Intro. Res. No. 2120-2009 Laid on Table 12/1/2009
Introduced by Presiding Officer, on request of the County Executive and Legislator Beedenbender

RESOLUTION NO. 1237 -2009, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH THE TOWN OF BROOKHAVEN AND AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FEDERAL AID IN CONNECTION WITH A STUDY FOR A DOWNTOWN TRANSIT ORIENTED DEVELOPMENT REVITALIZATION STUDY IN THE COMMUNITY OF RONKONKOMA (CP5655)

WHEREAS, the Transportation Division of the Suffolk County Department of Public Works annually receives Federal Aid from the New York Metropolitan Transportation Council (NYMTC), the transportation planning organization for the New York City, Long Island and Mid-Hudson-South metropolitan region for the purpose of conducting transportation planning activities; and

WHEREAS, said transportation planning activities are included in an annual Unified Planning Work Program (UPWP) which currently includes funds for a study for a Downtown Transit Oriented Development Revitalization Study in the community of Ronkonkoma in the amount of $100,000 whereby Federal Aid is available to provide 80% of the cost of this project and with the Town of Brookhaven providing 20% of the cost of this project; and

WHEREAS, the Town of Brookhaven will first instance the actual cost of the project and will request reimbursement from the County for the Federal (80%) share of the actual cost of the project; and

WHEREAS, there is no cost to the County for this project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, sufficient funds have not been included within the 2009 Capital Budget and Program and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal and/or State Aid; 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 Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No. 5655
Project Title: Downtown Transit Oriented Development Revitalization Study in the Community of Ronkonkoma -Pass-Through Funds

	Total Est'd. Cost	Current 2009 Capital Budget & Program	Revised 2009 Capital Budget & Program
1. Planning, Design & Supervision	$516,895	-0-	$80,000F
6. TOTAL	$516,895	-0-	$80,000

and be it further

3rd **RESOLVED**, that it is hereby determined that this project has been classified as a priority ranking of forty-eight (48) and is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget; and be it further

4th **RESOLVED**, that the Department of Public Works is authorized to enter into an Intermunicipal Agreement with the Town of Brookhaven and to receive and process requests for reimbursement to the Town of Brookhaven for 80% (Federal share) of the amount that the Town of Brookhaven has paid for consulting services for the planning for a Downtown Transit Oriented Development Revitalization Study in the Community of Ronkonkoma; and be it further

5th **RESOLVED**, that the Federal Aid be and they are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-5655.111	Downtown Transit Oriented Development Revitalization Study in the Community of Ronkonkoma -Pass-Through Funds	$80,000

and be it further

6th **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept Federal aid in connection with this project; and be it further

7th **RESOLVED**, that the County Executive of Suffolk County or his designee is hereby authorized to execute an Intermunicipal Agreement with the Town of Brookhaven to provide necessary reimbursement to the Town of Brookhaven.

DATED: DEC 15 2009

APPROVED BY

County Executive of Suffolk County

Date: 12/23/09

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 December 15, 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.

Tim Laube

Clerk of the Legislature

Intro. Res. 2120 Res. No. 1237 December 15, 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	18				

MOTION

X 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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED

X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube
Tim Laube, Clerk of the Legislature