

RESOLUTION NO. 83 -2015, AUTHORIZING THE RELEASE OF SEWER GRANT FUNDS

WHEREAS, Local Law No. 44-2011 authorized the County of Suffolk to utilize excess monies in the Assessment Stabilization Reserve Fund (“ASRF”) for the installation, improvement, maintenance and operation of sewer infrastructure and sewage treatment plants, including projects outside the boundaries of the County’s existing sewer districts; and

WHEREAS, Local Law No. 44-2011 established a Sewer Infrastructure Committee (“Committee”) to review applications for the funding of sewer infrastructure and sewage treatment projects and to make advisory recommendations to the County Executive and the County Legislature as to which projects should be funded; and

WHEREAS, the Committee recommended that the County make grants and loans to the Town of Riverhead, Town of Babylon, Village of Patchogue and Village of Northport to fund improvements to their sewer infrastructure; and

WHEREAS, Resolution No. 866-2013 authorized the transfer of \$19,940,000 from the ASRF to a multi-year non-lapsing fund and further authorized the County Executive to enter into agreements with the aforementioned towns and villages to effectuate the sewer grants and loans; and

WHEREAS, Local Law No. 44-2011 was invalidated by the Appellate Division, Second Dept., in late 2014; the County is seeking leave to appeal this decision; and

WHEREAS, Local Law No. 31-2014, which was approved by voter referendum on November 4, 2014, once more authorized the County of Suffolk to use excess monies in the ASRF to fund sewers; and

WHEREAS, the grants and loans to the Town of Riverhead, Town of Babylon, Village of Patchogue and Village of Northport should be reauthorized by this Legislature under Local Law No. 31-2014; now, therefore be it

1st **RESOLVED**, that the release of monies previously transferred and appropriated to fund sewer grants and loans to the Town of Riverhead, Town of Babylon, Village of Patchogue and Village of Northport by Resolution No. 866-2013 is hereby approved and authorized consistent with the provisions of Local Law No. 31-2014; and be it further

2nd **RESOLVED**, that the County Executive is hereby authorized, empowered and directed to enter into agreements, subject to the approval of the County Attorney, necessary to effectuate and finalize the grants and loans to the Town of Riverhead, Town of Babylon, Village of Patchogue and Village of Northport in the amounts set forth in Resolution No. 866-2013; and be it further

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (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, and 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 resolution.

DATED: March 3, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: March 10, 2015