

RESOLUTION NO. 600 -2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH ROAD IMPROVEMENTS FOR CR 83 FROM THE VICINITY OF CR 16 TO THE VICINITY OF NYS RT 25, TOWN OF BROOKHAVEN; PIN OT2465 (CP 5548)

WHEREAS, CR 83 between the intersections of CR 16 and NYS RT 25 has been a constant source of traffic, noise and safety concerns for Suffolk County residents. There is now Federal grant money available to pay for eighty percent (80%) of the improvements that are necessary to make all of the necessary improvements to CR 83; and

WHEREAS, there are Federal funds available from the Federal Highway Administration (FHWA) for this project, identified as PIN OT2465, 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 ID portion; and

WHEREAS, the Department of Public Works will assign staff currently 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 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 \$100,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), adopted Resolution No. 981-2008 classified the action contemplated by this as an unlisted action which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-six (46) 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, pursuant to Section C8-2(A) of the Suffolk County Charter to complete engineering for the road improvements for CR 83 from the vicinity of CR 16 to the vicinity of NYS RT 25; and be it further

4th **RESOLVED**, that the Suffolk County Department of Public Works keeps track of staff and costs as required associated with Capital Project 5548, PIN OT2465 for chargeback purposes; and be it further

5th **RESOLVED**, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5548

Project Title: Road Improvements for CR 83 from the Vicinity of CR 16 to the Vicinity of NYS RT 25

	Total Est'd Cost	Current 2012 Capital Budget & Program	Revised 2012 Capital Budget & Program
1. Planning	\$100,000	\$0B	\$100,000 B
3. Construction	\$400,000	\$0F	\$400,000 F
TOTAL	\$500,000	\$0	\$500,000

and be it further

6th **RESOLVED**, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5548.112 (Fund 001-Debt Service)	50	Road Improvements for CR 83 From The Vicinity of CR 16 to the Vicinity of NYS RT 25	\$100,000

and be it further

7th **RESOLVED**, that Federal Aid in the amount of \$400,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-CAP-5548.310	50	Road Improvements for CR 83 From The Vicinity of CR 16 to the Vicinity of NYS RT 25	\$400,000

and be it further

8th **RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$100,000; and be it further

9th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$400,000; and be it further

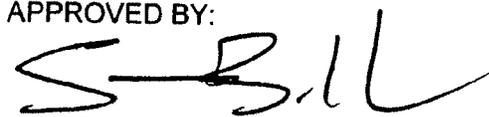
10th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the Federal share of \$400,000; and be it further

11th **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept Federal and/or State Marchiselli Aid in connection with this project; and be it further

12th **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 19, 2012

APPROVED BY:



County Executive of Suffolk County

Date: 6-28-2012

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 June 19, 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.

1597

Res. No.

600

June 19, 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	
<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

**RESOLUTION NO. 723 -2012, MAKING A TECHNICAL
CORRECTION TO RESOLUTION NO. 600-2012**

WHEREAS, Resolution No. 600-2012 amended the 2012 Capital Budget and Program and appropriated funds for planning road improvements to CR 83; and

WHEREAS, the SEQRA determination in Resolution No. 600-2012 is incorrect; now, therefore be it

1st **RESOLVED**, that the 1st RESOLVED clause of Resolution No. 600-2012 is hereby deleted and replaced with a new 1st RESOLVED clause which shall read as follows:

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

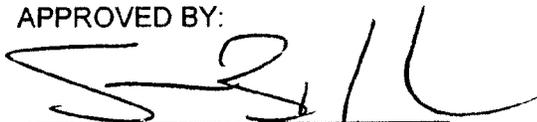
and be it further

2nd **RESOLVED**, that all other terms and conditions of Resolution No. 600-2012 shall remain in full force and effect; and be it further

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution

DATED: **AUG 21 2012**

APPROVED BY:



County Executive of Suffolk County

Date: 8.31.2012

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 August 21, 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. 1835

Res. No. 723

August 21, 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	15	—		3	—

MOTION

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 FAILED ___
 No Motion ___ No Second ___

RESOLUTION DECLARED

ADOPTED
 ___ NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call ___ Voice Vote