

RESOLUTION NO. 481 -2013, AMENDING RESOLUTION NO. 471-2012 IN CONNECTION WITH 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, TOWNS OF BROOKHAVEN AND ISLIP (CP 5599.313, PIN 076007)

WHEREAS, Resolution No. 471-2012 appropriated \$7,750,000 for construction in connection with 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 apportioned the share allocation as 80% Federal funds and 20% County funds; and

WHEREAS, a public Letting was held on November 29, 2012 for CP 5599.313 (PIN 076007) with the lowest responsible bidder's amount being below the engineer's estimate and appropriated funding; and

WHEREAS, additional funding is required in connection with CP 5599.312 (PIN 076006-Resurfacing of CR 46, William Floyd Parkway); 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; 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 the 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 the apportionment of the cost under Resolution No. 471-2012 for Capital Project 5599.313, PIN 076007 be amended to reflect a decrease in the amount of \$360,000, with a new share allocation of 80% Federal reimbursement in the amount of \$5,912,000 and a 20% County share in the amount of \$1,478,000, for a revised total amount of \$7,390,000; and be it further

3rd **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and Federal Aid in connection with this project; and be it further

4th **RESOLVED**, that the apportionment of the decrease in Capital Project 5599.313, PIN 076007 be amended to reflect said decrease of \$360,000 with a share allocation of 80% Federal reimbursement in the amount of \$288,000, and a 20% County share of \$72,000; and be it further

5th **RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$1,478,000; and be it further

6th **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 \$5,912,000 for the County share; and be it further

7th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding for up to \$5,912,000; and be it further

8th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the Federal share of \$5,912,000; and be it further

9th **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 4, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: June 7, 2013