Intro. Res. No. 1705-2009 Laid on Table 8/4/2009
Introduced by Legislators D'Amaro, Stern, Gregory, Horsley and Barraga

RESOLUTION NO. 781 -2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PREPARING A SEWERING FEASIBILITY STUDY FOR THE DEER PARK, NORTH BABYLON, WYANDANCH AND WEST ISLIP AREAS (CP 8139)

WHEREAS, the areas of Deer Park, North Babylon, Wyandanch and West Islip would benefit from the availability of sanitary sewer service; and

WHEREAS, the availability of sanitary sewer service in these areas has the potential to increase business investment, increase workforce housing opportunities, and provide greater environmental protection in these communities; and

WHEREAS, sufficient funds are not included in the 2009 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $400,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-six (56) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project Number: 1755
Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

Cost Elements	Total Est'd Cost	Current 2009 Capital Budget & Program	Revised 2009 Capital Budget & Program
3. Construction	$2,320,000	$2,720,000B	$2,320,000B
TOTAL	$2,320,000	$2,720,000	$2,320,000

Project Number: 8139
Project Title: Sewering Feasibility Study for the Deer Park/North Babylon, Wyandanch and West Islip Area

Cost Elements	Total Est'd Cost	Current 2009 Capital Budget & Program	Revised 2009 Capital Budget & Program
1. Planning, Design, Supervision	$400,000	$0	$400,000B
TOTAL	$400,000	$0	$400,000

and be it further

3rd **RESOLVED**, that the proceeds of $400,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	JC	Project Title	Amount
525-CAP-8139.110	80	Sewering Feasibility Study for the Deer Park/North Babylon, Wyandanch and West Islip Areas	$400,000

and be it further

4th **RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

5th **RESOLVED**, that the Administrative Head of the Sewer Districts be and hereby is authorized, directed and empowered to issue an RFP and enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to consultant assistance for the planning of this project; and be it further

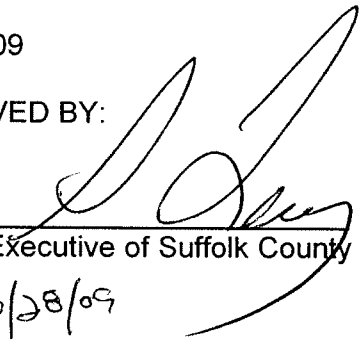
6th **RESOLVED**, that should this Sewer Feasibility Study result in the creation of a new Sewer District for the Deer Park/North Babylon, Wyandanch/West Islip area(s) operated by Suffolk County, a local municipality, an association or a private developer that the cost associated with this Sewer Feasibility Study, both principal and interest incurred on the serial bonds, will be repaid to the Suffolk County General Fund 001 by the new Sewer District; and be it further

7th **RESOLVED**, that in accordance with applicable provisions of law the expenditures which are attributable to the establishment of a district, shall be apportioned against the users of such district and reimbursed to the County for the costs herein; and be it further

8th **RESOLVED**, that 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 Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: August 18, 2009

APPROVED BY:



County Executive of Suffolk County

Date: 8/28/09

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 August 18, 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.

Tim Laube

Clerk of the Legislature

CN 1705

Intro. Res. 1705 Res. No. 781 August 18, 2009

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

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

Second:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-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	15	—	2	1	—

MOTION

X Approve
___ Table: _____
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule ___
___ Override Veto
___ Close
___ Recess

APPROVED X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED

X ADOPTED
___ NOT ADOPTED

Roll Call X Voice Vote ___

Tim Laube

Tim Laube, Clerk of the Legislature