

Intro. Res. No. 1369-2010  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 3/23/2010

**RESOLUTION NO. 349 -2010, AMENDING RESOLUTION NO. 1246-2009, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 7 – MEDFORD (CP 8129)**

**WHEREAS**, a map and plan together with an estimate of cost has been prepared and filed with this Suffolk County Legislature (“**Legislature**”) resulting in a public hearing on October 13, 2009 in relation to the increase and improvement of facilities at Suffolk County Sewer District No. 7 – Medford, including construction of the wastewater treatment sludge process thereat; and

**WHEREAS**, pursuant to Resolution No. 825-2009, the Clerk of this 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 this Legislature; and

**WHEREAS**, said public hearing was held in Hauppauge, New York in this County on October 13, 2009 at 2:30 p.m., Prevailing Time; and

**WHEREAS**, on December 1, 2009 this legislature passed Resolution No. 1246-2009, making certain findings and determinations in relation to the increase and improvement of facilities for Sewer District No. 7 - Medford (Sludge) and said Resolution contained erroneous and incomplete information including erroneous cost per typical property information.

**WHEREAS**, this Legislature desires to correct the record and has duly considered the map and plan and correct estimate of cost for the increase

**WHEREAS**, this Legislature has duly considered the map and plan and correct estimate of cost for the proposed increase and improvement of Suffolk County Sewer District No. 7 – Medford that were submitted to it along with evidence presented at the aforesaid public hearing; now, therefore be it

**That Resolution No. 1246-2009 is amended as follows:**

**The First Resolved Clause of Resolution No. 1246-2009 is hereby deleted in its entirety and replaced by the following:**

**1<sup>st</sup> RESOLVED**, by this Legislature, 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 this Legislature, this Legislature hereby finds and determines that 1) it is in the public interest to perform the proposed increase and improvement, including the construction of a sludge thickening/dewatering system along with auxiliary equipment; 2) the proposed work is adequate and appropriate, 3) the cost of such increase and improvement shall be set at a maximum of approximately \$1,000,000; and 4) the increase and improvement 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 this Legislature, this Legislature further finds and determines that the cost of the project will equate to \$14.00 per year per typical property. However, this Legislature further finds and determines that there will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Sewer Assessment Stabilization Fund created by Suffolk County Law (Suffolk County Charter Section 2-12(d)), all residents of sewer districts in Suffolk County experience only a 3% annual increase regardless of any improvements performed in such district;

**Section 3.** Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature further finds and determines that all property and property owners within the existing Suffolk County Sewer District No. 7 – Medford, will be benefited by such increase and improvement of facilities and that no benefited property has been excluded therefrom;

**2<sup>nd</sup>** **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

**3<sup>rd</sup>** **RESOLVED**, that this resolution shall take effect immediately.

DATED: April 27, 2010

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 11, 2010