

RESOLUTION NO. 1172 -2014, AMENDING THE 2014 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE EPCAL PATH, TOWN OF RIVERHEAD (CP 5904)

WHEREAS, in 2012 Suffolk County made the Complete Streets initiative part of its County-wide development plan; and

WHEREAS, Complete Streets mandates that the design and construction of new roads and facilities should anticipate future demand for cyclists and pedestrians; and

WHEREAS, the Town of Riverhead has invested millions of dollars in the construction of the Enterprise Park at Calverton (EPCAL) Recreational Facilities and hundreds of thousands of dollars for the non-motorized, passive recreational path (Attachment A), which can be utilized by all residents of Suffolk County; and

WHEREAS, the EPCAL Bicycle and Recreational Path will be a dedicated "off road" bike trail, the first of its kind the East End of Long Island; and

WHEREAS, the EPCAL Bike Path will keep bicyclists, other recreational path users and motorists safe by reducing the number of hit-and-run accidents involving cyclists and pedestrians because the entire bike path is off road; and

WHEREAS, the EPCAL Bike Path is anticipated to become a "treasure and destination" for all Suffolk County residents; and

WHEREAS, the Town of Riverhead anticipates conducting a number of community events on the EPCAL Bike Path that will inspire young people, seniors, and veterans to become more active, while encouraging healthy lifestyles among all residents; and

WHEREAS, these community events are expected to include Veterans with Disabilities Races, Halloween Trails, a Veterans Memorial Mile Walk/Run, Illuminating Memorial 24-Hour Races, Relays for Life, and Children's Bike-a-Thons; and

WHEREAS, the Town of Riverhead is also considering a Fall Ecology Walk that will identify plant species and local wildlife along the path; and

WHEREAS, the completion of the EPCAL Bike Path will provide the community with an ideal location for all of these activities and will help Suffolk County residents and non-residents to embrace alternative transportation and exercise; and

WHEREAS, although the Town of Riverhead wants to complete the bike path around the Enterprise Park at Calverton, the Town of Riverhead lacks sufficient funding to do so; and

WHEREAS, it is the will of the Suffolk County Legislature to provide funding for the EPCAL Bike Path, Town of Riverhead; and

WHEREAS, the funds will be used to complete the EPCAL Bike Path loop, which overlaps much of the old security road route at the perimeter of the Calverton field, in two phases; and

WHEREAS, Phase 1 of the EPCAL bike Path was completed in 2008. Phase 2 would extend the existing EPCAL Path along the eastern and southern perimeter thence continue west from Burman Blvd. to Line Road which would be constructed within the town road right-of-way situated south of lots 30, 31 and 46 on the proposed EPCAL subdivision map. Future improvements on Line Road from the southerly to the most northern portion will be commenced in the future as Phase 3 to complete the loop; and

WHEREAS, the second phase, will extend the path by 2.4 miles into the core of the Pine Barrens; and

WHEREAS, sufficient funds are not included in the 2014 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, the Adopted 2014 Capital Budget includes funding for the Suffolk County Telephony Structural Improvements capital project (CP 1814); this project is not expected to progress in 2014 and is therefore available to provide an offset for this project; and

WHEREAS, the Town of Riverhead has committed to accept the funding from the County of Suffolk for site improvements to the EPCAL Bike Path, Town of Riverhead and to enter into an Intermunicipal Agreement with the County of Suffolk which shall include a provision that designates the Town of Riverhead as the entity that will be responsible for the construction, maintenance, repair, replacement and operation of the EPCAL Bike Path; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2014 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-two (32) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; 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 NYCRR) and within promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, not including new programs or major reordering of priorities that may affect the environment; and be it further

3rd **RESOLVED**, that the 2014 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1814

Project Title: Suffolk County Telephony Structural Improvements

<u>Cost Elements</u>	<u>Total Est'd Cost</u>	<u>Current 2014 Capital Budget & Program</u>	<u>Revised 2014 Capital Budget & Program</u>
5. Furniture & Equipment	<u>\$5,800,000</u>	<u>\$200,000 B</u>	<u>\$0 B</u>
TOTAL	\$6,100,000	\$200,000	\$0

Project Number: 5904

<u>Cost Elements</u>	<u>Total Est'd Cost</u>	<u>Current 2014 Capital Budget & Program</u>	<u>Revised 2014 Capital Budget & Program</u>
4. Site Improvements	<u>\$200,000</u>	<u>\$0</u>	<u>\$200,000 B</u>
TOTAL	\$200,000	\$0	\$200,000

and be it further

4th **RESOLVED**, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5904.410	EPCAL Bike Path, Town of Riverhead	\$200,000

and be it further

5th **RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

6th **RESOLVED**, that the County Executive is hereby authorized to execute an Intermunicipal Agreement ("IMA") with the Town of Riverhead under Section 119-o of the NEW YORK GENERAL MUNICIPAL LAW which shall include, but not be limited to, a provision that designates the Town of Riverhead as the entity that will be responsible for the construction, maintenance, repair, replacement and operation of the EPCAL Bike Path, and which shall provide that (a) the Town of Riverhead agrees to undertake the aforementioned improvements; (b) the County agrees to contribute to the cost thereof through the issuance of its bonds or notes to finance said improvements; and (c) the Town agrees to grant the County an easement of other property interest in said improvements with such easement or property interest to remain in effect for at least the life the bonds or notes; and be it further

7th **RESOLVED**, that no monies shall be expended on this capital projects and no bonds or notes will be issued to finance the above appropriations unless and until (a) the Town of Riverhead, as lead agency under SEQRA, has completed its environmental review of this project; (b) the IMA has been executed by the Town and the County; and (c) the aforementioned easement or other property interest has been granted by the Town to the County.

DATED: December 15, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 19, 2014