

**RESOLUTION NO. 1264 -2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR THE REPLACEMENT OF SMITH POINT BRIDGE OVER NARROW BAY, TOWN OF BROOKHAVEN (CP 5838)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with the Replacement of Smith Point Bridge over Narrow Bay; and

**WHEREAS**, the County 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**, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request under Capital Project 5838 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 or State Aid; and

**WHEREAS**, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN OT2437, under the Federal Highway Administration (FHWA) funding, with a share allocation of eighty percent (80%) Federal funds (\$800,000) and twenty percent (20%) County funds (\$200,000); 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**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,000,000 in Suffolk County Serial Bonds; 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 Section 617.5 (C) (20) and (21) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action, since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-seven (57) 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

**3<sup>rd</sup>** **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 Rehabilitation of CR 46, William Floyd Parkway (Smith Point) Bridge over Narrow Bay; and be it further

**4<sup>th</sup>** **RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5838  
 Project Title: Rehabilitation of Smith Point Bridge

	<u>Total Est'd Cost</u>	<u>Current 2010 Capital Budget &amp; Program</u>	<u>Revised 2010 Capital Budget &amp; Program</u>
1. Planning, Design, Engineering	<u>\$4,850,000</u>	\$0	\$200,000B <u>\$800,000F</u>
<b>TOTAL</b>	<b>\$10,967,500</b>	<b>\$2,100,000</b>	<b>\$3,100,000</b>

**5<sup>th</sup>** **RESOLVED**, that the proceeds of \$200,000 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-5838.112 (Fund 001-Debt Service)	50	Replacement of Smith Point Bridge over Narrow Bay - Planning & Engineering	\$200,000

and be it further

**6<sup>th</sup>** **RESOLVED**, that Federal Aid in the amount of \$800,000 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-5838.112	50	Replacement of Smith Point Bridge over Narrow Bay - Planning & Engineering	\$800,000

and be it further

**7<sup>th</sup>** **RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$200,000; and be it further

**8<sup>th</sup>** **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$800,000; and be it further

**9<sup>th</sup>** **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$800,000; and be it further

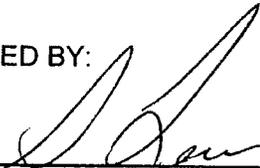
**10<sup>th</sup>**           **RESOLVED**, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

**11<sup>th</sup>**           **RESOLVED**, that no appropriations shall be expended, encumbered, or authorized, until the County is in receipt of the Federal Authorization for this project; and be it further

**12<sup>th</sup>**           **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:       **DEC 21 2010**

APPROVED BY:

  
\_\_\_\_\_  
County Executive of Suffolk County

Date: *12/28/10*

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 21, 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.

2180

Res. No.

1264

December 21, 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	8				

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*

Tim Laube, Clerk of the Legislature

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

**RESOLUTION NO. 258 -2012, AMENDING RESOLUTION NO. 1264-2010 AND AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM TO INCREASE FUNDING IN CONNECTION WITH THE REPLACEMENT OF SMITH POINT BRIDGE OVER NARROW BAY, TOWN OF BROOKHAVEN (CP 5838)**

**WHEREAS**, Resolution No. 1264 of 2010 appropriated \$1,000,000 for engineering and apportioned the share allocation as eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

**WHEREAS**, there are Federal funds available from the Federal Highway Administration (FHWA), which has subsequently implemented funding changes that increase funding for engineering to \$2,000,000; and

**WHEREAS**, the County 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 is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the Federal and/or State Marchiselli portions based on actual expenditures; and

**WHEREAS**, the Department of Public Works will assign staff currently funded in the 2012 Suffolk County Operating Budget to perform a portion of the tasks as required for the engineering, planning and construction of this project.

**WHEREAS**, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said increase request under Capital Project 5838 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 or State Aid; 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**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,000,000 in additional funding for Capital Project 5838; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) as this legislative decision involves routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities. As such, this Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-seven (57) 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

**3<sup>rd</sup>** **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 Replacement of Smith Point Bridge over Narrow Bay; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Suffolk County Department of Public Works keeps track of staff and costs as required associated with this project for chargeback purposes; and be it further

**5<sup>th</sup>** **RESOLVED**, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5838  
 Project Title: Replacement of Smith Point Bridge over Narrow Bay

	Total Est'd Cost	Current 2012 Capital Budget & Program	Revised 2012 Capital Budget & Program
1. Planning	<u>\$2,500,000</u>	\$0	\$ 200,000B
		<u>\$0</u>	<u>\$ 800,000F</u>
TOTAL	\$8,617,500	\$0	\$1,000,000

and be it further

**6<sup>th</sup>** **RESOLVED**, that the proceeds of \$200,000 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-5838.112 (Fund 001-Debt Service)	50	Replacement of Smith Point Bridge over Narrow Bay	\$200,000

and be it further

**7<sup>th</sup>** **RESOLVED**, that Federal Aid in the amount of \$800,000 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-5838.112	50	Replacement of Smith Point Bridge over Narrow Bay	\$800,000

and be it further

**8<sup>th</sup>**           **RESOLVED**, that the apportionment of the cost of Capital Project 5838, PIN 075978 be amended to reflect the additional funding to reflect the total increase of \$1,000,000 with a share allocation of eighty percent (80%) Federal reimbursement in the amount of \$800,000 and a twenty percent (20%) County share of \$200,000; and be it further

**9<sup>th</sup>**           **RESOLVED**, that the apportionment of the cost of Capital Project 5838.112, PIN 075978 be amended to reflect a total cost of \$2,000,000 with a share allocation of eighty percent (80%) Federal reimbursement in the amount of \$1,600,000, and a twenty percent (20%) County share of \$400,000; and be it further

**10<sup>th</sup>**          **RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the additional County share to \$200,000; and be it further

**11<sup>th</sup>**          **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any Federal or State Aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$200,000 for the County share; and be it further

**12<sup>th</sup>**          **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept additional Federal funding for up to \$800,000; and be it further

**13<sup>th</sup>**          **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the additional Federal share of \$800,000; and be it further

**14<sup>th</sup>**          **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept Federal and/or State Marchiselli Aid in connection with this project; and be it further

**15<sup>th</sup>**          **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: March 27, 2012

APPROVED BY:

  
County Executive of Suffolk County

Date: 4/9/12

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 March 27, 2012 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. 1303

Res. No. 259

March 27, 2012

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER					
14	Wayne R. HORSLEY, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	17	1	1	1	1

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
<input type="checkbox"/> Send To Committee
<input type="checkbox"/> Table Subject To Call
<input type="checkbox"/> Lay On The Table
<input type="checkbox"/> Discharge
<input type="checkbox"/> Take Out of Order
<input type="checkbox"/> Reconsider
<input type="checkbox"/> Waive Rule _____
<input type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____      No Second _____

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

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

*Tim Laube*

Tim Laube, Clerk of the Legislature