

RESOLUTION NO. 1194-2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 48, MIDDLE ROAD, TOWN OF SOUTHOLD (CP 5526)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR 48, Middle Road; and

WHEREAS, sufficient funds are not included in the 2011 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; 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 Suffolk County Council of Environmental Quality has reviewed this project and declared this project constituted an unlisted action that will not have a significant effect on the environment for the following reasons:

- 1) The proposed action will not exceed any criteria in section 617.7(c) of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
- 2) A positive drainage system will be installed to improve drainage and eliminate discharging run-off to surface waters wherever possible;
- 3) All necessary NYSDEC permits will be obtained;
- 4) Traffic safety will be improved; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$4,230,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, Resolution No. 1113-2001, approved by the County Legislature, finds that this project constitutes an unlisted action that will not have a significant effect on the environment, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-five (55) 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

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Reconstruction of CR 48, Middle Road, pursuant to section C8-2 (A) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the 2011 Capital Budget and Program be and is hereby amended as follows:

Project Number: 5175
 Project Title: Safety Improvements on CR 99, Woodside Avenue

	Total Est'd Cost	Current 2011 Capital Budget & Program	Revised 2011 Capital Budget & Program
<u>Cost Elements</u>			
3. Construction	<u>\$3,600,000</u>	<u>\$3,500,000B</u>	<u>\$0</u>
TOTAL	\$3,700,000	\$3,500,000	\$0

Project Number: 5571
 Project Title: Safety Improvements on CR 48, Middle Road and Cox Neck Road

	Total Est'd Cost	Current 2011 Capital Budget & Program	Revised 2011 Capital Budget & Program
<u>Cost Elements</u>			
3. Construction	<u>\$2,000,000</u>	<u>\$730,000B</u>	<u>\$0</u>
TOTAL	\$2,000,000	\$730,000	\$0

Project Number: 5526
 Project Title: Reconstruction of CR 48, Middle Road

	Total Est'd Cost	Current 2011 Capital Budget & Program	Revised 2011 Capital Budget & Program
<u>Cost Elements</u>			
3. Construction	<u>\$16,380,000</u>	<u>\$0</u>	<u>\$4,230,000B</u>
TOTAL	\$18,170,000	\$0	\$4,230,000

and be it further

5th **RESOLVED**, that the proceeds of \$4,230,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5526.310	50	Reconstruction of CR 48, Middle Road	\$4,230,000

and be it further

6th **RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith.

DATED: **DEC 20 2011**

APPROVED BY:

VETOED

County Executive of Suffolk County

Date: 12-30-11
VETO OVERRIDE ADOPTED ON DECEMBER 30, 2011

Intro. Res.

8090

Res. No.

1194

December 20, 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	16	—		2	

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

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 30,2011 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

Clerk of the Legislature

Intro. Res. 2090

Res. No. 1194

December 30, 2011

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

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

Second:
 Romaine, Schneiderman, Browning, Muratore, Anker
 Eddington, Montano, Cilmi, Lindsay, Vloria-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

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 FAILED _____
 No Motion _____ No Second _____

RESOLUTION DECLARED

ADOPTED
 NOT ADOPTED

Tim Laube

Roll Call _____ Voice Vote

Tim Laube, Clerk of the Legislature

COUNTY OF SUFFOLK



RECEIVED

2011 DEC 30 A 9:16

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

COUNTY LEGISLATURE
SUFFOLK COUNTY, NY
RIVERHEAD

December 30, 2011

Presiding Officer William J. Lindsay and
Members of the Suffolk County Legislature
William H. Rogers Legislative Building
725 Veterans Memorial Highway
Smithtown, New York 11787

RE: RESOLUTION NO. 1194 – 2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 48, MIDDLE ROAD, TOWN OF SOUTHOLD (CP 5526)

Dear Presiding Officer Lindsay and Members of the Legislature:

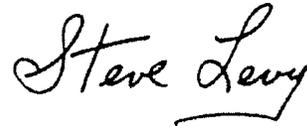
I am returning herein **RESOLUTION NO. 1194 – 2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 48, MIDDLE ROAD, TOWN OF SOUTHOLD (CP 5526)**; vetoed in its entirety.

The executive branch made a policy determination to scale back the capital budget to deal with the difficult economic conditions we face. Major infrastructure was given priority in order to spur economic development, but other items that might have breezed through in better years, were delayed.

The legislature often says that the capital budget doesn't authorize spending, it merely creates a plan. However by placing every item in the budget up for authorization, it shatters that concept and eliminates any form of prioritization in order to control debt service levels.

For these reasons, I strongly urge the Legislature to sustain my veto of this resolution.

Sincerely,

A handwritten signature in black ink that reads "Steve Levy". The signature is written in a cursive style with a horizontal line under the name.

Steve Levy
County Executive of Suffolk County

cc: All Suffolk County Legislators
Tim Laube, Clerk of the Legislature
Christine Malafi, Esq., Suffolk County Attorney
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney
Edward Dumas, Chief Deputy County Executive
Eric Naughton, Deputy County Executive for Finance and Management
Ken Crannell, Deputy County Executive
Connie Corso, Budget Director
Eric Kopp, Assistant Deputy County Executive
Dan Aug, Director of Communications
Mark Smith, Deputy Director of Communications

Intro. Res. No. 1115-2012
Introduced by Legislator Romaine

Laid on Table 2/7/2012

**RESOLUTION NO. 106 -2012, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
1194-2011**

WHEREAS, the County Legislature has adopted Resolution No. 1194-2011; and

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

WHEREAS, the Legislator Romaine desires a technical correction to this resolution; now, therefore be it

1st **RESOLVED**, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 1194-2011

In the 5th RESOLVED paragraph add the Fund Number to the Project Number:

FROM:

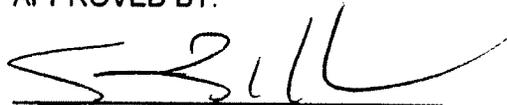
TO:

Project No.
525-CAP-5526.310

Project No.
525-CAP-5526.310
(Fund 001-Debt Service)

DATED: **MAR 13 2012**

APPROVED BY:



County Executive of Suffolk County

Date: 3 28. 2012

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 13, 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

Clerk of the Legislature

Intro. Res. 1115

Res. No. 108

March 13, 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	18				

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