

Intro. Res. No. 2082-2011
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 12/6/2011

RESOLUTION NO. 1187 -2011, TRANSFERRING T-30, EE FUNDS TO THE CAPITAL PROJECT STUDYING SEWER CAPACITY IN UNSEWERED AREAS OF SUFFOLK COUNTY (CP 8189)

WHEREAS, funds were deposited into an escrow account defined as the Dry Sewer Fund (T-30, EE) to be used for future sewerage issues within the County; and

WHEREAS, those funds were deposited between 1965 and 1987 and thereafter the Legislature enacted Chapter 162 of the administrative local laws which ended the dry sewer program and called for a refund of \$7.6 million that remained in that fund; and

WHEREAS, the last refund was issued during 2007 with the remaining funds amounting to approximately \$890,600; and

WHEREAS, the opinion of the County Attorney's Office was that if the remaining unclaimed funds in the Dry Sewer Fund were not utilized by February 1, 2011, they should be utilized for the purpose of planning and establishing future communal sewage systems in Suffolk County; and

WHEREAS, Resolution No. 876-2010 adopted a Local Law No. 53-2010 that amended the Suffolk County Code in regard to sewer system refunds and allowed remaining unclaimed funds to be used for the purpose of planning and establishing future communal systems as of February 1, 2011; and

WHEREAS, a request for proposal was prepared and issued by the Suffolk County Department of Public Works in order to study sewerage and unsewered areas in Suffolk County; and

WHEREAS, as a result of the review of proposals, a recommendation was made to and adopted by the Legislature where two consulting teams would perform sewer studies in sewerage areas and under CP 8185 and the other to perform sewer studies in unsewered areas under CP 8189; and

WHEREAS, the funds appropriated for CP 8189 were insufficient to provide the completed work, and therefore, an additional \$500,000 would be necessary; and

WHEREAS, the additional funds necessary to support the work of the consultant team for CP 8189 could be satisfied by a transfer from the dry sewer funds included in account T-30, EE to CP 8189; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-three (73), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further

2nd **RESOLVED**, that Capital Project 8189 is consistent with the intended use of the remaining Dry Sewer Funds; and be it further

3rd **RESOLVED**, that the Dry Sewer Fund account T-30, EE shall provide the sum of \$500,000 for the purpose of completing the planning phase of CP 8189; and be it further

4th **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:

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527 - Transfer to Fund 527	\$500,000
527-IFT-R404 - Transfer from Fund T-30,EE	\$500,000

and be it further

5th **RESOLVED**, that the 2011 Capital Budget be and it hereby is amended as follows:

Project No.: 8189
 Project Name: Sewer Capacity Study (Unsewered Areas)

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
1. Planning, Design & Supervision	<u>\$1,700,000</u>	<u>\$0</u>	<u>\$500,000E</u>
TOTAL	\$1,700,000	\$0	\$500,000

and be it further

6th **RESOLVED**, that the proceeds of \$500,000 in T-30, EE Funds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
527-Cap-8189.110	Sewer Capacity Study (Unsewered Areas)	\$500,000

and be it further

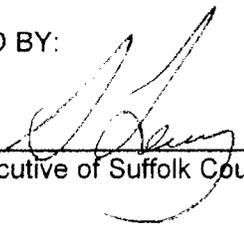
7th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the completion of the sewer studies associated with CP 8189; and be it 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 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: **DEC 2 0 2011**

APPROVED BY:



County Executive of Suffolk County

Date: **DEC 3 0 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.

2082

Res. No.

1187

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		16	—		2	—

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

Intro. Res. No. 1151-2012
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/7/2012

**RESOLUTION NO. 110 -2012, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
1187-2011**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1187-2011; and

WHEREAS, this resolution when adopted contained a technical errors; and

WHEREAS, the County Executive desires a technical corrections to this resolution; now, therefore be it

1st **RESOLVED**, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 1187-2011

In the 6th RESOLVED paragraph change the under Project Number:

FROM:

Project No.
527-CAP-8189.110

TO:

Project No.
525-CAP-8189.111

DATED: **MAR 13 2012**

APPROVED BY:


County Executive of Suffolk County

Date: 3.27.2012

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 March 13, 2012 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. 1151

Res. No. 110

March 13, 2012

Motion:
 Romaine, Schneiderman, Browning, Muratore, Anker
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:
 Romaine, Schneiderman, Browning, Muratore, Anker
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:
 Romaine, Schneiderman, Browning, Muratore, Anker
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER					
14	Wayne R. HORSLEY, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	18				

MOTION

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 FAILED ___
 No Motion ___ No Second ___

RESOLUTION DECLARED

ADOPTED
 ___ NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call ___ Voice Vote