

RESOLUTION NO. 655 -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 - 6 PIERREPONT PROPERTY (FORMALLY KNOWN AS BAILEY'S MOTEL 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 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, adequate funding is provided for, pursuant to Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land as open space; and

WHEREAS, the Town of Southampton has indicated a willingness to contribute 50% of the subject parcels' acquisition costs; and

WHEREAS, the Town of Southampton has identified approximately three acres on the south end of the subject property, which will be acquired separately for use as a cemetery, that will be excluded from the proposed acquisition; now, therefore be it

1st RESOLVED, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 31 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

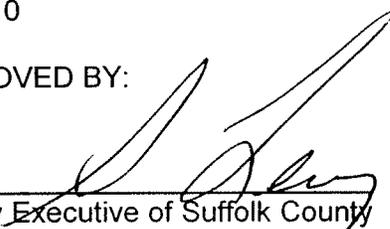
6th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such 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: June 22, 2010

APPROVED BY:



County Executive of Suffolk County

Date: 7-1-10

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District 0900 Section 356.00 Block 02.00 Lot 001.006 p/o	28.844	6 Pierrepont LLC 1412 Avenue M, PMP 2275 Brooklyn, NY 11230
2	District 0900 Section 356.00 Block 02.00 Lot 002.000	1.97	6 Pierrepont LLC 1412 Avenue M, PMP 2275 Brooklyn, NY 11230
	TOTAL ACREAGE	30.814	

EXHIBIT "A"



Southampton Town Board
116 Hampton Road
Southampton, NY 11968

Meeting: 06/08/10 01:00 PM
Department: Town Attorney
Category: Real Estate & Easements
Prepared By: Kathleen Murray
Initiator: Michael Sordi
Sponsors: Throne-Holst, Fleming, Nuzzi, Malone, Graboski
DOC ID: 11784

ADOPTED

RESOLUTION 2010-635

**Memorializing Resolution as it relates to the Property Owned
by 6 Pierrepont LLC, a/k/a the Former Bailey's Motel**

WHEREAS, the Town Board of the Town of Southampton has expressed an interest in purchasing the property owned by 6 Pierrepont LLC, formerly known as the Bailey's Motel property; and

WHEREAS, said property is located in the hamlet of Westhampton and is comprised of 31.8 acres, identified as SCTM # 900-356-2-1.6, and 1.2 acres, identified as SCTM # 900-356-2-2, for a total of approximately 33 acres; and

WHEREAS, said property is listed in the Village/hamlet green/parks and recreation/open space target area of the Community Preservation Project Plan as an appropriate site for preservation; and

WHEREAS, the land is mostly comprised of successional old-field vegetation and pitch pine oak forest and is located adjacent to Dam Pond and Beaver Creek, providing a crucial natural buffer to these waters; and

WHEREAS, the County of Suffolk has similarly expressed an interest in preserving said property; and

WHEREAS, to that end, the County of Suffolk has proposed to share the cost of preserving said property with the Town, with each entity paying 50% of the costs thereof; and

WHEREAS, the Town seeks to express its intent to participate in such an arrangement with the County, in the event an offer and acceptance is reached with the owner of said property, that is, 6 Pierrepont, LLC; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby memorializes its intent to participate with the County of Suffolk in a 50%-50% cost-sharing arrangement in an effort to preserve approximately 33 acres of open space currently owned by 6 Pierrepont LLC, identified as SCTM # 900-356-2-1.6 and # 900-356-2-2, and formerly known as the Bailey's Motel property, should such acquisition proceed; and be it further

RESOLVED, that the cost of said purchase shall not exceed fair market value as established by certified appraisals.

Financial Impact

Purchase shall not exceed fair market value as established by certified appraisals; any such appraisal(s) shall be funded by G/L 31-99-1940-31-6400-0001.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Anna Throne-Holst, Supervisor
SECONDER:	Bridget Fleming, Councilwoman
AYES:	Throne-Holst, Malone, Graboski, Fleming, Nuzzi

11635-2010



FRED W. THIELE, JR.
Assemblyman 2nd District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

COMMITTEES
Ways and Means
Education
Election Law
Environmental Conservation
Transportation

VIA FACSIMILE AND REGULAR MAIL

June 11, 2010

Hon. Vivian Viloria-Fisher, Chairwoman
Environmental, Planning and Agriculture Committee
Suffolk County Legislature
302 Main Street
Port Jefferson, New York 11777

Dear Chairwoman Viloria-Fisher:

At the June 14th meeting of the Environmental, Planning and Agriculture Committee, the committee members will review the planning steps resolution for the Pierrepont Property, formally known the Bailey's Motel Property, located in the hamlet of Westhampton in the Town of Southampton.

We are writing to urge you and you your committee members to support the preservation of this environmentally significant property.

Approximately 34 acres in size, the property has been listed as a high priority for several years on the Town of Southampton's target acquisition list. The property is comprised of significant pristine land featuring meadow land, woodland and wetlands, including tidal adjacent and high marsh.

As this moment, time is of the essence as it appears the seller is more willing than ever to consider an offer to preserve the property. Additionally, Southampton Town has committed by way of a resolution to pay 50% of the preservation costs through its Community Preservation Fund.

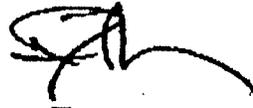
Further, it is a goal of the Town to set aside a three-acre portion of primarily disturbed land on the property for the extension of the Westhampton Cemetery – an opportunity that will enable the Town address a critical and sensitive community need as the existing cemetery is near capacity.

Thank you for your consideration of this preservation proposal. We sincerely hope the County is willing to help support the goals of the Town and Westhampton community by partnering on this acquisition.

Yours truly,

Fred Thiele, Jr

Fred W. Thiele, Jr.
Member of Assembly



Anna Throne-Holst
Supervisor

cc: Hon. Lou D'Amaro
Hon. Jon Cooper
Hon. Daniel Losquadro
Hon. Tom Muratore
Hon. Jay Schneiderman
(w/ enc.)

Enclosure

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 22, 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.


Clerk of the Legislature

Intro. Res. 1635 Res. No. 655

June 22, 2010

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

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

Second:
Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-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	<u>16</u>	<u>1</u>	<u>-</u>	<u>1</u>	<u>-</u>

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