

RESOLUTION NO. 266 -2013, AUTHORIZING EXECUTION OF AN AGREEMENT, PURSUANT TO LOCAL LAW 11-2010, BY THE ADMINISTRATIVE HEAD OF SCSD NO. 3 - SOUTHWEST WITH WR COMMUNITIES - A LLC (BA-1477.1-002) (WYANDANCH RISING)

WHEREAS, WR Communities - A LLC is a proposed garden apartment complex and shopping center, outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, a sewer collection system has been constructed along the Wyandanch Commercial Corridor which will connect to the Southwest Sewer District via the collection system; and

WHEREAS, the developer of WR Communities - A LLC has petitioned and requested the Administrative Head of the District for permission to discharge Thirty Thousand Four Hundred Seventy-Three Gallons Per Day (30,473 GPD) of wastewater; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity (Thirty Thousand Four Hundred Seventy-Three gallons per day) in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed flow has received the approval of the Suffolk County Sewer Agency (Resolution No. 3-2013) and pursuant to the Connection Agreement for the construction and connection of the sewer system in the Wyandanch Commercial Corridor, connections made from designated parcels to the sewer system during the first five years after completion of the collection system in the Wyandanch Commercial Corridor would be charged no connection fee; and

WHEREAS, the subject parcel is one of the designated parcels; and

WHEREAS, the collection system in the Wyandanch Commercial Corridor is expected to be completed in June of this year; and

WHEREAS, the flow from the subject parcel is therefore eligible to be connected to the sewer system without payment of any connection fee; and

WHEREAS, it will be in the environmental interest of all of Suffolk County, for the connection to be made; now, therefore be it

1st **RESOLVED**, that pursuant to Local Law No. 11-2010 (RESOLUTION NO. 229 - 2010, ADOPTING LOCAL LAW NO. 11 -2010, A LOCAL LAW AMENDING CHAPTER 424 (SEWERS) TO WAIVE SEWER CONNECTION FEES FOR ECONOMIC REVITALIZATION IN URBAN RENEWAL AREAS), the connection fee for this project is waived; and be it further

2nd **RESOLVED**, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action; and be it further

3rd **RESOLVED**, that the Administrative Head of the District be and hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 – Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts; and be it further

4th **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered, and directed to take such action as may be Necessary, pursuant to section C8-2(L&M) of the Suffolk County Charter.

DATED: April 23, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: April 30, 2013