

**RESOLUTION NO. 543 -2010, AUTHORIZING  
THE FILING OF A GRANT APPLICATION ON BEHALF OF THE  
DISABLED AMERICAN VETERANS (DAV) FOR FEDERAL  
CAPITAL ASSISTANCE FOR THE PURCHASE OF A VAN FOR  
ITS TRANSPORTATION PROGRAMS**

**WHEREAS**, the Federal Transit Administration (FTA), an operating administration of the United States Department of Transportation awards grants for Federal Capital Assistance for mass transportation projects as authorized by 49 U.S.C Chapter 53, Title 23, United States Code and other Federal statutes administered by the Federal Transit Administration; and

**WHEREAS**, the Federal Transportation Administrator has been delegated authority to award Federal Capital Assistance for transportation projects; and

**WHEREAS**, in Federal Fiscal Year 2009 the Disabled American Veterans organization (DAV) was allocated \$63,202 in Federal Capital Assistance funds to acquire vans for its transportation programs under Section 5309 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

**WHEREAS**, the County of Suffolk is a Designated Recipient as defined by 49 U.S.C. Section 5307(a) (2); and

**WHEREAS**, in order to expedite the grant making process, Suffolk County will file for and accept the FTA Grant on behalf of the DAV; and

**WHEREAS**, the grant contracts for Federal and State financial assistance will impose certain obligations upon the County, and will require the County to commit resources necessary to cover the entire grant with the understanding that reimbursement at the ratio of 80% Federal funds and 20% non-Federal funds will be made and that the State share will be used to fund up to 50% of the non-Federal share of Federally funded projects, but not to exceed 10% of Federally funded total projects costs and that the County will provide the remaining 10% local share of total project costs; and

**WHEREAS**, the County will provide all annual certifications and assurances required for the project to the FTA; and

**WHEREAS**, upon approval of the grant, Suffolk County will acquire the vehicles on behalf of the DAV, and

**WHEREAS**, the County will execute an agreement with the DAV to assign all responsibility for the use and maintenance of the vehicles, together with any reporting requirements thereof, and

**WHEREAS**, it is required by the U.S. Department of Transportation, in accord with the provision of Title VI of the Civil Rights Act of 1964, as amended, that the County give an assurance that it will comply with the Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; now, therefore be it

**1<sup>st</sup>** **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

**2<sup>nd</sup>** **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file a grant application on behalf of the DAV with the FTA for Federal Capital Financial Assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the FTA; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the DAV proposes to utilize allocated Federal Fiscal Year 2009 funds to aid in the financing of a Capital Assistance Project pursuant to Section 5309 of the Federal Transit Act, a Program of Projects and Budget being described as follows:

<u>Related Capital Program Number</u>	<u>Program of Projects</u>	<u>Estimated Cost</u>
5658	Purchase of a Paratransit Van (including related equipment) for the Disabled American Veterans	\$79,003
	Total Estimated Project Cost	\$79,003
	Estimated Federal Share: 80%	\$63,202
	Estimated State Share: 10%	\$ 7,900
	County Share: 10%	\$ 7,901

and be it further

**4<sup>th</sup>** **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the Program of Projects; and Budget; and be it further

**5<sup>th</sup>** **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute grant agreements on behalf of the County of Suffolk with the U.S. Department of Transportation and the New York State Department of Transportation for aid in the financing of the Capital Program of Projects and Budget herein described; and be it further

**6<sup>th</sup>** **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute an agreement with the DAV to assign all responsibility for the use

and maintenance of the vehicles, together with any reporting requirements thereof in connection with said grant.

DATED: June 8, 2010

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 18, 2010