

**RESOLUTION NO. 1124 -2011, AMENDING RESOLUTION
NO. 1357-2007, AMENDED BY RESOLUTION NOS. 685-2008
AND 547-2009 IN CONNECTION WITH THE BROWNFIELDS
PROGRAM (CP 8223.111)**

WHEREAS, Resolution No. 1357-2007 appropriated \$855,000 in 100% Suffolk County funds; and

WHEREAS, Resolution No. 685-2008 amended Resolution No. 1357-2007 to accept \$46,346 in State funding from the New York State Department of Environmental Conservation (NYSDEC) for the former Bellport Gas Station site; and

WHEREAS, Resolution No. 547-2009 further amended Resolution No. 1357-2007 to accept an additional \$80,000 in State funding from NYSDEC for the former Wallpaper Factory site; and

WHEREAS, there has been an increase of \$79,756 in costs to complete the investigation and to perform the Interim Remedial Measures required at the former Bellport Gas Station site; and

WHEREAS, these additional costs of \$79,756 are also eligible for 90% reimbursement in the amount of \$71,780; and

WHEREAS, the reimbursement is to be received pursuant to a State Assistance Contract between the NYSDEC and Suffolk County under the Clean Water/Clean Air Bond Act, Environmental Restoration Program, for investigation related to the Former Bellport Gas Station (Site Number E152194); and

WHEREAS, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the State portion based on actual expenditures; now, therefore be it

1st **RESOLVED**, that the apportionment of the cost of Capital Project 8223.111 be amended to reflect the additional ninety percent (90%) State assistance to complete investigation and perform Interim Remedial Measures in the amount of \$71,780; and be it further

2nd **RESOLVED**, that the apportionment of the cost of Capital Project 8223.111 be amended to reflect a total cost of \$855,000 with a share allocation of 90% State reimbursement in the amount of \$198,126, and a County share of \$656,874; and be it further

3rd **RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$656,874; and be it further

4th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any State Aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$656,874 for the County share; and be it further

5th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept added State funding up to \$71,780; and be it further

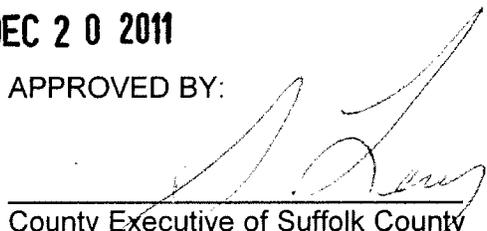
6th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total State share of \$198,126; and be it further

7th **RESOLVED**, that the County Legislature hereby authorized the County Executive, or his designee, to execute the standard agreement for reimbursement with the NYSDEC and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project; and be it further

8th **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 Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (20) and (27), and the County Legislature has no further responsibilities under SEQRA.

DATED: **DEC 2 0 2011**

APPROVED BY:



County Executive of Suffolk County

Date: **DEC 2 7 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 December 20, 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.

2071

Res. No.

1124

December 20, 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				

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
<input type="checkbox"/> Send To Committee
<input type="checkbox"/> Table Subject To Call
<input type="checkbox"/> Lay On The Table
<input type="checkbox"/> Discharge
<input type="checkbox"/> Take Out of Order
<input type="checkbox"/> Reconsider
<input type="checkbox"/> Waive Rule _____
<input type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote