

**RESOLUTION NO. 639 -2014, AUTHORIZING EXECUTION OF
AN ASSIGNMENT AGREEMENT WITH THE MTA AND THE
VILLAGE OF GREENPORT OF LEASE AND SUBLEASE FOR
THE GREENPORT COMMERCIAL DOCK**

WHEREAS, pursuant to Suffolk County Resolution Number 428-1981, the County of Suffolk, entered into an agreement (the "Lease") with the Long Island Rail Road Company/MTA for the leasing of several parcels totaling 108,720 square feet, and such underwater lands abutting said parcels, known as the Greenport Commercial Dock (collectively the "Dock"), located in the Village of Greenport, adjacent to Greenport Harbor, for a term of 50 years, for, among other things, the reconstruction of the Dock by the Department of Public Works (the "Department") and the continued use of the Dock as a fishing port, and said Lease is set to expire on June 30, 2031; and

WHEREAS, in addition, Suffolk County Resolution Number 428-1981 authorized, and the County entered into, a sublease agreement ("Sublease") with the Village of Greenport ("Village") and the Long Island Railroad Company/MTA for the Dock for the duration of the Lease; and

WHEREAS, since the execution of the Sublease and completion of the reconstruction of the Dock by the Department, the Village has actively operated and maintained the Dock and performed all the necessary duties and obligations related to the Dock, while Suffolk County has not had an active role yet has remained a responsible party under the Lease and Sublease; and

WHEREAS, both the Village and Suffolk County wish to transfer all responsibilities under the Lease agreement to the Village and effectively terminate the Lease as it relates to Suffolk County; and

WHEREAS, both the Village and Suffolk County have reached out to the Long Island Railroad Company/MTA about effectuating a termination of the Lease and Sublease, and the Long Island Railroad Company/MTA has agreed subject to the execution of an agreement between the parties; now, therefore be it

1st RESOLVED, that this Legislature hereby authorizes, empowers, and directs the County Executive, or his designee, to enter into such agreements necessary to wholly assign, transfer, and/or terminate the Lease with the Long Island Railroad Company/MTA and Sublease agreement with the Village, subject to the approval of the Department and the Department of Law for the purpose of transferring sole responsibility for the Dock to the Village; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, 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 (6 N.Y.C.R.R.) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of nonapplicability or non-significance in accordance with this law.

DATED: July 29, 2014

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED AUGUST 14, 2014

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