

RESOLUTION NO. 485 -2013, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND FOR A PERMANENT EASEMENT FROM THE NEW YORK STATE METROPOLITAN TRANSPORTATION AUTHORITY (MTA), LONG ISLAND RAIL ROAD (LIRR), FOR THE REPLACEMENT OF A CERTAIN BRIDGE ON CR 16, HORSEBLOCK ROAD, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK (SCTM NO. 0200-737.00-01.00-008.000) (CP 5855, PIN 075979)

WHEREAS, the New York State Metropolitan Transportation Authority (MTA), Long Island Railroad (LIRR) is the owner, in fee simple absolute, of a certain railroad right-of-way, situated in the Town of Brookhaven, Suffolk County, New York; and

WHEREAS, the County of Suffolk is about to undertake the replacement of a certain bridge on CR 16, Horseblock Road, Town of Brookhaven, that traverses said right-of-way owned by the New York State Metropolitan Transportation Authority (MTA), Long Island Railroad (LIRR); and

WHEREAS, this bridge replacement will require the acquisition by the County of Suffolk of a permanent easement for the installation of new abutments to support new substructure and superstructure on the premises more fully described in the acquisition map and legal description attached hereto as Exhibit "A"; and

WHEREAS, that pursuant to New York State Public Authorities Law §2897, the New York State Metropolitan Transportation Authority (MTA), Long Island Railroad (LIRR) must charge fair market value for said conveyance; and

WHEREAS, adequate funding for this project has been adopted in the 2013 Capital Budget in Capital Project 5855; now, therefore be it

1st **RESOLVED**, that the parcel listed in Exhibit "A" consisting of approximately 0.233+/- acres are hereby approved for preliminary planning steps and ultimate acquisition of a permanent easement for the installation of abutments to support a new substructure and superstructure for the replacement of the bridge on CR 16, Horseblock Road, that traverses the site owned in fee simple absolute by the New York State Metropolitan Transportation Authority (MTA), Long Island Railroad (LIRR), SCTM No. 0200-737.00-01.00-008.000; and be it further

2nd **RESOLVED**, that the Commissioner of the County Department of Public Works, or his designee, is hereby authorized, empowered, and directed to have surveys and maps prepared for the subject parcel; and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Public Works, or his designee, is hereby further authorized, empowered, and directed, to have the subject parcel appraised, environmentally assessed, and examined for title; and be it further

4th **RESOLVED**, that the Commissioner of the County Department of Public Works, or his designee, is hereby further authorized, empowered, and directed to initiate written contact with the owner of the subject parcel prior to ordering an appraisal, for the purpose of

commencing negotiations to acquire a permanent easement in and to the subject parcel, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; 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 from Capital Project No. 5855; and be it further

6th **RESOLVED**, that the Commissioner of the County Department of Public Works, or his or her designee, is hereby further authorized, empowered, and directed to utilize such valid appraisals for the subject parcel as may be made available to the County by any pertinent municipality or Public Authority, either voluntarily or upon request by the County of Suffolk; and be it further

7th **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 (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: June 4, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: June 7, 2013