

**RESOLUTION NO. 1241 -2009, AUTHORIZING EXECUTION
OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF
SUFFOLK COUNTY SEWER DISTRICT NO. 11 – SELDEN
WITH THE OWNER OF THE SELDEN COMMERCIAL CENTER
(BR-1616)**

WHEREAS, Selden Commercial Center, is located outside the boundary of Suffolk County Sewer District No. 11 – Selden; and

WHEREAS, Selden Commercial Center, has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 11 – Selden; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity available in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 11 – Selden and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, such connection for 10,000 GPD has been approved by the Suffolk County Sewer Agency, Resolution No. 29-2009; and

WHEREAS, Selden Commercial Center, will pay \$7.06 per gallon per day (\$70,600.00) of the connection fee to the District 11 Venture as part of the agreement for expanding the District and the balance of the \$15.00 connection fee (\$7.94) per gallon per day (\$79,400.00) to the District; and

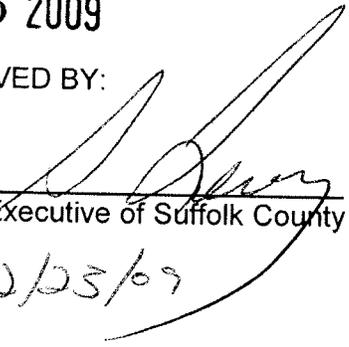
WHEREAS, the Suffolk County Sewer Agency has determined that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is listed as a Type II Action, and requires no further action; now, therefore be it

1st **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; and be it further

2nd **RESOLVED**, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 11 – Selden and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: **DEC 15 2009**

APPROVED BY:



County Executive of Suffolk County

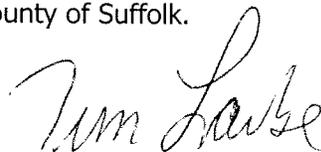
Date: 12/23/09

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 December 15, 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

Intro. Res. 2130

Res. No. 1241

December 15, 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	
<input checked="" type="checkbox"/>	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 <input checked="" type="checkbox"/>	FAILED _____
No Motion _____	No Second _____

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

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote