

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1034 -2011, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 - SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on August 16, 2011 in relation to the increase and improvement of facilities for said district which includes the improvements to buildings, mechanical and electrical systems, HVAC, and auxiliary equipment at Suffolk County Sewer District No. 3 – Southwest, in relation to; and

WHEREAS, pursuant to Introductory Resolution No. 1586-2011, the Clerk of the 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 the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on August 16, 2011 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement of the building and mechanical/electrical facilities for Suffolk County Sewer District No. 3 – Southwest submitted and evidence given at the public hearing held on August 16, 2011; now, therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, 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 the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to buildings, mechanical and electrical systems and auxiliary equipment facilities at Suffolk County Sewer District No. 3 – Southwest, that the proposed work is adequate and appropriate, and 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 the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$5.2 million on the increase and improvement to buildings, mechanical and electrical systems, HVAC, and auxiliary equipment and facilities at Suffolk County Sewer District No. 3 – Southwest;

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement to buildings, mechanical and electrical systems and auxiliary equipment and facilities at Suffolk County Sewer District No. 3 – Southwest at a maximum cost

of \$5.2 million which represents the aforementioned project which will be attributable to the increase and improvement to buildings, mechanical and electrical systems, HVAC, and auxiliary equipment and facilities of said sewer district, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that two other projects (outfall – final effluent pump station and reduction of extraneous flows) being implemented for this district, when added to the project will result in an increase to the typical property of less than \$19.18;

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined 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;

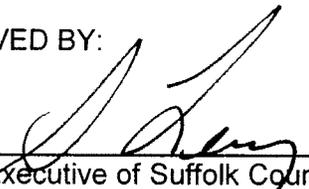
and be it further

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: **DEC 06 2011**

APPROVED BY:



County Executive of Suffolk County

Date:

12/8/11

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 December 6, 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.

2042

Res. No.

1034

December 6, 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		17	—		1	—

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

Roll Call _____ Voice Vote