

RESOLUTION NO. 686-2011, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - ACTIVE RECREATION COMPONENT FOR THE NORTH FORK PRESERVE PROPERTY, TOWN OF RIVERHEAD

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," authorizes the use of 31.10 per cent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, the parcels listed in Exhibit "A" of this resolution meet the criteria for acquisition under the Drinking Water Protection Program; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land as an active recreational area; and

WHEREAS, the parcels listed in Exhibit "A" of this resolution meet the criteria for acquisition under the New Drinking Water Protection Program, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, for use as an active recreational park; and

WHEREAS, the Town of Riverhead is a willing partner in this acquisition now, therefore be it

1st **RESOLVED**, that the parcels listed in Exhibit "A" of this resolution consisting of 180.34+ acres, is hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection pursuant to ARTICLE XII of the SUFFOLK COUNTY CHARTER for use as an active recreational area; and be it further

2nd **RESOLVED**, that the parcels listed in Exhibit "A" of this resolution meet the criteria for acquisition under the New Drinking Water Protection Program, pursuant to Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for use as an active recreational park; 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 Department of Environment and Energy, 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

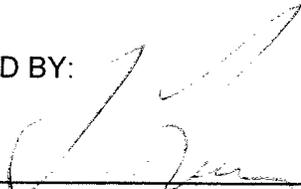
5th **RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

7th **RESOLVED**, that Director of the Division of Real Property Acquisition and Management within the Department of Environment and Energy, 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

8th **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

9th **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/or (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 16 2011**

APPROVED BY: 

County Executive of Suffolk County
Date: 8-17-11

EXHIBIT "A"

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
1	District: 0600 Section 021.00 Block 01.00 Lot 001.002	172.9	North Fork Preserve, Inc. 349 Pennys Road Riverhead, NY 11901
2	District: 0600 Section 021.00 Block 01.00 Lot 004.002	.96	Janet Krudop 349 Pennys Road Riverhead, NY 11901
3	District: 0600 Section 021.00 Block 01.00 Lot 004.003	1.01	Myron Kaplan 475 Grand Avenue Englewood, NJ 07631
4	District: 0600 Section 007.00 Block 03.00 Lot 041.000 p/o	2.6	North Fork Preserve, Inc. 349 Pennys Road Riverhead, NY 11901
5	District: 0600 Section 021.00 Block 03.00 Lot 002.000	.92	Myron Kaplan 282 Sunset Avenue Englewood, NJ 07631
6	District: 0600 Section 021.00 Block 03.00 Lot 003.000	.92	North Fork Preserve, Inc. 349 Pennys Road Riverhead, NY 11901
7	District: 0600 Section 021.00 Block 01.00 Lot 004.004	1.03	Myron Kaplan/Robert Krudop 349 Pennys Road Riverhead, NY 11901

TOTAL ACREAGE

180.34±

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 16, 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. 1710

Res. No. 686

August 16, 2011

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
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	Sarah S. ANKER					
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	1	—		

MOTION
<input checked="" type="checkbox"/> Approve
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

Roll Call _____ Voice Vote