Intro. Res. No. 1149-2011 Laid on Table 3/8/2011
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 269 -2011, AUTHORIZING THE TRANSFER OF CERTAIN PROPERTY TO SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS

WHEREAS, the COUNTY OF SUFFOLK is the owner of certain real property, surplus to its needs and described as follows:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 197.00 Block 03.00 Lot 001.000 and acquired by Tax Deed on March 19, 1991, from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on March 26, 1991 in Liber 11238 at Page 204 and described as follows, being and intended to be that parcel of land carried on the tax rolls in the Town of Babylon, under SCTM No. District 0100 Section 197.00 Block 03.00 Lot 001.000; and

WHEREAS, this parcel has been requested by the Department of Public Works for highway purposes to enhance parking facility; and

WHEREAS, as a result thereof the jurisdiction of said parcel should be transferred to the Suffolk County Department of Public Works; and

WHEREAS, Section 406, Real Property Law provides that municipal real property held on public use shall be free of taxation; now, therefore be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, be authorized to transfer to the Suffolk County Department of Public Works, 335 Yaphank Avenue, Yaphank, New York, the interest of Suffolk County in the above described property for the above stated reasons and purpose; and be it further

2nd **RESOLVED**, that said parcel is held in public use and free of taxation under Section 406 (1) New York Real Property Tax Law and the assessor of the Town of Brookhaven, and all other assessors having jurisdiction thereof, be and they hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law, and further that the Clerk of the Legislature shall transmit a copy of this resolution to the aforestated assessors for this purpose; and be it further

3rd **RESOLVED**, that the designation of such property to the Suffolk County Department of Public Works is a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c) (20), routine or continuing agency administration, with no further environmental review necessary.

DATED: MAR 2 2 2011

APPROVED BY:

County Executive of Suffolk County

Date: APR 0 4 2011

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 March 22,2011 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.

Tim Laube

Clerk of the Legislature

Intro. Res. 1149 Res. No. 269 March 22, 2011

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

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

Second:
Romaine, Schneiderman, Browning, Muratore,
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						
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	17	—	—	—	—

MOTION

X 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 X FAILED___
No Motion___ No Second___

RESOLUTION DECLARED

X ADOPTED
___ NOT ADOPTED

Roll Call___ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature