

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

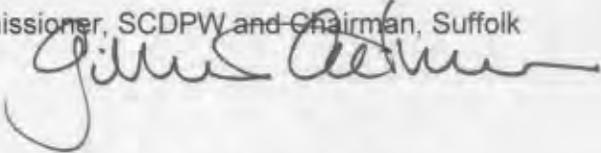
THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

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, Vilorio-
Fisher, Losquadro, Eddington, Montano, Alden, Barraga, Kennedy,
Nowick, Horsley, Gregory, 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: March 6, 2009

SUBJECT: Minutes of the Sewer Agency Meeting of February 23, 2009

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
Patrick Heaney, Commissioner Economic Development and Workforce Housing
Adam Santiago, representing Legislator Brian Beedenbender
Justin Littell, representing Legislator Louis D'Amaro
Karen Klafter, representing Legislator Louis D'Amaro
Craig A Platt, Secretary, SC Sewer Agency

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Minutes of the Suffolk County Sewer Agency
February 23, 2009

The meeting was called to order at 11:05 AM by Gilbert Anderson, P.E., Commissioner, SCDPW & Chairman, Suffolk County Sewer Agency. In attendance were Adam Santiago, representing Legislator Brian Beedenbender, Chairman of the Public Works and Transportation Committee, Legislator Lou D'Amaro the Sewer Agency Legislator-At-Large, Vito Minei, P.E., representing the Commissioner of the Department of Health Services, and Michael Cavanagh, Legislative Aide to Presiding Officer Lindsay

Also present were Ben Wright, P.E., Chief Engineer of the Sanitation Division, Linda Spahr, Esq. of the Department of Law, and Nancy Itterly, secretary to Ben Wright.

Welcome by Commissioner Anderson, to the February 23, 2009, meeting of the Suffolk County Sewer Agency, and introductions by Roll Call.

I. **Roll Call:** See above for members in attendance

II. **Minutes of Previous Meeting**

Minutes from SCSA for the January 26, 2009, were discussed. A motion to accept the minutes was made by Legislator D'Amaro and seconded by Commissioner Anderson. Motion passed 4-0, with Mr. Minei abstaining.

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**

1. Highlands HOA BR-0755.1

Connection to SCSD #1 – 671 GPD

V. **New Business**

A. **Formal Approval**

1. 110 Sand & Gravel Clean Fill Disposal Site (HU-1040)

Request for an additional 40,000 GPD

IV. Old Business

THE HIGHLANDS HOA OFFICE BUILDING

BR-0755.1

Ben mentioned that this project is a proposed 11,190 sf. 2 story office building situated on 1± acres located in Port Jefferson. This project was tabled at the January 26, 2009, meeting due to the lack of a project representative being present and the SCDHS concern that an application had not been filed. The developer is requesting Formal Approval for 671 GPD. Since the District has recently expanded, the sewage treatment plant has sufficient capacity to accept the additional sewage which is expected to emanate from the Highlands HOA Office Building.

Staff recommended approval.

Commissioner Anderson asked if a project representative was present and Michael Walther of Hawkins Webb Jaeger stated that he was. Mr. Walther stated that he had an application for the SCDHS and that he was available to answer any questions the Agency members may have.

Discussion – Mr. Minei stated that the application must be submitted across the street at the SCDHS offices. Mr. Minei further mentioned that he did not have a problem with approval providing the SCDHS application was submitted to the SCDHS today and would under go the SCDHS application process.

Commissioner Anderson asked if anyone had any questions or comments, seeing none, made the motion to approve the item, the motion was seconded by Mr. Cavanagh and passed unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 6 - 2009

AUTHORIZING THE CONNECTION OF
THE HIGHLANDS HOA OFFICE BUILDING (BR-0755.1)
TO SUFFOLK COUNTY SEWER DISTRICT NO. 1 – PORT JEFFERSON

WHEREAS, The Highlands HOA Office Building is a proposed two Story Office Building in Port Jefferson, New York, situated on property identified on the Suffolk County Tax Map as District 0206, Section 0223.00, Block 041.00, Lot 266.001 (the "Premises"), and

WHEREAS, the sewage flow from The Highlands HOA Office Building is expected to be six hundred seventy-one gallons per day (671 GPD), and

WHEREAS, Highlands HOA Office Building is not located within the boundaries of Suffolk County Sewer District No. 1 – Port Jefferson (the "District"), and

WHEREAS, Highlands HOA Office Building has applied to this Agency for permission to purchase and connect its six hundred seventy-one gallons per day (671 GPD) of flow to the sanitary sewerage facilities of the District, which volume is required by the SC Department of health Standards, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the additional sewage which is expected to emanate from Highlands HOA Office Building, and

WHEREAS, the connection of Highlands HOA Office Building to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

WHEREAS, the Suffolk County Sewer Agency has determined that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is listed as a Type II Action, and requires no further action, now, therefore, be it

NOW, THEREFORE, IT IS

1st RESOLVED, that Highlands HOA Office Building be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

2nd RESOLVED, that six hundred seventy-one gallons per day (671 GPD) of capacity in the District's sewage treatment plant be allocated to Highlands HOA Office Building, and it is further

3rd RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

4th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the owner of Highlands HOA Office Building, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

5th RESOLVED, that the connection fee to be paid for Highlands HOA Office Building shall be paid upon the execution of the Connection Agreement at the rate of \$30.00 per gallon of sewage per day for a total of \$20,130.00 and it is further

6th RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

7th RESOLVED, that Highlands HOA Office Building shall, at its sole cost, expense and effort, construct a sewage collection facility for Highlands HOA Office Building, and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8th RESOLVED, that no Certificate of Occupancy shall be issued for any portion of Highlands HOA Office Building until the sewage collection facility for Highlands HOA Office Building has been completed and Highlands HOA Office Building has been connected to the sanitary sewerage facilities of the District, all to the satisfaction of DPW, and it is further

9th RESOLVED, that the developer of Highlands HOA Office Building shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for Highlands HOA Office Building, as well as for all of the developer's obligations under the Connection Agreement, and it is further

10th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of Highlands HOA Office Building if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency meeting 2/23/09)

V. New Business:

110 SAND & GRAVEL CLEAN FILL DISPOSAL SITE

HU 1040

Ben mentioned that this project is an existing 69.8 acre landfill located at the end of Park Place in Melville. The landfill is a Contractee to SCSD No. 3 – Southwest authorized to discharge 100,000 GPD of leachate to the facilities of the District. The landfill has need for an additional 40,000 GPD, which is expected to be generated by future cells. The owner requests approval to connect the additional flow to SCSD No. 3. This will bring the total allowable to 140,000 GPD for this project.

The Agency/DPW staff believes that the District's Bergen Point STP has sufficient treatment capacity in excess of the needs of the District and its contractees to accommodate the additional flow. However, NYS DEC has questioned recent requests for connections. As indicated in 3rd Resolve Clause, this additional flow is subject to DEC approval.

Ben mentioned that odor and corrosion complaints are an issue. In the past the company has been very responsive to issues and expected that they would continue to do so.

Staff recommended approval of the application

Commissioner Anderson asked if a project representative was present and Jason Golden stated that he was.

Discussion – Mr. Golden stated that Ben covered the project very well and that he did not know of any such complaints. Mr. Golden mentioned that he would like to discuss the issues with SCDPW after the Agency meeting. Mr. Golden continued with an explanation of why the gallonage was necessary for business expansion. Commissioner Anderson asked if anyone had any questions or comments, and Mr. Cavanaugh asked Ben if NYS DEC questioned recent connections, Ben replied that the DEC had a form and regularly requests and evaluates the connections. Legislator D'Amaro asked if this expansion would bring the landfill to capacity, to which Mr. Golden responded, there is not a definite answer to the questions as there were other items to take into consideration such as flow rates, the life expectancy of the cell, rainfall, and other factors. Legislator D'Amaro asked, if once a cell is capped if it will be used any longer, to which Mr. Golden replied, no, but it could take considerable time for the discharge to cease. Legislator D'Amaro asked how many cells the site could contain, to which Mr. Golden responded sixteen totally, eight are open and one will probably open next month, and one was closing. Legislator D'Amaro asked if the approved gallonage was enough for the eight cells and Mr. Golden stated that he hoped so. Commissioner Anderson asked for the sake of clarification if there were seven more cells that could go on line in the future to which Mr. Golden responded, yes.

Commissioner Anderson asked if anyone had any additional questions or comments, seeing none, Legislator D'Amaro made the motion to approve the item, the motion was seconded by Mr. Santiago and passed unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 7 - 2009

AUTHORIZING AN INCREASE IN FLOW FROM 110 SAND COMPANY. (HU-1040) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, 110 Sand Co. is an existing NYSDEC licensed landfill located on Park Drive in Melville, New York, on property identified on the Suffolk County Tax Map as District 0400, Section 254.00, Block 02.00, Lots 044.000, 047.001 & 048.001 and Section 265.00, Block 01.00, Lots 001.000, 009.004 & 009.008 (the "Premises"), and

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 3-Southwest (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, 110 Sand Co. is authorized to discharge one hundred thousand gallons per day (100,000 GPD) to the Districts facilities, and

WHEREAS, 110 Sand Co., due to the proposed expansion of the landfill service, will generate an additional sewage flow of forty thousand gallons per day (430,000 GPD) (the "additional flow"), and

WHEREAS, the owner of 110 Sand Co. has applied to this Agency for permission to connect the additional flow from 110 Sand Co. to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the additional flow which is expected to emanate from 110 Sand Co., and

WHEREAS, the connection of the additional flow of 110 Sand Co. to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

^{1st} RESOLVED, that 110 Sand Co. be permitted to connect the additional flow to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

^{2nd} RESOLVED, that a total of one hundred-forty thousand gallons per day (140,000 GPD) of capacity in the District's sewage treatment plant be allocated to 110 Sand Co., and it is further

3rd RESOLVED, that the additional flow authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

4th RESOLVED, that the additional flow authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the developer of 110 Sand Co., the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

5th RESOLVED, that the connection fee of \$30.00 per gallon per day (a total of \$1,200,000) to be paid for 110 Sand Co. shall be paid upon the execution of the Connection Agreement, and it is further

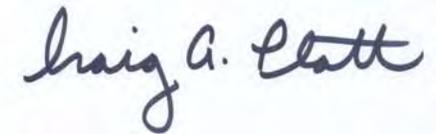
6th RESOLVED, that 110 Sand Co. shall use its existing collection system which was previously built by 110 Sand Co., and has previously offered to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

7th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of 110 Sand Co. if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Sewer Agency Meeting February 23, 2009)

At 11:16 a motion to adjourn was made by Commissioner Anderson, the motion was seconded by Legislator D'Amaro, and approved unanimously.

Respectfully submitted,

A handwritten signature in black ink that reads "Craig A. Platt". The signature is written in a cursive style and is set against a light blue rectangular background.

Craig A Platt