

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1069 -2014, AUTHORIZING EXECUTION OF AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF SOUTHAMPTON IN CONNECTION WITH THE TIANA BEACH STABILIZATION PROJECT**

**WHEREAS**, Tiana Beach is located within the hamlet of Hampton Bays, Town of Southampton, and is on the Atlantic Ocean barrier island within the Suffolk County and Town of Southampton Parks systems; and

**WHEREAS**, on October 30, 2012, Super Storm Sandy devastated the beach and dune system, completely leveling the barrier island and creating a deeply incised overwash channel across the entire barrier island from the ocean to the bay, which continues to be exacerbated by washovers; and

**WHEREAS**, in an attempt to address this sensitive area, the Town seeks to create an interim but robust unified coastal levee across Tiana Beach, which will maintain the minimum level of flood and erosion protection necessary to prevent against the imminent threat of overwashing, flooding, and breaching; and

**WHEREAS**, in partnership with the County and the State of New York, the Town seeks to dredge and place up to 100,000 cubic yards of sand to be used to construct an emergency levee approximately 4,000 linear feet in length along Tiana Beach, which encompasses lands owned by both the County and the Town; and

**WHEREAS**, the Town and the County anticipate funding from New York State to assist in this project; and

**WHEREAS**, specifically, the State will offer the Town up to 70% of the cost of this project, up to a maximum of \$1 million; and

**WHEREAS**, in return, the County and the Town will provide the remaining 30% of the project costs, with the Town funding or providing in-kind services for its share of the 30%, and the County utilizing in-kind services to reach its 30% cost share; and

**WHEREAS**, in addition, the County will allow the Town to place the dredged material, and construct an emergency levee, on that part of Tiana Beach which is County-owned; and

**WHEREAS**, the Town will allow the County full access to that part of the beach and public facilities which are Town-owned for purposes of moving and shaping sand to construct the emergency berm as designed; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County shall not enter into the Agreement or adopt an appropriating resolution to fund this Project prior to completion of a full coordinated SEQRA review of the Project, with the County acting as an involved agency, pursuant to SEQRA and Chapter 450 of the Suffolk County Code, and adoption of any required SEQRA determination or findings by this Legislature; and be it further

**2<sup>nd</sup>**           **RESOLVED**, that, after full execution of the Intermunicipal Agreement between DEC and the Town for the Project, and subject to the 1<sup>st</sup> Resolved Clause hereof, the Suffolk County Executive or his designee, is hereby authorized, empowered and directed to execute the Agreement with the Town substantially in the form submitted herewith as Exhibit "B", and to take all actions necessary to implement the Agreement; and be it further

**3<sup>rd</sup>**           **RESOLVED**, that the Suffolk County Executive and/or his designee(s) are further authorized to take such actions and execute and deliver, on behalf of the County, such documents, as may be contemplated by, or necessary or advisable to consummate or otherwise give full effect to, the Project and the Agreement and this resolution, and which are deemed necessary or desirable to effectuate the Project and to perform all acts and do all things required or contemplated to be performed or done by the Agreement or by this resolution or by any agreement, instrument or authorization approved, contemplated or authorized hereby; and be it further

**4<sup>th</sup>**           **RESOLVED**, that the Department of Public Works is authorized to perform acts necessary to comply with the provisions of the Agreement in accordance this Agreement.

DATED: December 2, 2014

APPROVED BY:

/s/ Dennis M. Cohen  
Chief Deputy County Executive of Suffolk County

Date: December 4, 2014