

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 260 -2012, AMENDING RESOLUTION NOS. 239-2011 AND 673-2011 AND AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM TO INCREASE FUNDING IN CONNECTION WITH THE RECONSTRUCTION OF CR 11, PULASKI ROAD FROM LARKFIELD ROAD TO NYS ROUTE 25A, TOWNS OF HUNTINGTON AND SMITHTOWN (CP 5095)

WHEREAS, Resolution No. 239 of 2011 appropriated \$6,500,000 for construction and apportioned the share allocation as eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

WHEREAS, Resolution No. 673 of 2011 reallocated and increased funding to \$6,875,000 for construction; and

WHEREAS, New York State has subsequently implemented funding changes that increase funding for construction to \$8,725,000; 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; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said increase request under Capital Project 5095 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 \$1,850,000 in additional funding for Capital Project 5095; now, therefore be it

1st RESOLVED, Resolution No. 20-2009, approved by the County Legislature, declared this project constituted an unlisted action that will not have a significant adverse impact 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-four (54) 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

3rd **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 Reconstruction of CR 11, Pulaski Road from Larkfield Road to NYS Route 25A; and be it further

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

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

Project No.: 5095

Project Title: Reconstruction of CR 11, Pulaski Road from Larkfield Road to NYS Route 25A

| | <u>Total Est'd Cost</u> | <u>Current 2012 Capital Budget & Program</u> | <u>Revised 2012 Capital Budget & Program</u> |
|-----------------|---------------------------------|--|--|
| 3. Construction | \$10,350,000 | \$0 | \$ 370,000 B \$1,480,000F |
| TOTAL | \$12,135,000 | \$0 | \$1,850,000 |

and be it further

6th **RESOLVED**, that the proceeds of \$370,000 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-5095.311 (Fund 001-Debt Service) | 50 | Reconstruction of CR 11, Pulaski Road from Larkfield Road to NYS Route 25A | \$370,000 |

and be it further

7th **RESOLVED**, that Federal Aid in the amount of \$1,480,000 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-5095.311 | 50 | Reconstruction of CR 11, Pulaski Road from Larkfield Road to NYS Route 25A | \$1,480,000 |

and be it further

8th **RESOLVED**, that the apportionment of the cost of Capital Project 5095, PIN 075995 be amended to reflect the additional funding to reflect the total increase of \$1,850,000 with a share allocation of eighty percent (80%) Federal reimbursement in the amount of \$1,480,000 and a twenty percent (20%) County share of \$370,000; and be it further

9th **RESOLVED**, that the apportionment of the cost of Capital Project 5095.311, PIN 075995 be amended to reflect a total cost of \$8,725,000 with a share allocation of eighty percent (80%) Federal reimbursement in the amount of \$6,980,000, and a twenty percent (20%) County share of \$1,745,000; and be it further

10th **RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the additional County share to \$370,000; and be it further

11th **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 \$370,000 for the County share; and be it further

12th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept additional Federal funding for up to \$1,480,000; and be it further

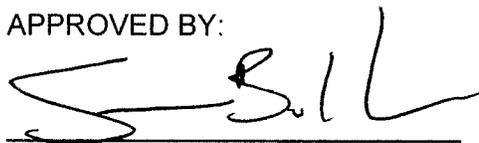
13th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the additional federal share of \$1,480,000; and be it further

14th **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

15th **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

Clerk of the Legislature

Intro. Res. **1304**

Res. No. **260**

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 | | | | |

| 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