

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

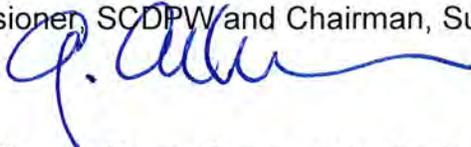
PHILIP A. BERDOLT
DEPUTY COMMISSIONER

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 

DATE: November 20, 2015

SUBJECT: Please see the attached Suffolk County Sewer Agency minutes for the meeting of November 16, 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
Boris Rukovets, P.E., Division of Sanitation, SCDPW
Robert A. Braun, Esq., SC Department of Law
Walter Dawydiak, P.E., SC Department of Health Services
Catherine Stark, Aide to Legislator Al Krupski
Ted Klein, SC Planning Department
Justin Littell, Aide to Legislator Louis D'Amaro
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

November 16, 2015

The meeting was called to order at 11:07 AM by John Donovan, P.E. representing Commissioner Gilbert Anderson, P.E. In attendance were Legislator Al Krupski, Chairman of the Public Works, Transportation, & Energy Committee; Justin Littell, representing Legislator Lou D'Amaro, the Sewer Agency Legislator-At-Large; Lisa Broughton, representing County Executive Steven Bellone; Mike Cavanagh, representing Presiding Officer DuWayne Gregory.

Note: Walter Hilbert, P.E., representing the Commissioner of the Department of Health Services arrived as the minutes of previous meeting were under discussion. Sarah Lansdale, AICP, Director, Suffolk County Planning Department arrived as the meeting was in process.

Also present was Catherine Stark, Aide to Legislator Krupski; Janice McGovern, P.E. Suffolk County Department of Public Works; Boris Rukovets, P.E., Suffolk County Department of Public Works; Mr. Robert A. Braun, Esq., Suffolk County Department of Law; Craig A. Platt, Secretary, Suffolk County Sewer Agency.

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

Mr. Donovan welcomed attendees to the meeting of the November 16, 2015, 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 September 21, 2015, were discussed. A motion to accept the minutes as written was made by Legislator Krupski; seconded by Ms. Broughton and approved. *Walter Hilbert, P.E., arrived (11:09)*

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

V. New Business

A. Formal Approval –Construction Agreement

BROOKHAVEN EXECUTIVE CENTER

(BR-1693)

Craig mentioned that this project is an existing subdivision on Route 112 in Medford. The developer is requesting approval to connect Twelve Thousand Seven Hundred (12,700 GPD) gallons per day of wastewater to the existing on-site Blue Ridge Wastewater Treatment Plant. The project engineer is to furnish documentation that capacity is available in the WWTP.

Staff recommended granting Formal Approval for connection to the existing on-site WWTP.

Mr. Donovan asked if there was a representative present and Charles Bartha, P.E. replied that he was and Craig's narrative was accurate. Mr. Bartha added that the site was the former Town of Brookhaven office complex and the proposal has been in the works for quite some time. Legislator Krupski asked the type of treatment currently used at the site and Mr. Bartha responded either cesspools or a septic system. Mr. Donovan asked if capacity was available and Mr. Bartha replied, yes, that an agreement was in place to reserve the capacity.

Mr. Donovan asked if there were any questions or comments and seeing none Mr. Cavanagh made a motion to approve the project; the motion was seconded by Mr. Hilbert and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 37 - 2015

AUTHORIZING THE CONNECTION OF BROOKHAVEN EXECUTIVE CENTER (BR-1693) TO THE BLUE RIDGE HOMEOWNERS ASSOCIATION WASTEWATER TREATMENT PLANT

WHEREAS, application has been made for Brookhaven Executive Center which is an existing commercial/Industrial park in Medford, New York, on property identified on the Suffolk County Tax Maps as District 0200, Section 606.00, Block 01.00, Lot 001.000, and

WHEREAS, there is no Suffolk County Sewer District, or any other municipal sewer district in the vicinity of Brookhaven Executive Center to serve the development's sanitary needs, and

WHEREAS, there is a wastewater treatment plant (WWTP) at the Blue Ridge Condominium development complex (the "Blue Ridge Plant"), which is sufficiently close to Brookhaven Executive Center to permit the connection of the project thereto, and

WHEREAS, this Agency has been advised by the engineering firm, that after a complete study, it will be determined that the Blue Ridge Plant has sufficient capacity to accept the sewage which is expected to emanate from Brookhaven Executive Center, and

WHEREAS, the owner of Brookhaven Executive Center has applied to this Agency for permission to connect to the Blue Ridge Plant, and

WHEREAS, this Agency has been advised that the owner of the Plant is receptive to the connection of Brookhaven Executive Center to the Blue Ridge Plant, and

WHEREAS, the connection of Brookhaven Executive Center to the Blue Ridge Plant will be environmentally beneficial to Suffolk County, and

WHEREAS, this Agency has determined that the Twelve Thousand Seven Hundred gallons per day (12,700 GPD) of sanitary sewage generated by Brookhaven Executive Center shall be treated at the Blue Ridge Plant, 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

NOW, THEREFORE, IT IS

1st RESOLVED, that the SEQRA requirement for Brookhaven Executive Center have been met, and requires no further action, now, therefore, be it further

2nd RESOLVED, that the said application be approved subject to the execution of an agreement between the owner of Brookhaven Executive Center, 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 owner shall, at its sole cost, expense and effort, construct a complete sewage collection system for the project in accordance with Agency standards and shall offer to dedicate the said facility to the Agency at no charge;

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

3. 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;

4. The developer shall furnish a copy of the agreement between Brookhaven Executive Center and the owners of the Blue Ridge Plant for review and approval;

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 developers of Brookhaven Executive Center 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 (November 16, 2015)

B. Formal Approval – Connection/Construction Agreement – Time Extension

CONCERN @ MIDDLE ISLAND

BR 1578

Craig mentioned that this project is a proposed development in Middle Island. The developer requests a Time Extension to complete the Construction Agreement to construct an on-site Sewage Treatment Plant (STP).

Staff recommended granting the request for a time extension for the completion of the construction agreement for the construction of an on-site STP.

Mr. Donovan asked if there was a representative present and Robert Amoroso, Esq. mentioned he was and confirmed that Craig's narrative was accurate and added that the Agency approval expired in September and the agreement may be completed within the next month. Legislator Krupski asked which type of agreement the application was for and Mr. Donovan replied a construction agreement.

Mr. Donovan asked if there were any questions or comments and seeing none Mr. Hilbert made a motion to approve the project; the motion was seconded by Mr. Cavanagh and approved unanimously.

Ms. Lansdale arrived (11:12)

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 38 - 2015

AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE AGREEMENT TO CONSTRUCT, OPERATE, AND MAINTAIN A SEWAGE TREATMENT PLANT FOR CONCERN @ MIDDLE ISLAND (BR-1578)

WHEREAS, on September 15, 2014, this Agency adopted Resolution No. 32-2014, authorizing the construction and operation and maintenance of a sewage treatment system for Concern @ Middle Island, and

WHEREAS, said Resolution granted one year for completion of the Agreement, whereas, the resolution expired on September 15, 2015, without the completion of the Agreement, and

WHEREAS, the developer of Concern @ Middle Island has requested an extension of the authorization granted in Resolution No. 32-2014, and

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 32-2014, adopted by this Agency on September 14, 2015, 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 – November 16, 2015)

Craig mentioned that this project is a proposed Nineteen (19) unit garden apartment subdivision in Central Islip. The developer is requesting a time extension to complete the connection agreement for the connection to an existing Wastewater Treatment Plant. As per the project engineer, it will be determined that the capacity is available in the WWTP.

Staff recommended granting the request for a time extension for the completion of the connection agreement to connect to the on-site STP.

Mr. Donovan asked if there was a representative present and Matt Scheiner, P.E. mentioned he was and added that the plan was to begin construction this winter. Mr. Braun added that they were actively working on the agreement and assumed that it would be completed within the month. Mr. Donovan asked if the plans had been submitted and if the capacity was available to which Mr. Scheiner replied, yes. Legislator Krupski asked if the project was subject to the Affordable Housing (Local Law 20-2007) legislation and the reply was no, since it is not connecting to a County District, it was not.

Mr. Donovan asked if there were any questions or comments and seeing none Ms. Broughton made a motion to approve the resolution; the motion was seconded by Ms. Lansdale and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 39 - 2015

AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE CONNECTION AGREEMENT BY THE HAVEN (IS-1672) TO THE HOME PROPERTIES HAWTHORNE WASTEWATER TREATMENT PLANT

WHEREAS, on November 17, 2014, this Agency adopted Resolution No. 44-2014, authorizing the connection of The Haven to the Home Properties Hawthorne Wastewater Treatment Plant, and

WHEREAS, Resolution 44-2014, granted one year for completion of the Agreement, will expire on November 17, 2015, 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 owner of The Haven has requested an extension of the authorization granted in Resolution No. 44-2014,

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 44-2014, adopted by this Agency on November 17, 2014, 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 (November 16, 2015)

Craig mentioned that this project is a proposed subdivision situated in Great River connecting to the Southwest Sewer District. Mr. Larry Gargano, the developer, requested of the Agency and was granted an installment plan for the connection fee. An installment was due on October 1, 2015 and was not submitted. Subsequently, Mr. Gargano submitted an application requesting a delay in the payment of the installment until June 30, 2016.

Mr. Donovan asked if there was a representative present and Larry Gargano mentioned he was and that he had paid (\$1,139,100.00) connection fees for Phase 1 of this project and the 3500 Sunrise Highway (IS-1432.2) project and that he had submitted to the County a Letter of Credit for the entire amount of the connection fee (\$1,600,260.00). Mr. Gargano added that due to a variety of factors and financial issues that he was requesting the delay of the installment payment (\$420,660.00) until June 30, 2016. Ms. Broughton mentioned that it was unusual that the Agency approved installment fees for the connection and asked Mr. Braun for his opinion. Mr. Braun said that Mr. Gargano had been the first and that there had been other requests (that were granted) and that it was in the Agency's discretion to permit the request. Mr. Donovan mentioned that the bulk of the connection fee had been paid and that the Letter of Credit for the full amount of the connection fee was on file with the Agency and asked Mr. Gargano if he was current with the review & inspection fees and Mr. Gargano replied, yes, he was. Discussion ensued as to the issues contributing to the reason for the delay request and affordable housing. Mr. Gargano stated that Phase 1 (rental units) of the project was Twenty (20%) percent affordable, Phase 3 (rental units) was Fifty (50%) percent affordable, and Phase 2 (for sale units) did not have an affordable aspect but in total the project was Twenty (20%) percent affordable.

Mr. Donovan asked if there were any additional questions or comments and seeing none Legislator Krupski made a motion to approve the project; the motion was seconded by Mr. Donovan; Ms. Lansdale asked for a clarification of the motion and it was stated that the motion was to approve Mr. Gargano's request to delay the installment payment until June 30, 2016. The motion was moved and approved unanimously.

C. Conceptual Certification

1. Ronkonkoma HUB (CP 8156)

- o **Sewer Connection/System/District for Proposed Ronkonkoma HUB**

Mr. Donovan mentioned that details had not been resolved with the Ronkonkoma HUB and motioned to table the project, requesting to keep the project on future Agency agendas under Old Business, the motion was seconded by Ms. Broughton and approved unanimously.

Seeing no further business, Mr. Donovan made a motion to adjourn the meeting. The motion was seconded by Ms. Lansdale and approved unanimously at 11:25 AM.

Respectfully submitted,



Craig A Platt
Secretary, SCSA

Note: These minutes represent the recorder's understanding of the issues discussed. Please report any discrepancies to the recorder within seven days of distribution for discussion at the next available Agency meeting or move to amend the meeting's minutes at the next meeting.