

Intro. Res. No. 1020-2015
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 1/5/2015

RESOLUTION NO. 57 -2015, AMENDING RESOLUTION NO. 738-2014, PORT JEFFERSON-WADING RIVER RAILS TO TRAILS PEDESTRIAN AND BICYCLE PATH (CP 5903)

WHEREAS, Resolution No. 738-2014 authorized the County of Suffolk to accept Federal and/or State funds from, and to execute an agreement with, the New York State Department of Transportation (NYSDOT) in connection with Port Jefferson-Wading River Rails to Trails Pedestrian and Bicycle Path (PIN 075816); and

WHEREAS, it is necessary to amend Resolution No. 738-2014 to incorporate language, required by NYSDOT, committing the County of Suffolk, as the Sponsor, to be responsible for repayment of any Federal and/or State Aid received for this project, in the event the Project is discontinued due to recession of property rights or other circumstances prior to the Project's 25 year useful life; now, therefore be it

1st **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 has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that Resolution No. 738-2014 is hereby amended as follows:

9th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project[.]; and be it further

10th **RESOLVED**, should this Project be discontinued due to recession of property rights or other circumstances prior to the Project's 25 year useful life (calculated on a pro-rated scale – years actually in operation/25 year useful life), the County of Suffolk (Sponsor) shall repay any Federal and/or State Aid received for this project, within 180 days from any recoupment of funds against the State by FHWA for the Federal-Aid used on the project.

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

DATED: February 3, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: February 19, 2015