Intro. Res. No. 1536-2011 Laid on Table 6/7/2011
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 554 -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM, TRANSFERRING FUNDS FROM THE ASSESSMENT STABILIZATION RESERVE FUND, AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 21 - SUNY (CP 8121)

WHEREAS, the SUNY Wastewater Treatment Plant requires improvements to meet the requirements of discharge to the Long Island Sound; and

WHEREAS, consultant assistance has been procured and is progressing; and

WHEREAS, as the project has been developed, unanticipated changes in scope resulted from directives by NYSDEC along with tasks associated with a request to modify the permit concluding that additional planning could save as much as $20 million in construction costs and operational enhancements which were beyond the original design fee available; and

WHEREAS, the Adopted Capital Program for 2011 includes "Other" funds for planning, design and supervision, and construction which will be required in requests at the end of 2011; and

WHEREAS, it has been determined that funds in the amount of $350,000 will be necessary to perform modeling and additional planning and engineering work; and

WHEREAS, it is proposed that $350,000 be appropriated in the planning line item of the budget utilizing Assessment Stabilization Reserve Funds; and

WHEREAS, the Administrative Head of Sewer District No. 21 - SUNY has requested that the amendment of the capital budget and program and the appropriation of additional funds utilizing the Assessment Stabilization Reserve Fund; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the transfer of $350,000 in Assessment Stabilization Reserve Funds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-seven (77), 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

2nd **RESOLVED**, that the Assessment Stabilization Reserve Fund shall provide the sum of $350,000 for the purpose of continuing the planning phase of the project; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2011 Adopted Operating Budget, transfer funds and accept proceeds as follows:

Interfunds	Amount
404-IFT-E527 - Transfer to Fund 527	$350,000
527-IFT-R404 - Transfer from Fund 404	$350,000

and be it further

4th **RESOLVED**, that the 2011 Capital Budget be and it hereby is amended as follows:

Project No.: 8121
Project Name: Improvements to Sewer District No. 21 - SUNY

Cost Elements	Total Est'd Cost	Current 2011 Capital Budget & Program	Revised 2011 Capital Budget & Program
1. Planning, Design & Supervision	$2,238,000	$300,000	$350,000-A $300,000-O
3. Construction	$18,070,000	$4,000,000	$4,000,000-O
TOTAL	$20,308,000	$4,300,000	$4,650,000

and be it further

5th **RESOLVED**, that the funds in the amount of $350,000 from the Assessment Stabilization Reserve Fund be and they hereby are appropriated as follows:

Project No.	Project Title	Amount
527-CAP-8121.111	Improvements to Sewer District 21 - SUNY Planning, Design & Supervision	$350,000

and be it further

6th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to SD 21 - SUNY; and be it further

7th **RESOLVED**, that 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 Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"),

in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: JUN 2 1 2011

APPROVED BY:

County Executive of Suffolk County

Date: JUL 0 5 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 June 21, 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. 1536 Res. No. 554 June 21, 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

Roll Call____ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature