Intro. Res. No. 1051-2012 Laid on Table 1/3/2012
Introduced by Deputy Presiding Officer Horsley

RESOLUTION NO. 40 -2012, ESTABLISHING A BLUE RIBBON PANEL TO EXAMINE RESTRUCTURING ALL COUNTY-OWNED SEWER DISTRICTS INTO ONE CONSOLIDATED DISTRICT

WHEREAS, sewers are important to the health of our County's residents and the environment; and

WHEREAS, the Suffolk County Sewer Agency manages a number of sewer districts throughout the County; and

WHEREAS, Agency-managed sewer districts are operated and maintained by the County; and

WHEREAS, County-operated sewer districts vary in their capacity and needs, but share many similarities; and

WHEREAS, having a number of individual County sewer districts may be more expensive to operate, as each district has its needs addressed separately; and

WHEREAS, the County may be able to achieve cost savings using economies of scale by consolidating the individual County sewer districts into one County-wide district; and

WHEREAS, further cost savings may be possible if, in addition to consolidating County sewer districts, additional public and private sewage treatment plants and systems in the County of Suffolk are consolidated with the County; and

WHEREAS, consolidation may also provide additional benefits to the County's economy, environment and the public; and

WHEREAS, a panel should be established to examine the costs and benefits of restructuring the public and private sewage treatment plants and systems in the County of Suffolk into one consolidated district; now, therefore be it

1st **RESOLVED**, that a special Blue Ribbon Panel is hereby established to examine consolidating public and private sewage treatment plants and systems in the County of Suffolk, focusing on the following issues: the mechanics of consolidation, financial cost-benefit analysis, economic impact of consolidation, environmental impacts associated with consolidation, any associated impact on public health, obtaining any available state and/or federal funding to implement such a consolidation, and any impacts on the management and maintenance of the consolidated districts; and be it further

2nd **RESOLVED**, that this Panel shall consist of the following fourteen (14) members:

1) The Director of the Suffolk County Regional Planning Commission, or his or her designee;
2) The Planning Director, or his or her designee;
3) The Commissioner of the Department of Public Works, or his or her designee;

4) The Commissioner of the Department of Health Services, or his or her designee;
5) The County Executive, or his or her designee;
6) The Presiding Officer of the County Legislature, or his or her designee;
7) The Majority Leader of the County Legislature, or his or her designee;
8) The Minority Leader of the County Legislature, or his or her designee;
9) The Chairperson of the Public Works and Transportation Committee of the County Legislature, or his or her designee;
10) The Chairperson of the Health and Human Services Committee of the County Legislature, or his or her designee;
11) The Chairperson of the Economic Development, Higher Education and Energy Committee of the County Legislature, or his or her designee;
12) The Chief Executive Officer of the Suffolk County Water Authority, or his or her designee;
13) A representative from the Office of Budget and Management; and
14) A representative from the Office of Legislative Budget Review;

and be it further

3rd **RESOLVED**, that the chairperson of the Panel shall be selected by a majority of the membership of said Panel; and be it further

4th **RESOLVED**, that the Panel shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be for the purpose of organization and the appointment of a chairperson, vice chairperson, and a secretary; and be it further

5th **RESOLVED**, that the members of said Panel shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

6th **RESOLVED**, that the Panel shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Panel. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

7th **RESOLVED**, that eight (8) members of the Panel shall constitute a quorum to transact the business of the Panel at both regular and special meetings; and be it further

8th **RESOLVED**, that clerical services involving the month-to-month operation of this Panel, as well as supplies and postage as necessary, will be provided by the staff of the County Legislature; and be it further

9th **RESOLVED**, that the County Attorney shall assist with all legal issues associated with the Panel and its responsibilities; and be it further

10th **RESOLVED**, that the Panel may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

11th **RESOLVED**, that the Panel may delegate to any member of the Panel the power and authority to conduct such hearings and meetings; and be it further

12th **RESOLVED**, that the Panel shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

13th **RESOLVED**, that all County Departments shall cooperate with the Panel in the course of its examination of consolidating sewer districts and make available to the Panel any records or other data a department may have which may assist the Panel in completing its examination; and be it further

14th **RESOLVED**, that the Panel is hereby authorized, empowered, and directed to hold at least four (4) public hearings throughout the County of Suffolk to assemble the data and information necessary to complete the valuation, study, and report required with all reasonable efforts to be made to ascertain the views, wishes, and opinions of the residents of Suffolk County; and be it further

15th **RESOLVED**, that said Panel shall issue a written report, after a comprehensive study and analysis of the structural and budgetary requirements of consolidating all County sewer districts into one, which shall examine the mechanical and budgetary costs and benefits of such a restructuring, as well as evaluate any possible impacts the restructuring would cause to the environment, economy or health of the County; and be it further

16th **RESOLVED**, that this special Panel shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than one hundred eighty (180) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

17th **RESOLVED**, that the Panel shall expire, and the terms of office of its members terminate, as of June 30, 2013, at which time the Panel shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

18th **RESOLVED**, that this study shall not be performed by any outside consultant or consulting firm unless explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the County Legislature; and be it further

19th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: February 7, 2012

APPROVED BY:

County Executive of Suffolk County

Date: 2-21-2012

Intro. Res. 1051 Res. No. 40 February 7, 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

X 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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED

X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube
Tim Laube, Clerk of the Legislature

Intro. Res. No. 1366-2012 Laid on Table 4/24/2012
Introduced by Legislator Horsley

RESOLUTION NO. 409 -2012, AMENDING RESOLUTION NO. 40-2012, ESTABLISHING A BLUE RIBBON PANEL TO EXAMINE RESTRUCTURING ALL COUNTY-OWNED SEWER DISTRICTS INTO ONE CONSOLIDATED DISTRICT

WHEREAS, Resolution No. 40-2012 established a panel to explore the restructuring of County-owned sewer districts into one consolidated district; and

WHEREAS, the panel is charged with examining not only the feasibility of establishing one consolidated sewer district, but also the costs associated with such a change, as well as any attendant economic, health and environmental impacts; and

WHEREAS, to ensure that all issues are fully examined by this panel of experts, the scope of the panel's review should be expanded to include the consideration of the Suffolk County Water Authority as an organization that may be capable of administering a consolidated sewer district; and

WHEREAS, the deadline for the final report of the panel should also be extended to accommodate this additional responsibility; now, therefore be it

1st **RESOLVED**, that the 1st Resolved clause of Resolution No. 40-2012 is hereby amended to read as follows:

> **1st** **RESOLVED**, that a special Blue Ribbon Panel is hereby established to examine consolidating public and private sewage treatment plants and systems in the County of Suffolk, focusing on the following issues: the mechanics of consolidation, financial cost-benefit analysis, economic impact of consolidation, environmental impacts associated with consolidation, any associated impact on public health, obtaining any available state and/or federal funding to implement such a consolidation, **[and]** any impacts on the management and maintenance of the consolidated districts, <u>and the feasibility of the Suffolk County Water Authority administering such a consolidated district</u>; and be it further

and be it further

2nd **RESOLVED**, that the 15th Resolved clause of Resolution No. 40-2012 is hereby amended to read as follows:

> **15th** **RESOLVED**, that said Panel shall issue a written report, after a comprehensive study and analysis of the structural and budgetary requirements of consolidating all County sewer districts into one, which shall examine the mechanical and budgetary costs and benefits of such a restructuring, as well as evaluate any possible impacts the restructuring would cause to the environment, economy or health of the County <u>and determine the feasibility of the Suffolk County Water Authority administering such a consolidated district</u>; and be it further

and be it further

3rd **RESOLVED**, that the 16th Resolved clause of Resolution No. 40-2012 is hereby amended to read as follows:

> **16th** **RESOLVED**, that this special Panel shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than [one hundred eighty (180) days subsequent to the effective date of this resolution] December 31st, 2012 for consideration, review and appropriate action, if necessary by the entire County Legislature; and be it further

and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: May 8, 2012

APPROVED BY:

County Executive of Suffolk County

Date: 5.24.2012

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 May 8, 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. 1366 Res. No. 419 May 8, 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	17	—	—	1	—

MOTION
X 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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED
___ ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature