

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 484 -2016, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AN ORDER FOR THE MODIFICATION OF THE PLAN OF SERVICE FOR SUFFOLK COUNTY SEWER DISTRICT NO. 18 – HAUPPAUGE INDUSTRIAL (CP 8126)

WHEREAS, pursuant to New York County Law Section 269, the Suffolk County Sewer Agency has prepared and submitted to the Legislature of the County of Suffolk, New York, amended maps, plans, recommendations and revised cost estimates pertaining to an increase in the maximum amount to be expended for the increase and improvement to facilities at Suffolk County Sewer District No. 18 – Hauppauge Industrial; and

WHEREAS, such amended maps, plans, recommendations and revised cost estimates addressed the necessity for additional funds to complete the construction of sewerage facilities at Suffolk County Sewer District No. 18 – Hauppauge Industrial; and

WHEREAS, these maps, plans, recommendations and revised cost estimates accompanied Suffolk County Resolution No. 227-2016 and are attached to this Resolution and Order as Exhibit “A”; and

WHEREAS, the cost of the increase and improvement to the facilities of Sewer District No. 18 – Hauppauge Industrial and the extension of the boundaries of such district has risen from a cost in 2005 of \$65 million to an estimated cost of \$88.7 million, as set forth in the amended maps, plans, recommendations; and

WHEREAS, this revised cost will be financed utilizing sewer district serial bonds, but there will be no fiscal impact caused to the benefited properties in said District as a direct result of the increase to the costs of the increases and improvements inasmuch as pursuant to the Suffolk County Assessment Stabilization Reserve Fund (“ASRF”), all property owners in Suffolk County sewer districts experience a 3% annual increase regardless of any increases or improvements performed; and

WHEREAS, in the case of the property owners in Suffolk County Sewer District No. 18 – Hauppauge Industrial, the annual 3% ASRF increase will result in an increase of approximately \$152 per year to the typical property within the District, regardless of the additional funds necessary to complete the increases and improvements; and

WHEREAS, pursuant to Suffolk County Resolution No. 227-2016 and New York County Law Section 254, the Clerk of the Legislature did duly cause a Notice of Public Hearing regarding the amended maps, plans, recommendations and revised cost estimates pertaining to an increase in the maximum amount to be expended for the increase and improvement to facilities at Suffolk County Sewer District No. 18 – Hauppauge Industrial 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 April 12, 2016 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the amended map, plan, recommendations, and revised estimate of cost for the increases and improvements to Suffolk County Sewer District No. 18 – Hauppauge Industrial, as well as evidence given at the public hearing held on April 12, 2016; now, therefore be it

1st **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 amended maps, plans, reports, recommendations, and revised 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 revised total cost for the increases and improvements to Suffolk County Sewer District No. 18 – Hauppauge Industrial shall be set at a maximum of \$88.7 million, which shall be financed using sewer district serial bonds.

Section 2. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations and revised estimate of costs it is hereby found and determined that the increase to the costs of the increases and improvements to Suffolk County Sewer District No. 18 – Hauppauge Industrial, as set forth in such amended maps, plans, reports, recommendations and revised estimate of costs, is necessary, convenient, and desirable.

Section 3. Upon evidence presented at the aforesaid public hearing and after due consideration of the aforesaid amended maps, plans, reports, recommendations and revised 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. 18 – Hauppauge 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 aforesaid amended maps, plans, reports, recommendations, and revised cost estimates, it is further found and determined that it is in the public interest to expend a maximum amount of \$88.7 million on the increases and improvements to Suffolk County Sewer District No. 18 – Hauppauge Industrial, as set forth in such amended maps, plans, reports, recommendations and revised estimate of costs; and be it further

and be it further

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

Section 1. The increase to the amount to be expended on the increases and improvements to Suffolk County Sewer District No. 18 – Hauppauge Industrial, as more particularly described in the amended maps, plans, reports, recommendations, and revised 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. 18 – Hauppauge Industrial are hereby authorized and directed to carry out the increases and improvements to said District as more particularly described in the amended maps, plans, reports, recommendations and revised 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 Sections 253-b and 259; and be it further

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; and be it further

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

DATED: June 1, 2016

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: June 14, 2016