

Introduced by Presiding Officer, on the request of County Executive

**RESOLUTION NO. 454 -2013, TRANSFERRING ESCROW ACCOUNT REVENUES AND TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2013 OPERATING BUDGET, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SEWER COLLECTION SYSTEMS IN SUFFOLK COUNTY SEWER DISTRICT NO. 1 – PORT JEFFERSON (CP 8122)**

**WHEREAS**, the wastewater generated by the sewer district and its extended service area enters a pumping station and is conveyed to the wastewater treatment facility; and

**WHEREAS**, there is additional capacity in the wastewater treatment facility that is being considered for additional service areas; and

**WHEREAS**, storm conditions have approached the capacity of the pumping system; and

**WHEREAS**, the main pumping station and force main will have limited capacity and require an evaluation to be upgraded in order to provide service to new connects and maximum flows; and

**WHEREAS**, engineering assistance is necessary in order to provide the evaluation and design of upgraded facilities; and

**WHEREAS**, the Administrative Head of the Sewer District No. 1 – Port Jefferson has requested that funds be appropriated to cover design costs associated with the Improvements to Sewer Collection Systems; and

**WHEREAS**, sufficient funds are available in the escrow accounts established and containing connection fees and funds from the Assessment Stabilization Reserve Fund to cover the costs of the planning, design and supervision tasks; and

**WHEREAS**, pursuant to Resolution No. 924-2006, there is no offset required by this modification of the Capital Budget and Program due to a transfer from the connection fees and Assessment Stabilization Reserve Fund; 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 2013 Capital Budget, as the basis for funding capital projects such as this project; and

**WHEREAS**, the 2013 Adopted Capital Budget includes \$150,000 in Suffolk County sewer bonds, however, it is recommended that the Assessment Stabilization Reserve Fund be utilized as the source for these planning tasks; and

**WHEREAS**, it is proposed that the Assessment Stabilization Reserve Fund provide \$150,000 for the purpose of funding engineering assistance for the project; and

**WHEREAS**, it is proposed that previously received connections fees, which are deposited in escrow accounts, be appropriated; 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, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of the Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2nd RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-two (62), 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 the use of \$150,000 from the Assessment Stabilization Reserve Fund is hereby authorized to pay for the engineering costs associated with Improvements to Sewer Collection Systems in Suffolk County Sewer District No. 1 – Port Jefferson; and be it further

**4th RESOLVED**, that the 2013 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 404 Reserve Fund balance as follows:

<u>INTERFUNDS:</u>	<u>AMOUNT</u>
404-IFT-E527-Transfer to Fund 527	\$150,000
(Funds included in 2013 Adopted Operating Budget)	

and be it further

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

<u>REVENUES:</u>	<u>AMOUNT</u>
527-IFT-R404 -Transfer from Fund 404	\$150,000
(Ref. 527-CAP-IFTR-R404)	

and be it further

**6th RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

<u>From</u>	<u>To</u>	<u>Amount</u>	<u>Accrued Interest</u>
<u>Escrow Account</u>	<u>Capital Fund</u>		
	<u>Sewer Revenues</u>		
125 Oakland Avenue BR 1055.1	527-8122	\$35,131	Yes
Liberty Meadows BR 1425	527-8122	\$213,300	Yes
Bridgeport & Port Jefferson	527-8122	\$90,000	Yes
Steamboat Co. BR 1628			
TOTAL SCSD NO.1		\$338,431	

and be it further

**7th** **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed \$338,431 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

**8th** **RESOLVED**, that the 2013 Capital Budget be and it hereby is amended as follows:

Program No.: 8122  
Project Name: Improvements to Sewer Collection Systems in Sewer District No. 1 - Port Jefferson

	<u>Total Est'd Cost</u>	<u>Current 2013 Capital Budget &amp; Program</u>	<u>Revised 2013 Capital Budget &amp; Program</u>
Planning, Design & Supervision	<u>\$688,431</u>	<u>\$150,000X</u>	\$338,431E <u>\$150,000A</u>
<b>TOTAL</b>	<b>\$988,431</b>	<b>\$150,000</b>	<b>\$488,431</b>

A- Assessment Stabilization  
E- Connection Fee Money

and be it further

**9th** **RESOLVED**, that the proceeds of \$338,431 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8122.111	80	Improvements to Sewer Collection Systems in Sewer District No. 1 - Port Jefferson - Planning, Design & Supervision	\$338,431 plus Accrued Interest

and be it further

**10th** **RESOLVED**, that funds in the amount of \$150,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8122.111	80	Improvements to Sewer Collection Systems in Sewer District No. 1 - Port Jefferson	\$150,000

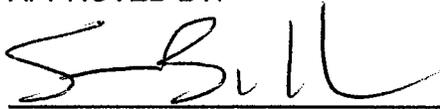
and be it further

**11th** **RESOLVED**, that the Administrative Head of the Sewer Districts 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 the Sewer Collection Systems of Suffolk County Sewer District No. 1 - Port Jefferson.

DATED:

JUN 04 2013

APPROVED BY:



County Executive of Suffolk County

Date: 6/7/13

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 4, 2013 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

**Motion:**

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

**Co-Sponsors:**

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

**Second:**

Krupski, 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	Albert J. KRUPSKI					
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	18				

MOTION
<input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

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

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

*Tim Laube*

Tim Laube, Clerk of the Legislature