

RESOLUTION NO. 500 -2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH ALTERNATIVE FUEL INFRASTRUCTURE AND COMPRESSED NATURAL GAS VEHICLES (CP 5602)

WHEREAS, the Commissioner of Public Works has requested funds for the purchase of approximately 15 Compressed Natural Gas (CNG) vehicles for the County fleet and purchase and installation of approximately 15 CNG diesel engines for retrofitting the County fleet; and

WHEREAS, there are Federal funds available from the Federal Highway Administration (FHWA) for this project, Alternative Fuel Infrastructure and Compressed Natural Gas Vehicles in the amount of \$4,400,000, with a share allocation of eighty percent (80%) Federal funds (\$3,520,000) and twenty percent (20%) County funds (\$880,000); and

WHEREAS, the County has been issued PIN OT 2351 for the vehicle purchases and PIN OT 2267 for the diesel engine replacements/retrofits and must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, Resolution No. 471-1994 and as amended by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, Resolution No. 321-2003 requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$4,400,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (2), (11), (20), (21), (25) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of eighty-one (81) 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**, as per Resolution No. 321-2003, the purchase of these vehicles are replacement vehicles and shall not increase the County fleet, and the purchase is hereby approved by this legislature; and be it further

4th **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the Alternative Fuel Infrastructure and Compressed Natural Gas Vehicles and acquire and/or retrofit CNG Vehicles; and be it further

5th **RESOLVED**, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5560
 Project Title: The Reconstruction of CR 4, Commack Road From the Vicinity of Nicolls Road to Julia Circle

	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget & Program</u>	<u>Revised 2009 Capital Budget & Program</u>
3. Construction	\$1,380,000	\$2,160,000 B	\$1,280,000 B
TOTAL	\$1,780,000	\$2,160,000 B	\$1,280,000 B

Project No.: 5602
 Project Title: Alternative Fuel Infrastructure and Compressed Natural Gas Vehicles

	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget & Program</u>	<u>Revised 2009 Capital Budget & Program</u>
5. Equipment	\$4,400,000	\$ 0	\$ 880,000B
TOTAL	\$4,400,000	\$ 0	\$3,520,000F

and be it further

6th **RESOLVED**, that the proceeds of \$880,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5602.510 (Fund 001-Debt Service)	50	Alternative Fuel Infrastructure and Compressed Natural Gas Vehicles Purchase of CNG Vehicles	\$600,000

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5602.511 (Fund 001-Debt Service)	50	Alternative Fuel Infrastructure and Compressed Natural Gas Engines Retrofitting of CNG Diesel Engines	\$280,000

and be it further

7th **RESOLVED**, that Federal Aid in the amount of \$3,520,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5602.510	50	Alternative Fuel Infrastructure and Compressed Natural Gas Vehicles Purchase of CNG Vehicles	\$2,400,000

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5602.511	50	Alternative Fuel Infrastructure and Compressed Natural Gas Engines Retrofitting of CNG Diesel Engines	\$1,120,000

and be it further

8th **RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$880,000; and be it further

9th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$3,520,000; and be it further

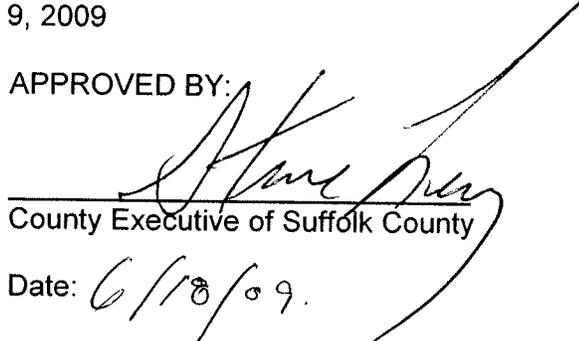
10th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$3,520,000; and be it further

11th **RESOLVED**, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

12th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: June 9, 2009

APPROVED BY:



 County Executive of Suffolk County

Date: 6/18/09.

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on June 9, 2009 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 1462 Res. No. 500

June 9, 2009

Motion:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro,
 Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro,
 Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Brian BEEDENBENDER					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Cameron ALDEN			/		
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.			/		
8	William J. LINDSAY, P.O.					
	Totals	16	1	1	1	

MOTION

Approve

Table: _____

Send To Committee _____

Table Subject To Call _____

Lay On The Table _____

Discharge _____

Take Out of Order _____

Reconsider _____

Waive Rule _____

Override Veto _____

Close _____

Recess _____

APPROVED FAILED _____

No Motion _____ No Second _____

RESOLUTION DECLARED

ADOPTED

NOT ADOPTED _____

Tim Laube
 Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote