

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. // 88 -2011 TRANSFERRING T-30, EE FUNDS TO THE CAPITAL PROJECT-SURVEILLANCE CONTROL AND DATA ACQUISITION (CP 8165)

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, (CP 8165), Surveillance Control And Data Acquisition, requires additional construction facility infrastructure funding; and

WHEREAS, the funds appropriated for (CP 8165) were insufficient to provide the completed work, and therefore, an additional \$382,864 would be necessary; and

WHEREAS, the additional funds necessary to support the continued work of the SCADA project could be satisfied by a transfer from the dry sewer funds included in account T-30, EE to CP 8165; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy (70), 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 (CP 8165) 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 \$382,864 plus accrued interest for the purpose of completing the construction phase of CP 8165; 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	\$382,864 + accrued interest
527-IFT-R404 - Transfer from Fund T-30,EE	\$382,864 + accrued interest

and be it further

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

Project No.: 8165
 Project Name: Surveillance Control and Data Acquisition

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
3. Construction	\$2,112,864	\$0	\$382,864E + Accrued Interest
TOTAL	\$2,112,864	\$0	\$382,864 + accrued interest

and be it further

6th **RESOLVED**, that the proceeds of \$382,864 plus accrued interest 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-8165.310	Surveillance Control And Data Acquisition (SCADA)	\$382,864 +accrued interest

and be it further

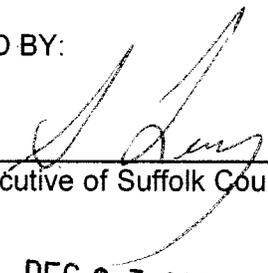
7th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the completion of the sewer studies associated with CP 8165; and be it further

8th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Resolution No. 539-2003 classified the action contemplated by the proposed Surveillance Control And Data Acquisition (SCADA) for Suffolk

County Sewer District, a Type II action pursuant to the provisions of Environmental Conservation Law Article 8, Title 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: **DEC 20 2011**

APPROVED BY:



County Executive of Suffolk County

Date:

DEC 27 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.

2083

Res. No.

1188

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: _____
<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