

**RESOLUTION NO. //47-2012, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW NO. 13-1976  
JOSEPH FREDERICK GAZZA (SCTM NO. 0900-064.00-01.00-  
146.000)**

**WHEREAS**, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900 Section 064.00 Block 01.00 Lot 146.000 and acquired by Tax Deed on February 27, 1967 from Milton L. Burns, the County Treasurer of Suffolk County, New York, and recorded on March 2, 1967 in Liber 6121 at CP 242 and described as follows, known and designated as part of Lots 11 to 15 Inclusive in Block R on a certain map entitled "Map of Ocean View Park, Part 2", and filed in the Office of the Clerk of the County of Suffolk on January 28, 1910, as Map No. 105.

**WHEREAS**, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

**WHEREAS**, Joseph Frederick Gazza, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$2,000. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$1,300, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, the Director of Real Estate, and/or her designee, has received and deposited the sum of \$2,000, pursuant to said purchase offer; and

**WHEREAS**, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5 (a) (1); and be it further

2<sup>nd</sup>           **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

3<sup>rd</sup>           **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Joseph Frederick Gazza, 5 Ogden Lane, P.O. Box 969, Quogue, New York 11959.

DATED:   **DEC 04 2012**

APPROVED BY:



*ACTING CHIEF DEPUTY* \_\_\_\_\_  
County Executive of Suffolk County

Date: *12-20-12*

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 December 4, 2012 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.

2135

Res. No.

1147

December 4, 2012

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1						
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER					
14	Wayne R. HORSLEY, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	17				

MOTION	
<input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/>	FAILED _____
No Motion _____	No Second _____

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

Roll Call \_\_\_\_\_ Voice Vote

*Tim Laube*

Tim Laube, Clerk of the Legislature

Intro. Res. No. 1051-2013  
Introduced by Presiding Officer, on request of County Executive

Laid on Table 2/5/2013

**RESOLUTION NO. 249 -2013, AUTHORIZING A CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
1147-2012**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 1147-2012; and

**WHEREAS**, this resolution, when adopted, contained a technical error; and

**WHEREAS**, the County Executive desires a technical correction to the resolution; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the Clerk of the Legislature shall make the following technical correction:

**Resolution No. 1147-2012**

In the 3<sup>rd</sup> **WHEREAS** paragraph should read as follows:

**WHEREAS**, Joseph Frederick Gazza, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,300. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

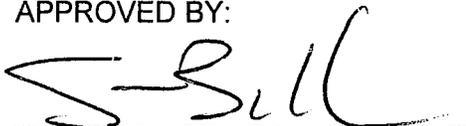
In the 5<sup>th</sup> **WHEREAS** paragraph should read as follows:

**WHEREAS**, the Director of Real Estate, and/or her designee, has received and deposited the sum of \$1,300. pursuant to said purchase offer; and

**SUMMARY STATEMENT**, Adjoining Owner Joseph Frederick Gazza, 5 Ogden Lane, P.O. Box 969, Quogue, New York 11959, 0900-064.00-01.00-081.001 BID 1,300.00.

DATED: April 23, 2013

APPROVED BY:



County Executive of Suffolk County

Date: 4/30/13

Intro. Res. 1051

Res. No. 249

April 23, 2013

**Motion:**  
 Krupski, Schneiderman, Browning, Muratore, Anker  
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**  
 Krupski, Schneiderman, Browning, Muratore, Anker  
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**  
 Krupski, Schneiderman, Browning, Muratore, Anker  
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Albert J. KRUPSKI					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
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13	Lynne C. NOWICK					
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16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER					
14	Wayne R. HORSLEY, 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