

**RESOLUTION NO. 725 -2011, AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF ABANDONMENT OF THE INTEREST OF THE COUNTY OF SUFFOLK IN PROPERTY DESIGNATED AS TOWN OF BROOKHAVEN, SUFFOLK COUNTY TAX MAP NO. 0200-545.00-01.00-003.000, PURSUANT TO THE SUFFOLK COUNTY TAX ACT**

**WHEREAS**, the County of Suffolk acquired property in the Town of Brookhaven, designated as Suffolk County Tax Map No. 0200-545.00-01.00-003.000, by tax deed dated September 28, 2009 for unpaid taxes for the years of 2004/2005 and 2005/2006; and

**WHEREAS**, it has been determined that the subject property was owned by Feed My Sheep Church; was property exempt from the payment of property taxes and, therefore, the property should not have been taken; and

**WHEREAS**, New York State Senate Bill S5216 and Assembly Bill A7791 were enacted to apply the tax exemption to the subject parcel from the years of 2010/2011, which supplemented the church's tax exemptions in previous years; and

**WHEREAS**, Feed My Sheep Church has agreed to pay the County for back taxes owed for the years of 2004/2005 and 2005/2006, for which they have not received an exemption; now, therefore be it

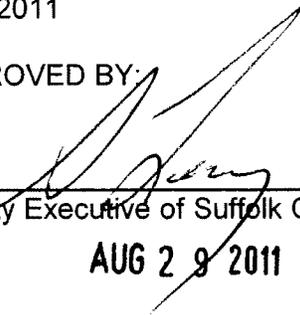
**1st RESOLVED**, that pursuant to Sections 40-c and 40-d of the SUFFOLK COUNTY TAX ACT, Suffolk County's tax deed to the subject property will be cancelled and the Director of the Division of Real Property Acquisition and Management and/or his or her designee is authorized to file a Certificate of Abandonment of Claim of Title, which Suffolk County holds pursuant to said tax deed; and be it further

**2nd RESOLVED**, that the Certificate of Abandonment of Claim of Title shall only be filed upon receipt by the County Treasurer of the taxes owed by Feed my Sheep Church for the years 2004/2005 and 2005/2006; and be it further

**3rd RESOLVED**, all monies due to the County of Suffolk for accrued taxes, penalties and interest, as calculated by the Treasurer of the County of Suffolk, shall be charged against the Town of Brookhaven which shall be assessed, levied and collected and paid to the County Treasurer.

DATED: August 16, 2011

APPROVED BY:

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

Date:

**AUG 29 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 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*

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Clerk of the Legislature

Intro. Res.

1721

Res. No.

725

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	18				

**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

**RESOLUTION NO. 834-2011, AMENDING RESOLUTION NO. 725-2011, AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF ABANDONMENT OF THE INTEREST OF THE COUNTY OF SUFFOLK IN PROPERTY DESIGNATED AS TOWN OF BROOKHAVEN, SUFFOLK COUNTY TAX MAP NO. 0200-545.00-01.00-003.000, PURSUANT TO THE SUFFOLK COUNTY TAX ACT**

**WHEREAS**, Resolution No. 725-2011 authorized the County to issue a certificate of abandonment of the interest of the County in property owned by Feed My Sheep Church; and

**WHEREAS**, Resolution No. 725-2011 reflected the Church's agreement to pay back taxes to the County for the years of 2004/2005 and 2005/2006; and

**WHEREAS**, the Assessor for the Town of Brookhaven has determined that Feed My Sheep Church is not responsible for back taxes and the Town will pay all back taxes; and

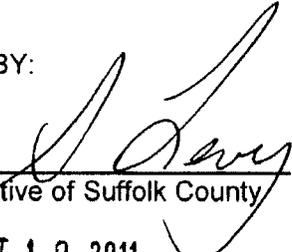
**WHEREAS**, in light of this information, Resolution No. 725-2011 should be amended to relieve Feed My Sheep Church of all tax liability; now, therefore be it

**1st RESOLVED**, that the fourth WHEREAS clause of Resolution No. 725-2011 is hereby stricken; and be it further

**2nd RESOLVED**, that the 2<sup>nd</sup> RESOLVED clause of Resolution No. 725-2011 is hereby stricken and all subsequent resolved clauses shall be renumbered accordingly.

DATED: **OCT 11 2011**

APPROVED BY:

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

Date: **OCT 19 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*

*October 11, 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.

1784

Res. No.

834

October 11, 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

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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   a  

Tim Laube, Clerk of the Legislature