

**RESOLUTION NO. 892 -2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PREPARING A SEWERING FEASIBILITY STUDY FOR THE DOWNTOWN MATTITUCK AREA IN THE TOWN OF SOUTHDOLD (CP 8190)**

**WHEREAS**, the area of downtown Mattituck in the Town of Southold would benefit from the availability of sanitary sewer service; and

**WHEREAS**, the Town of Southold has requested a feasibility study for a community waste water treatment facility in 2008 for downtown Mattituck area; and

**WHEREAS**, the availability of sanitary sewer service in this area has the potential to increase existing business investment, opportunities, and provide greater environmental protection in this community; 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 \$50,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> 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

**2<sup>nd</sup> 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

	Total Est'd Cost	Current 2009 Capital Budget & Program	Revised 2009 Capital Budget & Program
<u>Cost Elements</u>			
3. Construction	\$1,070,000	\$1,120,000B	\$1,070,000B
TOTAL	\$1,070,000	\$1,120,000	\$1,070,000

Project Number: 8190

Project Title: Sewering Feasibility Study for the Downtown Mattituck Area, Town of Southold

<u>Cost Elements</u>	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget &amp; Program</u>	<u>Revised 2009 Capital Budget &amp; Program</u>
1. Planning, Design, Supervision	\$50,000	\$0	\$50,000B
TOTAL	\$50,000	\$0	\$50,000

and be it further

3<sup>rd</sup> **RESOLVED**, that the proceeds of \$50,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8190.110	80	Sewering Feasibility Study for the Downtown Mattituck Area, Town of Southold	\$50,000

and be it further

4<sup>th</sup> **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

5<sup>th</sup> **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

6<sup>th</sup> **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

7<sup>th</sup> **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: October 13, 2009

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,  
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED OCTOBER 29, 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 October 13, 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*

A handwritten signature in cursive script that reads "Tim Laube".

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Clerk of the Legislature

Intro. Res. 1796 Res. No. 892

October 13, 2009

**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	18	—			

**MOTION**

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  FAILED \_\_\_  
 No Motion \_\_\_ No Second \_\_\_

**RESOLUTION DECLARED**

ADOPTED  
 \_\_\_ NOT ADOPTED

*Tim Laube*  
 \_\_\_\_\_  
 Tim Laube, Clerk of the Legislature

Roll Call \_\_\_ Voice Vote