

STAMP Sewer Works, Inc. Meeting
Friday, October 6, 2023
Location: 99 MedTech Drive, Innovation Room
8:00 AM

STAMP SEWER WORKS, INC. MINUTES

Attendance

Board Members: P. Zelif, T. Hens, R. Crossen, S. Mountain. C. Yunker, M. Clattenburg
Staff: L. Farrell, M. Masse, S. Hyde, J. Krencik, P. Kennett, C. Suozzi, L. Casey
Guests: M. Fitzgerald (Phillips Lytle / Audio Conference)
Absent: P. Battaglia

1.0 Call to Order

P. Zelif called the meeting to order at 8:07 a.m. in the Innovation Zone.

1a. Enter Executive Session

R. Crossen made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:07 a.m. for the following reasons:

1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
2. Discussions regarding proposed, pending or current litigation.

The motion was seconded by T. Hens and approved by all members present.

1b. Enter Public Session

T. Hens made a motion to enter back into public session at 8:48 a.m., seconded by S. Mountain and approved by all members present.

2.0 Chairman's Report & Activities:

2a. Agenda Additions / Other Business –

P. Zelif made a motion to amend agenda item 3b to Resolution Adopting SEQRA, agenda item 3c to Determination and Finding of STAMP Sewer Works, Inc. Resolution, and agenda item 3d to Appoint DMR Permittee Signer; the motion was seconded by R. Crossen. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Yes
T. Hens -	Yes	P. Zelif -	Yes
S. Mountain -	Yes	R. Crossen -	Yes
M. Clattenburg -	Yes		

The item was approved as presented.

2b. Minutes: August 3, 2023

R. Crossen made a motion to accept the August 3, 2023 minutes as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Yes
T. Hens -	Yes	P. Zeliff -	Yes
S. Mountain -	Yes	R. Crossen -	Yes
M. Clattenburg -	Yes		

The item was approved as presented.

3.0 Discussions:

3a. Phillips Lytle Additional Legal Work – Phillips Lytle prepared a proposed supplement to their original engagement letter related to assistance in obtaining up to three easements for the force main installation.

Fund Commitment: Not to exceed \$135,000.

Board Action Request: Recommend approval of the Phillips Lytle supplement to the engagement letter related to assistance in obtaining up to three easements not to exceed \$135,000.

C. Yunker made a motion to accept the supplement to the Phillips Lytle engagement letter related to assistance in obtaining up to three easements, not to exceed \$135,000 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Yes
T. Hens -	Yes	P. Zeliff -	Yes
S. Mountain -	Yes	R. Crossen -	Yes
M. Clattenburg -	Yes		

The item was approved as presented.

3b. Resolution Adopting SEQRA – This resolution was distributed to STAMP Sewer Works, Inc. Board members on October 5th. The resolution adopts positive findings pursuant to SEQRA for the exercise of eminent domain proceedings on any outstanding easements that are needed for the force main project.

M. Fitzgerald provided an overview of the resolution. He stated that the findings statement walks through the STAMP environmental record as well as the SEQRA review and focuses on what is before the Board today, which is the acquisition of the temporary easements for the construction of the force main that is connected to the WWTF and discharge point in Oak

Orchard Creek. It also has an appendix responsive to public comments that were received at the public hearing. The findings statement incorporates all the GCEDC lead agency findings that have been previously adopted ranging from 2012 to 2023. Although STAMP Sewer Works, Inc. is not lead Agency, Phillips Lytle recommends adopting the resolution to demonstrate that the STAMP Sewer Works, Inc. Board has taken a hard look at all environmental concerns.

Fund Commitment: None.

Board Action Request: Recommend approval of the positive findings pursuant to SEQRA for the STAMP Sewer Works, Inc. exercise of eminent domain proceedings for the installation of a force main.

R. Crossen noted the following changes that should be made to the Resolution:

- 1) On page 14 of the Resolution, the Town of Medina should be amended to the Village of Medina.
- 2) On page 16 of the Resolution, language should be amended to indicate that chemicals will be treated in accordance with the SPDES Permit.
- 3) Throughout the Resolution, the Town of Oakfield should be amended to the Village of Oakfield.
- 4) Throughout the Resolution, wherever Plug Power is referred to as a 45 ton/day facility, it should be amended to reflect a 74 ton/day facility.

S. Mountain made a motion to accept the Resolution Adopting SEQRA with the above-mentioned changes; the motion was seconded by T. Hens. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Yes
T. Hens -	Yes	P. Zeff -	Yes
S. Mountain -	Yes	R. Crossen -	Yes
M. Clattenburg -	Yes		

The item was approved as presented.

3c. Determination and Findings of STAMP Sewer Works, Inc. Resolution – Included with the meeting materials was a resolution that lays out the STAMP Sewer Works, Inc. determination and findings pursuant to eminent domain proceedings on any outstanding easements that are needed for the force main project.

Fund Commitment: None.

Board Action Request: Recommend approval of the determination and findings of STAMP Sewer Works, Inc.

M. Clattenburg made a motion to accept the Determination and Findings of STAMP Sewer Works, Inc. Resolution; the motion was seconded by T. Hens. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Yes
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T. Hens - Yes
S. Mountain - Yes
M. Clattenburg – Yes

P. Zelif - Yes
R. Crossen - Yes

The item was approved as presented.

3d. Appoint DMR Permittee Signer - In 2022 the NYSDEC approved and issued the SPDES permit for the WWTF but they left the DMR limit sets inactive. They were set to become active automatically as of 9/1/2023. That would make the first DMR due 10/28/2023 and if you aren't operational, you could report the No Data Indicator (NODI) Code C for No Discharge.

We had CPL look into the reporting process and the STAMP Sewer Works, Inc. needs to have someone register for EPA MyCDX to utilize the NetDMR system and examine the limit set to be familiar with it and make sure key staff are aware and have the sampling plan prepared. Once an operator is selected, they will be set up as either the "Data Provider" or the "Permittee with No Signature" in the system. They will enter the data.

The STAMP Sewer Works, Inc. then needs to appoint a "Permittee Signature" member from the Board to review, approve and submit the data.

Fund Commitment: None.

Board action request: Appoint Steve Mountain as the authorized "Permittee Signature" within the DMR reporting system.

R. Crossen made a motion to appoint S. Mountain as the authorized "Permittee Signature" within the DMR reporting system as presented; the motion was seconded by T. Hens. Roll call resulted as follows:

P. Battaglia - Absent
T. Hens - Yes
S. Mountain - Yes
M. Clattenburg – Yes

C. Yunker - Yes
P. Zelif - Yes
R. Crossen - Yes

The item was approved as presented.

4.0 Adjournment

As there was no further business, S. Mountain made a motion to adjourn at 8:56 a.m., which was seconded by T. Hens and passed unanimously.