

Intro. Res. No. 1257-2016
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 3/22/2016

RESOLUTION NO. 835 -2016, APPROPRIATING FUNDS IN CONNECTION WITH THE NEW ENHANCED SUFFOLK COUNTY WATER QUALITY PROTECTION PROGRAM – 2014 REFERENDUM – SEWER IMPROVEMENT PROJECTS (CP 8734.310)

WHEREAS, Local Law No. 31-2014, a Charter Law Amending the ¼% Suffolk County Drinking Water Protection Program (DWPP) for Enhanced Water Quality Protection, Wastewater Infrastructure and General Fund Property Tax Relief for Suffolk County, created the 2014 Enhanced Suffolk County Water Quality Protection Program, codified in Suffolk County Charter Article XIIA (“the Program”); and

WHEREAS, Local Law No. 31-2014 was approved at a referendum in November of 2014, by Suffolk County voters; and

WHEREAS, the 2016 Adopted Capital Budget contains three water quality protection 2014 Referendum Capital Projects totaling \$29.4 million: CP 8732 for land purchases (\$20.0 million), CP 8733 for water quality projects (\$4.7 million), and CP 8734 for sewer improvement projects (\$4.7 million); and

WHEREAS, the Legislature has determined that the Program is essential to the well-being of the County’s drinking water supply, and it is in the best interest of the County’s residents to preserve the sanctity of the Program and to secure significant environmental and public health benefits; and

WHEREAS, this capital project provides \$4.7 million in serial bond funding to create a program to be used for projects to fund installation, improvements, maintenance and operation of sewer infrastructure and sewage treatment plants and for the installation of residential and commercial enhanced nitrogen removal septic systems as set forth in the Suffolk County Drinking Water Protection Program that remediate degraded water quality; 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 2016 Capital Budget as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature has authorized the issuance of \$4,700,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-nine (69), 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**, pursuant to the new Article XIIA of the Suffolk County Charter, \$4,700,000 of this funding shall be used for installation, improvements, maintenance and operation of sewer infrastructure and sewage treatment plants and for the installation of residential and commercial enhanced nitrogen removal septic systems as set forth in Section C12A-2(B)(3) of the Suffolk County Charter, that remediate degraded water quality; and be it further

3rd **RESOLVED**, that the proceeds of \$4,700,000 in Serial Bonds be and they are hereby appropriated as follows, subject to the condition that no bonds or notes shall be issued for any projects unless and until (i) full environmental reviews under the State Environmental Quality Review Act (SEQRA) have been completed by the County or other local municipality as lead agency for that project, (ii) the County has entered into an inter-municipal agreement with the project sponsor, and (iii) the County has obtained a real property interest in the project;

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8734.310 (Fund 001-Debt Service)	Water Quality Protection 2014 Referendum Sewer Improvement Projects	\$4,700,000

and be it further

4th **RESOLVED**, that no funds shall be allocated to or expended from this Capital Project No. 8734.310 unless and until a resolution is adopted by the County Legislature approving the specific sewer improvement project being considered for funding under this capital project; and be it further

5th **RESOLVED**, that the County Executive or designee, and the Department of Economic Development and Planning, with the approval of the County Attorney, are hereby authorized and empowered to take such actions and execute such documents as may be necessary or desirable, consistent with the purposes and intent of the foregoing resolution; and be it further

6th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(C)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: October 5, 2016

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: October 20, 2016