

Intro. Res. No. 1014-2013

Laid on Table 1/2/2013

Introduced by Presiding Officer, on request of the County Executive and Legislators Hahn, Anker, Schneiderman

**RESOLUTION NO. 35 -2013, AMENDING THE ADOPTED 2013 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH VILLAGE OF SAG HARBOR HAVENS BEACH STORMWATER REMEDIATION (CP 8240)**

**WHEREAS**, there are sufficient funds within the Reserved Fund Balance of Fund 477 for the purpose of Water Quality Protection; and

**WHEREAS**, the Suffolk County Water Quality Review Committee at the September 25, 2012 meeting, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship funds; and

**WHEREAS**, the Suffolk County Department of Economic Development and Planning has requested funding for a project that will allow the Village of Sag Harbor to remediate stormwater from the point where it enters the drainage system, through the drainage ditch, and to the point where the water is discharged into Sag Harbor Bay; and

**WHEREAS**, this project will significantly reduce or eliminate the levels of fecal bacteriological indicators that flow into Sag Harbor Bay from Havens Beach drainage ditch; and

**WHEREAS**, the project is consistent with the recommendations of the Peconic Estuary Program Comprehensive Conservation and Management Plan (PEP CCMP) in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER by preserving water quality east of Flanders Bay and by reducing non-point source pollution to the Peconic Estuary; and

**WHEREAS**, the Village of Sag Harbor has committed by Village Resolution No. 4, adopted at the Village Board meeting on November 27, 2012, to accept the grant from the County of Suffolk for this project and to enter into an intermunicipal agreement with the County of Suffolk for this project; and

**WHEREAS**, the Village of Sag Harbor will commit by Village Resolution No. 4 to provide matching project funds to be no less than either \$147,500 or one half the cost of the project, whichever is less; and

**WHEREAS**, the project should be initiated within three years of the date of adoption of this resolution; and

**WHEREAS**, funding is requested for this project through the Suffolk County Water Quality Protection and Restoration Program; and

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2013 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

**WHEREAS**, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2013 Capital Budget and Program; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the Village of Sag Harbor, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines, in Village Resolution No. 3, adopted on November 27, 2012, that this proposed action will not have a significant adverse impact on the environment and constitutes an Unlisted Action for which a Negative Declaration was issued, in accordance with the provisions of 6 NYCRR §617.7, therefore the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

**2<sup>nd</sup>** **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

**3<sup>rd</sup>** **RESOLVED**, that sufficient funds exist within Fund 477’s Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Adopted 2013 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$147,500

and be it further

**5<sup>th</sup>** **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT (Ref. 525 -CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$147,500

and be it further

**6<sup>th</sup>** **RESOLVED**, that the 2013 Capital Budget and Program be and are hereby amended as follows:

Project No.: 8240  
 Project Title: Village of Sag Harbor Havens Beach Stormwater Remediation

	<u>Total Est'd Cost</u>	<u>Revised 2013 Capital Budget &amp; Program</u>	<u>Current 2013 Capital Budget &amp; Program</u>
1. Planning	\$2,500	\$0	\$ 2,500W
3. Construction	<u>\$145,000</u>	<u>\$0</u>	<u>\$145,000W</u>
TOTAL	\$147,500	\$0	\$147,500

and be it further

**7<sup>th</sup>** **RESOLVED**, that the interfund revenues in the amount of \$147,500 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.121	50	Village of Sag Harbor Havens Beach Stormwater Remediation	\$2,500

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.330	50	Village of Sag Harbor Havens Beach Stormwater Remediation	\$145,000

and be it further

**8<sup>th</sup>** **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project; and be it further

**9<sup>th</sup>** **RESOLVED**, that the County Executive is hereby authorized to execute an intermunicipal agreement with the Village of Sag Harbor under Section 119-o of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision authorizing the Village of Sag Harbor to conduct stormwater remediation to Havens Beach.

DATED: February 5, 2013

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: February 14, 2013