

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1223 -2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 21 – SUNY (PHASE 2A) (CP 8121)**

**WHEREAS**, the Sewer District No. 21 – SUNY (Phase 2A) requires improvements which includes process enhancement and denitrification process construction; and

**WHEREAS**, the 2012 Adopted Budget requires \$4,300,000 to be allocated to SUNY (82.143%, \$3,532,149) and Sewer District No. 10 - Stony Brook and Sewer District No. 19 – Haven Hills (17.857%, \$767,851); and

**WHEREAS**, a public hearing was held on October 9, 2012 at the regularly scheduled meeting of the County Legislature in Riverhead, New York, in connection with the proposed improvements; and

**WHEREAS**, a resolution authorizing the issuance of \$767,851 in Sewer District Serial Bonds for Sewer District No. 10 – Stony Brook and Sewer District No. 19 – Haven Hills and this resolution which appropriates funds have been submitted to the Legislature for approval; and

**WHEREAS**, SUNY will contribute their full allocation of \$3,532,149 which was adopted and appropriated by Resolution No. 906-2012; and

**WHEREAS**, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request under Capital Project 8121 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

**WHEREAS**, the Administrative Head of Sewer District No. 21 – SUNY including Sewer District No. 10 – Stony Brook and Sewer District No. 19 – Haven Hills has requested that funds be appropriated to cover planning, design, supervision and construction costs associated with the improvement 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**, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 647-2011 determined that the proposed improvement and/or rehabilitation to the Sewer District No. 21 – SUNY constitutes an Unlisted action pursuant to the provisions of NYCRR Part 617.5; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$767,851 in Sewer District Serial Bonds; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that it 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

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

Project No.: 8121  
 Project Title: Improvements to Suffolk County Sewer District 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	\$2,992,000	\$0	\$350,000X
3. Construction	<u>\$21,497,256</u>	\$2,000,000A \$3,532,149S <u>\$ 0X</u>	\$2,000,000A \$3,532,149S <u>\$ 417,851X</u>
<b>TOTAL</b>	<b>\$24,489,256</b>	<b>\$5,532,149</b>	<b>\$6,300,000</b>

and be it further

**3<sup>rd</sup>** **RESOLVED**, that the proceeds of \$767,851 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

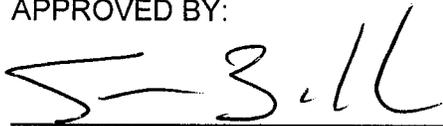
<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8121.113 (Fund 221-Debt Service)	Improvements to Sewer District No. 21 – SUNY (Phase 2A) – Planning, Design and Supervision	\$350,000
527-CAP-8121.312 (Fund 221-Debt Service)	Improvements to Sewer District No. 21 – SUNY (Phase 2A) – Construction	\$417,851

and be it further

**4<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 to Sewer District No. 21 – SUNY (Phase 2A).

DATED: December 18, 2012

APPROVED BY:

  
 County Executive of Suffolk County

Date: 12-31-12

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 December 18, 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

Intro. Res. 2072

Res. No. 1223

December 18, 2012

**Motion:**  
 Schneiderman, Browning, Muratore, Anker  
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**  
 Schneiderman, Browning, Muratore, Anker  
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**  
 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						
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	15	—		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

*Tim Laube*

Tim Laube, Clerk of the Legislature

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