

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, Vioria-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, Suffolk County Health Services, Thomas Isles, Director, Suffolk County Planning Department, Michael Cavanagh, representing Presiding Officer Lindsay, Lisa Broughton, representing Suffolk County Executive Levy

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

DATE: November 17, 2010

SUBJECT: Minutes of the Suffolk County Sewer Agency – November 15, 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
Kathy Laguardia, Executive Director for Finance & Administration, SCDPW
Robert Braun, Esq. SC Department of Law
Walter Hilbert, P.E., SC Dept. of Health
Tim Laube, Clerk of the Suffolk County Legislature
Yves R. Michel, Commissioner Economic Dev. and Workforce Housing
Adam Santiago, Aide to Presiding Officer Lindsay
Catherine Stark, Aide to Legislator Schneiderman
Justin Littell, Aide to Legislator Louis D'Amaro
Karen Klaffer, Aide to Legislator Louis D'Amaro
Lynn Bauers, Aide to Legislator Louis D'Amaro
Jennifer Freeman, SC Executive Office – Administration
Daniel Gulizio, SC Planning Department
William Spitz, NYSDEC
Craig A Platt, Secretary, SC Sewer Agency

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Suffolk County Sewer Agency Meeting Minutes

November 15, 2010

The meeting was called to order at 11:00 AM by Ben Wright, P.E., SCDPW, Sanitation Division. In attendance were Michael Cavanaugh, representing Presiding Officer Lindsay, Tom Isles, the Suffolk County Director of Planning, Walter Hilbert, P.E., representing the Commissioner of the Department of Health Services, Lisa Broughton, Office of Economic Development, representing County Executive Levy, Lynn Bauers, representing Legislator Louis D'Amaro, the Sewer Agency Legislator At Large, and Catherine Stark, representing Legislator Jay Schneiderman, Chairman of the Public Works and Transportation Committee,

Also present were Jim Peterman, P.E., Chief Deputy Commissioner, Suffolk County DPW, John Donovan, P.E., Suffolk County DPW Sanitation Division, Robert A Braun, Esq. of the Suffolk County Department of Law, and Craig Platt, Suffolk County DPW Sanitation Division.

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

Welcome by Ben Wright, P.E., to the November 15, 2010, meeting of the Suffolk County Sewer Agency, and introduction by Roll Call.

I. Roll Call - (see above)

Note: Ms. Stark arrived once the roll call was completed.

II Minutes of Previous Meeting

The Minutes from SCSA for the October 18, 2010, meeting were discussed. A motion to accept the minutes was made by Mr. Hilbert and seconded by Mr. Cavanaugh. The motion was approved with Ms. Bauers and Mr. Wright abstaining.

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

IV. Old Business
None

V. New Business A. Formal Approval

INTERCOUNTY ASSOCIATES II, LLC

BR-1445

John mentioned that this project is an existing building consisting of office and warehouse space on Sills Road (CR-101), west of Station Road in Medford. The company proposes to add an additional 74,307 sq. ft of warehouse space and is requesting an additional discharge capacity of 1,007 GPD. Capacity is available in the District.

Staff recommended approving the request for additional capacity.

Mr Wright asked if a project representative was present and Michael Marinis, P.E., stated he was and mentioned that he had nothing to add.

Mr. Wright asked if the request for additional capacity was based on the Department of Health Services standard to which Mr. Marinis replied, yes. John mentioned that the facility had unused capacity and when the unused capacity is added to the requested capacity, sufficient capacity would be available for the project addition.

Mr Wright seeing no additional comments or questions, asked for a motion, Mr. Hilbert made the motion to approve, the motion was seconded by Mr. Cavanaugh and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: **26 - 2010**

**AUTHORIZING AN INCREASE IN FLOW FROM
INTERCOUNTY ASSOCIATES II, LLC (BR-1445)
TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 – TWELVE PINES**

WHEREAS, Intercounty Associates II, LLC is an existing building in Medford, New York, on property identified on the Suffolk County Tax Map as District 0200, Section 812.00, Block 03.00, Lots 005.012 and 005.013

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 7 – Twelve Pines (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, Intercounty Associates II, LLC is authorized to discharge Twelve Thousand Three Hundred Twenty gallons per day (12,320 GPD) to the Districts facilities, and

WHEREAS, Intercounty Associates II, LLC, due to the proposed expansion of the warehouse space in the facility, will generate an additional sewage flow of One Thousand Seven gallons per day (1,007 GPD) (the "additional flow"), and bring the total authorized discharge to Thirteen Thousand Three Hundred Twenty-Seven gallons per day (13,327 GPD), and

WHEREAS, the owner of Intercounty Associates II, LLC has applied to this Agency for permission to connect the additional flow from Intercounty Associates II, LLC 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 Intercounty Associates II, LLC, and

WHEREAS, the connection of the additional flow of Intercounty Associates II, LLC to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

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 Intercounty Associates II, LLC 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 One Thousand Seven gallons per day (1,007 GPD), of additional capacity in the District's sewage treatment plant be allocated to Intercounty Associates II, LLC, 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 Intercounty Associates II, LLC, 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 Intercounty Associates II, LLC shall be paid at the rate of \$30.00 per gallon of sewage per day for a total of Thirty Thousand Two Hundred Ten Dollars (\$30,210.00) and it is further

7th RESOLVED, that no Certificate of Occupancy shall be issued for any additional portion of Intercounty Associates II, LLC until the Connection Agreement has been completed and the connection fee paid, all to the satisfaction of DPW, and it is further

8th 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 Intercounty Associates II, LLC, 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 November 15, 2010)

John mentioned that this project is a proposed two unit subdivision, situated on Samantha Drive in Coram. The parcel was originally part of the Strathmore at Coram subdivision project. An easement was established on a single lot for a pump station and/or temporary sanitary system. Subsequently, a force main was installed on the northern section of the parcel allowing connection to the sewer district. The developer subdivided the property into two lots and has Agency approval to develop both lots. The developer requests to abandon the existing easement and establish a new easement allowing access to the force main.

Staff recommended granting the request to abandon the existing easement once the new easement is recorded.

Mr. Wright asked if a project representative was present and David Sloane, Esq. stated he was and mentioned that he had nothing else to add and that the new easement should be sufficient.

Mr. Wright asked Mr. Braun why it was necessary for the Agency to approve the request, to which Mr. Braun replied, that Suffolk County property rights were involved and Legislative approval was necessary.

Mr. Wright seeing no additional comments or questions asked for a motion, Ms. Broughton made a motion to approve the request, the motion was seconded by Ms. Bauers and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 25 - 2010

AUTHORIZING AN ABANDONMENT OF AN EASEMENT IN FAVOR OF AN ALTERNATE EASEMENT FOR THE CONNECTION OF THE SAMANTHA DRIVE SUBDIVISION (BR-1568) TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN

WHEREAS, on February 10, 1986, this Agency adopted Resolution No. 17-1986, authorizing the connection of the Strathmore Oaks (BR-0767) subdivision to Suffolk County Sewer District No. 11 - Selden, and

WHEREAS, the Construction Agreement dated March 28, 1986, established easement No. 5 as a pump station and/or cesspool area for said project in Coram, New York, on property identified on the Suffolk County Tax Map as District 0200, Section 428.00, Block 01.00, Lot 001.112, and

WHEREAS, the subdivision is connected to the District through an alternate pump station (SCSD #11 – Selden PS No. 20), and said property is no longer required for the purposes of a pump station and/or cesspool area. However, a Forcemain is located on the property, and

WHEREAS, the developer has requested the abandonment of the easement over the entire parcel, has subdivided the parcel into two parcels and proposed an easement on north side of the subdivided parcel, known on the Suffolk County Tax Map as District 0200, Section 428.00, Block 01.00, Lot 001.116, and

WHEREAS, the developer has furnished documentation that the Suffolk County Department of Health Services concurs that the property is no longer required for said purposes, the Department of Public Works is in agreement, and the approval of the Suffolk County Legislature is also necessary, and

NOW, THEREFORE, IT IS

1st RESOLVED, that Easement No. 5, established by said Construction Agreement, is hereby abandoned on the condition that a new easement in favor of the County of Suffolk on property known on the Suffolk County Tax Map as District 0200, Section 428.00, Block 01.00, Lot 001.116, for access to the existing force main is established. Said easement shall be recorded in the office of the Suffolk County Clerk, once the easement has been recorded, a copy shall be submitted to the Sewer Agency.

(Suffolk County Sewer Agency Meeting November 15, 2010)

**Legal Description for
Sanitary Sewer Easement
SCTM District 0200 Section 428 Block Lot 1.116
(previously sanitary disposal field)
Strathmore Oaks Section 1 (Map No. 8193)**

This is intended to amend the easement and bill of sales deed Liber 10612 Page 101 between Levitt Homes Incorporated and the County of Suffolk for Sanitary Sewer Easement #5 outside of section, Strathmore Oaks Section 1, Coram, Suffolk County, New York.

BEGINNING at a point on the Westerly line of Samantha Drive as shown on the Map of Strathmore Oaks Section 2 filed November 20, 1989, Map No. 8855. said point being the Southeastern corner of Lot 82 as shown on the aforementioned map and being 150.81 distant from the intersection of the Southerly line of Swan Court and the Westerly line of Samantha Drive;

RUNNING THENCE Southerly along the Westerly line of Samantha Drive South 04 degrees 50 minutes 41 seconds East, 20.00 feet;

THENCE South 85 degrees 09 minutes 19 seconds West, 92.30 feet;

THENCE South 68 degrees 18 minutes 07 seconds West, 34.79 feet;

THENCE South 85 degrees 09 minutes -19 seconds West, 31.53 feet to the Easterly line of Patchogue-Port Jefferson Road (N.Y.S. Route 112);

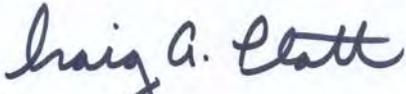
THENCE Northerly along the Easterly line of Patchogue -Port Jefferson Road North 04 degrees 37 minutes 57 seconds West, 30.09 feet to the Southerly line of Lot 82 as shown on the Map of Strathmore Oaks, Section 2;

THENCE along the aforementioned line North 85 degrees 09 minutes 19 seconds East, 157.02 feet to the POINT OR PLACE OF BEGINNING.

HENDERSON AND BODWELL, L.L.P.
Plainview, New York
October 3, 2001

Mr. Wright seeing no further business asked for a motion to adjourn; the motion was made by Mr. Cavanaugh and seconded by Ms. Stark and approved unanimously at 11:06.

Respectfully submitted,

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

Craig A Platt