

RESOLUTION NO. 53 -2015, APPROVING THE CONVEYANCE OF A PERMANENT TELECOMMUNICATIONS PUBLIC UTILITY EASEMENT TO VERIZON NEW YORK INC. IN EXCHANGE FOR THE TERMINATION OF A PORTION OF A CURRENTLY EXISTING TELECOMMUNICATIONS PUBLIC UTILITY EASEMENT

WHEREAS, the Suffolk County Department of Public Works, under Capital Program Number 5510, Phase 1, is in the process of reconfiguring the offset intersection of CR 3, Wellwood Avenue, with Conklin Street and Long Island Avenue, in the Town of Babylon, Suffolk County, New York, into a single intersection; and

WHEREAS, in order to create this new intersection, it is essential to relocate certain sections of the currently-existing Conklin Street and Long Island Avenue; and

WHEREAS, one or more public utility easements, recorded in the Office of the Suffolk County Clerk, running in favor of Verizon New York Inc., allows said Public Utility to locate its utilities and associated equipment and facilities along the currently-existing Conklin Street and Long Island Avenue, a description of which is annexed hereto as Exhibit "1"; and

WHEREAS, Verizon New York, Inc., has agreed to terminate that portion of their public utility easement area described in Exhibit "1" in exchange for a new public utility easement over the relocated portions of Conklin Street, and Long Island Avenue, a description of which is annexed hereto as Exhibit "2" for a consideration of One Dollar (\$1.00) (waived); now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Public Works be and hereby is authorized to convey a permanent telecommunications public utility easement to Verizon New York, Inc. for the area described in Exhibit "2" attached hereto, in exchange for a partial termination of easement described in Exhibit "1" attached hereto by Verizon New York, Inc., for a consideration of One Dollar (\$1.00) waived; and be it further

2nd **RESOLVED**, that pursuant to Adopted Resolution No. 981-2008 duly adopted by the Suffolk County Legislature on December 2, 2008, the above activity constitutes an unlisted action pursuant to the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the SUFFOLK COUNTY CODE; and be it further

3rd **RESOLVED**, that pursuant to Adopted Resolution No. 981-2008 duly adopted by the Suffolk County Legislature on December 2, 2008, the project will not have a significant effect on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or

regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;

- 3.) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes);
- 4.) Existing drainage problems will be alleviated; and
- 5.) Traffic safety will be improved and traffic congestion mitigated;

and be it further

4th **RESOLVED**, the Commissioner of the Suffolk County Department of Public Works, or his duly appointed Designee, is hereby authorized empowered and directed to take such actions to execute such other documents as are required to consummate this transaction.

DATED: February 3, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: February 19, 2015