

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 755 -2011, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 - SOUTHWEST (CP 8181)

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 June 7, 2011 in relation to the increase and improvement of facilities at Suffolk County Sewer District No. 3 - Southwest, including reduction of Infiltration/Inflow; and

WHEREAS, pursuant to Resolution No. 403-2011, 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 is to be held in Hauppauge, New York in this County on June 7, 2011 at 2:30 p.m., Prevailing Time; and

WHEREAS, this Legislature has duly considered the map and plan and estimate of cost for the proposed increase and improvement of Suffolk County Sewer District No. 3 - Southwest that was submitted to it along with evidence presented at the aforesaid public hearing; now, therefore be it

1st 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 reduction of Infiltration/Inflow; 2) the proposed work is adequate and appropriate; 3) the cost of such increase and improvement shall be set at a maximum of approximately \$4,500,000; 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 that two other projects (Outfall-Final Effluent Pump Station phase and Infrastructure Improvements, Capital Project Numbers 8108 and 8170, respectively) being implemented for this sewer district, when added to the project will result in an annual unsubsidized increase to the typical property of approximately \$35.21 for all projects and \$3.54 for this project (CP 8181) for parcels located in either Town. However, the Legislature further finds and determines that there will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve 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 sewer district with the increase per typical property being \$19.17; and

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

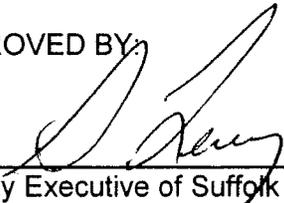
Legislature further finds and determines that all property and property owners within the existing Suffolk County Sewer District No. 3 - Southwest will be benefited by such increase and improvement of facilities and that no benefited property has been excluded from the increase and improvement of facilities; and be it further

2nd **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

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

DATED: **SEP 15 2011**

APPROVED BY:



County Executive of Suffolk County

Date: **SEP 22 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 September 15, 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.

1534

Res. No.

755

September 15, 2011

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Vilorio-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
<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