

Intro. Res. No. 1582-2021

Laid on Table 7/27/2021

Introduced by Presiding Officer, on request of the County Executive and Legislators Fleming, Krupski

RESOLUTION NO. 689-2021, AMENDING THE ADOPTED 2021 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2021 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE NUGENT STREET BIOSWALE PROJECT WITHIN THE VILLAGE OF SOUTHAMPTON (CP 8240.349/.132)

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 for the Nugent Street Bioswale project within the Town of Southampton at its June 23, 2021 meeting as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, Suffolk County District 2 Legislator Bridget Fleming will sponsor the Nugent Street Bioswale project in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Lake Agawam is listed as an "Impaired Water Requiring a TMDL" on the New York State Department of Environmental Conservation (NYSDEC) Priority Waterbodies List (PWL) and NYSDEC reports that Harmful Algal Blooms have been confirmed with high levels of toxins every year from 2013-2020; and

WHEREAS, the NYSDEC PWL listing as well as the Lake Agawam Comprehensive Management Plan (2009) and Lake Agawam Harmful Algal Bloom Action Plan (2020) identify stormwater runoff as a key contributor of the excess nutrients that have led to hypertrophic conditions and past fish kills; and

WHEREAS, the proposed project will install green infrastructure at 71 Nugent Street to treat stormwater which would otherwise flow directly to Lake Agawam through existing traditional stormwater conveyance infrastructure; and

WHEREAS, the green infrastructure technologies will conform to the NYSDEC Stormwater Management Design Manual and will utilize Eastern Long Island native plants; and

WHEREAS, the Village of Southampton has committed, by Village Board Resolution 2021-69, to accept the grant from Suffolk County and to enter into an Intermunicipal Agreement with Suffolk County for this project; and

WHEREAS, the Village of Southampton has committed, by Village Board Resolution 2021-69, to provide 50% matching project funds for the Nugent Street Bioswale project; 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, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative; and

WHEREAS, Resolution No. 1027-2020, established the use of a new priority capital ranking system, effective January 1, 2021, as the basis for funding capital projects such as this project and as required, an updated capital project ranking form was completed for 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 2021 Capital Budget and Program; now, therefore be it

1st **RESOLVED**, that the Village of Southampton being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines, in Village Resolution 2021-69, that this proposed project is classified as a Type II Action pursuant to the provisions of 6NYCRR Part 617.5(c)(3) which states: “(2) retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure”. 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-four (64) is eligible for approval in accordance with the provisions of Resolution No. 1027-2020; 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 2021 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>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	\$93,850

Revenues:

<u>Fund</u>	<u>Budget FY</u>	<u>Fiscal Yr</u>	<u>Dept</u>	<u>Approp Unit</u>	<u>Unit</u>	<u>Group</u>	<u>Rev Source</u>	<u>Description</u>	<u>Amount</u>
525	9999	2021	CAP	X	IFTR	0000	R477	Transfer from Water Quality	\$93,850

and be it further

5th **RESOLVED**, that the 2021 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240.349/.132
 Project Title: Nugent Street Bioswale

	<u>Total Est'd Cost</u>	<u>Current 2021 Capital Budget & Program</u>	<u>Revised 2021 Capital Budget & Program</u>
1. Planning	\$12,500	\$0	\$12,500 W
3. Construction	<u>\$81,350</u>	<u>\$0</u>	<u>\$81,350 W</u>
TOTAL	\$93,850	\$0	\$93,850

and be it further

6th **RESOLVED**, that these Water Quality proceeds in the amount of \$93,850 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.132	Nugent Street Bioswale	\$12,500
525-CAP-8240.349	Nugent Street Bioswale	\$81,350

and be it further

7th **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

8th **RESOLVED**, that the County Executive is hereby authorized to enter into an Intermunicipal Agreement with the Village of Southampton under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW which shall include but not limited to, a provision authorizing the Village of Southampton to implement the Nugent Street Bioswale project; and be it further

9th **RESOLVED**, that nothing contained herein shall be construed as a binding obligation on the part of Suffolk County to continue to provide funding or resources to the Village of Southampton for implementation of this resolution once the funding in this resolution has been exhausted.

DATED: September 9, 2021

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: September 21, 2021