

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 553 -2011, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF BABYLON FOR DRAINAGE IMPROVEMENTS TO CR 96, GREAT EAST NECK ROAD IN THE VICINITY OF EVERGREEN STREET

WHEREAS, Resolution No. 595-2006 amended the 2006 Capital Budget and Program and appropriated funds for Drainage Improvements to CR 96, Great East Neck Road in the Vicinity of Evergreen Street in the Village of Babylon, Town of Babylon; and

WHEREAS, the preliminary design of this project proposed the construction of a recharge basin to remove stormwater from the swale, however, it was further determined that, due to grading issues, this would only remove about twenty percent (20%) of the stormwater; and

WHEREAS, the Village of Babylon has proposed an alternative plan in which the stormwater is routed down a Village street and connected into an existing Village drainage system; and

WHEREAS, the Village plan reduces the estimated project construction costs; and

WHEREAS, the Village has offered to assume responsibility for the letting and management of the construction project on the Village street; and

WHEREAS, it is in the best interests of the County of Suffolk and the Village of Babylon to enter into an Intermunicipal Agreement whereby the Village will make the improvements contemplated by Resolution No. 595-2006 along CR 96, Great East Neck Road in the Vicinity of Evergreen Street, Village of Babylon as outlined and agreed to by the County and Village; and

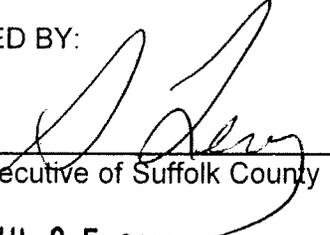
WHEREAS, the Village of Babylon will maintain, in perpetuity, the weir and leaching field installed under this project, and all costs incurred for the maintenance and repair of these drainage systems shall be borne by the Village of Babylon; now, therefore be it

1st **RESOLVED**, that, pursuant to New York General Municipal Law §119-o, the County Executive or his designee is hereby authorized to enter into an Intermunicipal Agreement with the Village of Babylon whereby the Village of Babylon will utilize the monies appropriated by Resolution No. 595-2006 to complete improvements along CR 96, Great East Neck Road in the Vicinity of Evergreen Street, Village of Babylon; and be it further

2nd **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 pertains to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: **JUN 21 2011**

APPROVED BY:



County Executive of Suffolk County

Date: **JUL 05 2011**

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 21, 2011 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.

1516

Res. No.

553

June 21, 2011

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6	Sarah S. ANKER					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
Totals		18				

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