

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 471 -2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RESURFACING OF CR 97, NICOLLS ROAD FROM THE VICINITY OF THE LIRR TRACKS (FURROWS ROAD) TO THE VICINITY OF NY 27, SUNRISE HIGHWAY; AND CR 19, WAVERLY AVENUE/PATCHOGUE-HOLBROOK ROAD FROM THE VICINITY OF NY 27, SUNRISE HIGHWAY TO BROADWAY AVENUE, TOWNS OF BROOKHAVEN AND ISLIP (CP 5599, PHASE IV, PIN OT2489)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Resurfacing of CR 97, Nicolls Road from the Vicinity of the LIRR Tracks (Furrows Road) to the Vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/Patchogue-Holbrook Road from the Vicinity of NY 27, Sunrise Highway to Broadway Avenue; and

WHEREAS, there are Federal and/or State funds available from the Federal Highway Administration for this project, identified as PIN OT2489, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

WHEREAS, sufficient funds are not included in the 2012 Capital Budget and Program to cover the cost of said request under Capital Project 5599 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, 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 and/or State Marchiselli portion; and

WHEREAS, the Department of Public Works will assign staff currently funded in the Suffolk County Operating Budget to perform a portion of the tasks as required for the engineering, planning and construction of this 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 County Legislature, by resolution of even date herewith, has authorized the issuance of \$7,750,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature hereby determines that the strengthening and improving of County roads constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(4) and (27) since the action involves a legislative decision concerning the repaving of existing highways not involving the addition of new travel lanes; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-four (74) 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 Resurfacing of CR 97, Nicolls Road from the Vicinity of the LIRR Tracks (Furrows Road) to the Vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/Patchogue-Holbrook Road from the Vicinity of NY 27, Sunrise Highway to Broadway Avenue; and be it further

4th **RESOLVED**, that the Department of Public Works keeps track of staff and costs associated 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.: 5599
 Project Title: Resurfacing of CR 97, Nicolls Road from the Vicinity of the LIRR Tracks (Furrows Road) to the Vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/Patchogue-Holbrook Road from the Vicinity of NY 27, Sunrise Highway to Broadway Avenue

	<u>Total Est'd Cost</u>	<u>Current 2012 Capital Budget & Program</u>	<u>Revised 2012 Capital Budget & Program</u>
3. Construction	<u>\$7,750,000</u>	\$0B	\$1,550,000B
		<u>\$0F</u>	<u>\$6,200,000F</u>
TOTAL	\$7,750,000	\$0	\$7,750,000

and be it further

6th **RESOLVED**, that the proceeds of \$1,550,000 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-5599.313 (Fund 001-Debt Service)	50	Resurfacing of CR 97, Nicolls Road from the Vicinity of the LIRR Tracks (Furrows Road) to the Vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/ Patchogue-Holbrook Road from the Vicinity of NY 27, Sunrise Highway to Broadway Avenue	\$1,550,000

and be it further

7th **RESOLVED**, that Federal and/or State Aid in the amount of \$6,200,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-CAP-5599.313	50	Resurfacing of CR 97, Nicolls Road from the Vicinity of the LIRR Tracks (Furrows Road) to the Vicinity of NY 27, Sunrise Highway; and CR 19, Waverly Avenue/ Patchogue-Holbrook Road from the Vicinity of NY 27, Sunrise Highway to Broadway Avenue	\$6,200,000

and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal and/or State funding in the amount of \$6,200,000; and be it further

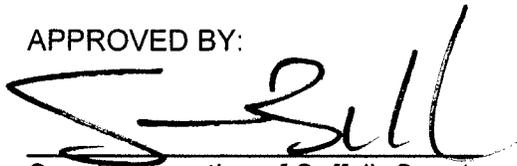
9th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$6,200,000; and be it further

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

11th **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: June 5, 2012

APPROVED BY:


County Executive of Suffolk County

Date: 6-13-2012

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 June 5, 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. 1505

Res. No. 471

June 5, 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	16	-		2	-

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

Tim Laube, Clerk of the Legislature

Roll Call ___ Voice Vote