

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

RESOLUTION NO. 371 -2014, AMENDING THE ADOPTED 2014 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2014 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH ORIENT DECENTRALIZED WASTEWATER TREATMENT ENGINEERING REPORT (CP 8710.139)

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 Protection and Restoration Program Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this study at its December 12, 2013 meeting as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Department of Economic Development and Planning will sponsor the development of an engineering report for proposed wastewater treatment solutions within Orient, in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Orient is surrounded by two estuaries of national importance, the Peconic Estuary and Long Island Sound, both of which have class SA saline surface waters, important for shellfish/fish propagation and harvesting; and

WHEREAS, there are major ongoing scallop and oyster reseeded efforts in the waters surrounding Orient. Currently, there are three areas that experience shellfish closures; two seasonal and one permanent; and

WHEREAS, mounting evidence identifies wastewater as a primary source of nutrients that feed harmful algal blooms which adversely affect shellfish health; and

WHEREAS, the draft 2010 Suffolk County Comprehensive Water Resources Management Plan identifies a direct link between onsite wastewater treatment and water quality; and

WHEREAS, Orient relies on its isolated aquifer for all its drinking water needs. Currently nitrogen levels are relatively high, and in some cases even exceed drinking water standards; and

WHEREAS, the engineering report developed for proposed wastewater treatment solutions will potentially impact 572 dwelling units and seven districts within Orient and provide nitrogen mitigation of between 50 and 90 percent; and

WHEREAS, the project is consistent with the recommendations of both the Peconic Estuary Program Comprehensive Management Plan and the Long Island Sound Study's Comprehensive Conservation and Management Plan in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER by reducing non-point source pollution to the Peconic Estuary and Long Island Sound; and

WHEREAS, Peconic Green Growth will commit to provide matching project funds to be no less than either \$60,050 or one half the cost of the project, whichever is less; and

WHEREAS, the project be initiated within three years of the date of adoption of this Resolution; and

WHEREAS, funding for this project is requested 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 2014 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are sufficient funds available in Fund 477 within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2014 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, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (20), (21), and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and 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-six (66) 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 the County's share for this project; and be it further

4th **RESOLVED**, that the Adopted 2014 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	\$60,050

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	\$60,050

and be it further

6th **RESOLVED**, that the 2014 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710
Project Title: Orient Decentralized Wastewater Treatment Engineering Report

	<u>Total Est'd Cost</u>	<u>Current 2014 Capital Budget & Program</u>	<u>Revised 2014 Capital Budget & Program</u>
1. Planning	\$60,050	\$0	\$60,050
TOTAL	\$60,050	\$0	\$60,050

and be it further

7th **RESOLVED**, that these Water Quality proceeds in the amount of \$60,050 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.139	Orient Decentralized Wastewater Treatment Engineering Report	\$60,050

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 Peconic Green Growth shall enter into a contractual agreement with Suffolk County to ensure project completeness; and be it further

10th **RESOLVED**, that nothing contained herein shall be construed as a binding obligation on the part of Suffolk County to continue to provide funding or resources to Peconic Green Growth for implementation of this resolution once the funding in this resolution has been exhausted; and be it further

DATED: May 13, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 29, 2014