

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

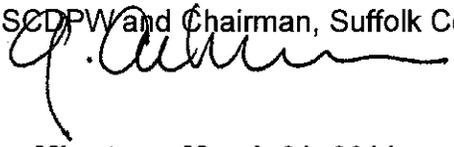
DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER
MEMORANDUM

LOUIS CALDERONE
DEPUTY COMMISSIONER

TO: Honorable William J. Lindsay, Presiding Officer of the Suffolk County Legislature, Honorable Legislators: Romaine, Schneiderman, Browning, Muratore, Vioria-Fisher, Eddington, Montano, Cilmi, Barraga, Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, and Cooper, Ed Dumas, Chief Deputy County Executive for Policy and Communications, Walter Hilbert, P.E., Principal Public Health Engineer, representing the Commissioner of the Suffolk County Department of 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: March 24, 2011

SUBJECT: **Suffolk County Sewer Agency Meeting Minutes – March 21, 2011**

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

GA/JD/cap – Attachments

cc: James Peterman, P.E., Chief Deputy Commissioner, SCDPW
Louis Calderone, Deputy Commissioner, SCDPW
John Donovan, P.E., Acting Chief Engineer, SCDPW
Ben Wright, P.E., Principal Civil Engineer, Division of Sanitation, SCDPW
Robert A. Braun, Esq. SC Department of Law
Walter Dawydiak, P.E., SC Department of Health
James Meyers, P.E. SC Department of Health
Tanima Adhya, P.E. SC Department of Health
Kathy Negri, SC Department of Health
Tim Laube, Clerk of the SC Legislature
William Spitz, NYSDEC
Yves R. Michel, SC Commissioner Economic Dev. and Workforce Housing
Dan Gulizio, SC Planning Department
Kathy Laguardia, Executive Director for Finance & Administration, SCDPW
Adam Santiago, Aide to Presiding Officer Lindsay
Justin Littell, Aide to Legislator Louis D'Amaro
Karen Klaffer, Aide to Legislator Louis D'Amaro
Catherine Stark, Aide to Legislator Schneiderman
Craig A. Platt, Secretary, SC Sewer Agency

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**Suffolk County Sewer Agency
Meeting Minutes
March 21, 2011**

The meeting was called to order at 11:03 AM by Gilbert Anderson, P.E., Commissioner, SCDPW & Chairman, Suffolk County Sewer Agency. In attendance were Legislator Lou D’Amaro, the Sewer Agency Legislator-At-Large, Catherine Stark, representing Legislator Jay Schneiderman, Chairman of the Public Works and Transportation Committee, Tom Isles, the Suffolk County Director of Planning, Michael Cavanaugh, representing Presiding Officer Lindsay, Tanima Adhya, P.E., representing the Commissioner of the Department of Health Services, and Lisa Broughton, representing County Executive Steve Levy.

Also present were Ben Wright, P.E., Sanitation Division, Suffolk County DPW, Robert A Braun, Esq. of the Suffolk County Department of Law, Justin Littell, Aide to Legislator D’Amaro, and Craig A Platt, Secretary, Suffolk County Sewer Agency.

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

Welcome by Commissioner Anderson, to the March 21, 2011, 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 meeting for February 22, 2011, were discussed.

A motion to approve the minutes as written was made by Commissioner Anderson and seconded by Mr. Cavanaugh. The motion was approved unanimously.

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

IV. Old Business

Proposed SCSD #24 Gabreski Municipal Report

Commissioner Anderson mentioned that the report for the formation of the proposed SCSD #24 – Gabreski Municipal was distributed at the February 22, 2011, Agency meeting. It was decided that the Agency members would review the report and discuss the item at the next Agency meeting.

Commissioner Anderson asked if there were any questions or comments and Mr. Cavanaugh asked the capacity of the sewage treatment plant to which Mr. Wright replied, 100,000 gallons per day. Mr. Wright mentioned that the capacity had been allocated and that normally the flow is approximately 10,000 GPD. Discussion ensued as to a resolution calling for a public hearing to form the district. It was mentioned that the resolution was included with the Proposed SCSD #24 Gabreski Municipal Report.

Commissioner Anderson asked if there were any additional questions or comments, seeing none, made a motion to approve the resolution included in the report, the motion was seconded by Ms. Stark and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 4 -2011

AUTHORIZING THE PREPARATION OF DOCUMENTS AND PROCEDURES TO CREATE SUFFOLK COUNTY SEWER DISTRICT NO. 24 – GABRESKI-MUNICIPAL

WHEREAS, the Gabreski Airport sewage treatment plant was constructed from funds from both the Air National Guard and the County of Suffolk to provide treatment for the wastewater expected to be discharged by the Suffolk County Airport, the Air National Guard portion of the airport and a proposed future airport industrial area, and

WHEREAS, a proposed development in the vicinity of the Gabreski Airport has requested permission to connect to the facility, and

WHEREAS, the creation of the SD 24-Gabreski-Municipal District will be financially beneficial to the local community, prevent the proliferation of multiple future small treatment facilities and environmentally beneficial to Suffolk County, and

WHEREAS, the developer has been informed that according to New York State law a Sewer District must be self supporting, and of the cost to operate and maintain the SD 24-Gabreski-Municipal District, and may be required to pay an additional connection fee and will be required to pay the shared cost for operation and maintenance, and

NOW, THEREFORE, IT IS

1st RESOLVED, that the Suffolk County Charter (Article VIII - §C8-1-B) establishes the Commissioner of the Suffolk County Department of Public Works as the Administrative Head of all of the Suffolk County Sewer Districts, and it is further

2nd RESOLVED, that the Administrative Head of the District is hereby authorized to proceed with the preparation of a report for the creation of the proposed SD 24 – Gabreski-Municipal Sewer District, and it is further

3rd RESOLVED, that the creation of a sewer district 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 developer agrees that the connection fee to be paid shall be paid upon the execution of the Connection Agreement at the rate to be established, as well as the annual user fees to operate and maintain the District, and it is further

5th RESOLVED, that the Administrative Head of the District is hereby further authorized to, in conjunction with the Department of Health Services and the Department of Law, to prepare and submit the application to the Office of the NYS Comptroller for the creation of the Suffolk County Sewer District No. 24 - Gabreski-Municipal.

(Suffolk County Sewer Agency Meeting (March 21, 2011))

V. New Business – A. Formal Approval

PONDS AT SOUTHAMPTON

(SH-1630)

Ben mentioned that this project is a proposed residential subdivision, consisting of Seventy-Eight (78) units, situated on 13.0 acres in Southampton, bordered by Bishop Lane to the east, Magee Road to the west, and the Long Island Railroad to the north. The developer is requesting Formal Approval for a 27,000 GPD on-site sewage treatment plant. There is no Suffolk County Sewer District in the vicinity of this project or any private STP in proximity. Ben continued that the department is in the process of conducting a feasibility study of Southampton which may be seven or eight years away and the project is approximately a mile and a half distant.

Staff recommended granting Formal Approval.

Commissioner Anderson asked if a project representative was present and Michael P Chiarelli, P.E. stated he was and introduced Richard Rosenberg, of the Beechwood Organization. Ms. Stark asked if there was an affordable housing aspect of the proposed development to which Mr. Rosenberg replied, no, that negotiations were on going with the Town (Southampton) in regard to affordable housing. It was asked if the County required an affordable housing aspect, to which Mr. Wright replied, no, only when connecting to a County owned STP. Mr. Rosenberg remarked that the Town did not have an affordable housing requirement.

Commissioner Anderson asked if there were any additional questions or comments, seeing none, made a motion to approve the motion, the motion was seconded by Ms. Stark and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 5 -2011

AUTHORIZING AN ON-SITE SEWAGE TREATMENT PLANT FOR THE PONDS AT SOUTHAMPTON SM-1630

WHEREAS, application has been made for the Ponds at Southampton which is a proposed 78 unit residential subdivision, located in Southampton, New York, situated on property identified on the Suffolk County Tax Maps as District 0904, Section 001.00, Block 03.00, Lot 001.002, and District 0900, Section 158.00, Block 02.00, Lot 029.000, and

WHEREAS, this Agency has determined that the Twenty Seven Thousand gallons per day (27,000) of sanitary sewage generated by the said project shall be treated at an on-site sewage treatment plant to be constructed by the developer, and

WHEREAS, this Agency believes that prospective purchasers of the units should be apprised of the annual cost of the operation and maintenance of the proposed sewage treatment plant, not only while the plant is privately owned, but also if and when the County, or another municipality, assumes ownership of the plant,

NOW, THEREFORE, BE IT

1st 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 and/or the Home Owners Association (HOA) 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;

5. The developer shall disclose, in the project's Offering Plan/Prospectus, in language to be approved by this Agency's staff, the annual cost of operation and maintenance of the proposed sewage treatment plant, in order to ensure that prospective purchasers of the condominiums are apprised of said cost. The developer shall include in said notice the projected annual cost of operation and maintenance of the proposed sewage treatment plant for the ensuing years, based on an inflation factor, in order to ensure that all future owners of the condominium units are apprised of said cost, not only while the plant is privately owned, but also if and when the County, or another municipality, assumes ownership of the plant.

And be it 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 of the Ponds at Southampton 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 (March 21, 2011)

Ben mentioned that this project is a proposed site to dispose of the wastewater generated on board the cross Long Island Sound Bridgeport – Port Jefferson ferry system. The site is situated on 2± acres on the Port Jefferson. The proposed discharge from the project is 3,000 GPD, for which the owners propose to connect to Suffolk County Sewer District #1 – Port Jefferson through a force main. Currently, the capacity is available in the District and there have been a number of discussions between the Department and DEC.

Staff recommends granting Formal Approval for the project.

Commissioner Anderson asked if a project representative was present and Tom Lembo, P.E. stated he was and would answer any questions. Legislator D’Amaro asked why the project was asking to connect to the district at this time, to which Mr. Lembo replied, that the Coast Guard had adopted new requirements. Mr. Lembo mentioned that the ferries had self-contained treatment systems on board and discharged the wastewater in the Long Island Sound. The new procedure would be to discharge the wastewater from the ferry to a forcemain to the sewer system.

Commissioner Anderson asked if there were any additional questions or comments, seeing none, made a motion to approve the motion, the motion was seconded by Ms. Broughton and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 6 - 2011

AUTHORIZING THE FORMAL APPROVAL FOR THE CONNECTION OF THE BRIDGEPORT & PORT JEFFERSON STEAMBOAT COMPANY (BR-1628) TO SUFFOLK COUNTY SEWER DISTRICT NO. 1 – PORT JEFFERSON

WHEREAS, the Bridgeport & Port Jefferson Steamboat Company is a ferry company operating ferries across the Long Island Sound between Bridgeport, Ct. and Port Jefferson, NY. The proposed wastewater discharge station will be situated in the Village of Port Jefferson, New York, on property identified on the Suffolk County Tax Maps as District 0206, Section 012.00, Block 01.00, Lot 005.001, and District 0206, Section 012.00, Block 01.00, Lot 006.000, and District 0206, Section 021.00, Block 01.00, Lot 007.000, and

WHEREAS, the wastewater to be discharged is not generated within the boundaries of Suffolk County Sewer District No. 1 – Port Jefferson (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, it is anticipated that the Bridgeport & Port Jefferson Steamboat Company will generate a flow of Three Thousand gallons per day (3,000 GPD), and

WHEREAS, the Bridgeport & Port Jefferson Steamboat Company has applied to this Agency for permission to connect the cross sound ferries to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the flow which is expected to emanate from the Bridgeport & Port Jefferson Steamboat Company, and

WHEREAS, the connection of the Bridgeport & Port Jefferson Steamboat Company to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

WHEREAS, Pursuant to Title 6 NYCRR Part 617.5(c) (11) and (20), this project involves the extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list; and routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. No further action under SEQRA should be taken by the Sewer Agency, and

NOW, THEREFORE, IT IS

1st RESOLVED, that the SEQRA requirements for this project have been met, and requires no further action, now, therefore, be it further

2nd RESOLVED, that the Bridgeport & Port Jefferson Steamboat Company 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 Three Thousand gallons per day (3,000 GPD), of capacity in the District's sewage treatment plant be allocated to the Bridgeport & Port Jefferson Steamboat Company, 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 Bridgeport & Port Jefferson Steamboat Company, 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 the Bridgeport & Port Jefferson Steamboat Company shall be paid upon the execution of the Connection Agreement at the rate of \$30.00 per gallon per day for a total of \$90,000, prior to execution of the Connection Agreement, and it is further

7th RESOLVED, that the Bridgeport & Port Jefferson Steamboat Company shall, at its sole cost, expense and effort, construct a sewage collection facility for the Bridgeport & Port Jefferson Steamboat Company 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 Bridgeport & Port Jefferson Steamboat Company 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 Bridgeport & Port Jefferson Steamboat Company, 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 Bridgeport & Port Jefferson Steamboat Company 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 March 21, 2011)

MATINECOCK COURT

HU-1398

Ben mentioned that this project is a proposed 155 unit subdivision consisting of 77 condominiums, 78 apartments, and a community center situated on 14 acres located on the northwest corner of Pulaski Road and Elwood Road in East Northport. The developer requests a time extension to complete the Construction Agreement to construct an on-site STP for the estimated flow of 37,500 GPD. Ben added that there was no County sewer district in the vicinity of this project.

Staff recommended granting the request for a time extension to complete the Connection Agreement.

Commissioner Anderson asked if a project representative was present and Michael P Chiarelli, P.E. stated he was and introduced Susan Lagville of the Matinecock Court project. Mr. Isles asked for a status of the Connection Agreement to which Mr. Chiarelli replied that negotiations were on going.

Commissioner Anderson asked if there were any additional questions or comments, seeing none, made a motion to approve the motion, the motion was seconded by Ms. Broughton and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 7 - 2011

AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE CONTRACT TO CONSTRUCT, OPERATE, AND MAINTAIN A SEWAGE TREATMENT PLANT FOR MATINECOCK COURT HU-1938

WHEREAS, on February 22, 2010, this Agency adopted Resolution No. 5-2010, authorizing the construction and operation and maintenance of a sewage treatment system for Matinecock Court, and

WHEREAS, Resolution 5-2010, granting a one year time extension, by its terms, expired on February 22, 2010, since an agreement in furtherance of the authorization granted therein had not been executed within one year from the adoption thereof, and

WHEREAS, the developer of Matinecock Court has requested an extension of the authorization granted in Resolution No. 5-2010, and

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 5-2010, adopted by this Agency on February 22, 2010, 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 March 21, 2011)

Ben mentioned that this project is an existing sport complex, situated north of Middle Country Road (NYS Rt. 25) and west of Cleveland Avenue, on 2 lots that have an aggregate area of 5+ acres, located on the Sewer District's southern boundary. The owner is requesting a time extension to complete the Connection Agreement. The capacity continues to be available in the district.

Staff recommended granting the request for a time extension.

Commissioner Anderson asked if a project representative was present and Lisa Perry, the facility General Manager stated she was and that they were close to completing the agreement. Mr Isles asked if this was the last request for a time extension, to which Ms. Perry replied, she hoped so.

Commissioner Anderson asked if there were any additional questions or comments, seeing none, made a motion to approve the motion, the motion was seconded by Ms. Broughton and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 8 - 2011

AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE CONNECTION AGREEMENT BY ROYAL HEALTH & RACQUET CLUB, INC. (BR-1565) TO SUFFOLK COUNTY SEWER DISTRICT No. 11 - SELDEN

WHEREAS, on January 26, 2009, this Agency adopted Resolution No. 2-2009, authorizing the connection of Royal Health & Racquet Club, Inc. to the Suffolk County Sewer District No. 11 - Selden, and on February 22, 2010, adopted Resolution No. 4-2010, authorized a time extension to complete the Connection Agreement, and

WHEREAS, Resolution 4-2010, granted a one year time for completion of the Agreement, but the year has passed without the completion of the Agreement, and

WHEREAS, negotiations concerning such an agreement are incomplete, and a proposed agreement is being prepared, and

WHEREAS, the developer of Royal Health & Racquet Club, Inc. has requested an extension of the authorization granted in Resolution No. 2-2009,

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 2-2009, adopted by this Agency on January 26, 2009, 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 March 21, 2011)

Ben mentioned that this project is an existing 170 unit condominium complex situated on 9.7 acres located north of the Southern State Parkway, on the corner of Manatuck Blvd in Brentwood, the estimated flow from this project is 45,000 GPD. Ben added that the project owner was requesting a time extension to complete the connection agreement. The capacity continues to be available in the district.

Staff recommended granting the request for a time extension.

Commissioner Anderson asked if a project representative was present and Michael P Chiarelli, P.E. stated he was and that they had been negotiating with the Town (Islip) regarding the site plan and a ZBA issue (Control Building). Mr. Chiarelli added that he expected to conclude the process within a month.

Commissioner Anderson asked if there were any additional questions or comments, seeing none, made a motion to approve the motion, the motion was seconded by Ms. Broughton and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 9 - 2011

AUTHORIZING THE EXTENSION OF TIME FOR THE CONNECTION OF LEXINGTON VILLAGE CONDOMINIUMS (IS-1263) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, on June 16, 2008, this Agency adopted Resolution No. 6-2008, authorizing connection of Lexington Village Condominiums (IS-1263) to Suffolk County Sewer District No. 3 - Southwest, and on October 19, 2009, adopted Resolution 39-2009, and

WHEREAS, Resolution No. 39-2009, granted a one year time extension for completion of the Agreement, expired on October 19, 2010, without the completion of the Agreement, and

WHEREAS, negotiations concerning such an agreement are incomplete, and

WHEREAS, the developer of Lexington Village Condominiums (IS-1263) has requested an extension of the authorization granted in Resolution No. 6-2008,

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 6-2008, 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 March 21, 2011)

Commissioner Anderson seeing no further business made a motion to adjourn. The motion was seconded by Ms. Stark and approved unanimously at 11:17.

Respectfully submitted,

Craig A Platt
Secretary, SC Sewer Agency