

RESOLUTION NO. 813 -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 TOWN OF BABYLON HIGHWAY YARD MS4 UPGRADES AND STORMWATER POLLUTION PREVENTION (CP 8240)

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

WHEREAS, the Suffolk County Department of Economic Development and Planning has requested funding for a project that will allow the Town of Babylon to perform MS4 upgrades and stormwater pollution prevention at the Town of Babylon highway yard; and

WHEREAS, currently, drainage from the 12.82 acre Town of Babylon highway yard discharges into groundwater resources and into Town Hall Pond within the Santapogue Creek watershed and the South Shore Estuary Reserve; and

WHEREAS, this project will remediate stormwater drainage from the Town of Babylon highway yard into ground and surface water by implementing Green Infrastructure Practices (GIP) in accordance with the New York State Stormwater Design Manual; and

WHEREAS, the project is consistent with the recommendations of the South Shore Estuary Reserve (SSER) Comprehensive Management Plan in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER by reducing nonpoint source pollution to the South Shore Estuary; and

WHEREAS, the Town of Babylon has committed by Town Resolution No. 547, adopted at the Town Board meeting on August 12, 2014, to accept the grant from the County of Suffolk for this project and to enter into an inter-municipal agreement with the County of Suffolk for this project; and

WHEREAS, the Town of Babylon has also committed by said resolution to provide matching project funds to be no less than either \$100,000 or one half the cost of the project, whichever is less; and

WHEREAS, funding is requested for this project 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 available Fund 477 funds 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 the Town of Babylon, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines, in Town Resolution No. 546, adopted on August 12, 2014, that this proposed action will not have a significant adverse impact on the environment and constitutes an Unlisted Action for which a Negative Declaration was issued, in accordance with the provisions of 6 NYCRR §617.7. Therefore the SEQRA review is complete and no further action needs to be taken by Suffolk County; 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 said transfer; 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	\$100,000

and be it further

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

<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	\$100,000

and be it further

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

Project No.: 8240
 Project Title: Town of Babylon Highway Yard MS4 Upgrades and Stormwater Pollution Prevention

	<u>Total Est'd Cost</u>	<u>Current 2014 Capital Budget & Program</u>	<u>Revised 2014 Capital Budget & Program</u>
1. Planning	\$20,000	\$0	\$20,000W
3. Construction	<u>\$80,000</u>	<u>\$0</u>	<u>\$80,000W</u>
TOTAL	\$100,000	\$0	\$100,000

and be it further

7th **RESOLVED**, that the interfund revenues in the amount of \$100,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.123	50	Town of Babylon Highway Yard MS4 Upgrades and Stormwater Pollution Prevention	\$20,000
525-CAP-8240.333	50	Town of Babylon Highway Yard MS4 Upgrades and Stormwater Pollution Prevention	\$80,000

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 the County Executive is hereby authorized to execute an intermunicipal agreement with the Town of Babylon under Section 119-o of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision authorizing the Town of Babylon to conduct MS4 upgrades and stormwater pollution prevention at the Town of Babylon Highway Yard.

DATED: October 7, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: October 16, 2014