

RESOLUTION NO. 542-2009, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF BROOKHAVEN TO COMMENCE EMINENT DOMAIN PROCEEDINGS FOR THE OLD PLAZA THEATER AND LAND IN EAST PATCHOGUE

WHEREAS, Resolution No. 801-2006 authorized the County of Suffolk to commence eminent domain proceedings for the Old Plaza Theater and land in East Patchogue, Town of Brookhaven, in connection with downtown revitalization; and

WHEREAS, since the passage of Resolution No. 801-2006, the County has made progress in obtaining a blight study and identifying funding to condemn and revitalize this property; and

WHEREAS, the Town of Brookhaven and the County have recently discussed having the Town take primary responsibility in the condemnation process, as the County is not a designated urban renewal agency; and

WHEREAS, the Town and County have verbally agreed to allow the Town to act as the lead agency in the condemnation process for this property, with the County providing technical assistance and funding in support of this initiative; and

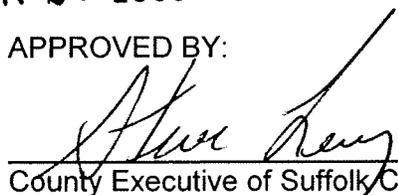
WHEREAS, the County and Town would now like to memorialize this agreement in writing through a Memorandum of Understanding which states the responsibilities of each municipality in the condemnation proceedings for the Old Plaza Theater and land in East Patchogue; now, therefore be it

1st RESOLVED, that the County Executive or his designee, be and hereby is authorized to execute a Memorandum of Understanding with the Town of Brookhaven whereby the Town of Brookhaven will commence eminent domain proceedings for the Old Plaza Theater and land in East Patchogue and Suffolk County will provide financial assistance and funding; 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 resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) 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, and 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 resolution.

DATED: **JUN 23 2009**

APPROVED BY:


County Executive of Suffolk County

Date: 7-6-09

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on June 23, 2009 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 1559 Res. No. 542

June 23, 2009

Motion:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Brian BEEDENBENDER					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Cameron ALDEN		/			
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN			/		
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	16	1	-	1	-

MOTION
<input checked="" type="checkbox"/> Approve
___ Table: _____
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule ___
___ Override Veto
___ Close
___ Recess
APPROVED <input checked="" type="checkbox"/> FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
___ NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call ___ Voice Vote