

**RESOLUTION NO. 1196 -2013, AMENDING THE 2013 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING FOR A CONSENT JUDGMENT IN PARTIAL SETTLEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY CONCERNING COUNTY UNDERGROUND STORAGE TANKS AND UNIVERSAL WASTE**

**WHEREAS**, Suffolk County has agreed to a Consent Judgment with the United States Environmental Protection Agency concerning County underground storage tanks and universal waste; and

**WHEREAS**, the Consent Judgment stipulates that the County of Suffolk agrees to pay a monetary penalty of Five Hundred Thousand dollars (\$500,000) to the United States Environmental Protection Agency; and

**WHEREAS**, the Consent Judgment stipulates that the County of Suffolk shall provide the sum of One Million Five Hundred Thousand Dollars (\$1,500,000) for a Supplemental Environmental Project (SEP) involving land acquisition which will be the subject of a separate appropriating resolution to be introduced in 2014; and

**WHEREAS**, the Consent Judgment stipulates that the County of Suffolk also agrees to provide for all expenses necessary to fully implement the SEP, including any non-creditable expenses such as cost of title policies, appraisals and environmental audits which is estimated not to exceed One Hundred Fifty Thousand Dollars (\$150,000) which will be the subject of a separate appropriating resolution to be introduced in 2014; and

**WHEREAS**, the total cost of fulfilling the monetary penalty pursuant to the Consent Judgment is five hundred thousand dollars (\$500,000); and

**WHEREAS**, the 2013 Adopted Operating Budget does not include sufficient funds to fulfill the requirements of the Consent Judgment; and

**WHEREAS**, the County Legislature, by Resolution of even date herewith, has authorized the issuance of Five Hundred Thousand dollars (\$500,000) in Suffolk County Serial Bonds to cover the cost of the above referenced Order on Consent; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the proceeds of Five Hundred Thousand dollars (\$500,000) in Suffolk County Serial Bonds be and are hereby accepted and appropriated into the 2013 Operating Budget;

and be it further

**2<sup>nd</sup> RESOLVED**, that the 2013 Operating Budget be amended as follows:

**2013 OPERATING BUDGET**

REVENUES:

001-2780 Proceeds: Debt

AMOUNT

\$500,000

**2013 OPERATING BUDGET**

APPROPRIATIONS:

	Judgments & Claims	
	001-MS-1930	
	Mandated	
4570-Judgments & Claims		\$500,000

and be it further

**3<sup>rd</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20), (27) and (29), since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment and a civil enforcement proceeding, including a particular course of action specifically required to be undertaken pursuant to a judgment or order. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: December 17, 2013

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: December 24, 2013