

Intro. Res. No. 1364-2015
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/28/2015

**RESOLUTION NO. 425 -2015, APPROPRIATING FUNDS FOR
THE OUTFALL -SUFFOLK COUNTY SEWER DISTRICT NO. 3 –
SOUTHWEST (CP 8108)**

WHEREAS, the Sewer District No. 3 – Southwest outfall system requires improvements and/or replacement; and

WHEREAS, a public hearing was held on March 24, 2015 at the regularly scheduled meeting of the County Legislature in Hauppauge, New York, in connection with the proposed improvements; and

WHEREAS, IR 1279-2015, adopted on April 28th, 2015, was for the findings and determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 3 – Southwest; and

WHEREAS, a resolution authorizing the issuance of \$207,000,000 in Sewer District Serial Bonds and this resolution which appropriates funds have been submitted to the Legislature for approval; and

WHEREAS, the ultimate financing with funding sources including sewer district serial bonds, Southwest Assessment Reserve Fund 405 and potential offsetting costs due to federal and/or state grant and aid is recognized; and

WHEREAS, the Administrative Head of Sewer District No. 3 - Southwest has requested that funds be appropriated to cover construction costs associated with the improvement project; and

WHEREAS, there are sufficient funds in the 2015 Capital Budget and Program for the outfall improvement/replacement of Suffolk County Sewer District 3 – Southwest; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2015 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 971-2012 determined that the proposed improvement and/or rehabilitation to the Sewer District No. 3 - Southwest constitutes a Type I action pursuant to the provisions of NYCRR Part 617.4 and 617.7; which determined the project will not have any significant adverse impacts on the environment; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$207,000,000 in Sewer District Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-two (72), 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

2nd **RESOLVED**, that the proceeds of \$207,000,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>AMOUNT</u>
528-CAP-8108.113 (Fund 203-Debt Service)	Improvements to Sewer District 3 – Southwest – Construction Management	\$13,000,000
528-CAP-8108.312 (Fund 203-Debt Service)	Improvements to Sewer District 3 - Southwest – Construction	\$194,000,000

and be it further

3rd **RESOLVED**, the County is authorized to apply for the Storm Mitigation Loan Program Grant (SMLP) and the County is authorized to receive the grant into the Outfall Project; and be it further

4th **RESOLVED**, that EFC 0% Loan and Low Interest Loan Program financing is authorized to be accepted into this project; and be it further

5th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements and applications for grant and aid funds upon such terms and conditions as he may deem necessary relating to the improvements to SD 3 - Southwest; and be it further

6th **RESOLVED**, that the Suffolk County Executive and/or designee(s) and the Suffolk County Comptroller are further authorized to take such actions and execute and deliver, on behalf of the County, such documents, as may be contemplated by, or necessary or advisable to consummate or otherwise give full effect to, the Outfall Project and any financing arrangements related to this resolution, and which are deemed necessary or desirable to effectuate the Outfall Project and to perform all acts and do all things required or contemplated to be performed or done by the financing arrangements or by this resolution or by any agreement, instrument or authorization approved, contemplated or authorized hereby; and be it further

7th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to effectuate these financial arrangements, including the associated transfers to finance this capital project, including Southwest Sewer District Assessment Stabilization Fund 405, if needed.

DATED: May 12, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 13, 2015