

Town of Olive
County of Ulster
State of New York
May 26, 2005

Minutes of a special informational meeting of the Town Board of the Town of Olive held Thursday, May 26, 2005, 7:30 pm at the Town Meeting Hall in Shokan, NY.

Members Present: Berndt Leifeld, Supervisor
 Helen Chase, Council Member
 Bruce La Monda, Council Member
 Linda Burkhardt, Council Member

Member Absent: Henry Rank, Council Member

Others Present: Catskill Watershed Corp. (CWC) Members: Alan Rosa, Executive Director; Liz Mastrianni & Tom DeJohn, Professional Engineers—Kevin Young, Project Attorney—Lamont Engineers, P.C. Representatives: Henry Lamont, Principal Engineer; Julie Barown, Assistant Project Engineer III; and Chris Yacobucci, Environmental Scientist II and Senior Engineering Technician I

Kevin Young, Project Attorney, explained how septic tanks and leach fields function and how they are regulated in the watershed noting that typically Olive was better permitted than surrounding towns. In the watershed, if a system fails it must be brought up to today's standards noting the fix is a lot more expensive. Sewage flow is based on the number of bedrooms and in order to add a bedroom one would have to obtain a permit to expand the system to today's standards. Most older systems and those on small lots do not meet the current standards. Also, a home that is vacant for a year loses its grandfather clause.

Businesses are divided into two categories: those over 1,000 gallons daily and those less than 1,000 gallons daily (most of Boiceville is in this category). Businesses with septic systems that do not meet standards cannot change usage unless a new system is permitted by the DEP.

Negotiations to get NY City to pay for the cost of implementing the new regulations resulted in money being received from NYC for household systems to be replaced one time only for free. The infrastructure program addresses issues of small lots and concentrated areas close to streams and addresses a public means to take care of sewerage through either wastewater systems or community septic systems. A community septic system is not as expensive to build as a wastewater treatment facility. It took \$87 million to do the first seven (7) designated communities. Now there are fourteen (14) other smaller communities (Boiceville is in the top five (5) of these) in which solutions are to be developed. NYC is negotiating with the Catskill Watershed Corporation (CWC) to study Boiceville to determine areas to be served and what makes the most sense for Boiceville. The Town Board would contract with the CWC to participate in the program. The first item is the study, then the Town Board decides whether or not to go to the next step which is a detailed engineering study and permit. If they decide to do a community septic system the town sewer district would get a fixed amount of money with the next step being to retain an engineer, do a design, get the permit, and then put it out to bid. If the bid is under the amount allocated, then the project can be done. If the bid is too high, then the project is revised and rebid or the

project is terminated. Once the Town Board signs a contract with the contractor then the project must be completed. The town can back out any time until the bid is awarded.

This project is not town wide. The Town Board would have to form a special sewer district in Boiceville. Small community systems can be expensive because there are not a lot of people to share in the cost of the systems. The town would own the system. NYC has agreed in the Memorandum of Agreement (MOA) that households (living quarters) in the special sewer district would pay no more than \$100 per year to that system. After three years this cost would go up or down with inflation. The median rate paid in NYS per household is about \$500-\$600 per year.

In response to a question Mr. Young stated that the Onteora School would be responsible for their own system. He stated wastewater treatment plants are expensive and one "might" be built here. NYC Regulations require all wastewater treatment plants be brought up to standards so all have to be upgraded to microfiltration and the school is one needing to be upgraded. NYC might want the town sewer district to take on the school but that is a negotiation point for later. If they want the new Boiceville system to handle the school then the new system will have to be bigger and more money would be needed.

In response to Council Member La Monda's question regarding responsibility if the system fails, Mr. Young stated the town will form and designate the Boiceville sewer district by local law subject to permissive referendum. NYC will subsidize the operations and maintenance parts but this does not include rebuilding the system and the purchase of major pieces of equipment needed.

Boiceville residents can initially hook up to the system at no fee but new people and projects coming into Boiceville must pay a hook up fee which goes into a Capital Reserve account specific to the needs of the system. Windham's hook up fee is \$3,500.00. Funding for the Capital Reserve Accounts and expenditures for future upgrades will come from the sewer district.

Henry Lamont, Principal Engineer of Lamont Engineering, noted that the life of the project would be 25-30 years; but, the town sewer district would probably have to upgrade and modify the system along the way. Capital Reserve funds could be set up to prepare for these upgrades or the other option would be to bond. NYC will pay 57%-93% of the operating expenses but will not pay for capital operations or improvements. Boiceville businesses utilizing a lot of water will pay more towards the cost of operations.

In response to questions from Cindy Johansen, Kevin Young noted the City of New York will pay as long as the plant is there. When asked by Mrs. Johansen what would happen if the City says they can't pay, Mr. Young stated it would be as good as your lawyers are to uphold the contract.

Henry Lamont stated they do not know what type of system is to be built noting they are just starting the study and wanted to get input from the community to get a feel for what's needed. GIS maps, topo maps, wetlands maps, and floodplain maps have been prepared to initiate the study. Mr. Lamont distributed packets to all in attendance (#46-05) outlining the Catskill Watershed Corporation Community Wastewater Management Program. Some of the options for Boiceville are community septic system, cluster septic systems, septic maintenance district, combination community/cluster septic system and

septic maintenance district, and if these are not practical, a wastewater treatment plant. The goal for completion is 2006 with the collecting of data for the study starting now.

It was noted that New York City hired Environmental Facilities Corporation (EFC) in the 1990's to do studies of the eight communities; however, they basically are doing the study over as more detail is needed. This study showed 27,000 gallons flow from the Onteora School and 45,000 gallons flow for households and businesses. Kevin Young noted it depends on how the Town Board develops the law as to whether or not the school would be included in the district. Mr. Young noted the school is responsible for its own facility noting they've tried the new facility at the school and it doesn't work. Mr. Young noted the town has no obligation to include the school. Mr. Lamont stated the EFC study called for a wastewater treatment facility without the school in Boiceville. He noted with businesses sharing the cost of the system it might be beneficial to have the school share in the cost of the system as the school would be considered a business. If the school is included in the system then more money would be available to the town sewer district. Mr. Lamont noted a cost analysis should be done with and without the school to see if there are any benefits to the town sewer district.

It was noted that in a referendum on the district there would be only one vote per property owner; dual ownership would have two votes. Vacant land would not pay into the system; however, hook up fees are charged when projects develop on these parcels.

In response to questions regarding location of the facility, Mr. Lamont stated the EFC study suggested the corner of Route 28 and Route 28A near the fire house on NY City land. In response to the laughs that occurred, Mr. Lamont stated a wastewater treatment plant can be put in a flood zone if you flood proof it.

Supervisor Leifeld asked for a project comparison for Phoenicia and Boiceville. Mr. Young stated that Phoenicia is a project between EFC, NYC DEP, and the Town of Shandaken. In the Boiceville project they work for the Town of Olive through the CWC which should be an easier project. He noted that Phoenicia is based on 86,000 gallons. Blake Killin noted this is twice the amount of water currently used by the Phoenicia water district. Mr. Young stated they only added 10% over the study results. He stated that design is based on theoretical water usage and the 10% is added to allow for expansion of new businesses.

All business pertinent having been discussed the Town Board adjourned at 9:00 pm on a Leifeld/La Monda motion.

Sylvia Rozzelle, Town Clerk