

**RESOLUTION NO. 811 -2009, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (THE LINKS AT EAST QUOGUE PROPERTY – TOWN OF SOUTHAMPTON)**

**WHEREAS**, the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of parcels in accordance with specific criteria set forth therein; and

**WHEREAS**, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1)(c) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land located fully or partially within a statutorily designated Special Groundwater Protection Area; now, therefore be it

**1st RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 146 acres, is hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

**2nd RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

**3rd RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition Management, Department of Environment and Energy, and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

**4th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

**5th RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

**6th**           **RESOLVED**, that the demolition of the structures located on parcels numbered 10 and 11 on the attached Exhibit "A", at the owner's expense, shall be considered in the planning steps process; and be it further

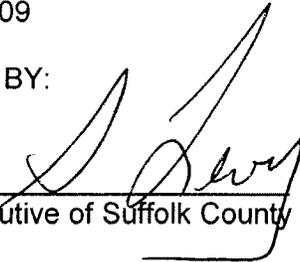
**7th**           **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

**8th**           **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

**9th**           **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: September 17, 2009

APPROVED BY:

  
\_\_\_\_\_  
County Executive of Suffolk County

Date: 9/25/09

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0900 Section 250.00 Block 04.00 Lot 015.000		Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514
2	District: 0900 Section 219.00 Block 01.00 Lot 026.000		Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514
3	District: 0900 Section 219.00 Block 01.00 Lot 027.000		Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514
4	District: 0900 Section 219.00 Block 01.00 Lot 028.000		Raphael P. Greenspan 393 Old Country Road, Suite 300 Carle Place, NY 11514
5	District: 0900 Section 219.00 Block 01.00 Lot 029.000		Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514
6	District: 0900 Section 250.00 Block 04.00 Lot 002.000		Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514
7	District: 0900 Section 250.00 Block 04.00 Lot 003.000		Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514
8	District: 0900 Section 250.00 Block 04.00 Lot 004.000		Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514
9	District: 0900 Section 250.00 Block 04.00 Lot 005.000		Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514

10	District: 0900 Section 289.00 Block 01.00 Lot 001.000	Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514
11	District: 0900 Section 314.00 Block 02.00 Lot 020.004	Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514
12	District: 0900 Section 314.00 Block 02.00 Lot 048.000	Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514
13	District: 0900 Section 315.00 Block 01.00 Lot 015.000	Raphael P. Greenspan 393 Old Country Road Suite 300 Carle Place, NY 11514

TOTAL ACRES

146

**EXHIBIT "A"**

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 September 17, 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".

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Clerk of the Legislature

Intro. Res. 1774 Res. No. 811

September 17, 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	15	3			

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 _____

*Renee L. Ortiz*  
 \_\_\_\_\_  
 Tim Laube, Clerk of the Legislature

Roll Call \_\_\_\_\_ Voice Vote