

**RESOLUTION NO. 756 -2011, A RESOLUTION  
MAKING CERTAIN FINDINGS AND DETERMINATIONS IN  
RELATION TO THE INCREASE AND IMPROVEMENT OF  
FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST  
(OUTFALL) (FINAL EFFLUENT PUMP STATION)) (CP 8108)**

**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 rehabilitation and renovations to the Final Effluent Pump Station at Suffolk County Sewer District No. 3 – Southwest; and

**WHEREAS**, pursuant to Resolution No. 402-2011, 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

**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 construction tasks of the proposed increase and improvement of the first phase of the Outfall Project, i.e., the Final Effluent Pump Station and associated ultraviolet disinfection system linked to that work; 2) the proposed work is adequate and appropriate; 3) the cost of such construction for the increase and improvement shall be set at a maximum of approximately \$35,000,000; 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 that two other projects (Bergen Point Infrastructure Improvements and sewer system improvements, Capital Project Numbers 8170 and 8181, 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 \$27.58 for this project (CP 8108) for parcels located in either Town. However, this 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 district 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

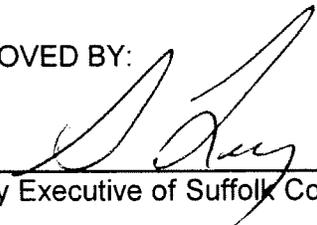
**Section 3.** Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with this Legislature, this Legislature further finds and determines that all property and property owners within the existing Suffolk County Sewer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

**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: **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*

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Clerk of the Legislature

Intro. Res.

1535

Res. No.

756

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