

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, 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
Hon. Legislators: Romaine, Schneiderman, Browning, Muratore, Vilorio-Fisher, Losquadro, Eddington, Montano, Cilmi, Barraga, Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, and Cooper, Ed Dumas, Chief Deputy County Executive for Policy and Communications, Walter Dawydiak, P.E., Chief Engineer, Environmental Quality, S.C. Health Services, Thomas Isles, Director, Suffolk County Planning Department, Michael Cavanagh, representing Presiding Officer Lindsay, Lisa Broughton, representing County Executive Levy

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

DATE: September 30, 2010

SUBJECT: Minutes of the Suffolk County Sewer Agency – September 20, 2010

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

GA/JD/cp – Attachments

cc: James Peterman, P.E., Chief Deputy Commissioner, SCDPW
Louis Calderone, Deputy Commissioner, SCDPW
John Donovan, P.E., Principal Civil Engineer, SCDPW
Ben Wright, P.E., Division of Sanitation, SCDPW
Laura Conway, C.P.A., Administrative Services, SCDPW
Linda Spahr, Esq., SC Department of Law
Robert Braun, Esq. SC Department of Law
Walter Hilbert, P.E., SC Dept. of Health
Tim Laube, Clerk of the Legislature
William Spitz, NYSDEC
Yves R. Michel, Commissioner Economic Dev. and Workforce Housing
Adam Santiago, Aide to Presiding Officer Lindsay
Justin Littell, Aide to Legislator Louis D'Amaro
Karen Klafter, Aide to Legislator Louis D'Amaro
Catherine Stark, Aide to Legislator Schneiderman
Jennifer Freeman, County Executive Office – Administration
James Meyers, P.E., SC Dept. of Health
Craig A Platt, Secretary, SC Sewer Agency

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Suffolk County Sewer Agency Meeting Minutes

September 20, 2010

The meeting was called to order at 11:09 AM by Gilbert Anderson, P.E., Commissioner, SCDPW & Chairman, Suffolk County Sewer Agency. In attendance were Legislator Louis D'Amaro, the Sewer Agency Legislator At Large, Michael Cavanaugh, representing Presiding Officer Lindsay, Catherine Stark, representing Legislator Jay Schneiderman, Chairman of the Public Works and Transportation Committee, Dan Gulizio, representing Tom Isles, the Suffolk County Director of Planning, Jim Meyers, P.E., representing the Commissioner of the Department of Health Services, and Lisa Broughton, Office of Economic Development, representing County Executive Levy.

Also present were John Donovan, P.E., Suffolk County DPW Sanitation Division, Robert Braun, Esq. of the Suffolk County Department of Law, Justin Littell, Aide to Legislator D'Amaro, and Craig Platt, Suffolk County DPW Sanitation Division.

See the attached sign-in sheet for others in attendance.

Welcome by Commissioner Anderson, to the September 20, 2010, meeting of the Suffolk County Sewer Agency, and introduction by Roll Call.

I. **Roll Call** - (see above)

II **Minutes of Previous Meeting**

Minutes from SCSA for the August 16, 2010, meeting were discussed. A motion to accept the minutes was made by Commissioner Anderson and seconded by Legislator D'Amaro. The motion was approved.

III. **Public Portion** – There were no requests to address the Agency

IV. **Old Business**
None

V. New Business A. Formal Approval

WESTBROOK VILLAGE

IS-1432.1

John mentioned that this project is a proposed 320-mixed unit (100 Senior Condominium/Townhouse units, 110 Rental Apartments, 110 Condominium/Townhouse units, and a Clubhouse) subdivision situated on 37.8 acres located on the south side of Sunrise Highway east of Connetquot Avenue in Great River. The estimated flow from this projects is 74,100 GPD, for which the developer requests Formal Approval to connect to SCSD No. 3 – Southwest via a pump station. Initially, this project and the next project on the agenda (3500 Sunrise Highway) received Conceptual Certification as a joint project. John added, subsequently, the developer submitted a request to have the two separated, and the proposed pump station will accommodate the flow from this project and the 3500 Sunrise Highway project. John mentioned that there were connection issues that the engineer and department were working on to resolve. The District's STP has sufficient excess treatment capacity to accommodate this project.

Staff recommended granting Formal Approval of the request.

Commissioner Anderson asked if a project representative was present and Michael P Chiarelli. P.E. stated he was and mentioned that he had nothing to add.

Commissioner Anderson asked if anyone had any comments or questions, and Mr. Gulizio asked if the two projects were on the same time schedule, to which Mr. Chiarelli replied, no.

Commissioner Anderson seeing no additional comments or questions made a motion to approve; the motion was seconded by Mr. Cavanaugh and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 20 - 2010

**AUTHORIZING THE FORMAL APPROVAL FOR THE
CONNECTION OF WESTBOOK VILLAGE (IS 1432.1)
TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST**

WHEREAS, Westbook Village is a proposed 320 mixed unit subdivision with a Clubhouse in Great River, New York, on property identified on the Suffolk County Tax Map as District 0500, Section 211.00, Block 01.00, Lot 005.001, 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, it is anticipated that Westbook Village will generate a sewage flow of Seventy-Four Thousand One Hundred gallons per day (74,100 GPD), and

WHEREAS, the Westbook Village has applied to this Agency for permission to connect Westbook Village to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage which is expected to emanate from Westbook Village, and

WHEREAS, the connection of Westbook Village to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County, and

WHEREAS, Westbook Village received Conceptual Certification on February 23, 2004, (Resolution 1-2004), establishing the connection fee at the \$15.00 GPD rate, and

WHEREAS, Westbook Village is subject to Local Law No. 20 -2007, A Local Law to Amend the County Policy for Sewer Connections to Promote Affordable Housing, and

WHEREAS, 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, and

NOW, THEREFORE, IT IS

1st 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

2nd RESOLVED, that Westbook Village, 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

3rd RESOLVED, that Seventy-Four Thousand One Hundred gallons per day (74,100 GPD), of capacity in the District's sewage treatment plant be allocated to Westbook Village, and it is further

4th 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

5th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the developer of Westbook Village, 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

6th RESOLVED, since Westbook Village is subject to Local Law No. 20 -2007, A Local Law to Amend the County Policy for Sewer Connections to Promote Affordable Housing, it shall contain no less than Twenty percent (20%) of affordable housing units, and

7th RESOLVED, that the connection fee to be paid for Westbook Village, shall be paid upon the execution of the Connection Agreement at the rate of \$15.00 per gallon of sewage per day for a total of \$1,111,500.00 and it is further

8th RESOLVED, that Westbook Village shall, at its sole cost, expense and effort, construct a sewage collection facility for Westbook Village, and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

9th RESOLVED, that the developer of Westbook Village 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 the developer of Westbook Village, 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 the developer of Westbook Village 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 September 20, 2010)

John mentioned that 3500 Sunrise Highway is the other project which would connect to the pump station servicing Westbrook Village. The project consists of an existing building and proposed addition that is situated on 41± acres located on the south side of Sunrise Highway east of Connetquot Avenue in Great River. The estimated flow from this project is 34,000 GPD, for which the developer requests Formal Approval to connect to SCSD No. 3 – Southwest. The District's STP has sufficient excess treatment capacity to accommodate this project.

Staff recommended granting the request for Formal Approval.

Commissioner Anderson asked if a project representative was present and Christopher Robinson, P.E. stated he was and mentioned that the timing of the project was different since most of the project was existing (24,000 GPD) and would connect immediately, once the pump station was complete and as for the remainder of the project there was no time frame.

Commissioner Anderson mentioned that the project was in the Connetquot River watershed area and connecting to the sewers would be an environmental benefit, to which Mr. Robinson replied, yes.

Commissioner Anderson seeing no additional comments or questions made a motion to approve; the motion was seconded by Mr. Cavanaugh and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 21 - 2010

AUTHORIZING THE FORMAL APPROVAL FOR THE CONNECTION OF 3500 SUNRISE HIGHWAY (IS 1432.2) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, 3500 Sunrise Highway is a proposed 320 mixed unit subdivision with a Clubhouse in Great River, New York, on property identified on the Suffolk County Tax Map as District 0500, Section 211.00, Block 01.00, Lot 005.006, 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, it is anticipated that 3500 Sunrise Highway will generate a sewage flow of Thirty-Four Thousand gallons per day (34,000 GPD), and

WHEREAS, the 3500 Sunrise Highway has applied to this Agency for permission to connect 3500 Sunrise Highway to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage which is expected to emanate from 3500 Sunrise Highway, and

WHEREAS, the connection of 3500 Sunrise Highway to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County, and

WHEREAS, 3500 Sunrise Highway (as the former LIBTC) received Conceptual Certification on February 23, 2004, (Resolution 1-2004), and approval from Agency Staff to separate this project from the Westbrook Village project (August 9, 2005), establishing the connection fee at the \$15.00 GPD rate, and

WHEREAS, 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, and

NOW, THEREFORE, IT IS

1st 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

2nd RESOLVED, that 3500 Sunrise Highway 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

3rd RESOLVED, that Thirty-Four Thousand gallons per day (34,000 GPD), of capacity in the District's sewage treatment plant be allocated to 3500 Sunrise Highway, and it is further

4th 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

5th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the developer of 3500 Sunrise Highway, 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

6th RESOLVED, that the connection fee to be paid for 3500 Sunrise Highway, shall be paid upon the execution of the Connection Agreement at the rate of \$15.00 per gallon (as established by Conceptual Certification on February 23, 2004, (Resolution 1-2004), of sewage per day for a total of \$510,500.00 and it is further

7th RESOLVED, that 3500 Sunrise Highway shall, at its sole cost, expense and effort, construct a sewage collection facility for 3500 Sunrise Highway, 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 the developer of 3500 Sunrise Highway 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 the developer of 3500 Sunrise Highway, as well as for all of the developer's obligations under the Connection Agreement, and it is further

9th 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 the developer of 3500 Sunrise Highway 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 September 20, 2010)

John mentioned that this project is an existing industrial building situated on 37.8 acres located on the southeast corner of Horseblock Road (CR 16) and Sills Road (CR 101). The owners propose to double the size of the manufacturing process and need to expand the building. John added that capacity in the District is at a premium and allowing the project to discharge to the groundwater would free up the 14,818 GPD of capacity. This application is for a time extension to complete the Connection Agreement.

Note: At this point in the meeting Legislator D'Amaro recused himself for this project.

Commissioner Anderson asked if a project representative was present and Raj Sataria, the Amneal Pharmaceutical Company representative identified himself and stated that he had nothing to add. Thomas Lembo, P.E. and Patrick Ronan, P.E. were also in attendance.

Commissioner Anderson mentioned that this project had been the subject of a meeting between the department, the SCDHS and the Town of Brookhaven. The SCDHS had determined that since on-site density was available, the project need not connect to the sewer system. John added that currently the facility discharges 4,000 GPD to the groundwater and holds & hauls 10,000 GPD, and that a SPDES permit would be required to discharge the proposed 25,000 GPD to groundwater. Discussion ensued concerning the available capacity, the SPDES permit, and that Amneal would release the approved capacity once the SPDES permit was obtained from New York State.

Commissioner Anderson seeing no additional comments or questions made a motion to approve; the motion was seconded by Ms. Broughton and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 23 - 2010

AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE CONNECTION AGREEMENT AUTHORIZING THE CONNECTION OF AMNEAL PHARMACEUTICAL OF NEW YORK, LLC (BR-1439) TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD

WHEREAS, on June 16, 2008, this Agency adopted Resolution No. 13-2008, authorizing the connection of Amneal Pharmaceutical, and

WHEREAS, on August 17, 2009, this Agency adopted Resolution No. 32-2009, authorizing a one year extension to complete the connection agreement, and

WHEREAS, Resolution No. 32-2009, by its terms, has become null and void since an agreement in furtherance of the authorization granted therein was not executed within one year from the adoption thereof, and

WHEREAS, negotiations concerning such an agreement are incomplete, and

WHEREAS, the developer of Amneal Pharmaceutical has requested an extension of the authorization granted in Resolution No. 13-2008, and

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 13-2008, adopted by this Agency on June 16, 2008, is hereby renewed, and it is further

2nd 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, if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein, 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 September 20, 2010)

John mentioned that this project is a proposed 102 unit garden apartment subdivision situated on 14.6± acres located on the east side of Broadway Avenue, 375'± northeasterly from Veterans Memorial Highway (NYS 347) in Holbrook, NY. The proposal is to upgrade the existing on-site sewage treatment plant site so it will be capable of treating the proposed Twenty-Eight Thousand Nine Hundred Fifty Gallons per day (28,950) of wastewater to be generated by Fairfield at Holbrook and the Thirty-Two Thousand GPD generated by an existing project (Fairfield Greens) located on the parcel just to the north of the project. While SCSD #14 – Parkland is in close proximity, there is no available capacity at the WWTP.

Staff recommended adopting the Findings Statement and granting Formal Approval of this project.

Commissioner Anderson asked if a project representative was present and Thomas Lembo, P.E. stated he was and introduced Steve Laverty, the project Facilities Director. Mr. Lembo asked the Secretary to distribute copies of correspondence between Nelson & Pope and the Serota Organization, whereby the Serota Organization (which owns the available capacity in SCSD #14 – Parkland) stated that it was not willing to relinquish any capacity.

Mr. Cavanaugh asked if the plan was to demolish the existing STP, to which Mr. Ronan replied that the new STP would be constructed on property adjacent to the existing plant and the existing STP would be demolished.

Commissioner Anderson asked if there were any additional comments or questions, seeing none, Mr. Cavanaugh made a motion to approve the Findings Statement; the motion was seconded by Legislator D'Amaro and approved unanimously. Mr. Cavanaugh then made a motion to approve the project resolution; the motion was seconded by Legislator D'Amaro and approved unanimously.

Suffolk County Sewer Agency

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

335 Yaphank Avenue
Yaphank, NY 11980
(631) 852-4010

Date adopted by the SCSA: September 20, 2010

Title 6 NYCRR Part 617.11 –
Decision-making and findings requirements
State Environmental Quality Review
Findings Statement

Pursuant to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Suffolk County Sewer Agency, as involved agency, makes the following findings

Name of Action: Construction of an On-Site Sewage Treatment Plant for Fairfield at Holbrook BR-(1603).

Description of Action: This project is a proposed garden apartment subdivision consisting of 102 units. The proposal is for the construction of an on-site sewage treatment plant capable of treating Sixty-One Thousand Gallons per Day (61,000 GPD) of wastewater. The project is not within the boundary of any Suffolk County Sewer District. An application has been made to the Sewer Agency to construct an on-site sewage treatment plant which will service the proposed subdivision as well as the existing subdivision to the north.

Location: On the east side of Broadway Avenue, 375'± northeasterly from Veterans Memorial Highway (NYS 347) in Holbrook, NY.

Agency Jurisdiction: Suffolk County Sewer Agency project BR-1603– On-Site STP

Date EAF filed: June 9, 2009

Facts and conclusions in the environmental review record relied upon to support the decision:

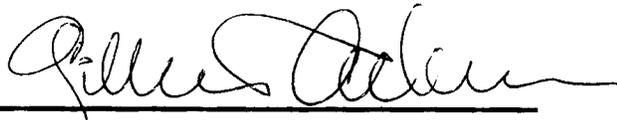
1. The proposal for Fairfield at Holbrook has been subject of an EAF and the Islip Town Board declared the project an Unlisted Action and issued a Negative Declaration.
2. The EAF adequately addresses impacts to the groundwater resources.
3. The impacts relevant to the Sewer Agency identified within the SEQR process have been shown to be insignificant.

4. The Sewer Agency has reviewed the proposed action as submitted by Fairfield at Holbrook and determined that it is consistent with the final project as identified within the EAF and the Brookhaven Town Board's SEQR Findings Statement.
5. By constructing on On-Site Sewage Treatment Plant, the project's impact on the groundwater is minimized.

Sewer Agency Findings/Certification to Approve:

Having considered the draft and final Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

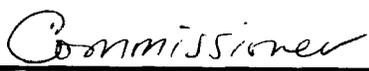
1. The requirements of 6 NYCRR Part 617 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.



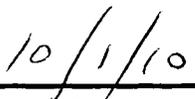
Signature of Responsible Official



Name of Responsible Official



Title of Responsible Official



Date

Address of Agency:
Suffolk County Sewer Agency
335 Yaphank Avenue
Yaphank, NY 11980

cc: Other Involved Agencies
Applicant

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 22 - 2010

AUTHORIZING AN ON-SITE SEWAGE TREATMENT PLANT FOR FAIRFIELD AT HOLBROOK (BR-1603)

WHEREAS, application has been made for Fairfield at Holbrook, a proposed 102 Unit Garden Apartment subdivision, which includes a sewage treatment plant, located in Holbrook, New York, situated on property identified on the Suffolk County Tax Map as District 0500, Section 195.00, Block 01.00, Lot 026.100, and

WHEREAS, Fairfield at Holbrook is in close proximity to Fairfield Greens, an apartment subdivision to the north with an existing on-site sewage treatment plant, and

WHEREAS, Fairfield at Holbrook has applied to this Agency for permission to construct an on-site sewage treatment plant for Fairfield at Holbrook and Fairfield Greens, and

WHEREAS, the construction of an on-site sewage treatment plant for Fairfield at Holbrook will be environmentally beneficial to Suffolk County,

WHEREAS, this Agency has determined that the Sixty-One Thousand gallons per day (61,000 GPD) of sanitary sewage generated by the said projects shall be treated at an on-site sewage treatment plant to be constructed by the developer, and

WHEREAS, pursuant to Section 617.11, of the SEQRA regulations, the Suffolk County Sewer Agency has issued a Findings Statement, and requires no further action, and

NOW, THEREFORE, BE IT

^{1st} RESOLVED, that pursuant to Section 617.11, of the SEQRA regulations, the Suffolk County Sewer Agency has issued a Findings Statement, that the project's environmental impact will be minimal, since it is routine or continuing agency administration and management involving the construction of an on-site sewage treatment plant to render service in an approved subdivision, and requires no further action, and is consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable, now, therefore, be it further

2nd RESOLVED, that the said application be approved subject to the execution of an agreement between the developer, the Suffolk County Department of Public Works, the Suffolk County Department of Health Services, the County of Suffolk and this Agency, on such terms as the Chairman of this Agency shall determine, including, but not limited to, the following:

1. The developer shall, at its sole cost, expense and effort, construct a complete sewage collection, treatment and disposal facility for the project in accordance with Agency standards and shall offer to dedicate the said facility to the Agency at no charge;

2. The developer shall operate and maintain the said facility until such time, if ever, as a Suffolk County, or other municipal, sewer district is formed encompassing the premises within its boundaries;

3. No Certificate of Occupancy shall be issued for any of the units in the project until the sewage treatment plant has been completed, and is operating, to the satisfaction of this Agency's staff;

4. The developer shall post a Letter of Credit, in form, wording and amount as determined by this Agency's staff, as security for the performance of all of the developer's obligations under the said agreement;

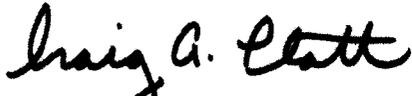
And be it further

3rd 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 Fairfield at Holbrook if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein, 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 (September 20, 2010)

Commissioner Anderson seeing no further business made a motion to adjourn; the motion was seconded by Legislator D'Amaro. and approved unanimously at 11:19.

Respectfully submitted,

A handwritten signature in black ink that reads "Craig A. Platt". The signature is written in a cursive style with a large initial 'C'.

Craig A Platt