

Intro. Res. No. 1567-2012
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/5/2012

RESOLUTION NO. 597 -2012, CALLING FOR A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING PROPOSED INCREASES AND IMPROVEMENTS OF FACILITIES (PHASE 2A) FOR SEWER DISTRICT NO. 21 - SUNY (CP 8121)

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5 - A of the County Law, the County Legislature of the County of Suffolk, New York has established a County Sewer District designated and known as Suffolk County Sewer District No. 21 - SUNY; and

WHEREAS, Suffolk County Sewer District No. 21 - SUNY receives and treats the sewage generated from Suffolk County Sewer Districts No. 10 - Stony Brook and 19 - Haven Hills and Brookhaven Sewer District No.1; and

WHEREAS, the Suffolk County Sewer Agency is recommending a Phase 2A increase and improvement to Suffolk County Sewer District No. 21 - SUNY, namely, process improvements to meet Long Island Sound discharge limits; and

WHEREAS, a NYSDEC Compliance Schedule includes events that must take place to meet the Long Island Sound discharge requirements; and

WHEREAS, Phase 2A improvements will allow NYSDEC discharge limits to be achieved in accordance with a compliance schedule; and

WHEREAS, the purpose of the public hearing is to address any issues with Sewer District No. 10 and Sewer District No. 19; and

WHEREAS, pursuant to New York County Law Section 268, the Suffolk County Sewer Agency has prepared maps and plans pertaining to these proposed increases and improvements to the facilities of Suffolk County Sewer District No. 21 - SUNY and has also prepared an estimate of the costs of such increases and improvements and has filed these documents, along with its recommendations and reports of its proceedings, with the County Legislature of the County of Suffolk; and

WHEREAS, these Phase 2A increases and improvements are in the best interests of the people of Suffolk County; and

WHEREAS, it is the function of the County Legislature of the County of Suffolk to call for a public hearing upon such proposed increases and improvements to facilities at Suffolk County Sewer District No. 21 - SUNY including Suffolk County Sewer Districts No. 10 - Stony Brook and No. 19 - Haven Hills; now, therefore be it

1st **RESOLVED**, this County Legislature of the County of Suffolk, 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 an Unlisted action, pursuant to Volume 6 of the New York State Code of Rules and Regulations as determined in Resolution No. 647-2011; and be it further

2nd **RESOLVED**, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. A meeting of the County Legislature of the County of Suffolk New York shall be held at the County Center in the meeting room of the County Legislature in Hauppauge, New York, in said County, on the 7th day of August, at 6:30 p.m., Prevailing Time, for the purpose of conducting a public hearing on the aforesaid matter and for such other action on the part of said County Legislature as may be required by law or proper in premises.

Section 2. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of said County, and such other newspaper as the Legislature may designate, if any, said publication to be made in each of such newspapers not less than ten, nor more than twenty days before the day set herein for said public hearing. Such notice shall be in the following form, to wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the County Legislature of the County of Suffolk New York will meet at the William H. Rogers Building in Hauppauge, New York, in said County, on August 7th at 6:30 p.m., Prevailing Time, for the purpose of conducting a public hearing upon a proposal for increasing and improving the facilities of Suffolk County Sewer District No. 21 – SUNY, which includes the County Sewer District No. 10 – Stony Brook and Sewer District No. 19 – Haven Hills and Brookhaven Sewer District No. 1, in and about the Town of Brookhaven, substantially in accordance with the maps, plans, report and recommendations prepared by and filed with the Suffolk County Legislature by the Suffolk County Sewer Agency with the assistance of the County Department of Public Works, at which time and place said County Legislature will consider such proposal and hear all parties interested therein concerning the same.

Notice of Cost

The total cost for the increase and improvement to Suffolk County Sewer District No. 21 – SUNY Phase 2A project is approximately \$16.0 million; \$4.3 million to be borne by the district users including SUNY (\$3,532,149) and SCSD No. 10 and SCSD No. 19 (\$767,851). The existing district is billed on a percentage of use and includes district service area components, i.e., the SUNY Stony Brook campus, Suffolk County Sewer District No. 10 – Stony Brook, Suffolk County Sewer District No. 19 – Haven Hills, and Brookhaven Sewer District No. 1. It is proposed that the project will be implemented during 2012 and that financing will include a Clean Water Clean Air Bond Act Grant of \$12.07 million. It is indicated in the map, plan and report that the financial impact has been prepared considering the grant and ASRF subsidy that result in the cost to the typical property for the property owners of Sewer District No. 10 and Sewer District No. 19 to be \$14.95 and \$6.00 per year, respectively. There will be no fiscal impact to the benefited properties, since pursuant to the Suffolk County Assessment Stabilization Reserve Fund, all residents of Sewer District No. 10 and Sewer District No. 19 experience a 3% annual increase regardless of any improvements performed with the annual typical property increase.

Project Description

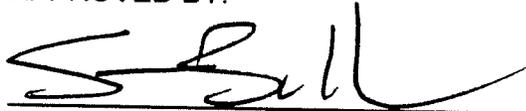
The Phase 2A increase and improvement to Suffolk County Sewer District No. 21 - SUNY of the improvement project includes construction of denitrification facilities and process enhancement. The project elements are more fully described and defined in the aforementioned maps, plans, report and recommendations. The estimate of the total cost associated with this Phase 2A of the increase and improvement project is approximately \$16.0 million.

A copy of the map, plan, and estimate of costs relating to said proposed increase and improvement of facilities is on file in the Office of the Clerk of said County Legislature where the same may be examined during regular business hours.

Section 3. This resolution shall take effect immediately.

DATED: JUN 19 2012

APPROVED BY:



County Executive of Suffolk County

Date: 6-28-2012

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 19, 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. 1567

Res. No. 597

June 19, 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	1	1	

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