

## TOWN OF RIVERHEAD

Resolution # 512

AUTHORIZING THE SUPERVISOR TO SIGN A STIPULATION AGREEMENT OF THE  
RIVERHEAD SEWER DISTRICT (SPEDES PERMIT)

COUNCILMAN LULL offered the following resolution, was seconded by COUNCILMAN PRUSINOWSKI.

WHEREAS, in 1992, the Town Board determined to pursue a policy of a no-net nitrogen increase with respect to the Riverhead Sewage Treatment Plant (RSTP); and

WHEREAS, in accordance with that policy, the Town Board has previously adopted in principle the plan for the phased upgrading of the RSTP as developed by its consultants, Malcolm Pirnie; and

WHEREAS, the New York State Department of Environmental Conservation (the Department) has commenced a formal proceeding to modify the Town's existing State Pollutant Discharge Elimination System (SPDES) permit for the RSTP which would impose a permit limitation on average effluent total nitrogen loading; and

WHEREAS, the Town and the Department have reached agreement on a modification to the SPDES permit which would add as a special condition thereto the Town's plan for phased upgrading of the plant; and

WHEREAS, this agreement would settle the pending permit modification hearing and result in the Department's withdrawal of its proceeding;

NOW, BE IT RESOLVED, that the proposed settlement of the pending permit modification hearing be accepted, which would add to the existing SPDES permit Special Conditions in the substance annexed hereto and incorporated herein; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to sign any stipulations or related documents necessary to effect the settlement of this matter; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Frank A. Isler, Esq., Smith, Finkelstein, Lundberg, Isler and Yakaboski, 456 Griffing Avenue, P.O. Box 389, Riverhead, New York, 11901; and the Supervisor's Office.

6/19/96

Town of Riverhead S.T.P.  
SPDES #NY0020061

## Special Conditions:

1. The Town of Riverhead will immediately commence design of facility modifications necessary for the diversion of flow from the sewage treatment plant to the scavenger waste treatment plant. Construction of the needed modifications will be completed by May 1, 1997. A minimum of 50,000 gpd (0.05 mgd) will be diverted to the scavenger treatment plant commencing not later than May 1, 1997. As the staged upgrade of the STP occurs as set forth below, the continued diversion may become unnecessary in which case it would be discontinued.

(\*) or ten months from the issuance of the modification permit which is later.

Effective May 1, 1997, the monthly average effluent total nitrogen load for the combined sewage and scavenger waste plants will not exceed 170 lbs. per day.

2. The Town of Riverhead will implement staged upgrades of the sewage treatment plant pursuant to the following schedule, which is based on incremental increases in approved connections to the facility. Incremental flows are to be calculated based on approved projects that have applied for permits to construct subsequent to the passage of Town Resolution #500 and not on actual connection of the approved flows.

Stage 1: The approved increase in flow of 0.130 mgd will trigger construction of SBR and EQ tank to treat 0.225 mgd. (See Special Condition 3 below).

Preparation of the design package for this upgrade will commence when the approved incremental increase in flow reaches 0.104 mgd.

Stage 2: The approved increase in flow of an additional 0.130 mgd (total of 0.260) will trigger construction of 2 SBRs (EQ tank upgraded to SBR) to treat 0.45 mgd. (See Special Condition 3 below).

Preparation of the design package for this upgrade will commence when the approved incremental increase in flow reaches an additional 0.104 mgd (total of 0.234 mgd).

Stage 3: The approved increase in flow of an additional 0.29 mgd (total of 0.55 mgd) will trigger construction of one new SBR and the conversion of two small SBRs into a large SBR to treat 0.93 mgd. (See Special Condition 3 below).

Preparation of the design package for this upgrade will commence when the approved incremental increase in flow reaches an additional 0.232 mgd (total of .492 mgd).

- 3. When the gallonage level is achieved triggering construction of a staged upgrade, the town will, within 60 days, go to public bid for the improvement; bidders will be given 60 days to submit their bids; the Town will award the contract within 30 days of the submittal deadline and will provide that construction shall commence no later than 30 days after the award.
- 4. Implementation of any of the 3 staged upgrades can be triggered prior to reaching the appropriate gallonage increase, in the event that the monthly average effluent total nitrogen load exceeds 170 lbs. per day in any four (4) months within any six (6) month period.
- 5. Upon completion and operation of each staged upgrade, the monthly average effluent total nitrogen load will not exceed 170 lbs. per day.

### THE VOTE

Wittmeier	<b>Aye</b>	Nay
Kwasna	<b>Aye</b>	Nay
Lull	<b>Aye</b>	Nay
Prusinowski	<b>Aye</b>	Nay
Stark	<b>Aye</b>	Nay

The Resolution was thereupon duly adopted.

# Adopted

June 24, 1996

TOWN OF RIVERHEAD

Resolution # 513

## ACCEPTS LETTER OF RESIGNATION

SUPERVISOR STARK offered the following resolution ,

which was seconded by COUNCILMAN PRUSINOWSKI

**BE IT RESOLVED**, effective July 1, 1996, the town Board hereby accepts the letter of resignation filed by Curtis Highsmith, Jr. on June 24, 1996.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to forward a copy of resolution to Curtis Highsmith, Jr., the Assessors Office and the Office of Accounting.

## THE VOTE

Wittmeier	<b>Aye</b>	Nay
Kwasna	<b>Aye</b>	Nay
Lull	<b>Aye</b>	Nay
Prusinowski	<b>Aye</b>	Nay
Stark	<b>Aye</b>	Nay

The Resolution was thereupon  
duly adopted.

**Adopted**

RESOLUTION # 514

**Adopted**

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SUPERCEDING RESOLUTION #512 OF 1996

AUTHORIZING THE SUPERVISOR TO SIGN A STIPULATION AGREEMENT OF THE  
RIVERHEAD SEWER DISTRICT (SPDES PERMIT)

Councilman Lull offered the resolution, seconded by Councilman Prusinowski.

WHEREAS, in 1992, the Town Board determined to pursue a policy of a no-net nitrogen increase with respect to the Riverhead Sewage Treatment Plant (RSTP); and

WHEREAS, in accordance with that policy, the Town Board has previously adopted in principle the plan for the phased upgrading of the RSTP as developed by its consultants, Malcolm Pirnie; and

WHEREAS, the New York State Department of Environmental Conservation (the Department) has commenced a formal proceeding to modify the Town's existing State Pollutant Discharge Elimination System (SPDES) permit for the RSTP which would impose a permit limitation on average effluent total nitrogen loading; and

WHEREAS, the Town and the Department have reached agreement on a modification to the SPDES permit which would add as a special condition thereto the Town's plan for phased upgrading of the plant; and

WHEREAS, this agreement would settle the pending permit modification hearing and result in the Department's withdrawal of its proceeding; and

WHEREAS, the Board, at its Special Meeting held on June 24, 1996, adopted Resolution #512 authorizing the Supervisor sign the necessary documents to effect this settlement; and

WHEREAS, counsel for the Town and the Department have agreed to a modification of the approved text of the agreement;

NOW, BE IT RESOLVED, that the proposed settlement, of the pending permit modification hearing be accepted, which would add to the existing SPDES permit Special Conditions in the substance annexed hereto and incorporated herein; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to sign any stipulations or related documents necessary to effect the settlement of this matter; and

BE IT FURTHER RESOLVED, that this resolution supercedes the Board's Resolution # 512, adopted at its June 24, 1996 special meeting.

RICS:1-4730-00039/00001-0  
SPDES No.: NY 0020061  
Part I, Page 4 of 7

### Special Conditions:

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Effective June 1, 1997, or ten months from the date the Department's Region One office receives the letter from the Administrative Law Judge's office summarizing the settlement transaction and remanding the permit modification to Department staff for processing, pursuant to the Department's organization and Delegation Memorandum 94-13, whichever is later, the monthly average effluent total nitrogen load for the combined sewage and scavenger waste plants will not exceed 170 lbs. per day.

2. The Town of Riverhead will implement staged upgrades of the sewage treatment plant pursuant to the following schedule, which is based on incremental increases in approved connections to the facility. Incremental flows are to be calculated based on approved projects that have applied for permits to construct subsequent to the passage of Town Resolution #500 and not on actual connection of the approved flows.

Stage 1: The approved increase in flow of 0.130 mgd will trigger construction of SBR and EQ tank to treat 0.225 mgd. (See Special Condition 3 below).

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RICS:1-4730-00039/00001-0  
SPDES No.: NY 0020061

3. When the gallonage level is achieved triggering construction of a staged upgrade, the town will, within 60 days, go to public bid for the improvement; bidders will be given 60 days to submit their bids; the Town will award the contract within 30 days of the submittal deadline and will provide that construction shall commence no later than 30 days after the award.
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5. Upon completion and operation of each staged upgrade, the monthly average effluent total nitrogen load will not exceed 170 lbs. per day.

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## THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.