

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

DARNELL TYSON, P.E.
DEPUTY COMMISSIONER

MEMORANDUM

TO: Dennis Cohen, Chief Deputy County Executive, Honorable DuWayne Gregory, Presiding Officer of the Suffolk County Legislature, Honorable Legislators; Al Krupski, Chairman of the Public Works, Transportation, & Energy Committee, Louis D'Amaro, the Sewer Agency Legislator-At-Large; Schneiderman, Browning, Muratore, Hahn, Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga, Kennedy, Trotta, McCaffrey, Stern, Spencer; Michael Cavanaugh, representing Presiding Officer Gregory; Walter Hilbert, P.E., Principal Public Health Engineer, representing the Commissioner of the Suffolk County Department of Health Services; Sarah Lansdale, AICP, Director, Suffolk County Planning Department; Lisa Broughton, representing County Executive Steven Bellone

FROM: Gilbert Anderson, P.E., Commissioner, SCDPW and Chairman, Suffolk County Sewer Agency *Darnell Tyson for Gil Anderson*

DATE: July 17, 2015

SUBJECT: Please see the attached Suffolk County Sewer Agency minutes for the meeting of July 13, 2015.

GA/JD/cap – Attachments

cc: Jon Schneider, Deputy County Executive
Philip A. Berdolt, Deputy Commissioner SCDPW
Darnell Tyson, P.E., Deputy Commissioner SCDPW
John Donovan, P.E., Chief Engineer, Division of Sanitation, SCDPW
Janice McGovern, 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 Services
James Meyers, P.E. SC Department of Health Services
Kathy Negri, SC Department of Health Services
Catherine Stark, Aide to Legislator Al Krupski
Ted Klein, SC Planning Department
Tim Laube, Clerk of the SC Legislature
Justin Littell, Aide to Legislator Louis D'Amaro
Karen Klaffer, Aide to Legislator Louis D'Amaro
Debbie Colonna, County Executive's Office
Tony Leung, NYSDEC
Craig A. Platt, Secretary, SC Sewer Agency

*The Suffolk County Sewer Agency meets at 11:00 AM at the offices of the
Suffolk County Department of Public Works - 335 Yaphank Avenue - Yaphank, NY*

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Suffolk County Sewer Agency Meeting Minutes July 13, 2015

The meeting was called to order at 11: 05 AM by Commissioner Gilbert Anderson, P.E. In attendance were Justin Littell, representing Legislator Lou D’Amaro, the Sewer Agency Legislator-At-Large; Tanima Adhya, P.E., representing the Commissioner of the Department of Health Services; Lisa Broughton, representing County Executive Steven Bellone; Ted Klein, representing Sarah Lansdale, Director, Suffolk County Planning Department.

Also present were John Donovan, P.E., Chief Engineer, Division of Sanitation, SCDPW; and Craig A. Platt, Secretary, Suffolk County Sewer Agency.

Note: Robert A. Braun, Esq., Suffolk County Department of Law; arrived as the meeting was in process (11:33 AM).

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

Commissioner Anderson welcomed attendees to the meeting of the Suffolk County Sewer Agency. A roll call was then taken.

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

II. **Minutes of Previous Meeting**

The minutes from SCSA meeting of May 18, 2015, were discussed. A motion to accept the minutes as written was made by Commissioner Anderson; seconded by Ms. Broughton and adopted.

Minutes of the Public Hearing -

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

V. New Business

A. Formal Approval – Connection/Construction Agreement

BEECHWOOD RIDGE

BR 1684

Mr. Donovan mentioned that this project is a proposed Ninety-Three (93) unit residential subdivision situated in Ridge. Mr. Donovan added that the project was originally going to connect to the Ridgehaven sewage treatment plant (STP) subsequent to upgrading the STP. After review, the Department had elected to abandon the STP and transfer the connections to the Leisure Village STP. The project is expected to generate Twenty Seven Thousand Nine Hundred gallons per day (27,900 GPD) of wastewater and the owner proposes to connect to SCSD #20 – William Floyd. Capacity is currently available in the District. Staff recommended granting the Formal Approval for connection to the District.

Commissioner Anderson asked if there was a representative present and Tom Lembo, P.E. replied that he was and introduced Mr. Richard Rosenberg, Esq. Discussion ensued as to whether or not the existing agreement expired, whether the project was exempt from Local Law 20-2007 (Affordable Housing) and the connection fee rate. Since, Mr. Braun was not yet in attendance; it was proposed to continue with the agenda until Mr. Braun arrived.

Note: The remaining agenda items were discussed and at 11:26 Commissioner Anderson made a motion for a ten (10) minute recess mentioning that Mr. Braun was in transit. The motion was seconded by Mr. Littell and approved. At 11:33 Mr. Braun arrived and the meeting was back in session.

Mr. Donovan reiterated his previous comments (above).

Mr. Braun stated that the agreement had been signed and that no further action had been taken by the developer or the Agency, and that the original agreement predated Local Law 20-2007 (Affordable Housing). Mr. Braun mentioned that the Agency could decide that the developer begin the approval process from the beginning or apply the current connection fee rate. Mr. Klein asked if the project was age restricted and what the original requested gallonage was. The reply was that while the STP was Leisure Village, the project was not age restricted and the originally approved capacity was Thirty-Four Thousand (34,000 GPD) gallons per day. Mr. Littell asked how the County could terminate the agreement to which Mr. Braun responded that the project had three (3) to four (4) years to commence construction and since they did not, therefore, the Agency had the option to terminate the agreement. Commissioner Anderson asked if the agreement was in effect and Mr. Braun mentioned that it was the Agency's option; the project could start the Agency process anew or permit the project to connect to the Leisure Village STP, thereby, acknowledging that the agreement was in effect and set a new deadline to complete the project. Mr. Rosenberg mentioned that his company (Beechwood Ridge, LLC) had been in contract with the developer (White Oak) since 2013 and that White Oak constructed three (3) model homes and ran into environmental issues with the NYS DEC. Subsequently, White Oak sued the NYS DEC and lost Twenty-Two lots. It was mentioned that Mr. Rosenberg's company would be willing to pay (but would rather not) the current connection fee (Thirty (\$30.00) Dollar per gallon per day) if necessary. Mr. Rosenberg added that the original developer's agreement predated the Affordable Housing law and the Thirty (\$30.00) Dollars per gallon per day connection fee and that the original developer could submit the application instead.

Under the circumstances, Mr. Rosenberg proposed that his company have relief from the Affordable Housing aspect and pay the current connection fee rate. Mr. Lembo added that he was the engineer for White Oak and they had submitted shop drawings and deposited a Two Million Dollar (\$2,000,000.00) Letter of Credit and the project was ready to move forward until the NYS DEC stepped in. Mr. Lembo also mentioned that the current applicant wanted to amend the application for a total of Ninety-Four (94) units which was Twenty-Eight Thousand Two Hundred (28,200 GPD) gallons per day. Commissioner Anderson mentioned that the project would be subject to approval by the Legislature and that the Agency resolution had to be clear. Commissioner Anderson mentioned that the project had an existing Agency agreement. Mr. Klein asked if there were any monetary deposits actually made for the (Ridgehaven) STP and the reply was, no. Mr. Littell asked if the Letter of Credit would be returned if the developer did not upgrade the STP, Mr. Donovan responded, yes. Mr. Klein mentioned that he thought that the application should be submitted to the Director of Affordable Housing for review to determine if the application was subject to the County's workforce housing requirement. Mr. Braun mentioned that the Agency could consider the agreement in force or require a new agreement with new particulars in the agreement. Mr. Klein asked if the agreement expired and Commissioner Anderson replied that the existing agreement was never terminated. Commissioner Anderson then proposed that the Agency approve the resolution, amending the connection fee to the current rate. Mr. Donovan mentioned that the connection fee might be used to assist in the abandonment of the Ridgehaven STP. Mr. Braun mentioned that the Agency had the latitude to amend the agreement regarding the connection fee.

Commissioner Anderson asked if there were any questions or comments and seeing none, made a motion to approve the project as discussed. Motion was seconded by Mr. Littell and the project was approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 27 - 2015 AUTHORIZING THE CONNECTION OF BEECHWOOD RIDGE (BR 1684)

TO SUFFOLK COUNTY SEWER DISTRICT NO. 20 – WILLIAM FLOYD

WHEREAS, application has been made for Beechwood Ridge, a proposed Ninety-Four (94) unit subdivision, located in Ridge, New York, situated on property identified on the Suffolk County Tax Map as District 0200, Section 442.00, Block 01.00, Lot 001.011 – 126.000, and

WHEREAS, Beechwood Ridge is not located within the boundaries of Suffolk County Sewer District No. 20 – William Floyd (the "District"), or within the boundaries of any other municipal sewer district, and

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

WHEREAS, it is anticipated that Beechwood Ridge will generate a wastewater flow of Twenty-Eight Thousand Two Hundred gallons per day (28,200 GPD), and

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

WHEREAS, the connection of Beechwood Ridge to Suffolk County Sewer District No. 20 – William Floyd will be financially beneficial for the sewer district and environmentally beneficial to Suffolk County, and

WHEREAS, this Agency has determined that the Twenty-Eight Thousand Two Hundred gallons per day (28,200 GPD) of sanitary sewage generated by the said project shall be treated at the facilities of the District, and

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

WHEREAS, the original project (Ridgehaven Estates BR-1138.1) received Agency approval on November 25, 1998 (SA Resolution 31-1998), and the connection agreement was executed on January 13, 2003; predating Local Law 20-2007, "*A Local Law to Amend the County Policy for Sewer Connections to Promote Affordable Housing*", 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 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

3rd RESOLVED, that the connection authorized herein is subject to the execution of an amended agreement (the "Connection Agreement") between the developer of Beechwood Ridge, 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

4th RESOLVED, that the connection fee to be paid for the Beechwood Ridge shall be paid upon the execution of the amended Connection Agreement at the prevailing connection fee rate of \$30.00 per gallon per day for a total of Eight Hundred Forty-Six Thousand Dollars (\$846,000.00), prior to execution of the Amended Connection Agreement, and it is further

5th RESOLVED, that Beechwood Ridge shall, at its sole cost, expense and effort, construct a sewage collection facility for Beechwood Ridge and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

6th RESOLVED, that the Beechwood Ridge 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 Beechwood Ridge, as well as for all of the developer's obligations under the Connection Agreement, 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 Beechwood Ridge 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 (July 13, 2015)

Mr. Donovan mentioned that this project is an existing laundromat situated on Straight Path in Wyandanch. The parcel is within the Town of Babylon revitalization project area and requests to connect to Sewer District No. 3 – Southwest through the Wyandanch Commercial Corridor (WCC) sewer system. The anticipated discharge is Fourteen Thousand Two Hundred Thirty-Seven gallons per day (14,237 GPD) of wastewater. The capacity is available in the sewer district. As per the connection agreement, the connection fee is waived for the parcels included in the agreement for a period of five (5) years from the activation of the sewer system.

Staff recommended granting Formal Approval of the connection to the Southwest Sewer District.

Commissioner Anderson asked if there was a representative present and Ms. Barbara Musso replied that she was and had no questions. Commissioner Anderson asked if there were any questions or comments and seeing none, made a motion to approve the project. Motion was seconded by Mr. Klein and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 28 - 2015 AUTHORIZING THE FORMAL APPROVAL FOR THE CONNECTION OF 1466 STRAIGHT PATH (BA-1477.1-010) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, 1466 Straight Path is an existing laundromat situated on Straight Path in Wyandanch, New York, on property identified on the Suffolk County Tax Map as District 0100, Section 055.00, Block 02.00, Lot 082.002, and

WHEREAS, the Premises is 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, but is located within the Agency project "Wyandanch Commercial Corridor" (WCC), and

WHEREAS, Pursuant to the agreement for the construction and connection of the main in the Wyandanch Commercial Corridor, connections made from designated parcels to the main during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels, and

WHEREAS, it is anticipated that 1466 Straight Path will generate a wastewater flow of Fourteen Thousand Two Hundred Thirty-Seven gallons per day (14,237 GPD), and

WHEREAS, the property owner has applied to this Agency for permission to connect 1466 Straight Path 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 1466 Straight Path, and

WHEREAS, the connection of 1466 Straight Path to the District will be environmentally beneficial to Suffolk County, and

WHEREAS, Pursuant to Title 6 NYCRR Part 617.5(c) (11) and (20), this project involved 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 1466 Straight Path 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 Fourteen Thousand Two Hundred Thirty-Seven gallons per day (14,237 GPD), of capacity in the District's sewage treatment plant be allocated to 1466 Straight Path, 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 owner of 1466 Straight Path, 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 as per the Pursuant to the agreement for the construction and connection of the main in the Wyandanch Commercial Corridor, connections made from designated parcels to the collection system during the first five years after its completion would be charged no connection fee, and the subject parcel is one of the designated parcels, and it is further

7th RESOLVED, that the owner of 1466 Straight Path shall, at its sole cost, expense and effort, construct a sewage collection facility for 1466 Straight Path 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 owner of 1466 Straight Path 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 1466 Straight Path, 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 owner of 1466 Straight Path 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 – July 13, 2015)

A. Formal Approval – Connection/Construction Agreement - Time Extension

MATINECOCK COURT

HU-1398

Mr. Donovan mentioned that this project is a proposed One Hundred Forty-Six (146) unit affordable housing subdivision situated in East Northport. The developer requests a Time Extension to complete the construction agreement for an On-Site STP capable of treating Thirty Four Thousand (34,000 GPD) gallons per day of wastewater.

Staff recommended granting the request for the time extension to complete the agreement.

Commissioner Anderson asked if there was a representative present and Chris Weiss, P.E. mentioned he was and stated that everything had been submitted and that his client was awaiting the Construction Agreement. Mr. Klein asked if the issue was resolved with the STP being in the proximity of the substation, to which Mr. Weiss replied that it had been addressed as per the variance. Mr. Klein asked if an additional curb cut to Elwood Road was necessary and the reply was that the access to the STP was from within the development.

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

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 29 - 2015

AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE CONTRACT TO CONSTRUCT, OPERATE, AND MAINTAIN A SEWAGE TREATMENT PLANT FOR MATINECOCK COURT (HU-1398)

WHEREAS, on February 22, 2010, this Agency adopted Resolution No. 5-2010, authorizing the construction and operation and maintenance of a sewage treatment plant for Matinecock Court, and in 2011, 2012, granted time extensions in furtherance of the construction agreement, and on June 17, 2013, granted an amendment to the Formal Approval, and

WHEREAS, on June 16, 2014, this Agency adopted Resolution 22-2014, granting a time extension to complete said agreement, said Resolution, by its terms, will expire on June 16, 2015, 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. 17-2013, to complete said agreement, and

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 17-2013, adopted by this Agency on June 17, 2013, 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 July 13, 2015)

Mr. Donovan mentioned that this project is an existing building consisting of office and warehouse space, situated on the LIE South Service Road in the Town of Huntington. The developer proposes to demolish the existing building and construct a Six (6) story commercial office building with a restaurant. The new construction proposes to discharge an additional Thirteen Thousand Nine Hundred Twenty (13,920 GPD) gallons per day to the facilities of the district. This request is for an additional time extension to complete the amended connection agreement. The District's STP continues to have sufficient excess treatment capacity to accommodate this project. Staff recommended granting the request for the time extension to complete the agreement.

Commissioner Anderson asked if there was a representative present and Kathleen Deegan Dickson, replied she was and that they were still working with the Town of Huntington and hoped that before the year was out the agreement would be completed.

Commissioner Anderson asked if there were any questions or comments and seeing none, Mr. Littell made a motion to approve the request for a time extension. Motion was seconded by Commissioner Anderson and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 30 - 2015 AUTHORIZING A TIME EXTENSION TO COMPLETE THE CONNECTION AGREEMENT FOR ADDITIONAL CAPACITY FOR 270 SOUTH SERVICE ROAD (HU-1470.1) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, on July 16, 2012, this Agency adopted Resolution No. 20-2012, authorizing additional capacity for the connection of 270 South Service Road to Suffolk County Sewer District No. 3 - Southwest, and on July 15, 2013, and June 16, 2014 adopted Resolutions No. 22-2013 and 23-2014, respectively, each granting an additional one year term to complete the amended connection agreement, and

WHEREAS, Resolution No. 23-2014, granted a one year time extension for completion of the Agreement, but the approval will expire on June 16, 2015, without the completion of the Agreement, and

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

WHEREAS, the developer of 270 South Service Road has requested an extension of the authorization granted in Resolution No. 20-2012,

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 20-2012, adopted by this Agency on July 16, 2012, 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 July 13, 2015)

Mr. Donovan mentioned that this project is a proposed 126 unit condominium subdivision situated in Selden. The subdivision is expected to generate Thirty Four Thousand gallons per day (34,000 GPD) of wastewater to the Sewer District No. 11 – Selden. The developer has an agreement to purchase capacity from the District 11 Venture (3,000 GPD) and has purchased capacity from the Selden Commercial Center (10,000 GPD); the balance of the capacity (21,000 GPD) continues to be available in the District. The developer presented notification to Agency Staff of a transfer of ownership to *495 Middle Country Road, LLC*. Staff recommended granting the request for the time extension to complete the agreement.

Commissioner Anderson asked if there was a representative present and Vincent A. Candurra, Esq. replied that he was and introduced Mike Kelly, the developer. Mr. Candurra added that the request was for a time extension and hoped that the connection agreement would be completed within the year and that the new name of the project would be 495 Middle Country Road, LLC. Mr. Littell asked if the project would include workforce housing and the reply was, yes, Thirty Two (32) units. Mr. Klein asked why the capacity had been purchased as it had been and Mr. Donovan replied that at one time the capacity had not been available and the developer purchased capacity from other entities with capacity available. Mr. Donovan added that the NYS DEC had approved additional capacity in the District.

Commissioner Anderson asked if there were any questions or comments and seeing none, Mr. Klein made a motion to approve the project. Motion was seconded by Commissioner Anderson and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 31 - 2015 AUTHORIZING A TIME EXTENSION TO FOR THE CONNECTION OF 495 MIDDLE COUNTRY ROAD, LLC (BA-1634) TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 – SELDEN

WHEREAS, on December 17, 2012, this Agency adopted Resolution No. 8B-2012, for the connection of Island Green Associates to Suffolk County Sewer District No. 11 - Selden, and on November 18, 2013, adopted Resolution No. 35-2013, granting an additional one year term to complete the connection agreement, and

WHEREAS, Resolution No. 35-2013, granted a one year time extension for completion of the Agreement, expired on November 18, 2014, without the completion of said Agreement, and

WHEREAS, the applicant presented notification to Agency Staff of a transfer of project ownership, and requests that the project be now referred to as “495 Middle Country Road, LLC”, and

WHEREAS, the developer has requested an extension of the authorization granted in Resolution No. 8B-2012,

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 8B-2012, adopted by this Agency on December 17, 2012, 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 July 13, 2015)

Mr. Donovan mentioned that this project is an existing Two Hundred Seventy-One (271) unit garden apartment complex and a single house. The project is situated on a 16.8-acre parcel located on the east side of August Road, adjacent to Belmont Lake State Park. This application is for an additional one year extension to complete the Connection Agreement to connect to Sewer District No. 3- Southwest, which continues to have the reserved capacity available. Staff recommended granting the application for the extension of time to complete the Connection Agreement.

Note: At this point, Mr. Littell stated that he was recusing himself.

Commissioner Anderson asked if there was a representative present and Michael P. Chiarelli, P.E., mentioned he was and introduced the owner, David Osterland. Ms. Adhya asked if an application had been submitted to the Department of Health Services and Mr. Chiarelli replied, yes, that the repairs would be completed within the timeframe (2020) or the project would be connected to the County sewer system.

Commissioner Anderson asked if there were any questions or comments and seeing none, made a motion to approve the project. Motion was seconded by Ms. Broughton and the request for a time extension was approved 4-0 as Mr. Littell was recused.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 32 -2015

AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE CONNECTION AGREEMENT

BY SOMERSET WOODS, LLC (BA-1459)

TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, on August 21, 2006, this Agency adopted Resolution No. 25-2006, authorizing the connection of Somerset Woods, LLC to the Suffolk County Sewer District No. 3 - Southwest, and

WHEREAS, on July 17, 2007, this Agency adopted Resolution No. 13-2007, on July 21, 2008, adopted Resolution No. 16-2008, on August 17, 2009, adopted Resolution 31-2009, on August 16, 2010, adopted Resolution 17-2010, and on September 19, 2011, adopted Resolution 15-2011, on July 16, 2012, adopted Resolution 21-2012, on July 15, 2013 adopted Resolution 21-2013, and on July 14, 2014, adopted Resolution 25-2014, each extending the time one (1) year for the completion of the Connection Agreement, and

WHEREAS, Resolution 25-2014, granted a one (1) year time extension for completion of the agreement, but the approval will expire on July 14, 2015, without the completion of the Agreement, and

WHEREAS, the owners have not moved forward with the negotiations of the agreement due to the possibility of the County installing sewer lines in the area in the near future, and

WHEREAS, the on-site sewage treatment plant is operating without issues, and

WHEREAS, the owners of Somerset Woods, LLC have requested an additional extension of the authorization granted in Resolution No. 25-2006,

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 25-2006, adopted by this Agency on August 21, 2006 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 – July 13, 2015)

Mr. Donovan mentioned that this project is the proposed sewerage of the Village of Westhampton Beach business district. The Village of Westhampton Beach is requesting Conceptual Certification for Fifty Thousand gallons per day (50,000 GPD) of wastewater. The District's STP will have sufficient treatment capacity in excess of the needs of the District once modifications have been completed to accommodate the flow. Staff recommended granting Conceptual Certification for connection to the District.

Commissioner Anderson asked if there was a representative present and Mayor Maria Moore mentioned that she was. Ms. Adhya asked if an application had been submitted to the Department of Health Services and Ms. Moore replied, yes, it had and that she was working with John Sohngen. Ms. Broughton asked how long Gabreski had been running to which Mr. Donovan replied, Ten (10) years. It was asked if capacity was available and Mr. Donovan replied that the Department could make the capacity available. Mr. Klein asked if there was a Downtown Revitalization Plan for the Village and Ms. Moore replied that an RFP was being finalized and the Village Trustees were supportive. Mr. Klein stated that he thought it was smart of the Village to ensure sewer availability early planning process and Mr. Donovan added that in discussion between the Department and Village that DPW had recommended that the Village apply for Conceptual Certification.

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

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 33 - 2015

AUTHORIZING THE CONCEPTUAL CERTIFICATION FOR THE CONNECTION OF THE VILLAGE OF WESTHAMPTON BEACH (SH 1687) TO SUFFOLK COUNTY SEWER DISTRICT NO. 24 – GABRESKI MUNICIPAL

WHEREAS, the Village of Westhampton Beach is an existing business district, located in the Town of Southampton, New York, situated on property identified on the Suffolk County Tax Map as District 0905, Section 011.00, Block 01.00, Lots 001.000 through District 0905, Section 011.00, Block 03.00, Lot 005.000 and District 0905, Section 012.00, Block 03.00, Lots 015.000 through District 0905, Section 011.00, Block 04.00, Lot 052.000, and

WHEREAS, the parcels are not located within the boundaries of Suffolk County Sewer District No. 24 – Gabreski Municipal (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, it is anticipated that the Village of Westhampton Beach will generate a sewage flow of Fifty Thousand gallons per day (50,000 GPD), and

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

WHEREAS, the District's sewage treatment plant with a number of modifications will have sufficient capacity to accept the sewage which is expected to emanate from the Village of Westhampton Beach, and

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

WHEREAS, inasmuch as the SEQRA process for the aforesaid connection has not been completed, this Agency cannot, at this time, approve the said connection, and

WHEREAS, in the interest of good planning, and in order to minimize potential hardship on applicants, it is the policy of this Agency, upon review of an application prior to the completion of the SEQRA process, to give applicants an indication of what method of wastewater disposal this Agency would like to see for a particular project, thereby giving applicants an indication of the action that this Agency might take if it were to pass upon the application at the time of such review, and

WHEREAS, in furtherance of such policy, this Agency is desirous of giving the Village Of Westhampton Beach an indication of the action that this Agency might take regarding the proposed connection if the SEQRA process had been completed and the

modifications of the STP completed, has determined the additional capacity may be available this Agency were to pass upon the matter at this time,

NOW, THEREFORE, IT IS

1st RESOLVED, that this Agency hereby grants "Conceptual Certification" to the proposed connection of the Village of Westhampton Beach to SCSD No. 24 – Gabreski Municipal, as aforesaid, 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 Village of Westhampton Beach, within two (2) years from the date of the adoption hereof if an application for Formal Approval in form and content satisfactory to the Chairman of this Agency, has not been submitted for consideration.

3rd RESOLVED, that

1. such conceptual certification is not, and is not to be construed as, final approval, which can only be granted by this Agency after the SEQRA process for the proposed connection has been completed;
2. the applicant shall return to this Agency for such final approval;
3. the granting of conceptual certification as set forth herein shall not be binding upon this Agency when final approval is sought; and
4. the granting of conceptual certification does not constitute a position by this Agency, favorable or otherwise, with respect to local land use, zoning and/or subdivision requirements.

(Suffolk County Sewer Agency Meeting July 13, 2015)

F. Miscellaneous

1. Public Notice for Four Sewer RFPs

Public Notice for Four (4) Sewer RFPs

Mr. John Donovan, P.E., Chief Engineer, Division of Sanitation, Suffolk County Department of Public Works, mentioned that the Agency had previously (March 23, 2015 and May 18, 2015) discussed the Four (4) RFPs; (which include areas of; the Forge River, the Carlls River, the Connetquot River, and the Patchogue River). Mr. Donovan explained that minor changes regarding notices to contact the Department of Public Works had been made in the RFPs which necessitated public notice and discussion. Mr. Littell asked for a timeframe and Mr. Donovan replied that one (1) would be going out this week and the other three (3) hopefully, in August. Mr. Littell mentioned that there were four (4) RFP's and there was a possibility of only one (1) vendor. Mr. Donovan added that most likely the studies and design would take a year or a year and a half.

Commissioner Anderson asked if there were any questions or comments and seeing none, made a motion to close the public forum. The motion was seconded by Mr. Littell and the public forum was closed (5-0).

Note: At 11:26 Commissioner Anderson made a motion for a ten (10) minute recess mentioning that Mr. Braun was in transit. The motion was seconded by Mr. Littell and approved. At 11:33 Mr. Braun arrived and the meeting was called back in session.

Public Notice for Four Sewer RFP's

The County of Suffolk will be issuing four requests for proposals (RFP) for consultant engineering services to design sewer work around four watersheds located in Suffolk County, New York (Carlls River, Forge River, Connetquot River, and Patchogue River).

1. These services shall be provided by a professional engineering firm/team meeting the requirements of Suffolk County and the procurement processes of the New York Clean Water State Revolving Fund as identified in 40 U.S.C. 1101 et seq. Firms may choose to use sub-consultants in order to complete the scope of work and a firm may require the use of sub-consultants in order to meet MWBE requirements.
2. Evaluation of Proposal – Proposals will be evaluated by the County in accordance with the following criteria:
 - a. The merits, completeness and clarity of the submitted proposal in response to this RFP.
 - b. Project organization, qualifications for the type of professional services involved in completing and certifying this project including all staffing and management.
 - c. The specialized experience and competence of the respondent in the type of work described in the RFP, including the individual expertise of the staff members.
 - d. The capability, responsibility, and past performance of the respondent on projects of similar scope and subject matter.
 - e. Ability and past history of providing competent construction estimates.
 - f. Ability to meet the schedule and time constraints set forth in the RFP.
 - g. Ability to meet the contract requirements as indicated in the Sample Contract for Professional Services contained in the RFP.
3. Selection Process – The selection process will be as follows:
 - a. Selection Team – The selection team will consist of professional representatives from the Commissioner's Office and the Sanitation Division Office of the Suffolk County Department of Public Works.
 - b. All proposals will be reviewed by the selection team members. Interviews/presentations, when required for clarification, will be conducted.
 - c. The selection team will rank the firms based on the merits of their proposals and the items listed above under "Evaluation of Proposal" to determine the most highly qualified three firms to provide the services required.
 - d. Interviews will be held with the top three firms to discuss their respective proposals and proposed methods for furnishing services.
 - e. The fee proposal of the top firm(s) will be opened and scrutinized by the selection team.

- f. The top-ranked firm will be called in to discuss the details of its proposal, including the fees. If an agreement on fee is reached, the top-ranked firm will be the chosen consultant.
- g. If an agreement on fee is not reached with the top-ranked firm, negotiations will ensue with the second ranked proposer, and so forth, until a consultant is chosen, or until the County decides to suspend negotiations.

To be on the list to receive the RFP's, please contact Boris Rukovets, P.E., at 631-852-4199 or email boris.rukovets@suffolkcountyny.gov

Seeing no further business, Commissioner Anderson made a motion to adjourn the meeting. The motion was seconded by Mr. Klein and approved unanimously at 11:53 AM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Platt", with a stylized flourish at the end.

Craig A Platt
Secretary, SCSA