

**RESOLUTION NO. 641 -2015, AMENDING THE ADOPTED 2015 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2015 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH A TOWN OF BROOKHAVEN PROJECT FOR RESTORATION OF BLUE POINT AVENUE POND AND STORMWATER IMPROVEMENTS (CP 8240.334)**

**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 March 13, 2015 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 Town of Brookhaven to perform MS4 upgrades and stormwater pollution prevention at the Blue Point Avenue Pond; and

**WHEREAS**, the purpose of the project is to provide environmental remediation and improve water quality at the Town owned McGill's Pond, hereinafter referred to as its more popular name, Blue Point Avenue Pond, by addressing various non-point source pollution as aspects; and

**WHEREAS**, the pond has become overgrown with invasive vegetation; the sedimentation of the pond, channel, and outfall pipe has been creating a stagnant water condition in the pond that allows untreated pollutants, in the stormwater runoff to enter Patchogue Bay whose outfall is located approximately 300 feet from an open shellfish bed; and

**WHEREAS**, based on the report provided by the Environmental Planning/Engineering firm, the Town of Brookhaven plans on taking a number of measures, such as invasive species removal, creation of bioretention areas, natural buffers, drainage improvements to the roadway system bordering the pond, wetlands restoration, and repair to the drainage culvert that will alleviate the conditions, restore the pond, address the public health issues, insure improved water quality in the bay, and promote access, and education; and

**WHEREAS**, the project is consistent with the recommendations of the South Shore Estuary Reserve (SSER) Comprehensive Management Plan in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER by reducing nonpoint source pollution to the South Shore Estuary; and

**WHEREAS**, the Town of Brookhaven has committed by Town Resolution Number 2015-0365 adopted at the Town Board meeting on May 7, 2015, to enter into an inter-municipal agreement with the County of Suffolk for this project; and

**WHEREAS**, the Town of Brookhaven has also committed by Town Resolution Number 2015-0365 adopted at the Town Board meeting on May 7, 2015 to provide matching project funds to be no less than either \$125,000 or one half the cost of the project, whichever is less; 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 2015 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 2015 Capital Budget and Program; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Town of Brookhaven 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. 2015-0200, adopted on March 12, 2015 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 adopted 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-four (64) 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 2015 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	\$125,000

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:

<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	\$125,000

and be it further

**6<sup>th</sup> RESOLVED**, that the 2015 Capital Budget and Program be and are hereby amended as follows:

Project No.: 8240  
 Project Title: Town of Brookhaven Restoration of Blue Point Avenue Pond and Stormwater Improvements

	<u>Total Est'd Cost</u>	<u>Current 2015 Capital Budget &amp; Program</u>	<u>Revised 2015 Capital Budget &amp; Program</u>
3. Construction	\$65,600	\$0	\$65,600W
4. Site Improvements	<u>\$59,400</u>	<u>\$0</u>	<u>\$59,400W</u>
TOTAL	\$125,000	\$0	\$125,000

and be it further

**7<sup>th</sup> RESOLVED**, that the interfund water quality revenues in the amount of \$125,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.334	14	Town of Brookhaven Restoration of Blue Point Avenue Pond and Stormwater Improvements	\$65,600
525-CAP-8240.411	14	Town of Brookhaven Restoration of Blue Point Avenue Pond and Stormwater Improvements	\$59,400

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 Town of Brookhaven under Section 119-o of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision authorizing the Town of Brookhaven to conduct MS4 upgrades and stormwater pollution prevention at the Blue Point Pond.

DATED: July 28, 2015

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: August 6, 2015