

FIMI Stakeholders Call Held November 12, 2015 MINUTES Sent 12-1-15

Members of the FIMI Project Team on the call: NYSDEC (Sue McCormick, Andy Fera); US Army Corps of Engineers (Lynn Bocamazo); and Suffolk County (Gil Anderson, Gail Lolis, Janet Longo, Bob Whalen)

The following representatives were on the call:

- Elected Officials: None
- Town of Brookhaven: Tom Carrano
- Communities: Those who indicated they were on the call were: Marsha Hunter (Kismet); Mario Posillico (Saltaire); Gene Levy (Fair Harbor); Cathy Bimberg and Ken Cohen (Dunewood); Pete Clock (Lonelyville); Alan Altman (Robbins Rest); Chris Dunworth (Summer Club); Don Sussman (Corneille); Steve Brautigam (Ocean Beach); Suzy Goldhirsch (Seaview); Karen Kee (Ocean Bay Park); Jeff DeJarnette (Point O Woods); Jay Pagano (Pines); and John Lund (Davis Park).

Please let Sue McCormick know if anyone was omitted from this list at susan.mccormick@dec.ny.gov.

Stated purpose for the call: To provide a general update on the status of the FIMI Project in the 17 communities including technical, real estate and schedule information. Allow communities to ask questions that are related to the whole Project that all would be interested in hearing. Ensure that everyone is getting the latest and same information at the same time.

What the call is not for: Discussion of issues that are specific to a given community. Specific issues can be emailed to Sue McCormick and we will hold a separate call or meeting with that community to address their specific concerns and issues.

General:

The County's FIMI website has been updated and is operational. It contains the revised pre-existing structure easement and an up-to-date FAQ. The Relocations FAQ is currently being updated and will be posted after we receive the Relocation Agreement from the Army Corps of Engineers.

www.suffolkcountyny.gov/fimi

Please note that as the project is designed and the real estate is obtained that ALL SCHEDULES, PLANS, PROCEDURES, PROCESSES, PLACEMENT LOCATIONS, AND THE ORDER OF WORK ARE SUBJECT TO CHANGE. WHAT IS STATED ON A CALL OR PROVIDED IN THE MINUTES FOR A CALL CAN CHANGE AT ANY TIME.

Project overview and status: [NOTE: Information given on the call, has been updated to reflect changes in the last few weeks.]

- Status of the 6 contracts within FIMI:

Contract 1: SPCP: Dredging is ongoing. As of November 4th ~250,000 CY placed.

Contract 2: The official contract modifications to add K&S to Contract #2 will be awarded shortly and the contractor has already added this work to their schedule. The dredge arrived the first week of November and has completed sand placement at Field 5 of Robert Moses State Park (RMSP). As of November 25th they are moving east and working in the Lighthouse tract and will reach Kismet by the second week of

December and will continue east into Saltaire. After Saltaire is complete they will go back and finish the western portions of RMSP. As of Friday November 27th 515,000 CY of sand have been placed.

Contract 3A: Fair Harbor to Seaview – the contract includes all aspects of work.

Contract 3B1: Ocean Bay Park (OBP) to Davis Park (DP) - the contract includes sand placement and dune crossover work.

Contract 3B2: OBP to DP - the contract includes civil work including demolitions, relocations, deck and pool removals and water main relocation and access to Cayuga Avenue in OBP.

Contract 3C: Relocation of Ocean Beach well field.

- Dune crossovers: ADA regulations require “reasonable” ADA access but that does not mean every community must have one. Each community can decide what they want. Status of 3A: The County is obtaining surveys of the landward side of existing crossovers to assist the Corps in the final designs of the ADA ramps – each will be individually designed to fit existing elevations. Status of 3B: Chris Soller is reaching out to each community to discuss locations, types and numbers. Expect to complete by mid-December.

- General engineering: The proposals for relocation of the Ocean Beach well field and relocation of the waterline in OBP have been approved by the Corps and deBruin can now start the engineering work. The proposal for the revised access to Cayuga Ave in OBP is being prepared by deBruin.

- Engineering for 3A: Plans and specs are complete for 4 deck removals, 2 septic relocations, 1 house demolition and 1 house relocation. They are under review by the Corps now. The permit applications are with the owners for signature (some have been signed) after which the County’s engineer will make the application to the appropriate governmental entities. The Corps contractor will do all of the removal, demolition and relocation work and will rebuild the septic systems.

- Engineering for 3B: Suffolk County has assigned the work to their engineer, deBruin. The engineer will begin with the most difficult work first (i.e. the relocations) and will most likely progress from west to east once that work is done. The engineer has been contacting home owners to do inspections over the last few weeks, but would like some assistance from community leaders where they cannot make contact. Community leaders agreed to assist as needed.

- Status of the Corps plans and specs for Contract 3A: 90% complete.

Real estate update:

- Contract #2 for Kismet and Saltaire are done.

- Status of RE in 3A: Real estate is 50% completed. The County is now recording easements and scheduling closings. There are 45 parcels going into Eminent Domain petition which the County will file shortly (waiting for surveyor to finish acquisition maps). Most of these are for title or band subordination issues and are considered “friendly” proceedings. The petition should be returnable in late December to early January with title vesting by late January.

- Status of RE in 3B: Most owners in Ocean Bay Park have their offers now, only a few are pending as Traffic Avenue issues are resolved. Of the 16 offers that are for full fee, seven have accepted, three have rejected so far. Three owners will retain their home for relocation to another lot in the community at their own expense. OBP is the only 3B community that has received offers so far. In Davis Park most appraisals are done and many are with the Corps for review.

Schedule update: ALL SCHEDULES ARE SUBJECT TO CHANGE. – It is impossible to predict all possible issues that may arise that could change the schedule. As of November 12, 2015, the schedule is:

Contract 3A: We are holding the proposed schedule as closely as possible, but are uncertain how the permitting process will play out. Groundwork was laid with permitting authorities, but we are not sure how long it will take to get the actual permits/variances and the appraisals cannot be completed until the permits are in hand.

Corps completes plans and specifications and puts contract out to bid in Dec 2015/Jan 2016
County obtains all real estate by December/January
NYS certify real estate to the Corps in January/February
Corps opens bids in January/February
Corps awards contract in February/March
Work starts early April/May depending on contractor's equipment schedule

Contract 3B:

Corps completes plans and specifications and puts contract out to bid in June 2016
County obtains all real estate by mid-June
NYS certify real estate to the Corps in June
Corps opens bids in July
Corps awards contract in August
Work starts September depending on contractor's equipment schedule

Contract 3B: no schedule until engineering work is done

Reponses to Questions from October 8th Call that were not provided in the minutes:

Question #2: Are ADA compliant crossovers required?

Response #2: "Reasonable" ADA access is required but that does not mean every community must have one. If you have any issues with the ADA walks you previously requested please send Sue McCormick or Andy Fera an email advising any change you may prefer and we will do our best to accommodate you. Each ADA crossover is being individually designed to meet existing grades.

Question #6: Particularly in Seaview, but also in other communities, the walks are owned by the community and not the Town. Is there a form that the community can sign to give access to the walks for the construction of the ADA crossovers?

Response #6: This is still being evaluated by the County's legal staff.

Question #11: Does the sand placement (Contract #3B1) and the structural work (Contract #3B2) have to be done separately?

Response #11: Members of the Corps, DEC, and County will be meeting December 1st to discuss. We will better be able to answer this question on the next call.

Question #12: What is planned for the Ocean Beach jetties (groins)?

Response #12: The groins will remain in place under the FIMI project. They provide protection to the OB well field. The well relocation will be done in Contract #3C and therefore the groins can't be removed before #3C is complete. The sand for Ocean Beach will be placed under Contract #3A and will most likely be completed before Contract #3C is started. The groin removal is a part of the permanent solution to the erosion on Fire Island and therefore is being addressed in the FIMP report as part of the long term work as opposed to the interim stabilization work. The draft FIMP report is expected to be made public in February 2016.

All other questions were answered in the minutes of the October 8th call.

Questions: Please keep questions to those that relate to the entire Project. Please email community specific questions to Sue McCormick. If we can't answer a question on the call, we will try to answer it in the minutes; if not, then on the next call. There will be typed minutes of the call so all have the same information in writing which will be distributed as quickly as we can.

There was a lengthy discussion and many questions regarding dune overwalks, specifically in regards to ADA compliance. Questions revolved around location, width and construction of ADA ramps, whether stairs could be added later by the community, who is responsible for maintaining them, which communities are required to have one, what options are there and a request that the communities would like to have more input. On November 25th an email was sent to the Community Stakeholders with answers to most of the questions. That email generated some additional questions that we received via email and we will try to have answers to those for the next call. If there are any additional questions, please contact Sue McCormick or Andy Fera at the DEC. The content of the November 25th email will be updated on the December 3rd as new information is currently being evaluated.

Question: Will individual owners incur legal costs for Eminent Domain proceedings?

Response: They are entitled to reimbursement for costs however, the County needs clarification on additional compensation for legal and expert fees. The Court will make this determination. The County will be paying the bank's subordination fees. The plan is to make all owners "whole."