

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

VINCENT FALKOWSKI, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Dennis Cohen, Chief Deputy County Executive, Honorable Wayne Horsley, Presiding Officer of the Suffolk County Legislature, Honorable Legislators; Jay Schneiderman, Chairman of the Public Works and Transportation Committee, Louis D'Amaro, Sewer Agency Legislator-At-Large, Krupski, Browning, Muratore, Hahn, Anker, Calarco, Montano, Cilmi, Barraga, Kennedy, Nowick, Gregory, Stern, Spencer, Walter Hillbert, 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: December 20, 2013

SUBJECT: **Suffolk County Sewer Agency Meeting Minutes – December 16, 2013**

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

GA/JD/cap – Attachments

cc: Jon Schneider, Deputy County Executive
Vincent Falkowski, P.E., Chief Deputy Commissioner SCDPW
Philip A. Berdolt, 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
James Meyers, P.E. SC Department of Health
Kathy Negri, SC Department of Health
Tim Laube, Clerk of the SC Legislature
Ted Klein, SC Planning Department
Catherine Stark, Aide to Legislator Al Krupski
Justin Littell, Aide to Legislator Louis D'Amaro
Karen Klafter, Aide to Legislator Louis D'Amaro
Diane Rein, Chief of Staff to Legislator Wayne Horsley
Debbie Colonna, County Executive's Office
William Spitz, 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

December 16, 2013

The meeting was called to order at 11:04 AM by Commissioner Anderson. In attendance were Catherine Stark, representing Legislator Jay Schneiderman, Chairman of the Public Works and Transportation Committee; Justin Littell, representing Legislator Lou D'Amaro, the Sewer Agency Legislator-At-Large; Walter Hilbert, P.E., representing the Commissioner of the Department of Health Services; Lisa Broughton, representing County Executive Steven Bellone; Ted Klein, representing Sarah Lansdale, AICP, Director, Suffolk County Planning Department.

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

(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**

Minutes from SCSA special meeting of November 18, 2013, were discussed. A motion to accept the minutes as written was made by Commissioner Anderson; seconded by Ms. Broughton. The motion was approved unanimously.

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

IV. **Old Business** – N/A

V. New Business – A. Formal Approval

THE CLUB AT MELVILLE

HU-1646

John mentioned that this project is a proposed 261 unit residential development with a building for religious purposes in Melville. The developer is requesting a time extension and would like to amend the Formal approval. The project received Agency approval for Forty-Seven Thousand Three Hundred Sixty gallons per day (47,360 GPD). The developer has since redesigned the project into two phases. The redesigned project is expected to generate Forty-Five Thousand Four Hundred Twenty-Two gallons per day (45,422 GPD) of wastewater and the developer requests amending the Formal Approval for the connection to the Sewer District No. 3 – Southwest. The developer would pay the connection fee for Phase I when executing the Connection Agreement and prior to the commencement of Phase II pay the balance of the connection fee. John added that the capacity continues to be available in the District. Staff recommended granting the amended Formal Approval of the connection to the District.

Commissioner Anderson asked if a project representative was present and Garrett Gray, Esq., mentioned he was and that the project was one hundred percent affordable (100%) and would be constructed in two phases and the connection fee paid for each phase. Commissioner Anderson asked if there were any questions or comments; seeing none; Commissioner Anderson made a motion to approve the resolution. The motion was seconded by Mr. Klein and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 37 - 2013 AMENDING THE FORMAL APPROVAL FOR THE CONNECTION OF THE CLUB AT MELVILLE (HU-1646) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, The Club at Melville is a proposed residential subdivision and a religious facility situated in Melville, New York, on property identified on the Suffolk County Tax Maps as District 0400, Section 267.00, Block 02.00, Lot 012.001, and

WHEREAS, this Agency on December 17, 2012, approved resolution 39-2012 for the connection of The Club at Melville to the facilities of Suffolk County Sewer District No. 3 – Southwest (the "District"), and

WHEREAS, the developer has redesigned the project into two phases (Phase I = 27,872 GPD, Phase II = 17,550 GPD) and it is now anticipated that The Club at Melville will generate a wastewater flow of Forty-Five Thousand Four Hundred Twenty-Two gallons per day (45,422 GPD), and

WHEREAS, the District's sewage treatment plant continues to have sufficient capacity to accept the flow which is expected to emanate from The Club at Melville, and

WHEREAS, the connection of The Club at Melville to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County, and

WHEREAS, pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is listed as a Type II Action, and requires no further action, and

NOW, THEREFORE, IT IS

1st RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

2nd RESOLVED, that The Club at Melville 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 Forty-Five Thousand Four Hundred Twenty-Two gallons per day (45,422 GPD), of capacity in the District's sewage treatment plant be allocated to The Club at Melville, 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 The Club at Melville, 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 at the rate of \$30.00 per gallon of flow per day (totaling \$1,362, 660.00) to be paid for The Club at Melville shall be paid in two phases, Phase I shall be paid upon the execution of the Connection Agreement for a partial payment of \$836,160.00 (\$30.00*27,872 GPD), and Phase II shall be paid prior to the commencement of construction of Phase II, a partial payment of \$526,500.00 (\$30.00*17,550 GPD), it is further

7th RESOLVED, that The Club at Melville shall, at its sole cost, expense and effort, construct a sewage collection facility for The Club at Melville project 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 Club at Melville 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 Club at Melville, 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 Club at Melville 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 – December 16, 2013)

John mentioned that these projects are proposed connections in Wyandanch. The parcels are within the Town of Babylon, Wyandanch Commercial Corridor (WCC) sewer system, which recently became operational. John added that the capacity was available and that Staff recommended granting Formal Approval of the connection to the Southwest Sewer District.

Commissioner Anderson asked if a project representative was present and Rich Groh, Chief Environmental Analyst, mentioned he was and that the project was part of the Wyandanch sewers. Commissioner Anderson asked if there were any questions or comments; seeing none, Commissioner Anderson made a motion to approve the resolution. The motion was seconded by Ms. Broughton and approved unanimously.

Suffolk County Sewer Agency

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 38 - 2013

**AUTHORIZING THE FORMAL APPROVAL
FOR THE CONNECTION OF THE**

**WYANDANCH HEAD START AND YOUTH CENTER (BA-1477.1-006)
TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST**

WHEREAS, the Wyandanch Head Start and Youth Center are proposed connections situated on Andrews Avenue in Wyandanch, New York, on property identified on the Suffolk County Tax Map as District 0100, Section 040.00, Block 01.00, Lots 068.002 and 068.003, 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 the Wyandanch Head Start and Youth Center will generate a wastewater flow of Two Thousand One Hundred Ninety-Three gallons per day (2,193 GPD), and

WHEREAS, the Town of Babylon has applied to this Agency for permission to connect the Wyandanch Head Start and Youth Center 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 Wyandanch Head Start and Youth Center, and

WHEREAS, the connection of the Wyandanch Head Start and Youth Center 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 the Wyandanch Head Start and Youth Center 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 Two Thousand One Hundred Ninety-Three gallons per day (2,193 GPD), of capacity in the District's sewage treatment plant be allocated to the Wyandanch Head Start and Youth Center, 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 Town of Babylon, 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 Town of Babylon shall, at its sole cost, expense and effort, construct a sewage collection facility for the Wyandanch Head Start and Youth Center 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 Town of Babylon 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 Wyandanch Head Start and Youth Center, as well as for all of the Town'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 Town of Babylon 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 – December 16, 2013)

John mentioned that this project is an existing shopping center in Selden. The property owner is requesting Formal Approval for an additional Nine Thousand Three Hundred Ninety gallons per day (9,390 GPD) of capacity for the proposed expansion at the shopping center. Capacity is currently available in the District (SCSD #11 – Selden) and Staff recommended granting the Formal Approval request for additional capacity.

Commissioner Anderson asked if a project representative was present and Matthew P Scheiner, P.E., mentioned he was and that the parcel has been connected to the sewer system since 1977 and the owner required the additional capacity to permit the construction of additional buildings. Commissioner Anderson asked if there were any questions or comments; seeing none; made a motion to approve the resolution. The motion was seconded by Mr. Hilbert and approved unanimously.

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 39 - 2013 AUTHORIZING THE FORMAL APPROVAL OF AN ADDITIONAL CAPACITY FOR THE SELDEN PLAZA SHOPPING CENTER (BR-0652.2) TO SUFFOLK COUNTY SEWER DISTRICT No. 11 – SELDEN

WHEREAS, The Selden Plaza Shopping Center is an existing Shopping Center in Selden, New York, on property identified on the Suffolk County Tax Map as District 0200, Section 474.00, Block 01.00, Lots 003.010, 003.012, 003.013

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 11 – Selden (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, the developer of Selden Plaza Shopping Center has applied to this Agency for permission to discharge an additional Nine Thousand Three Hundred Ninety gallons per day (9,390 GPD) from Selden Plaza Shopping Center to the sanitary sewerage facilities of the District (for a total of 40,196 GPD), to be in conformance with the Suffolk County Department of Health Services' standards, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage which is expected to emanate from Selden Plaza Shopping Center, and

WHEREAS, the connection fee for Selden Plaza Shopping Center is at the current rate of \$30.00 GPD and is to be paid to the District, and

WHEREAS, the connection of Selden Plaza Shopping Center 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 Selden Plaza Shopping Center be permitted to discharge the additional capacity 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 an additional Nine Thousand Three Hundred Ninety gallons per day (9,390 GPD), of capacity in the District's sewage treatment plant be allocated to Selden Plaza Shopping Center for a total of Forty Thousand One Hundred Ninety-Six gallons per day (40,196 GPD), and it is further

4th RESOLVED, that the connection authorized herein is subject to the execution of an amended agreement (the "Connection Agreement") between the developer of Selden Plaza Shopping Center, 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

5th RESOLVED, that the connection fee to be paid to the District for Selden Plaza Shopping Center, shall be paid upon the execution of the Connection Agreement at the rate of \$30.00 per gallon of sewage per day for a total of Two Hundred One Thousand Seven Hundred Dollars (\$281,700.00), and it is further

6th RESOLVED, that Selden Plaza Shopping Center shall offer the collection system for dedication to this Agency, or to this Agency's nominee, at no charge, 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 Selden Plaza Shopping Center 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 December 16, 2013)

Seeing no further business, Commissioner Anderson made a motion to adjourn the meeting. The motion was seconded by Mr. Hilbert, and approved unanimously at 11:09 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

Suffolk County Sewer Agency