

Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine, Schneiderman

RESOLUTION NO. 1011 -2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH SHORELINE PROTECTION AT HASHAMOMUCK COVE, TOWN OF SOUTHOLD (CP 5330)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Shoreline Protection at Hashamomuck Cove; and

WHEREAS, Resolution No. 761-2009 authorized the County to enter into and execute an agreement with the U.S. Army Corps of Engineers and New York State Department of Environmental Protection to participate in the study of shoreline protection at Hashamomuck Cove; and

WHEREAS, the Federal sponsor of the Hashamomuck Cove Shore Protection/Storm Damage Reduction Feasibility Study is the U.S. Army Corps of Engineers; the non-Federal sponsors include the New York State Department of Environmental Protection and the County of Suffolk; and

WHEREAS, the total estimated cost for the study is \$2,600,000, of which \$1,300,000 (50%) is provided by the Federal sponsor and \$1,300,000 (50%) provided by the non-Federal sponsors; and

WHEREAS, of the fifty percent (50%) non-Federal sponsor portion, seventy percent (70%) will be the State portion (\$910,000) and thirty percent (30%) will be the County portion (\$390,000); and

WHEREAS, New York State will first instance fund the County's share of the project and will subsequently be reimbursed by the County; and

WHEREAS, the County may reduce their share contributions by providing in-kind services up to \$231,000; and

WHEREAS, portions of the professional engineering services associated with the planning, design and construction of this project will be performed by the staff of the Department of Public Works; and

WHEREAS, there are no funds included in the 2012 Capital Budget and Program to cover the cost of said request 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 \$390,000 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) (20) and (21) 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 Shoreline Protection at Hashamomuck Cove, 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.: 5330
 Project Title: Shoreline Protection at Hashamomuck Cove

	<u>Total Est'd Cost</u>	<u>Current 2012 Capital Budget & Program</u>	<u>Revised 2012 Capital Budget & Program</u>
1. Planning & Design	<u>\$890,000</u>	<u>\$0</u>	<u>\$390,000B</u>
TOTAL	\$890,000	\$0	\$390,000

and be it further

5th **RESOLVED**, that the proceeds of \$390,000 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-5330.111 (Fund 001-Debt Service)	50	Shoreline Protection at Hashamomuck Cove, Town of Southold	\$390,000

and be it further

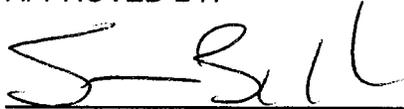
6th **RESOLVED**, the County may reduce their share contributions by providing in-kind services up to \$231,000; and be it further

7th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to reimburse New York State Department of Environmental Conservation under executed Contract No. C008760; and be it further

8th **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 Environmental Conservation 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: November 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

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					

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