

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1191 -2014, MAKING CERTAIN FINDINGS  
AND DETERMINATIONS AND AN ORDER IN RELATION TO  
THE ESTABLISHMENT OF SUFFOLK COUNTY SEWER  
DISTRICT NO. 26 - MELVILLE HUNTINGTON**

**WHEREAS**, the Suffolk County Sewer Agency has filed with the Legislature of the County of Suffolk maps and plans prepared for the establishment of Suffolk County Sewer District No. 26 – Melville Huntington, together with an estimate of cost thereof, such maps, plans, and estimate of cost attached as Exhibit “A” to this Resolution and Order; and

**WHEREAS**, the Legislature of the County of Suffolk, New York, duly adopted Suffolk County Resolution No. 864-2014 calling for a public hearing to be held on the 18<sup>th</sup> day of November 2014, at 2:30 p.m., Prevailing Time in the meeting room of the Suffolk County Legislature in Hauppauge, New York, for the purpose of conducting a public hearing on the establishment of Suffolk County Sewer District No. 26 – Melville Huntington to comprise the area hereinafter described and as further set forth in the maps, plans, and estimate of cost attached hereto as Exhibit “A”; and

**WHEREAS**, notice for said public hearing was duly published in the manner and within the time provided by Section 254 of the New York County Law and said public hearing was duly held at the time and place aforesaid, at which all persons desiring to be heard were duly heard; and

**WHEREAS**, Suffolk County is not financing the cost of the establishment of the proposed Suffolk County Sewer District No. 26 – Melville Huntington by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County, and, as a result, the approval of the New York State Comptroller is not required for the establishment of said District; and

**WHEREAS**, the Legislature of the County of Suffolk has duly considered the evidence presented at the aforesaid public hearing, as well as the maps, plans, estimate of cost, recommendations and other data filed with it by the Suffolk County Sewer Agency; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence presented at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and estimate of costs filed with the Legislature of the County of Suffolk and attached to this Resolution and Order as Exhibit “A”, the Legislature of the County of Suffolk, New York, hereby finds and determines as follows:

- a. The facilities to be acquired in connection with the proposed Suffolk County Sewer District No. 26 – Melville Huntington, including the sewerage treatment plant, pumping stations, force mains, and gravity sewers and other appurtenant facilities are satisfactory, sufficient, adequate and appropriate; and

- b. All the property and property owners within the proposed Suffolk County Sewer District No. 26 – Melville Huntington are benefited thereby; and
- c. All the property and property owners benefited are included within the limits of the proposed Suffolk County Sewer District No. 26 – Melville Huntington; and
- d. The establishment of the district and the acquisition of the facilities are in the public interest.

Section 2. The Commissioner of the Suffolk County Department of Public Works is named the Administrative Head of Suffolk County Sewer District No. 26 – Melville Huntington.

**2<sup>nd</sup>** **RESOLVED**, IT IS HEREBY ORDERED, by the Legislature of the County of Suffolk as follows:

Section 1. A County Sewer District in the County of Suffolk New York, to be designated and known as Suffolk County Sewer District No. 26 – Melville Huntington, is hereby established. Suffolk County Sewer District No. 26 – Melville Huntington, as established, shall comprise all that certain plot, piece or parcel of land, with improvements erected thereon situate, lying and being in the Town of Huntington, County of Suffolk and State of New York more particularly bounded and described as follows:

ALL those certain plots, pieces or parcels of land situate, lying, and being at Melville, in the Town of Huntington, County of Suffolk and State of New York, being bounded and described as follows:

**Section No. 1**

**Sewer District north of Old South Path**

BEGINNING at the intersection of the northeasterly side of Old South Path with the northerly side of Upper Half Hollow Road (County Road 67A);  
 RUNNING THENCE North 44 degrees 25 minutes 46 seconds West, 339.05 feet;  
 THENCE along an arc of a curve bearing to the left, having a radius of 265.17 feet, and a length of 191.07 feet;  
 THENCE North 85 degrees 42 minutes 52 seconds West, 184.80 feet;  
 THENCE North 82 degrees 26 minutes 31 seconds West, 110.51 feet;  
 THENCE North 77 degrees 56 minutes 36 seconds West, 334.74 feet;  
 THENCE North 77 degrees 10 minutes 32 seconds West, 98.16 feet;  
 THENCE North 76 degrees 07 minutes 06 seconds West, 199.49 feet;  
 THENCE North 72 degrees 27 minutes 14 seconds West, 104.55 feet;  
 THENCE North 69 degrees 54 minutes 13 seconds West, 103.27 feet;  
 THENCE along an arc of a curve bearing to the left, having a radius of 860.43 feet, a length of 216.79 feet;  
 THENCE North 84 degrees 20 minutes 22 seconds West, 259.45 feet;  
 THENCE North 80 degrees 51 minutes 04 seconds West, 69.59 feet;  
 THENCE North 75 degrees 18 minutes 00 seconds West, 211.86 feet;  
 THENCE North 74 degrees 49 minutes 53 seconds West, 425.47 feet;  
 THENCE North 07 degrees 18 minutes 43 seconds East, 695.76 feet;  
 THENCE South 82 degrees 41 minutes 17 seconds East, 303.80 feet;  
 THENCE North 07 degrees 18 minutes 43 seconds East, 628.86 feet;

THENCE North 82 degrees 41 minutes 17 seconds West, 303.80 feet;  
THENCE North 07 degrees 18 minutes 43 seconds East, 119.36 feet;  
THENCE North 82 degrees 41 minutes 17 seconds West, 666.57 feet;  
THENCE South 07 degrees 18 minutes 43 seconds West, 141.31 feet;  
THENCE South 82 degrees 41 minutes 17 seconds East, 308.27 feet;  
THENCE South 07 degrees 18 minutes 43 seconds West, 141.31 feet;  
THENCE North 82 degrees 41 minutes 17 seconds West, 308.27 feet;  
THENCE North 07 degrees 18 minutes 43 seconds East, 21.97 feet;  
THENCE North 82 degrees 41 minutes 17 seconds West, 393.04 feet;  
THENCE North 07 degrees 18 minutes 43 seconds East, 107.67 feet;  
THENCE North 82 degrees 41 minutes 17 seconds West, 412.39 feet;  
THENCE South 73 degrees 47 minutes 40 seconds West, 24.75 feet;  
THENCE North 15 degrees 57 minutes 03 seconds West, 19.59 feet;  
THENCE North 07 degrees 46 minutes 09 seconds West, 100.57 feet;  
THENCE North 84 degrees 16 minutes 31 seconds East, 147.69 feet;  
THENCE North 08 degrees 07 minutes 49 seconds West, 189.89 feet;  
THENCE South 79 degrees 24 minutes 04 seconds West, 146.02 feet;  
THENCE North 07 degrees 31 minutes 32 seconds West, 85.02 feet;  
THENCE North 82 degrees 27 minutes 49 seconds East, 644.78 feet;  
THENCE North 08 degrees 23 minutes 46 seconds West, 125.00 feet;  
THENCE North 81 degrees 36 minutes 14 seconds East, 221.02 feet;  
THENCE North 74 degrees 03 minutes 29 seconds East, 526.95 feet;  
THENCE North 72 degrees 38 minutes 04 seconds East, 452.58 feet;  
THENCE North 71 degrees 18 minutes 34 seconds East, 452.09 feet;  
THENCE North 69 degrees 58 minutes 54 seconds East, 451.77 feet;  
THENCE North 68 degrees 39 minutes 14 seconds East, 451.77 feet;  
THENCE North 67 degrees 19 minutes 34 seconds East, 452.01 feet;  
THENCE North 66 degrees 00 minutes 04 seconds East, 452.58 feet;  
THENCE North 64 degrees 34 minutes 39 seconds East, 528.08 feet;  
THENCE North 55 degrees 11 minutes 19 seconds East, 367.91 feet;  
THENCE North 56 degrees 25 minutes 48 seconds East, 456.70 feet;  
THENCE South 82 degrees 58 minutes 32 seconds East, 339.39 feet;  
THENCE North 11 degrees 55 minutes 49 seconds East, 526.20 feet;  
THENCE North 10 degrees 38 minutes 09 seconds East, 37.97 feet;  
THENCE South 77 degrees 40 minutes 05 seconds East, 230.84 feet;  
THENCE South 10 degrees 54 minutes 51 seconds East, 178.84 feet;  
THENCE South 77 degrees 40 minutes 05 seconds East, 530.22 feet;  
THENCE South 10 degrees 51 minutes 30 seconds East, 80.35 feet;  
THENCE South 06 degrees 39 minutes 19 seconds West, 75.18 feet;  
THENCE South 19 degrees 48 minutes 39 seconds West, 163.48 feet;  
THENCE South 00 degrees 30 minutes 31 seconds East, 166.62 feet;  
THENCE South 20 degrees 40 minutes 01 second East, 480.40 feet;  
THENCE South 16 degrees 08 minutes 21 seconds East, 217.36 feet;  
THENCE South 07 degrees 48 minutes 39 seconds West, 158.42 feet;  
THENCE South 24 degrees 15 minutes 39 seconds West, 362.37 feet;  
THENCE South 12 degrees 40 minutes 09 seconds West, 233.05 feet;  
THENCE South 34 degrees 45 minutes 11 seconds East, 293.15 feet;  
THENCE South 35 degrees 58 minutes 11 seconds East, 605.53 feet;  
THENCE South 27 degrees 29 minutes 21 seconds East, 362.49 feet;  
THENCE South 71 degrees 59 minutes 53 seconds West, 228.01 feet;  
THENCE South 58 degrees 13 minutes 33 seconds West, 357.92 feet;

THENCE South 52 degrees 10 minutes 20 seconds West, 452.20 feet;  
THENCE South 51 degrees 53 minutes 31 seconds West, 261.78 feet;  
THENCE along a tie line, South 47 degrees 38 minutes 25 seconds West, 1,063.75 feet;  
THENCE South 49 degrees 12 minutes 19 seconds West, 385.28 feet;  
THENCE South 70 degrees 12 minutes 57 seconds West, 732.05 feet;  
THENCE South 41 degrees 10 minutes 17 seconds West, 48.04 feet to the POINT OR PLACE OF BEGINNING.

Containing 411.58 acres of land, more or less.

## **Section No. 2**

### **Sewer District south of Old South Path**

BEGINNING at the intersection of the northerly side of Upper Half Hollow Road and the southwesterly side of Old South Path;  
RUNNING THENCE South 41 degrees 10 minutes 17 seconds West, 450.80 feet;  
THENCE North 48 degrees 49 minutes 43 seconds West, 25.00 feet;  
THENCE South 41 degrees 10 minutes 17 seconds West, 48.72 feet;  
THENCE westerly, along an arc of a curve bearing to the right having a Radius of 950.00 feet, a Length of 457.11 feet;  
THENCE South 68 degrees 46 minutes 16 seconds West, 29.01 feet;  
THENCE South 68 degrees 45 minutes 31 seconds West, 713.22 feet;  
THENCE westerly, along an arc of a curve bearing to the left having a Radius of 1050.00 feet, a Length of 222.93 feet;  
THENCE North 20 degrees 43 minutes 33 seconds West, 849.13 feet;  
THENCE North 20 degrees 09 minutes 22 seconds West, 436.09 feet;  
THENCE North 72 degrees 35 minutes 38 seconds East, 273.84 feet;  
THENCE North 08 degrees 21 minutes 02 seconds West, 314.80 feet;  
THENCE South 84 degrees 20 minutes 22 seconds East 147.00 feet;  
THENCE along the arc of a curve bearing to the right, having a radius of 810.43 feet, a length of 204.19 feet;  
THENCE South 69 degrees 54 minutes 13 seconds East, 104.38 feet;  
THENCE South 72 degrees 27 minutes 14 seconds East, 107.26 feet;  
THENCE South 76 degrees 07 minutes 06 seconds East, 201.55 feet;  
THENCE South 77 degrees 10 minutes 32 seconds East, 98.95 feet;  
THENCE South 77 degrees 56 minutes 36 seconds East, 337.03 feet;  
THENCE South 82 degrees 26 minutes 31 seconds East, 113.90 feet;  
THENCE South 85 degrees 42 minutes 52 seconds East, 186.22 feet;  
THENCE along the arc of a curve bearing to the right, having a radius of 215.17 feet, a length of 155.04 feet;  
THENCE South 44 degrees 25 minutes 46 seconds East, 342.89 feet to the POINT OR PLACE OF BEGINNING.

Containing: 43.79 acres of land, more or less.

Section 2. Upon the effective date of this Resolution and Order, the Suffolk County Department of Public Works and the Administrative Head of Suffolk County Sewer District No. 26 – Melville Huntington are hereby authorized and directed to carry out the establishment of said District, including acquiring facilities as more particularly described in the maps, plans, reports, recommendations and estimate of costs for the establishment of said District attached as Exhibit “A”.

Section 3. The Clerk of this Legislature is hereby authorized and directed to cause a certified copy of this Resolution and Order to be recorded in the Office of the Clerk of the County of Suffolk, New York, within ten days of the effective date of this Resolution and Order in accordance with the provisions of New York County Law Section 259.

**3<sup>rd</sup>** **RESOLVED**, that this Resolution and Order authorizing the formation of Suffolk County Sewer District No. 26 – Melville Huntington, shall not take effect until at least forty-five (45) days after its adoption, or until approved by the affirmative vote of the majority of the qualified electors who are resident within the proposed sewer district voting on a proposition for its approval if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against the passage of this Resolution and Order in conformity with the provisions of Section 257 of the New York County Law.

**4<sup>th</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) as the proposal involves the adoption of regulations, policies, procedures and local legislative decisions in connection with routine or continuing agency administration and management.

DATED: December 15, 2014

APPROVED BY:

/s/Dennis M. Cohen  
Chief Deputy County Executive of Suffolk County

Date: December 17, 2014