

**RESOLUTION NO. -2016, ADOPTING LOCAL LAW
NO. -2016, A LOCAL LAW ESTABLISHING A SEWER
CONNECTION POLICY TO FOSTER ECONOMIC GROWTH IN
SUFFOLK COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on July 26, 2016, a proposed local law entitled, "**A LOCAL LAW ESTABLISHING A SEWER CONNECTION POLICY TO FOSTER ECONOMIC GROWTH IN SUFFOLK COUNTY**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2016, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW ESTABLISHING A SEWER CONNECTION
POLICY TO FOSTER ECONOMIC GROWTH IN SUFFOLK
COUNTY**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk operates 23 sewer districts and allows businesses and developments located outside the boundaries of these districts to apply for a connection to the sewer facilities.

This Legislature further finds that the developers of projects located outside a sewer district often seek a sewer connection because it allows them to avoid the very significant costs associated with constructing a sewage treatment plant.

This Legislature finds that several large mixed used developments, which are now in the planning stages, intend to connect to an existing County sewer district.

This Legislature determines that the capacity of the County's sewer facilities is finite so it is vital that applications for sewer connections be weighed carefully to ensure that approved projects advance the County's valid economic development goals.

This Legislature further finds that too often projects that receive government support and subsidies end up using workers from outside the New York area and/or pay workers substandard wages and benefits.

This Legislature concludes that developers seeking the significant economic benefits and cost savings associated with connecting to an existing sewer district, should comply with minimal apprenticeship, wage and local hiring requirements to ensure that the project creates good paying jobs and career opportunities for Suffolk County residents.

Therefore, the purpose of this law is to require applicants seeking a connection to a County operated sewer district for a project that will generate more than 100,000 gallons of sewage flow per day, to agree to abide by apprenticeship training and prevailing wage requirements and to hire workers who reside on Long Island.

Section 2. Amendments.

Section 740-45 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Section 740-45. Connection by premises outside district.

* * * *

D. Economic benefits.

1. No contract between the Administrator and an applicant from outside the geographical boundaries of a district may be entered into, in the case of a project or development that will generate more than 100,000 gallons of sewage flow per day, unless the applicant agrees to comply with apprenticeship training, prevailing wage and local hiring requirements as set forth herein.
2. The applicant shall agree that any contractor or subcontractor who is a party to, or working under, a construction contract related to a project or development that is the subject of a connection agreement, will comply with the apprenticeship training requirements set forth of § 869-3 of the Suffolk County Code.
3. The applicant shall agree that any contractor or subcontractor who is a party to, or working under, a construction contract related to a project or development that is the subject of a connection agreement, will comply with the prevailing wage requirements set forth in Article 8 of New York Labor Law.

[D].E Any contracts or agreements negotiated by the administrative head of any Suffolk County sewer district shall be subject to the final review, approval and ratification of the Suffolk County Legislature.

[E].E Contracts for connection of out-of-district areas meeting the definition of a municipal satellite collection system shall be in compliance with New York State Department of Conservation regulations, as amended, if applicable.

Section 3. Applicability.

This law shall apply to any connection agreement that is presented to the Suffolk County Sewer Agency and the Suffolk County Legislature for final approval on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision,

section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. 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 law.

Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: