

Introduced by Presiding Officer, on request of the County Executive and Legislator Krupski

RESOLUTION NO. 596 -2015, AMENDING THE 2015 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN RESURFACING OF CR 94, NUGENT DRIVE/CENTER DRIVE FROM THE VICINITY OF RIVER ROAD TO THE VICINITY OF CR 51, EAST MORICHES-RIVERHEAD ROAD (CP 5599, PIN 076092)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Resurfacing of CR 94, Nugent Drive/Center Drive from the vicinity of River Road to the vicinity of CR 51, East Moriches-Riverhead Road; and

WHEREAS, there are Federal and/or State funds available from the Federal Highway Administration for this project, identified as PIN 076092, 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, a portion of the professional engineering services associated with the planning, design and construction of this project have been and may continue to be performed by the staff of the Department of Public Works; and

WHEREAS, there are no funds included in the 2015 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, 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 \$350,000 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), (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 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 to complete Resurfacing of CR 94, Nugent Drive/Center Drive from the vicinity of River Road to the vicinity of CR 51, East Moriches-Riverhead Road, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the 2015 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5599
 Project Title: Resurfacing of CR 94, Nugent Drive/Center Drive from the vicinity of River Road to the vicinity of CR 51, East Moriches-Riverhead Road

| | <u>Total Est'd Cost</u> | <u>Current 2015 Capital Budget & Program</u> | <u>Revised 2015 Capital Budget & Program</u> |
|-------------|---------------------------------|--|--|
| 1. Planning | <u>\$350,000</u> | \$0 | \$ 70,000B |
| | | <u>\$0</u> | <u>\$280,000F</u> |
| TOTAL | \$350,000 | \$0 | \$ 350,000 |

and be it further

5th **RESOLVED**, that the proceeds of \$70,000 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-CAP-5599.112 (Fund 001-Debt Service) | 50 | Resurfacing of CR 94, Nugent Drive/Center Drive from the vicinity of River Road to the vicinity of CR 51, East Moriches-Riverhead Road | \$70,000 |

and be it further

6th **RESOLVED**, that Federal Aid in the amount of \$280,000 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-5599.112 | 50 | Resurfacing of CR 94, Nugent Drive/Center Drive from the vicinity of River Road to the vicinity of CR 51, East Moriches-Riverhead Road | \$280,000 |

and be it further

7th **RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$70,000; and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$280,000; and be it further

9th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$280,000; and be it further

10th **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 \$70,000 for the County share; and be it further

11th **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

12th **RESOLVED**, that this resolution will become effective upon receipt of the Federal Authorization; and be it further

13th **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 16, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: June 29, 2015