

RESOLUTION NO. 978 -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 GEIGER LAKE PARK REDEVELOPMENT SEWER INFRASTRUCTURE (CP 8240)

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 September 25, 2012 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 has requested funding for a project that will allow the Town of Babylon to install a low pressure sewer system line as part of the redevelopment of Geiger Lake Park, this sewer line will connect with the Wyandanch Sewer Project at Doe Street in Wyandanch; and

WHEREAS, this project will prevent onsite septic system pollutants from entering the groundwater and affecting the critical Carlls River watershed; and

WHEREAS, the project is consistent with the recommendations of the South Shore Estuary Reserve (SSER) Comprehensive Management Plan in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER by reducing non-point source pollution to the South Shore Estuary; and

WHEREAS, the Town of Babylon has committed by Town Resolution No. 684, adopted at the Town Board meeting on October 9, 2012, to accept the grant from the County of Suffolk for this project and to enter into an intermunicipal agreement with the County of Suffolk for this project; and

WHEREAS, the Town of Babylon will commit by Town Resolution No. 684 to provide matching project funds to be no less than either \$250,000 or one-half the cost of the project, whichever is less; 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

1st **RESOLVED**, that the Town of Babylon, 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. 299, adopted on April 17, 2012, that this proposed action will not have a significant adverse impact on the environment and constitutes a Type I 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

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-two (72) 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

3rd **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

4th **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	\$250,000

and be it further

5th **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 (Ref. 525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$250,000

and be it further

6th **RESOLVED**, that the 2012 Capital Budget and Program be and are hereby amended as follows:

Project No.: 8240
 Project Title: Geiger Lake Park Redevelopment Sewer Infrastructure

	<u>Total Est'd Cost</u>	<u>Current 2012 Capital Budget & Program</u>	<u>Revised 2012 Capital Budget & Program</u>
1. Planning	\$50,000	\$0	\$50,000W
3. Construction	<u>\$200,000</u>	<u>\$0</u>	<u>\$200,000W</u>
TOTAL	\$250,000	\$0	\$250,000

and be it further

7th **RESOLVED**, that the interfund revenues in the amount of \$250,000 be and hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.119	50	Geiger Lake Park Redevelopment Sewer Infrastructure-Planning	\$50,000
525-CAP-8240.329	50	Geiger Lake Park Redevelopment Sewer Infrastructure-Construction	\$200,000

and be it further

8th **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

9th **RESOLVED**, that the County Executive is hereby authorized to execute an intermunicipal agreement with the Town of Babylon 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 Babylon to conduct redevelopment of sewer infrastructure to Geiger Lake Park.

DATED: November 20, 2012

APPROVED BY:



County Executive of Suffolk County

Date: 12-3-2012

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 November 20, 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

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	1		2	

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
<input type="checkbox"/> Send To Committee
<input type="checkbox"/> Table Subject To Call
<input type="checkbox"/> Lay On The Table
<input type="checkbox"/> Discharge
<input type="checkbox"/> Take Out of Order
<input type="checkbox"/> Reconsider
<input type="checkbox"/> Waive Rule
<input type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Roll Call _____ Voice Vote

Tim Laube

Tim Laube, Clerk of the Legislature