

RESOLUTION NO. 1052 -2015, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF SMITHTOWN FOR THE MAINTENANCE OF HARNED ROAD FROM THE VICINITY OF CR 67, MOTOR PARKWAY TO THE VICINITY OF SR 25, JERICHO TURNPIKE

WHEREAS, the Town of Smithtown currently maintains a portion of Harned Road, from the vicinity of CR 67, Motor Parkway to the vicinity of SR 25, Jericho Turnpike; and

WHEREAS, this portion of Harned Road requires certain capital improvements over and above repairs performed in connection with the maintenance of the road; and

WHEREAS, the County is preparing to make certain Capital Improvements to Harned Road under CP 5014, Strengthening and Improving County Roads including drainage improvements, curb and sidewalk installation (to meet ADA requirements) and resurfacing, expected to be completed in 2016; and

WHEREAS, Article 5-G of the General Municipal Law provides broad authority for municipal corporations to cooperate with each other in the performance of their respective responsibilities; and

WHEREAS, the Town of Smithtown is desirous of continuing its cooperative arrangement with the County in connection with the repair and maintenance of Harned Road; and

WHEREAS, the Town Board of the Town of Smithtown adopted Resolution No. 2015-832 authorizing the Town to execute an Intermunicipal Agreement with the County of Suffolk for maintenance of a portion of Harned Road, from CR 67, Motor Parkway to SR 25, Jericho Turnpike; now, therefore be it

1st **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute an agreement with the Town of Smithtown for the repair and maintenance of a portion of Harned Road, from CR 67, Motor Parkway to SR 25, Jericho Turnpike; 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 concerns routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

3rd **RESOLVED**, that the Intermunicipal Agreement for the Maintenance of Harned Road and all other contract documents shall be subject to the approval of the County Attorney.

DATED: December 1, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 16, 2015