

RESOLUTION NO. 37 -2014, AMENDING THE 2014 ADOPTED OPERATING BUDGET AND AUTHORIZING THE PAYMENT OF THE COUNTY OF SUFFOLK'S PROPORTIONATE SHARE OF THE CAPITAL EXPENDITURES FOR IMPROVEMENTS TO THE SEWAGE TREATMENT PLANT AT DORADE (SUFFOLK COUNTY SEWER DISTRICT NO. 8 - STRATHMORE RIDGE)

WHEREAS, the wastewater generated in SCSD No. 8 - Strathmore Ridge is treated at the privately owned Sewage Treatment Plant at Dorade; and

WHEREAS, on April 20, 2009, the Sewer Agency approved an amendment to the Connection Agreement with Dorade, Inc.; and

WHEREAS, on July 24, 2009, said agreement titled; "Amendment to Treatment Agreement Suffolk County Sewer District No. 8 - Strathmore Ridge" was executed; and

WHEREAS, said agreement on page No. 3, in the first and third WHEREAS clauses state as follows:

1. *WHEREAS, OWNER's request for a rate increase included daily operating expenses and expenses related to capital improvements necessary to comply with a Suffolk County Department of Health Services Consent Order; and*
3. *WHEREAS, the AGENCY determined that the one-time capital expenses could not be included in the rate calculated for the reimbursement of daily operating expenses, but should be reimbursed to the OWNER as a proportionate share of actual expenses incurred based on parameters that will be defined in the capital project, subject to future agreement, and therefore did not include the capital improvement share in the above referenced annual rate increase*

and

WHEREAS, at this time, the capital improvements have been completed and the Owners now request that the County pay the proportionate share of actual expenses incurred based on parameters that were defined in the capital project; and

WHEREAS, Dorade, Inc., has submitted the necessary documents to justify the County's proportionate share of actual expenses incurred; and

WHEREAS, the Sewer Agency Staff has reviewed the submittals and determined that the costs are fair and reasonable and the AGENCY has approved the payment of such costs in Resolution No. 33-2013; and

WHEREAS, the County's proportionate share of actual expenses incurred is Three Hundred Seventy-Four Thousand Three Hundred Ninety Dollars (\$374,390.00); and

WHEREAS, inasmuch as this project is used for the processing of wastewater generated in SCSD No. 8 - Strathmore Ridge, it qualifies for funding through the Assessed Stabilization Reserved Fund (ASRF); and

WHEREAS, The 2014 Adopted Operating Budget transfers \$16,467 in ASRF funds to stabilize assessments in SCSD No. 8 (Fund 208) and the budget needs to be amended to reflect the additional expense of \$374,390; now, therefore be it

1st **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; be it further

2nd **RESOLVED**, that pursuant to the Amendment to Treatment Agreement Suffolk County Sewer District No. 8 - Strathmore Ridge, said one-time payment of Three Hundred Seventy-Four Thousand Three Hundred Ninety Dollars (\$374,390), for the County's proportionate share of actual expenses incurred is approved; and be it further

3rd **RESOLVED**, that said one-time payment of Three Hundred Seventy-Four Thousand Three Hundred Ninety Dollars (\$374,390), for the County's proportionate share of actual expenses incurred will be transferred from the Assessed Stabilization Reserve Fund to SCSD No. 8 for payment to Dorade Inc., the owner of the Dorade sewage treatment plant; and be it further

4th **RESOLVED**, that the 2014 Adopted Operating Budget is hereby amended as follows:

<u>2014 Adopted Budget</u>	<u>2014 Amendment to Budget</u>	<u>2014 Current Budget</u>
208-IFT-R404 \$16,467	+\$374,390	\$390,857
404-IFT-E208 \$16,467	+\$374,390	\$390,857
208-8118-4560 \$128,517	+\$374,390	\$502,907

and be it further

5th **RESOLVED**, that the Administrative Head of the District is hereby authorized to enter into an amended agreement with Dorade, Inc., whereby the County of Suffolk will pay said Three Hundred Seventy-Four Thousand Three Hundred Ninety Dollars (\$374,390), for the County's proportionate share of actual expenses incurred; and be it further

6th **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; and be it further

7th **RESOLVED**, 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.

DATED: February 11, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: February 27, 2014