



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**Carole Brennan**

*Town Clerk*

www.ehamptonny.gov

**ADOPTED**

Meeting: 11/20/14 06:30 PM

DOC ID: 14668 B

**RESOLUTION 2014-1412**

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**Authorize Local Sponsorship and Agreements in Connection  
with the Downtown Montauk Stabilization Project**

WHEREAS, the U.S. Army Corps of Engineers has undertaken the Fire Island to Montauk Point Storm Damage Reduction Project Reformulation Study and the Downtown Montauk Stabilization Project ("Project") in conjunction with the New York State Department of Environmental Conservation ("DEC"); and

WHEREAS, the Downtown Montauk Stabilization Project consists of the one- time placement of material along approximately 3,100 feet of the downtown Montauk shoreline to construct a beach berm cap and a dune with reinforcement of the dune using geotextile bags filled with sand to stabilize and reinforce the shoreline; and

WHEREAS, the Downtown Montauk Stabilization Project is a Type I Action pursuant to the New York State Environmental Quality Review Act, "SEQRA", Title 6 New York Code of Rules and Regulations ("NYCRR") Part 617.4 and the DEC has requested lead agency and coordinated with the Town of East Hampton; and

WHEREAS, the Town of East Hampton granted lead agency to the DEC and therefore cannot make a final SEQRA determination at this time because the Town shall be bound by the DEC's SEQRA determination on this project; and

WHEREAS, in order for the Downtown Montauk Stabilization Project to proceed, the DEC requires that a local municipality agree to be the Local Sponsor for the Project; and

WHEREAS, once the Project is complete, the Local Sponsor shall be responsible for the cost and performance of operation, maintenance, repair and rehabilitation of the Project; and

WHEREAS, although the County of Suffolk refused to be the Local Sponsor for the Project, by Resolution No. 765-2014, adopted on October 7, 2014, the County of Suffolk agreed to share equally in the operation and maintenance costs for the Project; and

WHEREAS, the Town of East Hampton hereby agrees to be Local Sponsor for the Project provided that the Town and the County share equally in the operation and maintenance costs for the project; and

WHEREAS, in furtherance of sharing the operation and maintenance costs, the County of Suffolk has agreed to enter into an Inter-municipal Agreement with the Town of East Hampton; and

WHEREAS, the Local Sponsor is required to enter into a Project Partnership Agreement with the DEC in order for the Project to proceed; and

WHEREAS, the Local Sponsor is further required to enter into Perpetual Easement Agreements and Waiver of Appraisal Agreements, among others, with private property owners who own property located in the Downtown Montauk Stabilization Project area; and now, therefore be it

RESOLVED, that the Town Board hereby authorizes the Town of East Hampton to be the Local Sponsor for the Downtown Montauk Stabilization Project; and be it further

RESOLVED, that the Town Board hereby authorizes Town of East Hampton to enter into an Inter-municipal Agreement with the County of Suffolk to share in the operation and maintenance costs associated with Local Sponsorship and the Supervisor is authorized to execute same on behalf of the Town; and be it further

RESOLVED, that the Town Board hereby authorizes the Town of East Hampton to enter into a Project Partnership Agreement with the DEC outlining the responsibilities of Local Sponsorship and the Supervisor is authorized to execute same on behalf of the Town; and be it further

RESOLVED, that the Town Board hereby authorizes the Town of East Hampton to enter into all necessary easements and agreements with private owners of property located in the Downtown Montauk Stabilization Project area in furtherance of the Downtown Montauk Stabilization Project and the Supervisor is authorized to execute all required documents in connection therewith including necessary recording forms.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell