Intro. Res. No. 1954-2012 Laid on Table 10/9/2012
Introduced by Presiding Officer, on request of the County Executive and Legislator Muratore

**RESOLUTION NO. 1007 -2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 97, NICOLLS ROAD FROM THE VICINITY OF THE LONG ISLAND EXPRESSWAY TO THE VICINITY OF NYS ROUTE 25A, TOWN OF BROOKHAVEN (CP 5512)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with the reconstruction of CR 97, Nicolls Road from the vicinity of the Long Island Expressway to the vicinity of NYS Route 25A; and

**WHEREAS**, sufficient funds are not included in the 2012 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 County Legislature, by resolution of even date herewith, has authorized the issuance of $200,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **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) (18), (20), (21) and (27) 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

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-two (62) 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 to complete engineering services for the reconstruction of CR 97, Nicolls Road from the vicinity of the Long Island Expressway to the vicinity of NYS Route 25A, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 7433
Project Title: Restoration of Driveways, Gutters and Catch Basins at Suffolk County Vanderbilt Museum

| | Total Est'd Cost | Current 2012 Capital Budget & Program | Revised 2012 Capital Budget & Program |
|---|---|---|---|
| 3. Construction | $0 | $1,000,000B | $800,000B |
| TOTAL | $0 | $800,000 | $800,000 |

Project No.: 5512
Project Title: Reconstruction of CR 97, Nicolls Road from the Vicinity of the Long Island Expressway to the Vicinity of NYS Route 25A

| | Total Est'd Cost | Current 2012 Capital Budget & Program | Revised 2012 Capital Budget & Program |
|---|---|---|---|
| 1. Planning and Design | $4,240,000 | $0 | $200,000B |
| TOTAL | $9,490,000 | $0 | $200,000 |

and be it further

5th **RESOLVED**, that the proceeds of $200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP-5512.113 (Fund 001-Debt Service) | 50 | Reconstruction of CR 97, Nicolls Road from the Vicinity of the Long Island Expressway to the Vicinity of NYS Route 25A | $200,000 |

DATED: NOV 20 2012

APPROVED BY:

County Executive of Suffolk County

Date: 12-3-2012

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 November 20, 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. 1954 Res. No. 1007 November 20, 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 | — |

| MOTION |
|---|
| X 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 X FAILED ___ |
| No Motion ___ No Second ___ |

| RESOLUTION DECLARED |
|---|
| X ADOPTED |
| ___ NOT ADOPTED |

Roll Call ___ Voice Vote ___

Tim Laube

Tim Laube, Clerk of the Legislature