

RESOLUTION NO. 390 -2016, APPROPRIATING FUNDS IN CONNECTION WITH WATER QUALITY PROTECTION AND RESTORATION PROGRAM (NISSEQUOGUE TRIBUTARY HEADWATERS) (CP 8710)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Stormwater Improvements to the Northeast Branch of the Nissequogue River; and

WHEREAS, New York State Department of Environmental Conservation has approved grant funds under its Water Quality Improvement Program identified by Project No. 2013WQI11111 and Contract Number C305238, with a share allocation of seventy-five percent (75%) NYSDEC WQIP funds and twenty-five percent (25%) County funds; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the NYSDEC WQIP portion; and

WHEREAS, a portion of the professional engineering services associated with the planning, design and construction of this project have been and may continue to be performed by the staff of the Department of Public Works; and

WHEREAS, there are sufficient funds within the 2016 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 and as amended by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,273,610 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that pursuant to Resolution No. 96-2015 approved by the County Legislature, this project constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 450 of the Suffolk County Code, and the proposed project will not have significant adverse impacts on the environment for the following reasons:

- 1) the proposed action will not exceed any of the criteria set forth in Title 6 NYCRR, Part 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
- 2) Suffolk County has received a permit from the New York State Department of Environmental Conservation for the proposed action;
- 3) the removed sediments will be properly transported and disposed of at an approved landfill facility;
- 4) the proposed streambed restoration work will be similar in nature to the two previous phases of work on adjacent segments of the Nissequogue River which were

completed by the Town of Smithtown and did not have any significant adverse impacts on the environment; and

- 5) the proposed action will improve stream conditions and flow through this segment of the Nissequogue River;

and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-two (62) 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 the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to Stormwater Improvements to the Northeast Branch of the Nissequogue River, pursuant to Section C8-2 (A) of the Suffolk County Charter and Suffolk County Resolution No. 409-2015; and be it further

4th **RESOLVED**, that the proceeds of \$318,402 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.331 (Fund 001-Debt Service)	50	Stormwater Improvements to the Northeast Branch of the Nissequogue River	\$318,402

and be it further

5th **RESOLVED**, that NYSDEC Water Quality Improvement Program funding in the amount of \$955,208 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-CAP-8710.331	50	Stormwater Improvements to the Northeast Branch of the Nissequogue River	\$955,208

and be it further

6th **RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$318,402; and be it further

7th **RESOLVED**, that the County Comptroller is hereby authorized and directed to accept NYS Bond Act funding in the amount of \$955,208; and be it further

8th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total State share of \$955,208; and be it further

9th **RESOLVED**, that the County Comptroller is hereby authorized and directed to place into a debt service reserve fund any Federal or State Aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$318,402 for the County share; and be it further

10th **RESOLVED**, that the County Comptroller is hereby authorized to accept Federal and/or State Aid in connection with this project; and be it further

11th **RESOLVED**, that this resolution will become effective upon receipt of the State Authorization; and be it further

12th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the Standard Agreement for reimbursement with the New York State Department of Environmental Conservation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: May 10, 2016

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 18, 2016