

**RESOLUTION NO. 621 -2014, AMENDING THE 2014 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF CR 97, NICOLLS ROAD (INCLUDING CONNECT LONG ISLAND COMPONENT), (CP 5597)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with the Reconstruction of CR 97, Nicolls Road (Including Connect Long Island Component); and

**WHEREAS**, there are Federal and/or State funds available from the Federal Highway Administration for this project, identified as PIN 070632 (formerly PIN No. OT2425), under the Federal Highway Administration (FHWA) funding, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; 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 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**, there are sufficient funds within the 2014 Capital Budget and Program to cover the cost of said request; 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 \$3,750,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup>** **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), (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

**2<sup>nd</sup>** **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

**3<sup>rd</sup>** **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 for the Reconstruction of CR 97, Nicolls Road (Including Connect Long Island Component), pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Department of Public Works keeps track of staff and costs associated with the project for chargeback purposes; and be it further

**5<sup>th</sup>** **RESOLVED**, that the 2014 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5512  
 Project Title: Reconstruction of CR 97, Nicolls Road

|                        | <u>Total<br/>Est'd<br/>Cost</u> | <u>Current 2014<br/>Capital<br/>Budget &amp;<br/>Program</u> | <u>Revised 2014<br/>Capital<br/>Budget &amp;<br/>Program</u> |
|------------------------|---------------------------------|--|--|
| 1. Planning and Design | \$4,440,000                     | \$ 750,000B  | \$ 0   |
|                        |                                 | <u>\$3,000,000F</u>  | <u>\$ 0</u>  |
| TOTAL                  | \$12,390,000                    | \$3,750,000  | \$ 0   |

Project No.: 5597  
 Project Title: Reconstruction of CR 97, Nicolls Road, (Including Connect Long Island Component)

|                        | <u>Total<br/>Est'd<br/>Cost</u> | <u>Current 2014<br/>Capital<br/>Budget &amp;<br/>Program</u> | <u>Revised 2014<br/>Capital<br/>Budget &amp;<br/>Program</u> |
|------------------------|---------------------------------|--|--|
| 1. Planning and Design | \$3,750,000                     | \$ 0   | \$ 750,000B  |
|                        |                                 | <u>\$ 0</u>  | <u>\$ 3,000,000F</u>   |
| TOTAL                  | \$3,750,000                     | \$ 0   | \$ 3,750,000   |

and be it further

**6<sup>th</sup>** **RESOLVED**, that the proceeds of \$750,000 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-5597.110<br>(Fund 001-Debt Service) | 50          | Reconstruction of CR 97, Nicolls Road (Including Connect Long Island Component) | \$750,000     |

and be it further

7<sup>th</sup> **RESOLVED**, that Federal Aid in the amount of \$3,000,000 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-5597.110 | 50          | Reconstruction of CR 97, Nicolls Road (Including Connect Long Island Component) | \$3,000,000   |

and be it further

8<sup>th</sup> **RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$750,000; and be it further

9<sup>th</sup> **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$3,000,000; and be it further

10<sup>th</sup> **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$3,000,000; and be it further

11<sup>th</sup> **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 \$750,000 for the County share; and be it further

12<sup>th</sup> **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized to accept Federal and/or State Marchiselli aid in connection with this project; and be it further

13<sup>th</sup> **RESOLVED**, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

14<sup>th</sup> **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: July 29, 2014

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: