

Intro. Res. No. 1784-2009
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 9/17/2009

RESOLUTION NO. 908 -2009, AMENDING RESOLUTION NO. 65-2009, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW – TOWN OF BROOKHAVEN (SCTM NO. 0200-929.00-02.00-009.001)

WHEREAS, Resolution No. 65-2009 authorized the sale of County owned property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for governmental highway purposes; and

WHEREAS, Resolution No. 65-2009 inadvertently contained verbiage pertaining to a transfer of development rights and a sterilization of the subject property notwithstanding that a transfer of development rights is not implicated in this Section 72-h transfer to the Town of Brookhaven; now, therefore be it

1st **RESOLVED**, that the **4th WHEREAS** clause of Resolution No. 65-2009 is hereby stricken; and be it further

2nd **RESOLVED**, that the **2nd** and **3rd RESOLVED** clauses of Resolution No. 65-2009 are hereby stricken; and be it further

3rd **RESOLVED**, that the **4th RESOLVED** clause of Resolution No. 65-2009 is hereby amended to read as follows:

2nd RESOLVED, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for highway purposes; with all right, title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other highway purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used there after for highway purposes; and be it further

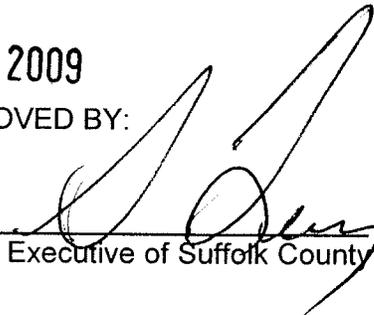
and be it further

4th **RESOLVED**, that the **5th** and **6th RESOLVED** clauses of Resolution No. 65-2009 are hereby renumbered as the **3rd** and **4th RESOLVED** clauses, respectively; and be it further

5th **RESOLVED**, that all other provisions of Resolution No. 65-2009 shall remain in full force and effect.

DATED: **OCT 13 2009**

APPROVED BY:


County Executive of Suffolk County

Date:

OCT 28 2009

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 October 13, 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 black ink that reads "Tim Laube". The signature is written in a cursive style.

Clerk of the Legislature

Intro. Res. 1784 Res. No. 908

October 13, 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	17	1	1	1	

MOTION

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 FAILED _____
 No Motion _____ No Second _____

RESOLUTION DECLARED

ADOPTED
 NOT ADOPTED

Tim Laube

 Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote