

RESOLUTION NO. 248-2012, AMENDING THE APPROVAL (IR 2260-2010) OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 7 - TWELVE PINES AND INTERCOUNTY ASSOCIATES II, LLC (BR-1445)

WHEREAS, Intercounty Associates II, LLC is located outside the boundary of Suffolk County Sewer District No. 7 - Twelve Pines; and

WHEREAS, this body on February 1, 2011 (IR 2260-2010) authorized an additional One Thousand Seven gallons of capacity per day (1,007 GPD), to Intercounty Associates II, LLC, bringing the total discharge capacity to Thirteen Thousand Three Hundred Twenty-Seven gallons per day (13,327 GPD); and

WHEREAS, Intercounty Associates II, LLC realized that in an earlier agreement with an entity which participated in the expansion of the Sewage Treatment Plant of the District (Twelve Pines), that Intercounty had purchased Three Hundred gallons of capacity (300 GPD), therefore Intercounty Associates II, LLC requests to amend the previously said capacity from 1,007 GPD to 707 GPD; and

WHEREAS, Intercounty Associates II, LLC is authorized to discharge Thirteen Thousand Three Hundred Twenty-Seven gallons per day (13,327 GPD) to the Districts facilities; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection has been approved by the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed amended flow has received the approval of the Suffolk County Sewer Agency (Resolution No. 18-2011) with a connection fee rate of \$30.00 per gallon per day of sewage capacity; for a total connection fee of Twenty-One Thousand Two Hundred Ten Dollars (\$21,210.00) to the district; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 7 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; now, therefore be it

1st **RESOLVED**, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action; and be it further

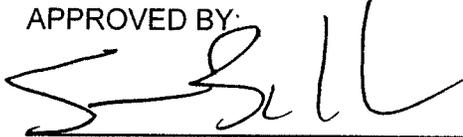
2nd **RESOLVED**, that the Administrative Head of the District be and hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 7 - Twelve Pines and that they be required to post a surety bond or bonds and deposit cash or securities with the County

Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts; 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, pursuant to section C8-2(L&M) of the Suffolk County Charter.

DATED: **MAR 27 2012**

APPROVED BY:



County Executive of Suffolk County

Date: 4/9/12

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on March 27, 2012 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res.

1241

Res. No.

248

March 27, 2012

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER				/	
14	Wayne R. HORSLEY, D.P.O.	/				
8	William J. LINDSAY, P.O.				/	
	Totals	16			2	

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
Send To Committee _____
Table Subject To Call _____
Lay On The Table _____
Discharge _____
Take Out of Order _____
Reconsider _____
Waive Rule _____
Override Veto _____
Close _____
Recess _____
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
NOT ADOPTED _____

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote