

Introduced by Presiding Officer, on the request of the County Executive

RESOLUTION NO. 588 -2009, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on May 12, 2009 in relation to the increase and improvement of facilities for said district which includes the improvements to buildings, mechanical and electrical systems and auxiliary equipment at Suffolk County Sewer District No. 3 – Southwest, in relation to; and

WHEREAS, pursuant to Resolution No. 304-2009, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Hauppauge, New York in said County on May 12, 2009 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement of the building and mechanical/electrical facilities for Suffolk County Sewer District No. 3 – Southwest submitted and evidence given at the public hearing held on May 12, 2009; now, therefore be it

1st **RESOLVED**, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to buildings, mechanical and electrical systems and auxiliary equipment facilities at Suffolk County Sewer District No. 3 – Southwest, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$2.0 million on the increase and improvement to buildings, mechanical and electrical systems and auxiliary equipment and facilities at Suffolk County Sewer District No. 3 – Southwest;

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement to buildings, mechanical and electrical systems and auxiliary equipment and facilities at Suffolk County Sewer District No. 3 – Southwest at a maximum cost

of \$2.0 million which represents the aforementioned project which will be attributable to the increase and improvement to buildings, mechanical and electrical systems and auxiliary equipment and facilities of said sewer district, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that two other projects (ultraviolet disinfection and reduction of extraneous flows) being implemented for this district, when added to the project will result in an increase to the typical property of less than \$15.55;

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

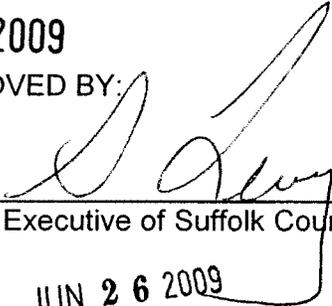
and be it further

2nd **RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA, and be it further

3rd **RESOLVED**, that this resolution shall take effect immediately.

DATED: JUN 23 2009

APPROVED BY:



County Executive of Suffolk County

Date: JUN 26 2009

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on June 23, 2009 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Clerk of the Legislature

Motion:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	↑				
2	Jay H. SCHNEIDERMAN	↑				
3	Kate M. BROWNING	↑				
4	Brian BEEDENBENDER	↑				
6	Daniel P. LOSQUADRO	↑				
7	Jack EDDINGTON	↑				
9	Ricardo MONTANO	↑				
10	Cameron ALDEN	↑				
11	Thomas F. BARRAGA	↑				
12	John M. KENNEDY, JR.	↑				
13	Lynne C. NOWICK	↑				
14	Wayne R. HORSLEY	↑				
15	DuWayne GREGORY	↑				
16	Steven H. STERN				/	
17	Lou D'AMARO	↓				
18	Jon COOPER	↓				
5	Vivian VILORIA-FISHER, D.P.O.	↓				
8	William J. LINDSAY, P.O.	↓				
	Totals	17	1	1	1	-

MOTION	
<input checked="" type="checkbox"/>	Approve
Table:	_____
<input type="checkbox"/>	Send To Committee
<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Lay On The Table
<input type="checkbox"/>	Discharge
<input type="checkbox"/>	Take Out of Order
<input type="checkbox"/>	Reconsider
<input type="checkbox"/>	Waive Rule _____
<input type="checkbox"/>	Override Veto
<input type="checkbox"/>	Close
<input type="checkbox"/>	Recess
APPROVED <input checked="" type="checkbox"/>	FAILED _____
No Motion _____	No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Tim Laube
 Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote