

Introduced by Presiding Officer, on request of the County Executive and Legislators Krupski, Schneiderman, Calarco, Horsley, Gregory, Spencer

RESOLUTION NO. 866 -2013, AMENDING THE 2013 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 404 ASSESSMENT STABILIZATION RESERVE AND APPROPRIATING FUNDS IN CONNECTION WITH THE SEWER INFRASTRUCTURE PROGRAM

WHEREAS, in 2011, the Suffolk County Legislature Adopted Local Law No. 44-2011, "A CHARTER LAW UTILIZING ASSESSMENT STABILIZATION RESERVE SURPLUSES TO ENHANCE SEWER CAPACITY AND PROVIDE TAX RELIEF"; and

WHEREAS, Fund 404 is the Fund wherein the Assessment Stabilization Reserve Fund is maintained; and

WHEREAS, there are sufficient funds within the Assessment Stabilization Reserve Fund for the implementation of the purposes of Local Law No. 44-2011; and

WHEREAS, the Suffolk County Sewer Infrastructure Committee ("Committee") was established pursuant to Local Law No. 44-2011; and

WHEREAS, the Committee developed a merit-based scoring system which includes points for leveraging of non-County funds and further smart growth development, pursuant to Local Law No. 44-2011; and

WHEREAS, the Committee has solicited applications requesting funding through the Suffolk County Sewer Infrastructure Fund Program; and

WHEREAS, the Committee evaluated the applications it received and ranked the submitted projects according to the established merit-based ranking system; and

WHEREAS, as a result of the Committee's systematic, detailed, and objective review and analysis, it has recommended that the projects referenced on the attached Exhibit "A" be submitted for approval; and

WHEREAS, there are sufficient available funds within Fund 404 to support the appropriation of the recommended projects in Exhibit "A"; now, therefore be it

1st RESOLVED, that sufficient funds exist within the Fund 404 Assessment Stabilization Reserve Fund Balance to support the projects as described on Exhibit "A"; and be it further

2nd RESOLVED, that the Adopted 2013 Operating Budget be and hereby is amended to include Fund 406 – Sewer Infrastructure Program Fund as a multi-year ("9999") non-lapsing fund; and be it further

3rd RESOLVED, that the Adopted 2013 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 404 Assessment Stabilization 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	404	E406	9600	Transfer to Fund 406	\$19,940,000

and be it further

4th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Fund 406 Sewer Infrastructure Program Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	406	R404	E406	Transfer from Assessment Stabilization Reserve Fund	\$19,940,000

and be it further

5th RESOLVED, that the 2013 County Operating Budget be and hereby is amended as follows:

FUND	AGENCY	UNIT	OBJ	ACTIVITY CODE	TITLE	AMOUNT
406	MSC	6421	4980	JQQ1	Town of Riverhead - Sewer Grant	\$8,091,000
406	MSC	6421	4980	JQR1	Town of Babylon - Sewer Grant	\$1,000,000
406	MSC	6421	4980	JQS1	Village of Patchogue - Sewer Grant	\$578,000
406	MSC	6421	4980	JQT1	Village of Northport – Sewer Grant	\$3,184,000

and be it further

6th RESOLVED, that a portion of the Fund 406 Sewer Infrastructure Program Fund be and hereby is reserved as follows:

ACTIVITY	AMOUNT
Town of Riverhead - Sewer Loan	\$4,057,000
Village of Northport – Sewer Loan	\$3,030,000

and be it further

7th **RESOLVED**, that related revenues received as interest paid and any administrative fees charged debt service for the above noted loans shall be accepted as follows:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Amount</u>
MSC	406	2404 - Interest and Earnings Other Govts	Unavailable until loan agreements executed

and be it further

8th **RESOLVED**, that the County Executive is hereby authorized, directed and empowered to enter into such agreements, subject to the approval of the County Attorney, to give effect to the program presented to the members of the Legislature at this meeting by this Resolution; and be it further

9th **RESOLVED**, the execution and delivery on behalf of and in the name of the County by the County Executive, and/or his designee(s), such agreements, instruments and/or authorizations as may be contemplated by, or necessary or advisable to, consummate or otherwise give full effect to the transactions contemplated by this Resolution is hereby authorized and directed as the County Executive, and/or his designee(s), deem necessary, and the execution and delivery of such agreements, instruments and/or authorizations shall be conclusive evidence of the approval, the authorization and the direction thereof by this Legislature; and be it further

10th **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 resolution constitutes a Type II action, pursuant to Section 617.5 (c) (18), (20), (21), and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, and Legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: October 8, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: October 17, 2013