

RESOLUTION NO. 311 -2015, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND ISSUING AN ORDER IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (CP 8108)

WHEREAS, pursuant to New York County Law Section 268, the Suffolk County Sewer Agency has prepared and submitted to the Legislature of the County of Suffolk, New York, maps, plans, recommendations and cost estimates pertaining to increases and improvements to facilities at Suffolk County Sewer District No. 3 – Southwest; and

WHEREAS, such maps, plans, recommendations and cost estimates addressed increases and improvements related to replacement of approximately 14,000 feet of outfall pipe beneath the Great South Bay at Suffolk County Sewer District No. 3 – Southwest; and

WHEREAS, these maps, plans, recommendations and cost estimates accompanied Suffolk County Resolution No. 129-2015 and are attached to this Resolution and Order as Exhibit “A”; and

WHEREAS, the total estimated cost for the increases and improvements to Suffolk County Sewer District No. 3 – Southwest is \$207 million and will be financed using funding sources including sewer district serial bonds and Southwest Assessment Reserve Fund 405; and

WHEREAS, pursuant to Suffolk County Resolution No. 129-2015 and New York County Law Section 254, the Clerk of the Legislature did duly cause a Notice of Public Hearing regarding such increases and improvements to Suffolk County Sewer District No. 3 – Southwest to be published at least once in each of the official newspapers of the County and proof thereof has been presented to the County Legislature; and

WHEREAS, pursuant to such Notice of Public Hearing, a public hearing was held by the Legislature of the County of Suffolk in Hauppauge, New York in said County on March 24, 2015 at 6:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map, plan, recommendations, and estimate of cost for the increases and improvements to Suffolk County Sewer District No. 3 – Southwest, as well as evidence given at the public hearing held on March 24, 2015; now therefore be it

1st **RESOLVED**, by the 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”, it is hereby found and determined that the total cost for the increases and improvements to Suffolk County Sewer District No. 3 – Southwest shall be set at a maximum of \$207 million and shall be financed using funding sources including sewer district serial bonds and Southwest Assessment Reserve Fund 405 and, as such, there will be no fiscal impact caused to the benefited properties in said District as a result of the increases and improvements.

Section 2. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid maps, plans, reports, recommendations and estimate of costs, it is hereby found and determined that the increases and improvements to Suffolk County Sewer District No. 3 – Southwest, as set forth in such maps, plans, reports, recommendations and estimate of costs, are necessary, convenient, and desirable.

Section 3. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid maps, plans, reports, recommendations and estimate of costs, it is hereby further found and determined that the proposed work involving the increases and improvements to Suffolk County Sewer District No. 3 – Southwest is adequate and appropriate and the cost thereof will not constitute an undue burden on the properties in said District and that no properties in said District will be excluded from the benefit of the increases and improvements.

Section 4. Upon evidence presented at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and cost estimates filed with the Legislature of the County of Suffolk, it is further found and determined that it is in the public interest to expend a maximum amount of \$207 million on the increases and improvements to Suffolk County Sewer District No. 3 – Southwest as set forth in such maps, plans, reports, recommendations and estimate of costs.

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

Section 1. The increases and improvements to Suffolk County Sewer District No. 3 – Southwest, as more particularly described in the maps, plans, reports, recommendations, and estimate of costs attached as Exhibit “A”, are hereby approved.

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. 3 – Southwest are hereby authorized and directed to carry out the increases and improvements to said District as more particularly described in the maps, plans, reports, recommendations and estimate of costs 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.

3rd **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.

4th **RESOLVED**, that this resolution shall take effect immediately.

DATED: April 28, 2015

APPROVED BY:

County Executive of Suffolk County

Date: