

RESOLUTION NO. 926 -2010, AUTHORIZING THE GRANTING OF A PERMANENT EASEMENT TO THE STATE OF NEW YORK ON SUFFOLK COUNTY COMMUNITY COLLEGE PROPERTY IN BRENTWOOD FOR THE PURPOSE OF ACTIVE STATE PARKLAND IN THE TOWN OF ISLIP (SCTM NO. 0500-071.00-01.00-012.003 p/o)

WHEREAS, pursuant to section 6306(4) of the NEW YORK EDUCATION LAW, the County of Suffolk holds title to a small parcel of real property abutting the southerly side of Campus Road, located in Brentwood, Town of Islip, County of Suffolk, New York, designated on the Suffolk County Tax Map as Number 0500-071.00-01.00-012.003, and is held in trust for the uses and purposes of Suffolk County Community College ("College Property"); and

WHEREAS, the People of the State of New York, acting by and through the Commissioner of Parks, Recreation and Historic Preservation, is the owner of property immediately to the south of the College Property and is designated on the Suffolk County Tax Map Number as 0500-071.00-01.00-012.001; and

WHEREAS, the State has constructed an active community park on its property that will include multiple soccer and baseball fields among other support facilities; and

WHEREAS, in order to receive the necessary approvals from the Suffolk County Department of Health Services, the State needs an easement to properly connect to public water; and

WHEREAS, the easement shall specify that all such costs associated with said installation, maintenance, and repair shall be at the State's expense; and

WHEREAS, the installation of said water lines within the easement area shall be in accordance with plans prepared by the People of the State of New York and approved by the Suffolk County Department of Health Services; and

WHEREAS, the Suffolk County Community College Board of Trustees has determined that such an easement would not conflict with any current or planned College use and approved the granting of such easement to the State, pursuant to Resolution No. 2010.33, dated May 20, 2010; and

WHEREAS, it is in the best interests of all Suffolk County residents for the State to provide a park to promote quality recreational, cultural and outdoor experiences; now, therefore be it

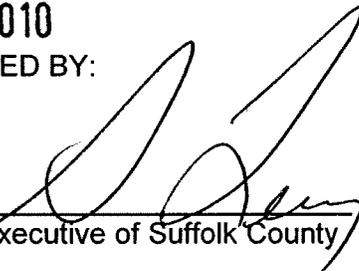
1st RESOLVED, that the County Legislature hereby authorizes, empowers, and directs the County Executive, or his designee, to enter into a permanent and perpetual easement, with the People of the State of New York for the placement, installation, maintenance, repair, inspection, and replacement of water lines on said College property, and for the People of the State of New York to incur all costs thereof, and that the permanent and perpetual easement be subject to the consent and approval of the Suffolk County Department of Health Services; and be it further

2nd **RESOLVED**, the placement, installation, maintenance, repair, inspection, or replacement of said water lines within the easement area by the People of the State of New York shall be in accordance with the State Environmental Quality Review Act (SEQRA), and the State agrees to perform any evaluation thereunder; and be it further

3rd **RESOLVED**, that this Legislature, determines that this resolution constitutes a Type II action pursuant to Section 617.5(c) (11), (20), and (21) 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.

DATED: **OCT 12 2010**

APPROVED BY:



County Executive of Suffolk County

Date: 10/26/10

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 12, 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. 1937 Res. No. 926

October 12, 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	
<input checked="" type="checkbox"/>	Approve
<input type="checkbox"/>	Table: _____
<input type="checkbox"/>	Send To Committee
<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Lay On The Table
<input type="checkbox"/>	Discharge
<input type="checkbox"/>	Take Out of Order
<input type="checkbox"/>	Reconsider
<input type="checkbox"/>	Waive Rule _____
<input type="checkbox"/>	Override Veto
<input type="checkbox"/>	Close
<input type="checkbox"/>	Recess
APPROVED <input checked="" type="checkbox"/>	FAILED _____
No Motion _____	No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote