

WITHDRAWN AS OF 5/23/2013

Intro. Res. No. 1356-2013

Laid on Table 4/23/2013

Introduced by Presiding Officer, on request of the County Executive and Legislator Hahn

**RESOLUTION NO. -2013, AMENDING THE ADOPTED
2013 OPERATING BUDGET TO TRANSFER FUNDS FROM
FUND 477 WATER QUALITY PROTECTION, AMENDING THE
2013 CAPITAL BUDGET AND PROGRAM, AND
APPROPRIATING FUNDS IN CONNECTION WITH COASTAL
STEWARD'S SHELLFISH RESTORATION PROJECT (CP
7180)**

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 this project which proposes restoration of the oysters population in the Port Jefferson and Mt. Sinai Harbors, which will improve water quality by removing pollutants, including excess nitrogen in coastal waters, and also to provide oysters for commercial and recreational harvesting to the community; and

WHEREAS, the project is consistent with the recommendations of the Long Island Sound Study Comprehensive Conservation and Management Plan (LISS CCMP) in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER by improving water quality; and

WHEREAS, the Town of Brookhaven by Resolution No. 2011-802, adopted September 20, 2011, authorized the entering into an Agreement with Coastal Steward. Inc., to assist in the restoration of the shellfish population, for which the town will: provide up to 70,000 seed oysters per year to the Consultant, and authorized the Consultant the use of town equipment and facilities to conduct the project; and

WHEREAS, the project will be initiated within three years of the date of adoption of this resolution; 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 2013 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 2013 Capital Budget and Program; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA") Environmental Conservation Law Article 8 found as documented in Resolution No. 4-2013 that this project constitutes an Unlisted Action, for which a Negative Declaration was issued; 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 fifty-seven (57) 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 2013 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	\$115,786

and be it further

5th **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<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	\$115,786

and be it further

6th **RESOLVED**, that the 2013 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 7180
Project Title: Coastal Steward's Shellfish Restoration Project

	<u>Total Est'd Cost</u>	<u>Current 2013 Capital Budget & Program</u>	<u>Revised 2013 Capital Budget & Program</u>
TOTAL	\$115,786 \$115,786	\$0 \$0	\$115,786 W \$115,786

and be it further

7th **RESOLVED**, that the interfund revenues in the amount of \$115,786 be and hereby is appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7180.117	50	Coastal Steward's Shellfish Restoration Project	\$115,786

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, if required, with the Town of Brookhaven, under Section 119-o of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision authorizing the Town of Brookhaven to monitor the Coastal Steward Shellfish Restoration Project; and be it further

10th **RESOLVED**, the County of Suffolk is authorized to enter into contract with Coastal Steward Inc., in connection with the Coastal Steward Shellfish Restoration Project in the amount of \$115,786, with an equivalent match required by Coastal Steward Inc.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: