

RESOLUTION NO. 970 -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 TOWN OF SOUTHAMPTON STORMWATER ABATEMENT TO MILL POND (CP 8240)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection and Restoration; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program Review Committee, 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 Initiative funds during meetings held on June 16, 2011 and on September 25, 2012, and

WHEREAS, the Suffolk County Department of Economic Development and Planning will sponsor a non-point source abatement remediation project in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the project proposes funding stormwater abatement activities to reduce stormwater runoff impacts to the Mill Pond watershed within the Town of Southampton boundaries; and

WHEREAS, the Town of Southampton has committed by Resolution No. 2013-780, adopted at the Town Board Meeting on August 13, 2013, to accept the grant from the County of Suffolk for a stormwater abatement project and to enter into an inter-municipal agreement with the County of Suffolk for this project; and

WHEREAS, the Town of Southampton will commit by said resolution to provide matching project funds to be no less than either \$292,500 or one half the cost of this phase of the project, whichever is less; and

WHEREAS, Town Board Resolution No. 2013-871 was adopted at the Town Board Meeting on August 27, 2013, to amend Resolution No. 2013-780 to state that Suffolk County will provide funding in the amount of \$292,500, reduced from \$320,000 for this project; and

WHEREAS, the project 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 sufficient 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

1st **RESOLVED**, that the Town of Southampton, New York, 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 Town Resolution No. 2013-824, adopted on August 13, 2013, that this project 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

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty (60) 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

3rd **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

4th **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	\$292,500

and be it further

5th **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	\$292,500

and be it further

6th **RESOLVED**, that the 2013 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240
 Project Title: Town of Southampton Stormwater Abatement to Mill Pond

	<u>Total Est'd Cost</u>	<u>Current 2013 Capital Budget & Program</u>	<u>Revised 2013 Capital Budget & Program</u>
3. Construction	\$257,500	\$0	\$257,500W
5. Equipment	\$ <u>35,000</u>	<u>\$0</u>	\$ <u>35,000W</u>
TOTAL	\$292,500	\$0	\$292,500

and be it further

7th **RESOLVED**, that these Water Quality proceeds in the amount of \$292,500 be and hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.332	14	Town of Southampton Stormwater Abatement to Mill Pond	\$257,500
525-CAP-8240.510	14	Town of Southampton Stormwater Abatement to Mill Pond	\$ 35,000

and be it further

8th **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

9th **RESOLVED**, that the County Executive is hereby authorized to execute an intermunicipal agreement with the Town of Southampton under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision authorizing the Town of Southampton to conduct stormwater abatement improvements to the Mill Pond watershed within the town boundaries.

DATED: November 19, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: November 29, 2013