C:**

M. Saber: Today, I received an email from the Personnel department with regards to Harassment Prevention Training and Preventing Bullying and Violence training. I was told that all the Board members should have received it in an email. I know this comes up on an annul basis. One of the things we looked into is if any Board members who actually received this training though another municipality, Village, Town, or Solid Waste Authority just have to submit proof they have taken the training and then at that point in time, we'll send it up to the Personnel department and they will waive it for those people.

M. Specht: The deadline to take it is, I don't see it in the email. Do we know what the timeframe is?

M. Saber: They ask for it to be completed in the next thirty days. I don't know when all the Board members received it. I received this today and was asked to forward it on to the Board members.

M. Specht: Thank you.

M. Genito: I just want to make a comment. I wish I had known about that because I did take the training elsewhere. But, I did receive an email a couple of weeks ago and it was about this same thing. It looked like the same title but I just looked it up and its harassment training for supervisors and bullying and violence training for supervisors. The new one that you just sent out today, I thought it was the same old one but it isn't. It's actually training for employees. I remember last year they refused to waive taking both of them even though the content of the courses are essentially the same. The first one for Supervisors just has a little bit extra for the supervisory responsibilities. But in any event, that's good to hear because if you already took that first training, then hopefully the County will accept its own training and you don't have to take that second group again.

M. Specht: Thank you. Commissioner Simon?

A. Simon: I understand that this is the last item. I would like to...

M. Specht: Let me just say that we do have an Executive Session item that we're going to go into.

A. Simon: Well, in any event, I would like to talk to you before the last item, the Executive Session, as a personal privilege. Last Thursday, I celebrated my 81<sup>st</sup> birthday. I have spent over 50 years in government. Many of those years sharing my governmental experience with most of the people here. This is my last meeting. I intend to resign after this meeting. It's becoming more and more difficult to appear here based upon my lack of vision and my age and the difficulty I have with transportation. But I wanted to thank everybody here on this Board for their activities in government, their dedication to other people in government, and making my over fifty years in government a wonderful experience that I could talk to my kids about all the time. It was a pleasure. Thank you. In addition, I want to make a slight plea. I have not yet booked a ride home. If any is available and going around my house, I would certainly appreciate it but it's not at all necessary. I could walk. It's just that I get lost at street corners.

P. Carroll: It's a long walk from here.

A. Simon: Thank you so much all of you. You really have given me a great experience in life to talk to my grandchildren about and I really appreciate it.

M. Specht: Commissioner Simon, thank you. We will miss you on this Board. You were always a strong advocate for what you believed in and in good governance. Thank you for your kind words and I think I speak for all of us when I wish you all the best. We will miss you.

P. Carroll: Happy Birthday.

M. Specht: Happy Belated Birthday. I think Commissioner Lehman you indicated you would be available to provide a ride. Thank you for letting us know.

M. Specht: At this time, I think we're ready for Executive Session. We need to discuss proposed, pending, and current litigation.

Enter Executive Session at 6:14 pm

Motion: P. Carroll and K. Connell

Leave Executive Session at 6:38 pm

Motion: M. Genito and S. Lehman

M. Specht: We discussed current, pending, and potential litigation matters.

M. Specht: Motion to Adjourn in honor of Commissioner Simon's retirement from the Board in recognition of his many years of service.

**RESOLUTION NO. 48 OF 2024  
ADJOURNMENT IN HONOR OF COMMISSIONER ALAN SIMON**

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

**BE IT RESOLVED** that the July 25, 2024, Meeting of the Board of Commissioners, Rockland

County Sewer District No. 1, is hereby adjourned in honor of Commissioner Alan Simon for his many years of service.

The Board of Sewer Commissioners Meeting adjourned at 6:39 pm.

M. Saber: I know the meeting is officially over but our next meeting will be September 26<sup>th</sup>.

M. Specht: Thank you, Mr. Saber. Our next meeting will be September 26, 2024. Thank you everybody. Have a very enjoyable rest of the summer.

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