

**RESOLUTION NO. 1085 -2010, AMENDING THE 2010  
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING  
FUNDS IN CONNECTION WITH IMPROVEMENTS TO  
LIGHTING AND PAVING ON CR 100, SUFFOLK AVENUE,  
BRENTWOOD, TOWN OF ISLIP (CP 5185)**

**WHEREAS**, the Town of Islip and the County of Suffolk entered into an Intermunicipal Agreement in 2009 whereby the County provided \$200,000 in funding to the Town to make lighting and pavement improvements on County Road 100, Suffolk Avenue, from Fifth Avenue to Adams Avenue; and

**WHEREAS**, an additional \$73,000 is required to complete the improvements set forth in the plan prepared by the Town of Islip and approved by the Suffolk County Department of Public Works; and

**WHEREAS**, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another Capital Project; and

**WHEREAS**, this project will contribute to the safety of pedestrians in the local community; and

**WHEREAS**, the Town of Islip approved Resolution No. 33-2010 authorizing the Town Supervisor to enter into an Intermunicipal Agreement with the County of Suffolk to facilitate the completion of this project (the resolution is attached hereto as Exhibit "A"); and

**WHEREAS**, this Legislature, by resolution of even date herewith, has authorized the issuance of \$73,000 in Suffolk County Serial Bonds; and

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding Capital Projects such as this project; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the 2010 Capital Budget and Program be and is hereby amended as follows:

Project Number: 5097

Project Title: Reconstruction of CR 17, Carleton Avenue, Town of Islip

<u>Cost Elements</u>	<u>Total Est'd Cost</u>	<u>Current 2010 Capital Budget &amp; Program</u>	<u>Revised 2010 Capital Budget &amp; Program</u>
3. Construction	\$6,034,000	\$307,000B \$2,800,000F	\$234,000B \$2,800,000F
TOTAL	\$8,684,000	\$3,157,000	\$3,084,000

Project Number: 5185

Project Title: Improvements to Lighting and Paving on CR 100, Suffolk Avenue in Brentwood

<u>Cost Elements</u>	<u>Total Est'd Cost</u>	<u>Current 2010 Capital Budget &amp; Program</u>	<u>Revised 2010 Capital Budget &amp; Program</u>
5. Furniture & Equipment	\$73,000	\$0	\$73,000B
TOTAL	\$273,000	\$0	\$73,000

and be it further

**3<sup>rd</sup>** **RESOLVED**, that the proceeds of \$73,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5185.511	50	Improvements to Lighting at CR 100 Suffolk Avenue, Grant Avenue to Madison Avenue, Brentwood	\$73,000

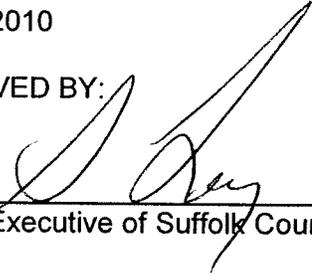
and be it further

**4<sup>th</sup>** **RESOLVED**, that the County Executive, or his designee, is hereby authorized to execute an Agreement with the Town of Islip for the transfer of such funds to the Town of Islip to complete the subject project on County Road 100, Suffolk Avenue, and no monies shall be transferred to the Town of Islip until this Agreement is fully executed; and be it further

**5<sup>th</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(C)(21), (22) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: December 7, 2010

APPROVED BY:



County Executive of Suffolk County

Date: DEC 17 2010

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 7, 2010 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*

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Clerk of the Legislature

Intro. Res.

1971

Res. No.

1085

December 7, 2010

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Losquadro  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Losquadro  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Muratore, Losquadro  
Eddington, Montano, Cilmi, Lindsay, Vilorio-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	Thomas MURATORE					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
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	17	4		1	-

MOTION
<input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
NOT ADOPTED

*Tim Laube*

Roll Call \_\_\_\_\_ Voice Vote

Tim Laube, Clerk of the Legislature



November 16, 2010  
Resolution #33

WHEREAS, an Inter-Municipal Agreement between the Town of Islip and the County of Suffolk was executed on 7/3/09 to make available \$200,000 from Suffolk County Department of Public Works to the Town of Islip Department of Planning & Development to construct streetscape improvements comprising paver and lighting along County Route. #100 (Suffolk Avenue) from Fifth Avenue to Adams Avenue in the hamlet of Brentwood; and

WHEREAS, said funds were insufficient to complete the entire scope of improvements specified in the plan prepared by the Town of Islip and approved by Suffolk County Department of Public Works; and

WHEREAS, the Town is currently constructing lighting and paver improvements on County Route #100 (Suffolk Avenue) from Fifth Avenue, east to Adams Avenue in Brentwood; and

WHEREAS, the County of Suffolk is making available an additional amount of grant funds to complete the desired improvements on C.R. #100, per County Resolution 1971-2010; and

WHEREAS, in order to facilitate the usage of these grant funds, the Town is required to enter into an Inter-Municipal Agreement with the County of Suffolk to facilitate same;

NOW, THEREFORE, on a motion of Supervisor Nolan, seconded by Councilman Edwards, be it

RESOLVED, that the Supervisor is hereby authorized to execute an Inter-Municipal Agreement, in a form as authorized by the Town Attorney, with the County of Suffolk to permit grant funds in the amount of \$73,000 to be utilized by the Town for the construction of lighting and paver improvements on County Route #100 (Suffolk Avenue) in Brentwood.

Upon a vote being taken, the result was:      unanimously carried 5-0

# Additional Back-up 1971

**FIRST AMENDMENT OF AGREEMENT FOR  
INTER-MUNICIPAL AGREEMENT  
FOR IMPROVEMENTS TO LIGHTING AND PAVERS  
ON CR 100, SUFFOLK AVENUE  
TOWN OF ISLIP  
CP 5184**

This First Amendment of Agreement ("First Amendment") is made and entered into as of this 22<sup>nd</sup> day of November 2010, by and between County of Suffolk (COUNTY), a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting by and through its duly constituted Department of Public Works located at 335 Yaphank Avenue, Yaphank, New York 11980 (DEPARTMENT) and the Town of Islip, of 665 Main Street, Islip, New York 11751, (TOWN), for Improvements to Lighting and Pavers on CR 100, Suffolk Avenue, Town of Islip.

WHEREAS, the COUNTY and the TOWN entered into an Inter-Municipal Agreement last dated as of March 15, 2010, in connection with Improvements to Lighting and Paving on CR 100, Suffolk Avenue; and

WHEREAS, the Agreement initially provided a project title of "Improvements to Lighting and Paving on CR 100, Suffolk Avenue, Town of Islip"; and

WHEREAS, the Agreement initially provided for a total cost of agreement not to exceed \$200,000 (\$92,000 for Improvements to Pavers and \$108,000 for Improvements to Lighting, pursuant to Resolution No. 935-2006) or the actual costs incurred for the improvements, whichever is less; and

WHEREAS, the actual project title is "Improvements to Lighting and Pavers on CR 100, Suffolk Avenue, Town of Islip"; and

WHEREAS, pursuant to Introductory Resolution No. 1971 of 2010 of the Suffolk County Legislature, the project cost for Improvements to Lighting and Pavers has increased by \$73,000;

NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein, and for other good and valuable consideration, the receipt of which is mutually acknowledged, the COUNTY and the TOWN agree as follows:

**Project Title:** The original agreement provided a project title of "Improvements to Lighting and Paving on CR 100, Suffolk Avenue, Town of Islip". The First Amendment of Agreement shall modify this title, making the new agreement title "Improvements to Lighting and Pavers on CR 100, Suffolk Avenue, Town of Islip".

**Cost of Agreement:** The original Agreement for Improvements to Lighting and Pavers on CR 100, Suffolk Avenue was \$200,000. The First Amendment of Agreement for additional funding is \$73,000, making the new total cost of agreement \$273,000.

**Terms and Conditions:** Shall be as set forth in the Agreement last signed by Ed Dumas, Deputy County Executive, March 15, 2010, and Exhibits A through G, attached thereto.

**IN WITNESS WHEREOF,** the parties hereto have signed this Agreement as of the latest date written below.

**TOWN OF ISLIP**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Town Supervisor  
Date: \_\_\_\_\_

**Approved as to Legality:**  
**Christine Malafi**  
**Suffolk County Attorney**

By: \_\_\_\_\_  
Basia Braddish  
Assistant County Attorney  
Date: \_\_\_\_\_

**COUNTY OF SUFFOLK**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Deputy County Executive  
Date: \_\_\_\_\_

**Approved:**  
**Department of Public Works**

By: \_\_\_\_\_  
Gilbert Anderson, P.E.  
Commissioner of Public Works  
Date: \_\_\_\_\_

**Recommended:**  
**Highways Division**

By: \_\_\_\_\_  
William Hillman, P.E.  
Chief Engineer of Highways, Structures  
and Waterways  
Date: 11/29/10

