

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 452 -2012 AMENDING THE ADOPTED 2012 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE ISLIP REGIONAL SHELLFISH HATCHERY (CP 7180)**

**WHEREAS**, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

**WHEREAS**, the Suffolk County Water Quality Review Committee at the June 16, 2011 meeting, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship funds; and

**WHEREAS**, the Suffolk County Department of Economic Development and Planning will sponsor an aquatic habitat restoration project in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

**WHEREAS**, this project will entail the planning and design of a regional shellfish culture facility to replace the existing facility and expand both its capabilities and live product output; and

**WHEREAS**, the Town of Islip has committed by Town Resolution No. 14, adopted at the Town Board meeting on December 13, 2011, to accept the grant from the County of Suffolk for the first phase of the Islip Town Hatchery project and to enter into an intermunicipal agreement with the County of Suffolk for this project; and

**WHEREAS**, the Town of Islip will commit by Town Resolution No. 14 to provide matching project funds in the amount of at least 50% of the cost of the project; and

**WHEREAS**, funding is requested for this project through the Suffolk County Water Quality Protection and Restoration Program; and

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2012 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

**WHEREAS**, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2012 Capital Budget and Program; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Town of Islip, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines in Town Resolution No. 14 that this proposed action will not have a significant adverse impact on the environment and constitutes an unlisted action for which a Negative Declaration was issued, in accordance with

the provisions of 6 NYCRR §617.7. Therefore, the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

**2<sup>nd</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53) 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

**3<sup>rd</sup>** **RESOLVED**, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Adopted 2012 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

| <u>Agency</u> | <u>Fund</u> | <u>Organization</u> | <u>Object</u> | <u>Description</u>       | <u>Amount</u> |
|---------------|-------------|---------------------|---------------|--------------------------|---------------|
| IFT           | 477         | E525                | 9600          | Transfer to Capital Fund | \$150,000     |

and be it further

**5<sup>th</sup>** **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

| <u>Agency</u>                   | <u>Fund</u> | <u>Rev Source</u> | <u>Organization</u> | <u>Description</u>                        | <u>Amount</u> |
|---------------------------------|-------------|-------------------|---------------------|---|---------------|
| IFT<br>(Ref. 525-CAP-IFTR-R477) | 525         | R477              | E525                | Transfer from Water<br>Quality Protection | \$150,000     |

and be it further

**6<sup>th</sup>** **RESOLVED**, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 7180  
Project Title: Islip Regional Shellfish Hatchery

|             | <u>Total<br/>Est'd<br/>Cost</u> | <u>Current<br/>2012<br/>Capital<br/>Budget &amp;<br/>Program</u> | <u>Revised<br/>2012<br/>Capital<br/>Budget &amp;<br/>Program</u> |
|-------------|---------------------------------|--|--|
| 1. Planning | \$150,000                       | \$0  | \$150,000W   |
| TOTAL       | \$150,000                       | \$0  | \$150,000  |

and be it further

**7<sup>th</sup>** **RESOLVED**, that the interfund revenues in the amount of \$150,000 be and hereby is appropriated as follows:

| <u>Project Number</u> | <u>JC</u> | <u>Project Title</u>              | <u>Amount</u> |
|-----------------------|-----------|-----------------------------------|---------------|
| 525-CAP-7180.115      | 50        | Islip Regional Shellfish Hatchery | \$150,000     |

and be it further

8<sup>th</sup> **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project; and be it further

9<sup>th</sup> **RESOLVED**, that the County Executive is hereby authorized to execute an inter-municipal agreement with the Town of Islip under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision authorizing the Town of Islip Regional Shellfish Hatchery.

DATED: **JUN 05 2012**

APPROVED BY:



County Executive of Suffolk County

Date: 6-13-2012

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 June 5, 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*

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Clerk of the Legislature

**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                   | 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                             |

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

*Tim Laube*

Tim Laube, Clerk of the Legislature