

**RESOLUTION NO. 1084-2011, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SEWER DISTRICT NO. 3 – SOUTHWEST SERVICE AREA EXPANSION FEASIBILITY STUDY (CP 8139), AREAS OF DEER PARK, NORTH BABYLON, WEST BABYLON, WYANDANCH AND WEST ISLIP**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Sewer District No. 3 – Southwest Service Area Expansion Feasibility Study (CP 8139), Areas of Deer Park, North Babylon, West Babylon, Wyandanch and West Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the preparation of a feasibility study to evaluate sewage infrastructure needs and identify costs and benefits associated with connecting the areas of Deer Park, North Babylon, West Babylon, Wyandanch and West Islip to the Southwest Sewer District No. 3; and

**WHEREAS**, at its November 16, 2011 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

**WHEREAS**, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20), (21) and (27) and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated November 17, 2011 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

**WHEREAS**, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore be it

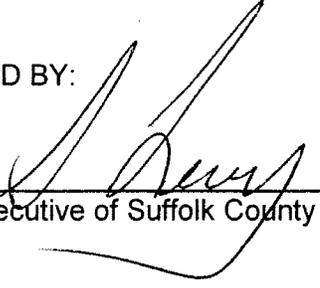
**1st RESOLVED**, that this Legislature hereby determines that the Proposed Sewer District No. 3 – Southwest Service Area Expansion Feasibility Study (CP 8139), Areas of Deer Park, North Babylon, West Babylon, Wyandanch and West Islip constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20), (21) and (27), since it involves conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action and does not commit the agency to commence, engage in or approve such action; and be it further

**2nd RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

**3rd RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: **DEC 2 0 2011**

APPROVED BY:

  
\_\_\_\_\_  
County Executive of Suffolk County

Date:

**DEC 2 8 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*

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Clerk of the Legislature

Intro. Res.

2085

Res. No.

1084

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*

Tim Laube, Clerk of the Legislature

Roll Call \_\_\_\_\_ Voice Vote