

RESOLUTION NO. 833 -2019, AMENDING THE ADOPTED 2019 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION AND AMENDING THE 2019 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE WASTEWATER TREATMENT SYSTEM UPGRADE PROJECT AT CEDAR BEACH EAST, WEST AND THE NATURE CENTER, TOWN OF BROOKHAVEN (CP 8710.155/.337)

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 Protection and Restoration Program Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER has recommended funding to upgrade the three conventional septic systems with Innovative/Alternative (IA) septic systems at Cedar Beach East, West and the Mount Sinai Marine Environmental Stewardship Center (MESC) within the Town of Brookhaven at its June 20, 2019 meeting as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, Suffolk County Legislator Sarah S. Anker will sponsor the project to upgrade the conventional septic systems to I/A/ systems at Cedar Beach East, West and MESC within the Town of Brookhaven in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Cedar Beach is a public beach located on a peninsula between the Long Island Sound and Mt. Sinai Harbor and is one of the most popular beaches on the north shore. Cedar Beach has public restrooms at the eastern and western end; in addition, MESC is located at Cedar Beach to educate residents and students about the natural environment; and

WHEREAS, MESC and Cedar Beach East and West all have older sanitary systems used by thousands of people that visit the beach annually; nitrogen leaching from these failing systems contributes to poor water quality within Mt. Sinai Harbor and Long Island Sound; and

WHEREAS, these aging and failing septic systems have contributed a significantly large quantity of nitrogen to the surface and ground waters; and

WHEREAS, the North Shore Embayments Watershed Management Plan identified an increasing nitrogen trend in Mt. Sinai Harbor and added recommendations for nitrogen removal; and

WHEREAS, the Town of Brookhaven proposes to upgrade existing onsite wastewater treatment systems at Cedar Beach East, West and MESC with 6400 gpd, 3000 gpd and 300 gpd, nitrogen removal systems respectively; and

WHEREAS, the proposed upgrades will improve water quality by reducing the nitrogen loading associated with the use of the facilities; and

WHEREAS, the project is consistent with recommendations of the North Shore Embayments Watershed Management Plan for nitrogen removal; and

WHEREAS, the project will be initiated within one year of the date of adoption of this Resolution; and

WHEREAS, the project will be completed within three years of the date of adoption of this Resolution; and

WHEREAS, the Town of Brookhaven has committed by Town Board Resolution No. 2019-0413, adopted at the May 2, 2019 Town Board Meeting, to accept the grant from Suffolk County and to enter into an Intermunicipal Agreement with Suffolk County for this project; and

WHEREAS, the Town of Brookhaven has committed by Town Board Resolution No. 2019-0454, adopted at the May 23, 2019 Town Board Meeting, to provide 50% matching project funds for the project to upgrade the wastewater treatment systems at Cedar Beach East, West and MESOC; and

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

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2019 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are sufficient funds available in Fund 477 within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2019 Capital Budget and Program; now, therefore be it

1st **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. 2019-0413, adopted on May 2, 2019 that this proposed action pursuant to the provisions of 6NYCRR Part 617.5 (C) (26) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; (33) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list; is deemed to be a Type II Action; 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-six (66) 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 the County's share for this project; and be it further

4th **RESOLVED**, that the Adopted 2019 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>Fund</u>	<u>Dept</u>	<u>Approp Unit</u>	<u>Unit</u>	<u>Object</u>	<u>Activity</u>	<u>Description</u>	<u>Amount</u>
477	IFT	DE	E525	9600	0000	Transfer to Capital Fund	\$100,000

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>Fund</u>	<u>Dept</u>	<u>Approp Unit</u>	<u>Group</u>	<u>Unit</u>	<u>Revenue</u>	<u>Description</u>	<u>Amount</u>
525	CAP	X	0000	IFTR	R477	Transfer from Water Quality Protection	\$100,000

and be it further

6th **RESOLVED**, that the 2019 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710.155/.337

Project Title: Upgrade of Wastewater Treatment Systems at Cedar Beach East, West and the Nature Center

	<u>Total Est'd Cost</u>	<u>2019 Current Capital Budget Program</u>	<u>2019 Revised Capital Budget & Program</u>
1. Planning	\$ 15,000	\$0	\$ 15,000 W
3. Construction	<u>\$ 85,000</u>	\$0	<u>\$ 85,000 W</u>
TOTAL	\$100,000	\$0	\$100,000

and be it further

7th **RESOLVED**, that these Water Quality proceeds in the amount of \$100,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.155	Upgrade of Wastewater Treatment Systems at Cedar Beach East, West and the Nature Center	\$ 15,000
525-CAP-8710.337	Upgrade of Wastewater Treatment Systems at Cedar Beach East, West and the Nature Center	\$ 85,000

and be it further

8th **RESOLVED**, that the County Comptroller is 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 enter into an Intermunicipal Agreement with the Town of Brookhaven under Section 119-o of the NEW YORK GENERAL MUNICIPAL LAW which shall include but not limited to, a provision authorizing the Town of Brookhaven to implement the project to upgrade the Wastewater Treatment Systems at Cedar Beach East, West and the Nature Center within Brookhaven Town.

DATED: September 4, 2019

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: September 17, 2019

Introduced by Presiding Officer on request of the County Executive and Legislator Anker

RESOLUTION NO. 150-2021, AMENDING RESOLUTION NO. 833-2019 IN CONNECTION WITH THE WASTEWATER TREATMENT SYSTEM UPGRADE PROJECT AT CEDAR BEACH EAST, WEST AND THE NATURE CENTER, TOWN OF BROOKHAVEN (CP 8710.155/.337)

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER has recommended funding to upgrade the three conventional septic systems with Innovative/Alternative (IA) septic systems at Cedar Beach East, West and the Mount Sinai Marine Environmental Stewardship Center (MESCC) within the Town of Brookhaven at its June 20, 2019 meeting as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the applicant, the Town of Brookhaven, conducted revisions to the project proposal after receiving bids from contractors, reflecting higher costs than the original application for funding, therefore an updated application for funding showing updated scope of work was presented to the Suffolk County Water Quality Protection and Restoration Program Review Committee on its December 3, 2020 meeting; 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 to upgrade a conventional septic system with Innovative/Alternative (IA) septic system at Cedar Beach East within the Town of Brookhaven at its December 3, 2020 meeting as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Town of Brookhaven proposes to upgrade existing onsite wastewater treatment system at Cedar Beach East, nitrogen removal system; and

WHEREAS, the proposed upgrades will improve water quality by reducing the nitrogen loading associated with the use of the facilities; and

WHEREAS, Resolution No. 833-2019 needs to be amended to reflect the updated scope of work and use of funds to upgrade a conventional septic system with Innovative/Alternative (IA) septic system at Cedar Beach East; and

WHEREAS, the project will be initiated within one year of the date of adoption of this amending Resolution; and

WHEREAS, the project will be completed within three years of the date of adoption of this amending Resolution; and

WHEREAS, there are sufficient funds available in Fund 477 within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2021 Capital Budget and Program; now, therefore be it

1st **RESOLVED**, that the 7th resolved of Resolution No. 833-2019 is amended as follows:

7th **RESOLVED**, that these Water Quality proceeds in the amount of \$100,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.155	[Upgrade of Wastewater Treatment Systems at Cedar Beach East, West and the Nature Center] <u>Upgrade of Wastewater Treatment System at Cedar Beach East</u>	[\$15,000.00] <u>\$4,500</u>
525-CAP-8710.337	[Upgrade of Wastewater Treatment Systems at Cedar Beach East, West and the Nature Center] <u>Upgrade of Wastewater Treatment System at Cedar Beach East</u>	[\$85,000.00] <u>\$95,500</u>

and be it further

2nd **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

3rd **RESOLVED**, that the County Executive is hereby authorized to enter into an Intermunicipal Agreement with the Town of Brookhaven under section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW which shall include but not limited to, a provision authorizing the Town of Brookhaven to implement the project to upgrade of the Wastewater Treatment System at Cedar Beach East within Brookhaven Town.

[] Brackets denote deletion of existing language
__ Underlining denotes addition of new language

DATED: March 16, 2021

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: April 2, 2021