

**ABSTRACT FOR COUNTY PROPOSITION NO. 2**

Form of Proposition:

**Resolution No. 547-2020, “A Charter Law to Transfer Excess Funds in the Sewer Assessment Stabilization Reserve Fund to the Suffolk County Taxpayer Trust Fund and to Eliminate the Requirement that Interfund Transfers Be Made from the General Fund to the Sewer Assessment Stabilization Fund”**

**Shall Resolution No. 547-2020 be approved?**

Approval of this proposed Charter Law would amend Article XII of the Suffolk County Charter, the Suffolk County Drinking Water Protection Program, to add an additional provision to require the transfer of \$44,409,109 from the Suffolk County Sewer Assessment Stabilization Reserve Fund to the Suffolk County Taxpayers Trust Fund in either Fiscal Year 2020 or Fiscal Year 2021. The \$44,409,109 transfer includes the \$29,409,109 that was required to be paid to the Sewer Assessment Stabilization Reserve Fund by Judgment of the Honorable Justice Joseph Farneti dated December 12, 2019 in the Matter of the Long Island Pine Barrens Society, Inc. v. County of Suffolk, et al. The appropriation and deposit for the transfer of the \$44,409,109 from the Suffolk County Sewer Assessment Stabilization Reserve Fund to the Suffolk County Taxpayers Trust Fund must be effectuated by a duly authorized resolution of the Suffolk County Legislature.

The Sewer Assessment Stabilization Reserve Fund contains an excess fund balance for the purpose for which the fund was created: to stabilize sewer district tax rates. Once transferred to the Suffolk County Taxpayers Trust Fund, the funds shall be used to reduce or stabilize general property taxes and/or police/public safety property taxes.

Approval of this Charter Law would also repeal and remove subsections C4-6 (L) and (M) and subsections C4-10 (L) and (M) of the Charter. These subsections require annual repayment from the General Fund to the Sewer Assessment Stabilization Reserve Fund for funds previously allocated from the Sewer Assessment Stabilization Reserve Fund to a reserve fund for bonded indebtedness established pursuant to §6-h of the General Municipal Law or to a retirement contribution reserve fund established pursuant to §6-r of the General Municipal Law pursuant to §C12-2(D)(2)(a) or C12-2(D)(2)(b) in Fiscal Years 2014, 2015, 2016 and 2017. As of December 31, 2019, the amount required to be repaid from the General Fund to the Sewer Assessment Stabilization Reserve Fund was approximately \$154,170,000.

If this referendum is approved by the electorate, this law would take effect upon filing in the office of the Secretary of State.

**THE FOREGOING ABSTRACT, TOGETHER WITH A PROPOSITION SUBMITTED WITH THE ABSTRACT, WAS PREPARED BY THE CLERK OF THE SUFFOLK COUNTY LEGISLATURE, WITH THE ADVICE OF COUNSEL TO THE LEGISLATURE AND THE COUNTY ATTORNEY.**

**DATED: HAUPPAUGE, NEW YORK**

**July     , 2020**

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**AMY M. ELLIS**  
**CLERK OF THE LEGISLATURE**

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**SARAH E. SIMPSON**  
**COUNSEL TO LEGISLATURE**

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**DENNIS M. COHEN**  
**COUNTY ATTORNEY**