

**RESOLUTION NO. ~~7/4~~2010, AUTHORIZING PLANNING STEPS
FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK
COUNTY DRINKING WATER PROTECTION PROGRAM, AS
AMENDED BY LOCAL LAW NO. 24-2007 (FOUR BOYS X LLC
PROPERTY – TOWN OF BROOKHAVEN)**

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 land for use as hamlet greens, hamlet parks, pocket parks, active parkland, active recreation, historic and/or cultural park uses in accordance with specific criteria set forth therein including the acquisition of open space 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, the Town of Brookhaven by Resolution No. 65-2010, dated January 26, 2010, made a commitment to improve and maintain the property as active parklands and soccer and athletic fields; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land for active parklands and soccer and athletic fields; now, therefore, be it

1st RESOLVED, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 9.86 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 and 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

<u>PARCEL</u>	SUFFOLK COUNTY <u>TAX MAP NUMBER</u>		<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District	0200	5.06	Four Boys X LLC 595 Route 25A Suite 1 Miller Place, NY 11764
	Section	488.00		
	Block	06.00		
	Lot	001.000		
2	District	0200	4.80	Four Boys X LLC 595 Route 25A Suite 1 Miller Place, NY 11764
	Section	517.00		
	Block	04.00		
	Lot	001.000		
TOTAL ACREAGE			9.86	

for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

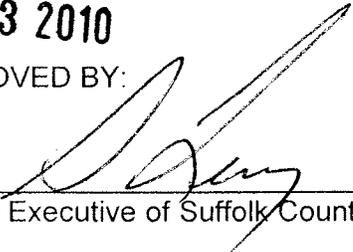
6th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such 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

7th **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

8th **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: **AUG 03 2010**

APPROVED BY:



County Executive of Suffolk County

Date:

AUG 06 2010

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 2010-65
MEETING OF: January 26, 2010

REQUESTING ACQUISITION BY SUFFOLK COUNTY OF PROPERTY IN CENTEREACH PURSUANT TO THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM - HAMLET GREENS/ACTIVE RECREATION COMPONENT, AND AUTHORIZING CONSTRUCTION OF FACILITIES AND MAINTENANCE BY THE TOWN OF BROOKHAVEN

WHEREAS, the County of Suffolk, by Local Law No. 24-2007 authorized the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Hamlet Greens/active Recreation/Historic and/or Cultural Park Component; and

WHEREAS, the Town of Brookhaven wishes to request that the County of Suffolk purchase a parcel of land under the New Suffolk County Drinking Water Protection Program for active parklands, including ball fields, which parcel is located on Coleman Road and Fuland Lane in Centereach, and is more particularly described on the Suffolk County Tax Map as 0200-488.00-06.00-001.000 and 0200-517.00-04.00-001.000; and

WHEREAS, the Town of Brookhaven will improve and maintain the property as active parklands and soccer and athletic fields; and

WHEREAS, the Town Board, as Lead Agency, has determined that pursuant to 6NYCRR Part 617.5(c) 19 and 20, the proposed action is deemed to be a Type II Action;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Brookhaven that the Town of Brookhaven hereby requests that the following parcel of land be purchased by

ER 1553-10

Suffolk County as part of the New Suffolk County Drinking Water Protection Program, to wit: Coleman Road and Ruland Lane, and is more particularly described on the Suffolk County Tax Map as 0200-488.00-06.00-001.000 and 0200-517.00-04.00-001.000; and be it further

RESOLVED that the Town of Brookhaven hereby makes a commitment to improve and maintain the property as active parkland; and be it further

RESOLVED that the Town of Brookhaven enter into an agreement with the Middle Country Youth Association or other civic groups to be approved by the County of Suffolk to maintain the parkland; and be it further

RESOLVED that the Town of Brookhaven Department of Law is authorized to negotiate an agreement with the County of Suffolk for construction and maintenance of the park; and be it further

RESOLVED, in the event the above tax map numbers have been deleted or removed, or have been changed by either subsequent technical modification of the Suffolk County tax map system, or prior technical modification that was unknown to Suffolk County at the time this resolution was prepared, the tax map designation shall be deemed to include such successor tax map numbers as represents the parcels to be acquired, and certified in writing by the Assessor of the Town of Brookhaven; and be it further

RESOLVED, that the Town Board, as Lead Agency, has determined that pursuant to 6NYCRR Part 617.5(c) 19 and 20 the proposed action is deemed to be a Type II Action; and be it further

RESOLVED that the Supervisor/Deputy Supervisor is hereby authorized to execute all necessary agreements and documents to effectuate the construction and maintenance of the park.

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 August 3, 2010 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. 1553 Res. No. 714

August 3, 2010

Motion:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, 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	Thomas MURATORE						
6	Daniel P. LOSQUADRO						
7	Jack EDDINGTON						
9	Ricardo MONTANO						
10	Thomas CILMI						
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	18					

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