COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Hon. William J. Lindsay, Presiding Officer of the SC Legislature
Legislators: Beedenbender, Romaine, Schneiderman, Browning, Viloria-Fisher, Losquadro, Eddington, Montano, Alden, Barraga, Kennedy, Nowick, Horsley, Stern, D'Amaro, and Cooper
Jeffrey Szabo, Deputy County Executive / Chief of Staff
Vito Minei, P.E., Director, Environmental Quality, S.C. Health Services
Thomas Isles, Director, Suffolk County Planning Department
Legislator Louis D'Amaro, SCSA Legislator-at-Large
Michael Cavanagh, representing Presiding Officer Lindsay

FROM: Gilbert Anderson, P.E., Commissioner, SCDPW and Chairman, Suffolk County Sewer Agency

DATE: September 17, 2008

SUBJECT: **Minutes of the Sewer Agency Meeting of September 15, 2008**

Attached for your information please find a copy of the minutes for the above referenced meeting.

GA/BW/cp
Attachments

cc: Thomas LaGuardia, P.E., Chief Deputy Commissioner
Louis Calderone, Deputy Commissioner
Ben Wright, P.E., Chief Engineer, Division of Sanitation
John Donovan, P.E., Sr. Civil Engineer
Laura Conway, C.P.A., Director of DPW Administrative Services
Linda Spahr, Esq., Dept. of Law
Walter Hilbert, P.E., S.C. Dept. of Health
Walter Dawydiak, P.E., S.C. Dept. of Health
Tim Laube, Clerk of the Legislature
James Morgo, Chief Deputy County Executive
William Spitz, NYSDEC
Adam Santiago, representing Legislator Brian Beedenbender
Justin Littell, representing Legislator Louis D'Amaro
Craig A Platt, Secretary, SC Sewer Agency

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4205
FAX (631) 852-4659

Minutes of the Suffolk County Sewer Agency
September 15, 2008

The meeting was called to order at 11:02 am by Ben Wright, P.E., Chief Engineer of the Sanitation Division representing Gilbert Anderson, P.E., Commissioner, SCDPW & Chairman, Suffolk County Sewer Agency. In attendance were Jeff Szabo, Deputy County Executive & Chief of Staff, representing County Executive Levy, Lou D'Amaro the Sewer Agency Legislator-At-Large, Tom Isles, the Suffolk County Director of Planning, Walter Dawydiak P.E., representing the Commissioner of the Department of Health Services, Adam Santiago, representing Legislator Brian Beedenbender, Chairman of the Public Works and Transportation Committee, and Michael Cavanagh, Legislative Aide to Presiding Officer Lindsay

Also present were Linda Spahr, Esq. of the Department of Law, Justin Littell, and Craig Platt, Secretary to the Sewer Agency.

Note: Project representatives are shown on the copy of the sign-in sheet attached at the end.

Welcome by Ben Wright to the September 15th meeting of the Suffolk County Sewer Agency, and introductions by Roll Call.

Ben mentioned that Bob Carballiera, the former Secretary to the Sewer Agency who had retired in January, passed away suddenly ten days ago. Bob was the Secretary for the past five years and had been helpful to so many involved in the Agency, bring the Agency from the stone age to the modern world. A moment of silence was observed.

I. **Roll Call:** All members (or representatives) present.

II. **Minutes of Previous Meeting**

Minutes from SCSA for the July 21, 2008, were discussed. A motion to accept the minutes was made by Ben Wright and seconded by Michael Cavanagh. Motion passed.

III. **Public Portion:** *There were no requests to make statements.*

See the attached sign-in sheet for additional attendees

IV. **Old Business**

A. **Formal Approval - None**

B. **Conceptual Certification - None**

New Business – Formal Approval

PATIO GARDENS III **SH-1600**

Craig mention that this project is a proposed condominium complex with 48 units, a clubhouse and pool with an expected flow of 15,000 GPD, which is situated on 8 acres on the north side of Montauk Highway and east of Depot Road in the incorporated village of Westhampton Beach. The project is requesting FORMAL APPROVAL for the construction of a sewage treatment plant to process the waste from this development. This project was granted Conceptual Certification at the March 17, 2008, SA meeting. There is no Suffolk County Sewer District in the vicinity of this project. There is a treatment plant at the Suffolk County Gabreski airport, but this facility has not become a Sewer District and has no excess capacity to treat the 15,000 GPD expected to be discharged from this development.

Ben referenced an email from Walter Dawydiak concerning SEQRA and the status of the project review from the SCDHS. Mr. Dawydiak stated that the he recently was informed that he would be representing the SCDHS at the Agency meeting and that after review of the agenda he noticed that the SEQRA Resolution from the Village of Westhampton Beach Planning Board was incomplete, as a SEQRA determination had not been given. Discussion ensued with Ben asking Ms. Spahr whether or not the 4th Whereas clause was a determination to which Ms. Spahr replied, no it was not. The second issue was the need to obtain a waiver in the treatment plant buffer distance requirement currently under review by the SCDHS. Mr. Dawydiak stated that the adjacent owner should have the opportunity to address their concerns with the setback. Mr. Dawydiak recommended that the project be tabled. Tom Lembo, P.E. of Nelson & Pope Engineers, representing the project addressed the issues; Mr. Lembo mentioned that since the SCDHS had not finished reviewing the project, tabling the project would be appropriate. Additionally, Mr. Lembo, in response to Legislator D'Amaro's question concerning the SCDHS review responded that Mr. Dawydiak was apparently reviewing an older plan and that the only setback issue was along County Road 31 for which they are seeking a variance.

A motion to table the application pending SEQRA and the setback issue was made by Legislator D'Amaro and seconded by Jeff Szabo and approved unanimously.

New Business – Conceptual Certification

135 Spagnoli Road **HU-1610**

Craig mentioned that this project is an existing single story masonry building containing a total of 119,382 square feet of office and warehouse space, situated on a tax parcel with a total of 8.3 acres. The parcel is located on the south side of Spagnoli Road approximately 760 feet west of Broadhollow Road (NYS Route 110) in the Town of Huntington. The facility is expected to produce approximately 7,163 GPD. The owners, 135 Spagnoli Realty, LLC, request Conceptual Certification for the connection to the SC Sewer District No. 3 – Southwest.

The District's STP has sufficient excess treatment capacity to accommodate this project.

Staff recommended approval.

Tom Lembo, P.E. of Nelson & Pope Engineers stated that he represented the project. Mr. Lembo mentioned that SEQRA was not required as this was an existing building and there would not be a change of use. Furthermore, he was requesting a change to Formal Approval from Conceptual Certification. Mr. Lembo further mentioned that the Formal Approval would be for less Gallons Per Day (GPD). Discussion ensued as to the change to a Formal Approval resolution. Legislator D'Amaro asked Ms. Spahr if amending the resolution was an easy task and how long it would take to amend the resolution to which Ms. Spahr responded that it would require a new resolution and possibly it would take a half hour or so to review. Mr. Lembo stated that in the interest of his client that he would request the Conceptual Certification instead. Ms. Spahr mentioned that all SA resolutions should contain SEQRA.

A motion to approve Conceptual Certification was made by Legislator D'Amaro and seconded by Michael Cavanaugh and approved unanimously.

At 11:14 a motion to adjourn was made by Ben Wright, and seconded by Legislator D'Amaro and approved unanimously.

Once the meeting closed, Ben mentioned that it would be a good idea for the SCDHS and SCDPW to meet prior to the Agency meeting to review the applications.

Respectfully submitted,

Craig A. Platt

Craig A Platt

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