

**RESOLUTION NO. 412 -2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE US ARMY CORPS OF ENGINEERS' FORGE RIVER, NEW YORK FEASIBILITY STUDY (8710.127)**

**WHEREAS**, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection and Restoration; and

**WHEREAS**, the Suffolk County Water Quality Review Committee, pursuant to, Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

**WHEREAS**, the Suffolk County Department of Environment and Energy will sponsor the feasibility study in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

**WHEREAS**, the Town of Brookhaven will serve as the Non-Federal Sponsor for the Forge River Feasibility Study, to be conducted by the US Army Corps of Engineers (USACE); and

**WHEREAS**, the Town of Brookhaven, as cost sharing partner for the US Army Corps of Engineers' Forge River, New York Feasibility Study is required to provide fifty percent (50%) of the project cost, which is estimated at \$3 million dollars, which can be through a combination of Town funds, in-kind contributions, and grants; and

**WHEREAS**, the Suffolk County Water Quality Protection and Restoration and Land Stewardship Initiative Program is offering a \$300,000 matching grant to the Town of Brookhaven to be used as part of the Town of Brookhaven's match for the Feasibility Study; and

**WHEREAS**, the project proposes to develop an integrated watershed management plan to maintain, restore, and enhance activities that contribute to the health of the Forge River watershed; and

**WHEREAS**, the County contribution for the project is \$300,000 consisting of \$100,000 a year for the years 2010, 2011, and 2012; and

**WHEREAS**, the Town of Brookhaven has committed by Town Resolution 2010-307 to \$300,000 in funding for the Non-Federal Sponsor requirement of \$1,500,000; and

**WHEREAS**, the Town of Brookhaven has committed by Town Resolution 2010-307 to accept the grant from the County of Suffolk and to enter into an intermunicipal agreement with the County of Suffolk for this project; and

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2008 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

**WHEREAS**, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2010 Capital Budget and Program; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the Town of Brookhaven, New York, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, found, as documented in Town Resolution 2010-148, approved on February 9, 2010, that this project constitutes a Type II listed action pursuant to 6NYCRR 617.5(c)(21), conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action; therefore the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

**2<sup>nd</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup>** **RESOLVED**, that sufficient funds exist within Fund 477’s Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Adopted 2010 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$300,000

and be it further

**5<sup>th</sup>** **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev. Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT (Ref. 525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$300,000

and be it further

6<sup>th</sup> **RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710

Project Title: US Army Corps of Engineers' Forge River Feasibility Study

	<u>Total Est'd Cost</u>	<u>Current 2010 Capital Budget &amp; Program</u>	<u>Revised 2010 Capital Budget &amp; Program</u>
1. Planning	\$300,000	\$0	\$300,000W
<b>TOTAL</b> and be it further	\$300,000	\$0	\$300,000

7<sup>th</sup> **RESOLVED**, that the transfer in the amount of \$300,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.127	50	US Army Corps of Engineers' Forge River Feasibility Study	\$300,000

and be it further

8<sup>th</sup> **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project; and be it further

9<sup>th</sup> **RESOLVED**, that the County Executive is hereby authorized to execute an intermunicipal agreement with the Town of Brookhaven under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW, which shall include but not be limited to, a provision authorizing the US Army Corps of Engineers' Forge River Feasibility Study.

DATED: May 11, 2010

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 26, 2010