

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

RESOLUTION NO. 1162 -2013, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF BABYLON TO FACILITATE THE RELOCATION, RECONFIGURATION, AND RECONSTRUCTION OF CR 3, WELLWOOD AVENUE AT ITS INTERSECTIONS WITH CONKLIN STREET AND LONG ISLAND AVENUE, TOWN OF BABYLON (CP 5510)

WHEREAS, the County of Suffolk, through the Department of Public Works is reconstructing certain portions of CR 3, Wellwood Avenue, at its intersections with Conklin Street and Long Island Avenue, Town of Babylon; and

WHEREAS, in order to successfully progress and complete this critical relocation, reconfiguration and reconstruction project it is essential that the Town of Babylon provide aid and cooperation to the County of Suffolk pursuant to an Intermunicipal Agreement, in form and substance as [a copy of which is] annexed hereto and marked as Exhibit "A"; and

WHEREAS, adequate funding is provided for this project under Capital Program No. 5510; now, therefore be it

1st **RESOLVED**, that pursuant to New York General Municipal Law §119-o, the County Executive, or his designee is authorized to enter into an Intermunicipal Agreement with the Town of Babylon that will allow the Suffolk County Department of Public Works to proceed with the relocation, reconfiguration, and reconstruction of CR 3, Wellwood Avenue, at its intersections with Conklin Street and Long Island Avenue, Town of Babylon, Suffolk County, New York; 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 the 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 a 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; and be it further

3rd **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute an Intermunicipal Agreement with the Town of Babylon for the purpose of facilitating the relocation, reconfiguration and reconstruction of CR 3, Wellwood Avenue at its intersections with Conklin Street and Long Island Avenue; and be it further

4th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute any and all contract documents related to this project, on behalf of the County of Suffolk providing for Suffolk County's participation in the above referenced project; and be it further

5th **RESOLVED**, that the Intermunicipal Agreement and all other contract documents, shall be subject to the approval of the County Attorney.

[] Brackets denote deletion of language.

___ Underlining denotes addition of new language.

DATED: December 3, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 19, 2013