

WHEREAS, pursuant to said resolution the County Entered into an agreement with Newman development for the purchase of Newman Development Group of the Garden Plot Sites which agreement is still in full force and affect, and

WHEREAS, the Newman Development Group is in the process of finalizing all contingencies to complete the closing of the sales, and

WHEREAS, the New York State Department of Transportation is involved in the final design/contract phase of reconstructing Front Street in the Town of Dickinson including access to the Garden Plot Site, and

WHEREAS, Newman Development Group can effect some economies by consolidating site work at the Garden Plots together with the road work by the Department of Transportation including the relocation of utilities, and

WHEREAS, Newman Development Group has requested that the County, since the County at this time is the owner of record of the property, negotiate with the New York State Department of Transportation, NYSEG and the Town of Dickinson pertaining to the additional highway work and relocation of utilities, and

WHEREAS, Newman Development Group has indicated that it will consent to the use by the County of the \$100,000 previously paid by Newman Development which the County holds in escrow to pay for the cost of these improvements with said costs to be reimbursed by Newman Development at closing of title, and

WHEREAS, the proposed improvements are a benefit to the property regardless of whether title closes to Newman or any other developer, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Department of Transportation, NYSEG and the Town of Dickinson for modifications to the access to the Garden Plot Site and utility relocation in connection with the New York State Department of Transportation highway improvements on Front Street at an aggregate cost not to exceed \$100,000, and be it

FURTHER RESOLVED, that this County Legislature authorizes an amendment to the agreement with Newman Development Group, LLC dated June 11, 1997 which will provide that the \$100,000.00 the County holds in escrow will be used in the first instance to pay for the improvements referred to above with said cost of improvements to be reimbursed by Newman Development Group, LLC at closing, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-18, Nays-0, Absent-1 (Lindsey)

Mr. Pasquale moved, seconded by Ms. Coffey., to adjourn. Motion to adjourn **carried.** Meeting adjourned at 4:03pm.