

# 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:** January 5, 2016

**SUBJECT:** Please see the attached Suffolk County Sewer Agency minutes for the meeting of December 21, 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 December 21, 2015**

The meeting was called to order at 11:06 AM by Commissioner Gilbert Anderson, P.E. In attendance were Legislator Al Krupski, Chairman of the Public Works, Transportation, & Energy Committee; Karen Klafter, representing Legislator Lou D'Amaro, the Sewer Agency Legislator-At-Large; Tanim Adhya, P.E., representing the Commissioner of the Department of Health Services; Lisa Broughton, representing County Executive Steven Bellone; Mike Cavanagh, representing Presiding Officer DuWayne Gregory.

*Note: Ms. Adhya arrived as the discussion on Canal Properties began.*

Also present was Catherine Stark, Aide to Legislator Krupski; John Donovan, P.E., Chief Engineer, Division of Sanitation, Suffolk County Department of Public Works; 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).

Commissioner Anderson welcomed attendees to the meeting of the December 21, 2015, Suffolk County Sewer Agency. A roll call was then taken.

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

Commissioner Anderson noted that Ms. Sarah Lansdale, AICP, Director, Suffolk County Planning Department, would not be in attendance.

## **II. Minutes of Previous Meeting**

The minutes from SCSA meeting of November 16, 2015, were discussed. A motion to accept the minutes as written was made by Commissioner Anderson; seconded by Legislator Krupski and approved unanimously.

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

## **V. New Business**

### **A. Formal Approval –Construction Agreement**

#### **CANAL PROPERTIES, LLC**

**SH-1695**

Mr. Donovan mentioned that this project is a proposed Thirty-Seven (37) unit condominium subdivision situated on approximately 7.7 acres in Hampton Bays. The project is expected to generate Eleven Thousand Eight Hundred Seventy (11,870 GPD) gallons per day of wastewater. The developer proposes to construct an on-site sewage treatment plant capable of treating the wastewater. Mr. Donovan added that the Southampton Town Board was declared the Lead Agency for SEQR with respect to Canal Properties, LLC. The Town completed the environmental review process and issued a Findings Statement. The Sewer Agency should issue its own Findings Statement regarding the project, stating that the Agency has reviewed the submittals and the project before them in conformance with the Southampton Town Board's Findings.

Staff recommended adopting a Sewer Agency Findings Statement and granting Formal Approval for construction, operation, and maintenance of an on-site WWTP.

Commissioner Anderson asked if there was a representative present and Mr. Charlie Bartha, P.E. replied that he was and that there were others in attendance as well and that the narrative was accurate. Mr. Bartha added that the project was in the vicinity of Newtown Rd. on the eastern side of the Shinnecock Canal. Legislator Krupski noted that the Agency Findings stated that the project was on the western side of the Canal and that the Agency Findings should be amended. Discussion ensued as to the phases of the project, which would include a catering hall. During the discussion it was mentioned that the second phase, Canoe Place Inn, would not require Agency approval as the project would be constructed (on separate parcels) to density and the second application would be submitted to the SCHDS.

Commissioner Anderson asked if there were any questions or comments and seeing none made a motion to adopt the Findings as amended; the motion was seconded by Ms. Broughton and adopted unanimously. Commissioner Anderson made a motion to approve the resolution; the motion was seconded by Ms. Broughton and approved unanimously.

## Suffolk County Sewer Agency

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

335 Yaphank Avenue  
Yaphank, NY 11980  
(631) 852-4010

**Date adopted by the SCSA:** December 21, 2015

Title 6 NYCRR Part 617.11 –  
Decision-making and findings requirements  
State Environmental Quality Review  
Findings Statement

Pursuant to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Suffolk County Sewer Agency, as involved agency, makes the following findings

**Name of Action:** Canal Properties LLC – Construction, Operation, and Maintenance of an On-Site Sewage Treatment Plant (SH-1695)

**Description of Action:** This project includes the construction, operation, and maintenance of an on-site sewage treatment plant to service the wastewater generated from Thirty-Seven (37) condominiums situated on Seven+ (7.7±) acres.

**Location:** Vicinity of Newtown Road and Montauk Highway, east side of the Shinnecock Canal in Hampton Bays, NY. SCTM No. 09.00-207.00-04.00-022.001, 023.000, 024.000, 025.000, 09.00-208.00-02.00-018.001

**Agency Jurisdiction:** Construction, Operation, and Maintenance of an On-Site Sewage Treatment Plant

**Date FEIS filed:** October 16, 2014

**Facts and conclusions in the environmental review record relied upon to support the decision:**

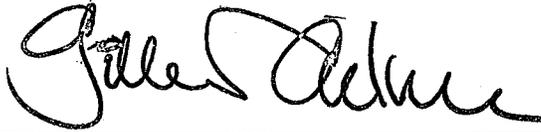
1. Canal Properties LLC was the subject of a review by the Southampton Town Board. On January 13, 2015, the Southampton Town Board issued a Findings Statement and approved the project.
2. The FEIS adequately addressed impacts to the groundwater resources.
3. The impacts relevant to the Sewer Agency identified within the SEQR process have been shown to be insignificant or adequately mitigated.
4. The Sewer Agency has reviewed the proposed action as submitted by Canal Properties LLC and determined that it is consistent with the final project as identified within the FEIS and the Southampton Town Board SEQR Findings.

**Certification to Approve:**

Having considered the draft and final Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

**Suffolk County Sewer Agency**



\_\_\_\_\_  
Gilbert Anderson, P.E., Commissioner, SCDPW,  
Chairman, Suffolk County Sewer Agency

1/4/16  
\_\_\_\_\_  
Date

Address of Agency:  
Suffolk County Sewer Agency  
335 Yaphank Avenue  
Yaphank, NY 11980

cc: Other Involved Agencies  
Applicant

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO. 40-2015 AUTHORIZING THE CONSTRUCTION AND OPERATION & MAINTENANCE OF AN ON-SITE SEWAGE TREATMENT PLANT FOR CANAL PROPERTIES, LLC (SH-1695)**

WHEREAS, application has been made for the Canal Properties, LLC which is a proposed Thirty-Seven (37) unit condominium subdivision, located in Hampton Bays, New York, situated on property identified on the Suffolk County Tax Maps as District 0900, Section 208.00, Block 02.00, Lot 018.001, and

WHEREAS, there is no Suffolk County Sewer District, or any other municipal sewer district in the vicinity of Canal Properties, LLC with available capacity to treat the proposed Eleven Thousand Eight Hundred Seventy (11,870) gallons per day of wastewater, and

WHEREAS, the developer has applied to this Agency for permission to construct, operate, and maintain an on-site sewage treatment plant to treat such wastewater for Canal Properties, LLC, and

WHEREAS, this Agency has determined that the Eleven Thousand Eight Hundred Seventy (11,870) gallons per day 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, pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, the Suffolk County Sewer Agency has issued a Findings Statement, and requires no further action, 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

1<sup>st</sup> RESOLVED, by the Suffolk County Sewer Agency as follows:

The Issuer hereby finds and determines:

(a) The Agency's jurisdiction over the project is the Construction, Operation, and Maintenance of an On-Site Sewage Treatment Plant.

(b) Based upon an independent review by the Issuer of the FEIS and the Southampton Town Board's Findings on January 13, 2015, the Issuer hereby concurs in the Southampton Town Board's declaration and decisions contained in the Statement and hereby adopts the Statement of Findings attached hereto as Exhibit A as its own Statement of Findings under SEQRA.

(c) Having considered the FEIS, the Southampton Town Board's SEQR Findings and such other documents as may be necessary or appropriate, the Sewer Agency finds that:

(i) The requirements of 6 NYCRR Part 617 have been met;

(ii) Consistent with the social, economic and other essential considerations, from among the reasonable alternatives thereto, the Action is one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including effects disclosed in the environmental impact statement; and

(iii) Consistent with social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement will be minimized or avoided by incorporating as conditions those mitigative measures which were identified as practicable.

(d) The basis for this decision is set forth in the Statement of Findings attached as Exhibit A hereto and incorporated by reference herein, thus all of the provisions of SEQRA have been complied with.

2<sup>nd</sup> 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

3<sup>rd</sup> 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 Canal Properties, LLC 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 (December 21, 2015)

Mr. Donovan mentioned that this project is an existing commercial building (formerly Chuck E Cheese) situated in Commack and connected to SCSD No. 22 – Hauppauge Municipal with a capacity of Seven Thousand Two Hundred Sixty (7,260 GPD) gallons per day. The new developer proposes to establish a restaurant/bar and requires an additional Seven Hundred Eighty (780 GPD) to be in conformance with the SCDHS standards. The amount of capacity is currently available in the District and Staff recommended granting formal approval of the request for additional capacity. Mr. Donovan added that since the project was connected and required additional capacity, a representative was not in attendance.

Ms. Adhya asked if the building was being expanded and the thought was that it was not but the Staff would inquire.

Note: As per the engineering firm 12/22/15: *“There is no addition to the existing building and the foot print of it remains as-is”*.

Commissioner Anderson asked if there were any questions or comments and seeing none, he made a motion to adopt the project; the motion was seconded by Ms. Adhya and adopted unanimously.

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO: 41 - 2015 AUTHORIZING THE FORMAL APPROVAL OF ADDITIONAL CAPACITY FOR BAR LOUIE (SM-1696) TO SUFFOLK COUNTY SEWER DISTRICT No. 22 – HAUPPAUGE MUNICIPAL**

WHEREAS, Bar Louie is an existing building in Commack, New York, on property identified on the Suffolk County Tax Map as District 0800, Section 090.00, Block 02.00, Lot 005.003, and

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 22 – Hauppauge Municipal (the "District"), but was connected in 1995 as a contractee, and

WHEREAS, the owner of Bar Louie has applied to this Agency for permission to discharge an additional Seven Hundred Eighty (780 GPD) gallons per day to the sanitary sewerage facilities of the District for a total of Eight Thousand Forty gallons per day (8,040 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 Bar Louie, and

WHEREAS, the connection fee for the additional capacity for Bar Louie is at the current rate of \$30.00 GPD and is to be paid to the District, and

WHEREAS, the connection of Bar Louie 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

1<sup>st</sup> 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

2<sup>nd</sup> RESOLVED, that Bar Louie 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

3<sup>rd</sup> RESOLVED, that an additional Seven Hundred Eighty (780 GPD), of capacity in the District's sewage treatment plant be allocated to Bar Louie for a total of Eight Thousand Forty gallons per day (8,040 GPD), and it is further

4<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the owner of Bar Louie, 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

5<sup>th</sup> RESOLVED, that the connection fee for the additional capacity (780 GPD) to be paid to the District for Bar Louie, shall be paid upon the execution of the Connection Agreement at the rate of \$30.00 per gallon of capacity per day for a total of Twenty-Three Thousand Four Hundred Dollars (\$23,400.00), and it is further

6<sup>th</sup> RESOLVED, that Bar Louie shall, continue to offer to dedicate the previously constructed collection facility to this Agency, or to this Agency's nominee, at no charge, and it is further

7<sup>th</sup> 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 Bar Louie 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 21, 2015)

Mr. Donovan mentioned that this project is a proposed fast food restaurant and retail store subdivision situated in Coram. The subdivision is expected to generate Two Thousand Eight Hundred Fifty-Eight gallons per day (2,858 GPD), of wastewater and the developer requests Formal Approval for connection to Sewer District No. 11 – Selden. The capacity is currently available in the District and Staff recommended granting Formal Approval for connection to the District.

Commissioner Anderson asked if there was a representative present and Mr. Eric Meyn replied that he was and that he had nothing to add to Mr. Donovan's narrative. Ms. Adhya asked if the project was a subdivision and if an application has been submitted to the SCDHS and Mr. Meyn replied the application has been submitted. Ms. McGovern mentioned that the application included the SCDHS project number. Legislator Krupski asked if a site plan had been filed and Mr. Meyn replied, yes, with the town of Brookhaven, and added that the entire site (existing CVS, two McDonald's buildings and two retail buildings) would be connected but he was only representing McDonald's. Discussion ensued as to the amount of capacity requested as the concern was expressed that since the entire parcel was required to connect to the sewers, there was a possibility that in the future the capacity may not be available when the two retail buildings were proposed to be constructed. Mr. Braun mentioned the onus to construct the two retail buildings and secure capacity was on the owner of the property, not the Agency.

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

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO. 42 - 2015 GRANTING FORMAL APPROVAL FOR THE CONNECTION OF 1671 ROUTE 112 - CORAM – RETAIL (BR-1664) TO SUFFOLK SEWER DISTRICT NO. 11 – SELDEN**

WHEREAS, 1671 Route 112 - Coram – Retail is a proposed fast food store and retail center situated in Coram, New York, on property identified on the Suffolk County Tax Map as District 02.00, Section 339.00, Block 01.00, Lot 040.002, and

WHEREAS, the sewage flow from 1671 Route 112 - Coram – Retail is expected to be Two Thousand Eight Hundred Fifty-Eight gallons per day (2,858 GPD), and

WHEREAS, 1671 Route 112 - Coram – Retail is 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, Tanglewood Commons, LLC, has applied to this Agency for permission to connect its Two Thousand Eight Hundred Fifty-Eight gallons per day (2,858 GPD), of flow to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the proposed flow of Two Thousand Eight Hundred Fifty-Eight gallons per day (2,858 GPD), which is expected to emanate from 1671 Route 112 - Coram – Retail, and

WHEREAS, the connection of 1671 Route 112 - Coram – Retail 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

1<sup>st</sup> 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

2<sup>nd</sup> RESOLVED, that 1671 Route 112 - Coram – Retail 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

3<sup>rd</sup> RESOLVED, that Two Thousand Eight Hundred Fifty-Eight gallons per day (2,858 GPD), of capacity in the District's sewage treatment plant be allocated to 1671 Route 112 - Coram – Retail, and it is further

4<sup>th</sup> 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

5<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the owner of 1671 Route 112 - Coram – Retail, 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

6<sup>th</sup> RESOLVED, that the connection fee to be paid for 1671 Route 112 - Coram – Retail shall be paid upon the execution of the Connection Agreement at the rate of \$30.00 per gallon of flow per day for a total of Eighty-Five Thousand Seven Hundred Forty Dollars (\$85,740.00), and it is further

7<sup>th</sup> RESOLVED, that Tanglewood Commons, LLC shall, at its sole cost, expense and effort, construct a sewage collection facility for 1671 Route 112 - Coram – Retail and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8<sup>th</sup> RESOLVED, that Tanglewood Commons, LLC 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 1671 Route 112 - Coram – Retail, as well as for all of the developer's obligations under the Connection Agreement, and it is further

9<sup>th</sup> 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 Tanglewood Commons, LLC if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting December 21, 2015)

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

### **HOLIDAY MID-RISE TOWER**

**(IS-1451)**

Mr. Donovan mentioned that this is a proposed 150 unit condominium building situated in Hauppauge, adjacent to the Windwatch Hotel. The estimated flow from this project is Fifty-Four Thousand (54,000 GPD) gallons per day for which the developer requests an additional Time Extension to complete the connection agreement. Staff recommended granting the Time Extension to complete the connection agreement for connection to SCSD #13 – Windwatch.

Commissioner Anderson asked if there was a representative present and Mr. Judah Serfaty, Esq. replied that he was and introduced Mr. Tom Lembo, P.E., the project engineer. Legislator Krupski asked about the affordable aspect of the project and Mr. Serfaty replied that the developer had satisfied the Town of Islip's requirement by paying One Million Dollars (\$1,000,000.00) toward affordable housing in the Town. Discussion ensued as to the expansion of the County WWTP, the reasons for the delay, and Affordable Housing and that the project pre-dated the Local Law (20-2007). Commissioner Anderson asked if the agreement would be completed within the one year extension and Mr. Serfaty replied, yes.

Commissioner Anderson 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 Commissioner Anderson and approved unanimously.

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO. 43 - 2015 AUTHORIZING AN EXTENSION OF TIME FOR THE CONNECTION OF HOLIDAY MID-RISE TOWER (IS-1451) TO SUFFOLK COUNTY SEWER DISTRICT NO. 13 - WINDWATCH**

WHEREAS, on February 25, 2013, this Agency adopted Resolution No. 1-2013, authorizing the connection of Holiday Mid-Rise Tower to SCSD No. 13 - Windwatch, and

WHEREAS, on November 17, 2014, this Agency adopted Resolution No. 47-2014, granting a one year time extension for completion of the Agreement, however, the resolution expired on November 17, 2015, without the completion of the Agreement, and

WHEREAS, the owner of Holiday Mid-Rise Tower has requested an extension of the authorization granted in Resolution No. 1-2013, and

NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that Resolution No. 1-2013, adopted by this Agency on February 25, 2013, is hereby renewed, and it is further

2<sup>nd</sup> 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 – December 21, 2015)

Mr. Donovan mentioned that this project is an existing auto dealer and a single apartment situated on Straight Path in Wyandanch. The proposed project is within the Town of Babylon, revitalization project area (Area A) and the owner requests an additional Time Extension to complete the connection agreement. The capacity continues to be available in the sewer district and Staff recommended granting the Time Extension to complete the connection agreement. Mr. Donovan added that a representative was not in attendance.

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

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO. 44 - 2015 AUTHORIZING AN EXTENSION OF TIME FOR THE CONNECTION OF 1513 STRAIGHT PATH WYANDANCH (BA-1477.1-004) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST**

WHEREAS, on June 17, 2013, this Agency adopted Resolution No. 15-2013, authorizing the connection of 1513 Straight Path Wyandanch to SCSD No. 3 - Southwest, and on November 17, 2014, adopted Resolution No. 46-2014, which granted an additional year to complete the agreement, and

WHEREAS, Agency Resolution No. 46-2014, granted one year for completion of the Agreement, however, the resolution expired on November 17, 2015, without the completion of the Agreement, and

WHEREAS, the Owner of 1513 Straight Path Wyandanch has requested an extension of the authorization granted in Resolution No. 15-2013, and

NOW, THEREFORE, IT IS

<sup>1st</sup> RESOLVED, that Resolution No. 15- 2013, adopted by this Agency on June 17, 2013, is hereby renewed, and it is further

<sup>2nd</sup> 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 – December 21, 2015)

Mr. Donovan mentioned that this project is an existing industrial building on Spagnoli Road in Melville. The facility is expected to generate Eight Thousand Seventy-Four (8,074 GPD) gallons per day of wastewater and the owner requests an additional Time Extension to complete the Connection Agreement for the connection to Sewer District No. 3 – Southwest. The capacity continues to be available in the District and Staff recommended granting the request for the time Extension of the connection to the District.

Commissioner Anderson asked if there was a representative present and Mr. Jaret Weber, Esq. replied that he was and that he had no additional comments. Commissioner Anderson asked if there were any questions or comments and seeing none, he made a motion to approve the project; the motion was seconded by Ms. Broughton and approved unanimously.

# **SUFFOLK COUNTY SEWER AGENCY**

## **RESOLUTION NO. 45 -2015**

### **AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE CONNECTION AGREEMENT BY KARP ASSOCIATES (HU-1644) TO THE SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST**

WHEREAS, on March 18, 2013, this Agency adopted Resolution No. 10-2013, authorizing the connection of Karp Associates to Suffolk County Sewer District No. 3 - Southwest, and

WHEREAS, on September 18, 2014, this Agency adopted Resolution No. 33-2014, authorizing a one year time extension for the connection of Karp Associates to Suffolk County Sewer District No. 3 - Southwest, and

WHEREAS, Resolution 33-2014, granted one year 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 owner of Karp Associates has requested an extension of the authorization granted in Resolution No. 10-2013,

NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that Resolution No. 10-2013, adopted by this Agency on March 18, 2013, is hereby renewed, and it is further

2<sup>nd</sup> 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 December 21, 2015)

## **C. Conceptual Certification – Connection/Construction Agreement**

### **BRIGHTVIEW SENIOR LIVING AT SAYVILLE**

**(IS-1694)**

Mr. Donovan mentioned that this project is a proposed assisted living facility situated on Broadway and Sunrise Highway in Sayville. The project is expected to generate Twenty Thousand Six Hundred Fifty (20,650 GPD) gallons per day of wastewater, which the developer proposes connection to SCSD #14 – Parkland. Capacity is currently available in the District. Staff recommended granting Conceptual Certification to the project providing the project engineer can demonstrate that the connection is feasible and that the existing sewer collection system can accommodate the additional flow.

Commissioner Anderson asked if there was a representative present and Anthony Guardino, Esq. replied that he was and added that Mr. Chris Weiss, P.E. was also in attendance. Ms. Adhya asked if the application for this project had been submitted to the SCDHS and the answer was no. Mr. Donovan mentioned that normal procedure of the Agency would be to table the project until the application had been submitted to SCDHS.

Commissioner Anderson made a motion to table the project until next Sewer Agency meeting; the motion was seconded by Legislator Krupski and approved unanimously.

Legislator Krupski mentioned Local Law 20-2007 (Affordable Housing) and asked whether or not this project was exempt as stated in the application. Mr. Braun mentioned that the Law Department had discussed the project and thought that the Local Law would not be applicable. Legislator Krupski asked what if after the approval the project changed, would the Local Law be applicable; Mr. Braun replied that as far as he knew the Local Law did not address the issue.

Seeing no further business, Commissioner Anderson made a motion to adjourn the meeting. The motion was se conded by Ms. Broughton and approved unanimously at 11:48 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

*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.*

Sign-in

December 21, 2015

Suffolk County Sewer Agency  
SCDPW - Sanitation - Engineering

No.	Name	Firm/Company	Project	Email Address (copy of minutes)
1	CHARLIE BARTHA	BOWNE	CANAL PROPERTIES	CBARTHA@BOWNEGROUP.COM
2	TOM LEMBO	N/A	HOLIDAY MEARISE	TLEMBO@NELSON/AOPE.COM
3	CHRIS WEISS	H2M	Brightview Assoc. rec l.	CWEISS@H2M.COM
4	Judah Serfaty	Rosenberg Calic + Barry	Windwatch STP	JSerfaty@scblaw.com
5	Kristen McCabe	Rechler Equity	Canal Townhomes	KMcCabe@rechlerequity.com
6	Drew Renter	Rechler Equity	Canal Townhomes	arenter@rechlerequity.com
7	Jared Weber	Weber Law Group	Karp Associates	Jweber@weberlawgroup.com
8	Eric Meyn	Bohler Eng.	Tanglewood	emeyn@bohlereng.com
9	Chris Kent	Fairrell Fritz	Canal Properties	ckent@fairrellfritz.com
10	Maurice Olman	Clean Fla		daisted02@aol.com
11	Anthony Curran	Ferry Fritz	Brydwin Assisted Living	agcurran@ferryfritz.com
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If you are not a project representative but would like to address the Sewer Agency, you must fill out an index card.