

**RESOLUTION NO. 490-2012, AMENDING THE 2012 ADOPTED OPERATING BUDGET AND THE 2012 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FUNDS IN CONNECTION WITH THE SEWER DISTRICT NO. 21 SUNY - IMPROVEMENT PROJECT (CP 8121)**

**WHEREAS**, the Commissioner of Public Works has requested additional funds for the planning, design and supervision of Sewer District No. 21 - SUNY Improvement Project; and

**WHEREAS**, these funds are required for additional work involved with project alternatives; and

**WHEREAS**, there are insufficient funds within the 2012 Capital Budget and Program to cover the cost of said planning, design and supervision under Capital Project 8121; and

**WHEREAS**, there are available funds within the Fund 221 Unreserved Fund Balance to cover the cost of said Improvement Project; and

**WHEREAS**, the Commissioner of Public Works requests that a portion of these funds be transferred from 221-IFT-E527 and be allocated for the implementation of the improvements; and

**WHEREAS**, the NYS Department of Environmental Conservation has approved grant funding in the amount of \$12,070,000 from the Clean Water/Clean Air Bond Act for this project; and

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

**WHEREAS**, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; now, therefore be it

**1<sup>st</sup> 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 Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5(c)(20) and (21) in that the resolution concerns agency administration in connection with conducting environmental, engineering, economic, feasibility and other studies and planning and budgetary processes necessary to the formulation of a proposal which does not commit the agency to commence, engage in or approve such action; and be it further

**2<sup>nd</sup> RESOLVED**, that is hereby determined that this project, with a priority ranking of seventy-seven (77), 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 the Adopted 2012 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 221 Unreserved Fund Balance as follows:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Public Works	Interfund Transfer	\$250,000
Fund 221-SD No. 21 SUNY	Transfer to Capital Sewer Fund	
Unreserved Fund Balance	527 221-IFT-E527-9600	

and be it further

**4<sup>th</sup>** **RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept interfund revenues as follows:

REVENUE:

<u>Fund /Agency/Source</u>	<u>Description</u>	<u>Activity</u>	<u>Amount</u>
527-IFT-R221 (Ref. 527-CAP-IFTR-R221)	Transfer from Fund 221 - Sewer District No. 21 - SUNY	D	\$250,000

and be it further

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

Project No.: 8121  
Project Title: Improvements to SCSD No. 21 - SUNY at Stony Brook

	<u>Total Est'd Cost</u>	<u>Current 2012 Capital Budget &amp; Program</u>	<u>Revised 2012 Capital Budget &amp; Program</u>
1. Planning & Design	\$1,838,000	\$0	\$250,000 T
<b>TOTAL</b>	<b>\$1,838,000</b>	<b>\$0</b>	<b>\$250,000</b>

and be it further

**6<sup>th</sup>** **RESOLVED**, that the transferred funds in the amount of \$250,000 from Fund 221 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8121.111	80	Improvements to SCSD No. 21 – SUNY at Stony Brook-Planning, Design & Supervision	\$250,000

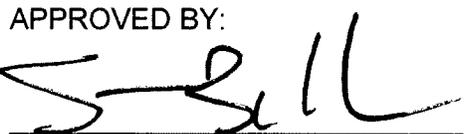
and be it further

7<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 to and from the Capital Sewer fund required to finance this Capital Project; and be it further

8<sup>th</sup>           **RESOLVED**, that the County Treasurer and the County Comptroller are hereby authorized to accept State Aid in connection with this project; and be it further

9<sup>th</sup>           **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 improvements at SD 21 - SUNY.

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**

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

Roll Call \_\_\_ Voice Vote

*Tim Laube*

Tim Laube, Clerk of the Legislature