

Introduced by Presiding Officer on behalf of the County Executive and Legislators Kennedy, Esteban, Bontempi

RESOLUTION NO. 136-2022, AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED ROADS TO THE TOWN OF HUNTINGTON FOR PUBLIC HIGHWAY PURPOSES PURSUANT TO SECTION 115-B OF THE NEW YORK HIGHWAY LAW

WHEREAS, the following segments of roads are within the County of Suffolk Road System, herein after "Systems Roads":

- a. County Road System Road 4, western half, from County Road 11 north to NYS 25A
- b. County Road System Road 5 from County Road 3 east to the Town of Huntington border
- c. County Road System Road 9 from County Road 10 west to NYS 25A
- d. County Road System Road 28 from the Town of Huntington border north to County System Road 5
- e. County Road System Road 35, from NYS 25A northerly to NYS 110, thence northwesterly along Mill Dam Road and West Shore Road to Browns Road
- f. County Road System Road 67, Half Hollow Road, from County Road 3 to County Road 67, Vanderbilt Parkway
- g. County Road System Road 95 from the Town of Huntington border north to County System Road 5
- h. County Road 67, Vanderbilt Parkway, west of NY 231
- i. County Road 86 north of County Road 11
- j. County Road 86 south of County Road 35

WHEREAS, the County of Suffolk is currently completing capital improvements to some of the Systems Roads; and

WHEREAS, the Town of Huntington and the County of Suffolk are engaged in litigation concerning these Systems Roads and as part of a proposed stipulation of settlement in the matters, the Town of Huntington has requested that the County of Suffolk convey the above-described Systems Roads to it upon the County's completion of the capital improvements; and

WHEREAS, the Town of Huntington, upon transfer of the Systems Roads, will be responsible for all maintenance of the Systems Roads; and

WHEREAS, Section 115-b of the New York Highway Law authorizes Counties to remove roads from their road system and authorizes towns or villages to assume responsibility for such roads; and

WHEREAS, the Suffolk County Department of Public Works has determined that it would be in the best interest in the County of Suffolk to convey the Systems Roads to the Town of Huntington, Suffolk County, New York; now, therefore be it

1st **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)(26) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this Law; and be it further

2nd **RESOLVED**, that these transfers are authorized pursuant to Section 115-b of the New York Highway Law permitting the conveyance of County roads to the towns and incorporated villages situated in said County; and be it further

3rd **RESOLVED**, that the Suffolk County Department of Public Works is directed to convey the Systems Roads to the Town of Huntington, Suffolk County, New York for the total sum of One and 00/100 Dollar (\$1.00) (to be waived); and be it further

4th **RESOLVED**, that the Suffolk County Department of Public Works, will receive and deposit the sum of One and 00/100 Dollar (\$1.00) (to be waived); and be it further

5th **RESOLVED**, that the map of the County Road System, prepared pursuant to Highway Law Section 115, shall be amended so as to eliminate the Systems Roads described herein from said map and said Systems Roads shall thereupon revert to the Town of Huntington; and be it further

6th **RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works, or his Deputy, or the County Executive or his deputy, be and hereby is authorized to execute an agreement with the Town of Huntington and any other documents necessary to effectuate the transfer of the interest of Suffolk County in the above-described properties and upon the above-described terms and conditions.

DATED: March 8, 2022

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: March 17, 2022