

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

RESOLUTION NO. 1268 -2010, AMENDING THE MAP OF THE COUNTY ROAD SYSTEM TO REMOVE COUNTY SYSTEM ROAD NO. 38, NORTH SEA ROAD-NOYAC ROAD (FROM A POINT LOCATED APPROXIMATELY 500± FEET NORTH OF MILLSTONE BROOK ROAD, NORTHERLY AND EASTERLY ENDING AT THE WESTERLY BOUNDARY OF THE VILLAGE OF SAG HARBOR) AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE TOWN OF SOUTHAMPTON TRANSFERRING OWNERSHIP AND MAINTENANCE OF SAID ROADWAY TO THE TOWN OF SOUTHAMPTON

WHEREAS, part of the intent of the County Roadway System is to allow Towns within Suffolk County to receive Federal and State funding to aid in their maintenance of roadways that fall within their Town's jurisdiction; and

WHEREAS, in 1931, County System Road No. 38, North Sea Road-Noyac Road, was added to the list of roads in Suffolk County enable to the Town of Southampton to receive such funding; and

WHEREAS, the Town of Southampton has agreed to assume ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road; now, therefore be it

1st **RESOLVED**, that County System Road No. 38, North Sea Road-Noyac Road, from a point located approximately 500± feet north of Millstone Brook Road, northerly and easterly ending at the westerly boundary of the Village of Sag Harbor, a distance of 46,650± feet, or 8.84± miles, is hereby removed from the official County Map and Road System, subject to approval of the New York State Commissioner of Transportation; and be it further

2nd **RESOLVED**, that the above described portion of County System Road No. 38, North Sea Road-Noyac Road, shall be transferred to the Town of Southampton in accordance with the provisions of Highway Law §115-b; and be it further

3rd **RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered and directed to take such actions as may be necessary and appropriate to consummate the transfer including, but not limited to, developing an agreement with the Town of Southampton and developing the associated roadway description; and be it further

4th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute an agreement with the Town of Southampton for the transfer of ownership and maintenance of County System Road No. 38, North Sea Road-Noyac Road; and be it further

5th **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 (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the

resolution concerns routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

6th **RESOLVED**, that the ownership transfer agreement and all other contract documents shall be subject to the approval of the County Attorney.

DATED: December 21, 2010

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 28, 2010

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1036 -2014, AMENDING RESOLUTION NO. 1268-2010, AMENDING THE MAP OF THE COUNTY ROAD SYSTEM TO REMOVE COUNTY SYSTEM ROAD NO. 38, NORTH SEA ROAD-NOYAC ROAD (FROM A POINT LOCATED APPROXIMATELY 500± FEET NORTH OF MILLSTONE BROOK ROAD, NORTHERLY AND EASTERLY ENDING AT THE WESTERLY BOUNDARY OF THE VILLAGE OF SAG HARBOR) AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE TOWN OF SOUTHAMPTON TRANSFERRING OWNERSHIP AND MAINTENANCE OF SAID ROADWAY TO THE TOWN OF SOUTHAMPTON

WHEREAS, Resolution No. 1268-2010 authorized the transfer of ownership and maintenance to the Town of Southampton of County System Road No. 38, North Sea Road-Noyac Road, along with the removal of said portion from the County Road System Map; and

WHEREAS, approval is not required from the New York State Commissioner of Transportation to remove County Highways from the Official County Road System Map when an agreement has been entered into between the County of Suffolk and one of its local Towns and/or Incorporated Villages; and

WHEREAS, County System Road No. 38, North Sea Road-Noyac Road from a point located approximately 500± feet north of Millstone Brook Road, northerly and easterly ending at the westerly boundary of the Village of Sag Harbor, a distance of 46,650± feet, or 8.84± miles, has been transferred to the Town of Southampton in accordance with the provisions of Highway Law §115-b and Ownership Transfer Agreement (Law No. 20-PW-006); and

WHEREAS, it is necessary to amend Resolution No. 1268-2010 by removing “official County Map and Road System, subject to approval of the New York State Commissioner of Transportation” and replacing it with “Official County Road System Map” now, therefore be it

1st RESOLVED, that the 1st Resolved clause of Resolution No. 1268-2010 is hereby amended by the changes as follows:

1st RESOLVED, that County System Road No. 38, North Sea Road-Noyac Road from a point located approximately 500± feet north of Millstone Brook Road, northerly and easterly ending at the westerly boundary of the Village of Sag Harbor, a distance of 46,650± feet, or 8.84± miles, is hereby removed from the [official County Map and Road System, subject to approval of the New York State Commissioner of Transportation] Official County Road System Map; and be it further

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2nd RESOLVED, that Suffolk County, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution

constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(C) (20) and (27) as this legislative decision involves routine or continuing agency administration, as such, this Legislature had no further responsibilities under SEQRA.

[] Brackets denote deletion of existing language
__ Underlining denotes addition of new language

DATED: November 18, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 4, 2014

Introduced by Presiding Officer, on request of the County Executive

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DATED: November 18, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 4, 2014