Intro. Res. No. 1365-2011 Laid on Table 4/26/2011
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 402 -2011, CALLING FOR A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE PLANNING OF THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 - SOUTHWEST (OUTFALL - FINAL EFFLUENT PUMPING STATION) (CP 8108)

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Suffolk, New York has established a County sewer district designated and known as Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, a map and plan, together with an estimate of cost, has been prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to the proposed planning for an increase and improvement of the facilities and renovating/constructing improvements to the Final Effluent Pumping Station (FEPS) and the associated ultraviolet disinfection elements of said sewer district; and

WHEREAS, the FEPS element of the outfall project is considered Phase I; and

WHEREAS, the Administrative Head of the Sewer District has requested that funds be appropriated to cover the planning and renovating/constructing costs associated with the improvement project related to the Outfall-Final Effluent Pumping Station (FEPS); and

WHEREAS, it is now desired to call a public hearing thereon; pursuant to Section 254 of County Law; now, therefore be it

1st **RESOLVED**, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. A meeting of the County Legislature of the County of Suffolk New York shall be held at the County Center in the meeting room of the County Legislature in Hauppauge, New York, in said County, on the 7th day of June 2011, at 2:30 p.m., Prevailing Time, for the purpose of conducting a public hearing on the aforesaid matter and for such other action on the part of said County Legislature as may be required by law or proper in premises.

Section 2. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of said County, and such other newspaper as the Legislature may designate, if any, said publication to be made in each of such newspapers not less than ten, nor more than twenty days before the day set herein for said public hearing. Such notice shall be in the following form, to wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the County Legislature of the County of Suffolk New York will meet at the County Center in the meeting room of the County Legislature in Hauppauge, New York, in said County, on June 7, 2011 at 2:30 PM, Prevailing Time, for the purpose of conducting a public hearing upon a proposal to plan the increase and improve the first phase of the Outfall project, i.e., the Final Effluent Pumping Station and associated ultraviolet disinfection

system linked to that work of County Sewer District No. 3 – Southwest in and about the within the Town of Babylon, in and for said County, substantially in accordance with certain maps, plans, report and recommendations prepared by and filed with the County legislature by the Suffolk County Sewer Agency with the assistance of the County Department of Public Works, at which time and place said County legislature will consider such proposal and hear all parties interested therein concerning the same.

The project is to provide construction and rehabilitation of the Final Effluent Pumping Station and related systems. The cost opinion associated with the Outfall - Final Effluent Pumping Station project is $35 million. The project elements are more fully described and defined in the aforementioned maps, plans, report, and recommendations.

The existing district is billed on assessed value, a per parcel charge, and a user fee. It is proposed that the project will be implemented during 2012. Based on the project schedule, the maximum debt payment will be during 2013 at a value of $2,772,000. Financing is at 4.00% over 20 years for serial bonds. This unsubsidized increased rate amounts to a value per typical property of approximately $27.58 per year. This figure was developed using the full value of the Towns of Babylon and Islip along with the median full value of a typical property within the towns resulting in an increase of $0.0918 per $1,000 of full value for Capital Project 8108, (Outfall – Final Effluent Pumping Station).

In addition to the Capital Project 8108, (Outfall – Final Effluent Pumping Station) project there are two concurrent projects in Sewer District No. 3 – Southwest. However, there will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve Fund, all residents of sewer districts experience a 3% annual increase regardless of any improvements performed with the annual typical property increase being $19.17 including all three projects.

A copy of the map, plan, and estimate of costs relating to said proposed increase, improvement, and extension of facilities is on file in the Office of the Clerk of said County Legislature, where the same may be examined during regular business hours.

and be it further

2nd **RESOLVED**, this Legislature, being the lead agency under the State Environmental 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") and pursuant to Intro. Res. No. 1199-2011, the Legislature has no further responsibilities under SEQRA; and be it further

3rd **RESOLVED**, this resolution shall take effect immediately.

DATED: May 10, 2011

APPROVED BY:

County Executive of Suffolk County

Date: MAY 2 0 2011

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 May 10, 2011 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

Intro. Res. 1365 Res. No. 402 May 10, 2011

Motion:
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, 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	Thomas MURATORE	✓				
6	Sarah S. ANKER	✓				
7	Jack EDDINGTON	✓				
9	Ricardo MONTANO	✓				
10	Thomas CILMI	✓				
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
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

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call____Voice Vote X