

Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

**RESOLUTION NO. 869 -2010, ACCEPTING THE DONATION OF CERTAIN LANDS NOW OWNED BY RUDOLPH FABRIZIO AND TRANSFER SUCH LANDS TO THE SUFFOLK COUNTY DEPARTMENT OF PARKS, RECREATION AND CONSERVATION FOR PINE BARRENS CORE PRESERVATION PURPOSES (SCTM NOs. 0200-356.00-04.00-006.001, 0200-356.00-04.00-009.001, 0200-356.00-04.00-010.000 AND 0200-413.00-02.00-007.000)**

**WHEREAS**, Rudolph Fabrizio is the owner of four environmentally sensitive properties with no site or building improvements thereon located in the hamlet of Manorville, Town of Brookhaven; and

**WHEREAS**, said properties, totaling 2.64 acres, are currently in a natural state, within the Manorville Pine Barrens County Park area (BR13); and

**WHEREAS**, the Suffolk County Department of Planning recommends that the County acquire this property for Pine Barrens Core preservation purposes, passive recreation; and

**WHEREAS**, Rudolph Fabrizio has offered to donate this property at no cost to the County of Suffolk for Pine Barrens Core preservation purposes, passive recreation; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the donation of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as December 1, 2007, Open Space component, at no cost to the County; and hereby authorizes, if necessary, any possible additional expenses associated with this donation; which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
<b>No. 1</b>	District 0200 Section 356.00 Block 04.00 Lot 006.001	2.64±	Rudolph Fabrizio
<b>No. 2</b>	District 0200 Section 356.00 Block 04.00 Lot 009.001		
<b>No. 3</b>	District 0200 Section 356.00 Block 04.00 Lot 010.000		

**No. 4**            District 0200  
                      Section 413.00  
                      Block 02.00  
                      Lot 007.000

and be it further

**2<sup>nd</sup>**            **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to accept this donation of parcels(s) listed herein above from the reputed owner, and to pay such additional expenses as may be necessary and appropriate to consummate such donation, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as December 1, 2007, Open Space component; and be it further

**3<sup>rd</sup>**            **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay such additional expenses as may be necessary and appropriate to consummate such donation, the funding for which shall be provided from previously appropriated funds in Capital Project 525-CAP-8712.210, for the New Suffolk County Drinking Water Protection Program, effective as December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

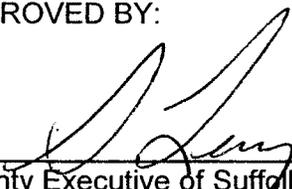
**4<sup>th</sup>**            **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

**5<sup>th</sup>**            **RESOLVED**, that the subject parcel(s) shall be transferred to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation purposes as part of the Manorville Pine Barrens County Park (BR13) for Pine Barrens Core preservation, passive recreation; and be it further

**6<sup>th</sup>**            **RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8 and Chapter 279 of the Suffolk County Code, hereby finds and determines that this law constitutes a Type II action, pursuant to Title 6 of the New York Code of Rules and Regulations ("NYCRR") Part 617.5 9 (c) (20) and (21). Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: **SEP 16 2010**

APPROVED BY:

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

Date: **SEP 24 2010**

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 16, 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".

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Clerk of the Legislature

Intro. Res. 1857 Res. No. 869

September 16, 2010

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

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

**Second:**  
 Romaine, Schneiderman, Browning, Muratore, Losquadro  
 Eddington, Montano, Cilmi, Lindsay, Viloria-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	8	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