

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 106 -2011, AMENDING THE  
2011 CAPITAL BUDGET AND PROGRAM AND  
APPROPRIATING FUNDS IN CONNECTION WITH  
CONSTRUCTION FOR BEACH EROSION AND COASTLINE  
PROTECTION – SMITH POINT BEACH AND MESCHUTT  
BEACH COUNTY PARKS (CP 5380)**

**WHEREAS**, the United States Department of Homeland Security through the Federal Emergency Management Agency (FEMA) declared that Suffolk County is eligible to receive federal disaster assistance under its Public Assistance Program as a result of damage sustained at Smith Point Beach and Meschutt Beach County Parks during an incident period beginning November 12, 2009; and

**WHEREAS**, Smith Point County Park and Meschutt Beach County Park were damaged by storm activity during an incident period beginning November 12, 2009, and said storm activity was a Federal Emergency Management Agency (FEMA) declared disaster; and

**WHEREAS**, Smith Point County Park and Meschutt Beach County Park sustained damage to protective fencing that was constructed along existing dune systems to help reinforce the dunes; and

**WHEREAS**, the protective fencing should be reinstalled in conjunction with the reconstruction of said dune systems in order to safeguard park infrastructure; and

**WHEREAS**, FEMA awarded both Smith Point County Park and Meschutt Beach County Park fencing on one award; and

**WHEREAS**, FEMA's Public Assistance Program is an aid program that will provide Suffolk County with \$127,323 which represents 75 percent of the eligible costs of repairs; and

**WHEREAS**, 12.5 percent of the local share requirement of \$21,220 will be funded by the New York State Emergency Management Office (SEMO); and

**WHEREAS**, the remaining 12.5 percent local share requirement of \$21,220 will be funded by the County; and

**WHEREAS**, the agreements for Federal and associated State financial assistance impose certain obligations upon the County; and

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

**WHEREAS**, sufficient funds have not been included within the 2011 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; 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 2011 Capital Budget 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 \$169,763 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the New York State Department of Environmental Conservation ("DEC") is the lead agency for this project under SEQRA; and be it further

**2<sup>nd</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy (70), 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 2011 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5380  
 Project Title: Beach Erosion and Coastline Protection

	<u>Total Estimated Cost</u>	<u>Current 2011 Capital Budget and Program</u>	<u>Revised 2011 Capital Budget and Program</u>
3. Construction	<u>\$169,763</u>	<u>\$0</u>	\$ 21,220 B \$127,323 F <u>\$ 21,220 S</u>
<b>TOTAL</b>	<b>\$169,763</b>	<b>\$0</b>	<b>\$ 169,763</b>

and be it further

**4<sup>th</sup>** **RESOLVED**, that the proceeds of Federal Emergency Management Agency, Public Assistance Program Aid of \$127,323 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.313	56	Beach Erosion and Coastline Protection - Smith Point Beach and Meschutt Beach County Parks	\$127,323

and be it further

**5<sup>th</sup>** **RESOLVED**, that the proceeds of New York State Emergency Management Office aid of \$21,220 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.313	56	Beach Erosion and Coastline Protection - Smith Point Beach and Meschutt Beach County Parks	\$ 21,220

and be it further

6<sup>th</sup> **RESOLVED**, that the proceeds of \$21,220 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.313 (Fund 001 Debt Service)	56	Beach Erosion and Coastline Protection - Smith Point Beach and Meschutt Beach County Parks	\$ 21,220

and be it further

7<sup>th</sup> **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the additional Federal and State shares of this project totaling \$148,543; and be it further

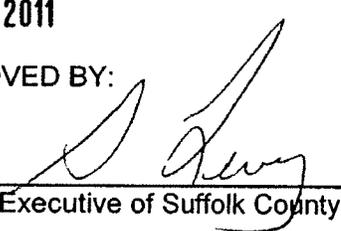
8<sup>th</sup> **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept additional Federal and State funding in the amount of \$21,220; and be it further

9<sup>th</sup> **RESOLVED**, that the Department of Public Works will be the lead agency in overseeing the engineering and performance of this project and will coordinate with the Department of Parks, Recreation and Conservation and the Department of Fire, Rescue and Emergency Services (FRES) in communicating with all Federal and State agencies to ensure compliance and that all associated aid is captured; and be it further

10<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 United States Department of Homeland Security through the Federal Emergency Management Agency and New York State Emergency Management Office 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: **MAR 08 2011**

APPROVED BY:

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

Date:

**MAR 23 2011**

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 8, 2011

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.

1068

Res. No.

106

March 8, 2011

**Motion:**

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

**Co-Sponsors:**

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

**Second:**

Romaine, Schneiderman, Browning, Muratore,  
Eddington, Montano, Cilmi, Lindsay, Viloría-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						
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	15	1	-	1	-

MOTION	
<input checked="" type="checkbox"/>	Approve
<input type="checkbox"/>	Table? Jay H. SCHNEIDERMAN
<input type="checkbox"/>	Send To Committee OWEN
<input type="checkbox"/>	Table Subject To Call PAUL
<input type="checkbox"/>	Lay On The Table
<input type="checkbox"/>	Discharge Jack EDDINGTON
<input type="checkbox"/>	Take Out of Order RICHARD
<input type="checkbox"/>	Reconsider Thomas CILMI
<input type="checkbox"/>	Waive Rule Thomas F. BARRAGA
<input type="checkbox"/>	Override Veto JAMES HENNING
<input type="checkbox"/>	Close
<input type="checkbox"/>	Recess
<input checked="" type="checkbox"/>	APPROVED
<input type="checkbox"/>	FAILED
<input type="checkbox"/>	No Motion
<input type="checkbox"/>	No Second

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

Tim Laube

Tim Laube, Clerk of the Legislature

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

Intro. Res. No. 1356-2011  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/26/2011

**RESOLUTION NO. 348 -2011, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
106-2011**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 106-2011; and

**WHEREAS**, this resolution when adopted contained a technical error; and

**WHEREAS**, the County Executive desires a technical correction to this resolution; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the Clerk of the Legislature shall make the following technical correction:

**Resolution No. 106-2011**

In the 8<sup>th</sup> RESOLVED clause change the amount:

**FROM:**

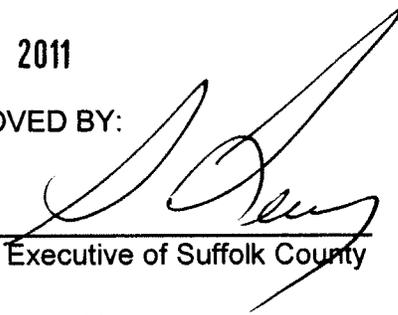
[\$21,220]

**TO:**

**\$148,543**

DATED: **MAY 10 2011**

APPROVED BY:

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

Date: **MAY 20 2011**

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 May 10, 2011 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.

1356

Res. No.

348

May 10, 2011

**Motion:**

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

**Co-Sponsors:**

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

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
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	Sarah S. ANKER					
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	18				

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

*Tim Laube*

Tim Laube, Clerk of the Legislature

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