

Intro. Res. No. 1434-2016
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 5/10/2016

RESOLUTION NO. 487 -2016, 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 8180)

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 an increase and improvement 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, among other things, construction of a sludge truck weighing scale for Suffolk County Sewer District No. 3 – Southwest; and

WHEREAS, these maps, plans, recommendations and cost estimates accompanied Suffolk County Resolution No. 234-2016 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 \$1.6 million; and

WHEREAS, this cost will be financed utilizing Southwest Stabilization Reserve Fund 405, therefore, there will be no fiscal impact caused to the benefited properties in said District as a direct result of the cost of the increases and improvements inasmuch as, pursuant to Fund 405, all property owners in the sewer district experience a stabilized rate regardless of any increases or improvements performed; and

WHEREAS, pursuant to Suffolk County Resolution No. 234-2016 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 April 12, 2016 at 2:30 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 April 12, 2016; 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 \$1.6 million, which shall be financed using Southwest Stabilization Reserve Fund 405.

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 aforesaid maps, plans, reports, recommendations, and cost estimates, it is further found and determined that it is in the public interest to expend a maximum amount of \$1.6 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.

and be it further

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

Section 1. The increase 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.

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