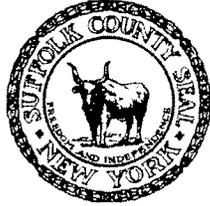


COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

December 4, 2008

Presiding Officer William J. Lindsay and  
Members of the Suffolk County Legislature  
William H. Rogers Legislative Building  
725 Veterans Memorial Highway  
Smithtown, New York 11787

RE: RESOLUTION 903-2008, AUTHORIZING ACQUISITION OF LAND UNDER  
THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM  
[FORMER SECTION C12-5(E)(1)(A) OF THE SUFFOLK COUNTY CHARTER] FOR  
THE SOUTH BAY STREET PROPERTY, TOWN OF BABYLON (SCTM NOS. 0103-  
025.00-02.00-018.000 AND 0103-025.00-02.00-019.000)

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein Resolution No. 903-2008; "Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [former Section C12-5(E)(1)(a) of the Suffolk County Charter] for the South Bay Street property, Town of Babylon (SCTM Nos. 0103-025.00-02.00-018.000 and 0103-025.00-02.00-019.000)" vetoed in its entirety because the property is already in public ownership, i.e. the Incorporated Village of Lindenhurst already owns the property.

The purpose of the Old Suffolk County Drinking Water Protection Program is to acquire land to preserve it against development by private parties – not to provide a source of financial relief to other municipalities.

For this and the other reasons enumerated above, I strongly urge the legislature to sustain my veto of this resolution.

Sincerely,

Steve Levy  
County Executive of Suffolk County

SL:srt

cc: All Suffolk County Legislators  
Tim Laube, Clerk of the Legislature  
Christine Malafi, Esq., Suffolk County Attorney  
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney  
James A. Morgo, Chief Deputy County Executive  
Frederick B. Pollert, Deputy County Executive for Finance and Management  
Jeffrey W. Szabo, Deputy County Executive and Chief of Staff  
Ben Zwirn, Deputy County Executive  
Connie Corso, Budget Director  
Dan Aug, Director of Communications  
Mark Smith, Deputy Director of Communications

**RESOLUTION NO. 903 –2008, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [FORMER SECTION C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER] FOR THE SOUTH BAY STREET PROPERTY, TOWN OF BABYLON – (SCTM NOS. 0103-025.00-02.00-018.000 and 0103-025.00-02.00-019.000)**

**WHEREAS**, the Old Suffolk County Drinking Water Program, approved in 1987 and amended in 1996, authorized the use of one-third of any surplus funds in the program for the acquisition of parkland in various towns, including the Town of Babylon, on a pro rata basis as determined by population; and

**WHEREAS**, Resolution No. 1284-2005, authorized planning steps for the acquisition of the South Bay Street Property, in the Town of Babylon, Village of Lindenhurst, under the Old Suffolk County Drinking Water Program; and

**WHEREAS**, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, formerly Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, for the acquisition of such land; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; and

**WHEREAS**, the Village of Lindenhurst, owner of the subject parcel, is agreeable to accepting an amount less than the appraised value from the County of Suffolk; now, therefore be it

**1st RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth under the Old Suffolk County Drinking Water Program, formerly Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, for a total purchase price of One Hundred Eighty Thousand Dollars (\$180,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0103 Section 025.00 Block 02.00 Lot 018.000		Incorporated Village of Lindenhurst 430 So. Wellwood Avenue Lindenhurst, NY 11757
2	District: 0103 Section 025.00 Block 02.00 Lot 019.000		Incorporated Village of Lindenhurst 430 So. Wellwood Avenue Lindenhurst, NY 11757
Total Acreage		±.22	

**2nd** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, formerly Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, for a purchase price of One Hundred Eighty Thousand Dollars (\$180,000.00), subject to a final survey; and be it further

**3rd** **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$180,000.00, subject to a final survey, under the Old Drinking Water Protection Program, formerly Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

**4th** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

**5th** **RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and be it further

**6th** **RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

**7th** **RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) will be passive recreation; and be it further

**8th** **RESOLVED**, in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: November 18, 2008

APPROVED BY:

**VETOED**

County Executive of Suffolk County

Date: 12-4-08

Intro. Res. 1181 Res. No. 903

November 18, 2008

**Motion:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-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	Brian BEEDENBENDER					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO				/	
10	Cameron ALDEN					
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: _____
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 _____

*Tim Laube*  
 Tim Laube, Clerk of the Legislature

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

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

December 4, 2008

09 DEC 4 PM 4:27

Presiding Officer William J. Lindsay and  
Members of the Suffolk County Legislature  
William H. Rogers Legislative Building  
725 Veterans Memorial Highway  
Smithtown, New York 11787

RE: RESOLUTION 913-2008, AUTHORIZING PLANNING STEPS FOR THE  
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER  
PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –  
BOATYARD VISTAS, INC. PROPERTY – TOWN OF BROOKHAVEN

Dear Presiding Officer Lindsay and Members of the Legislature:

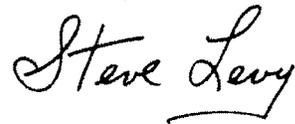
I am returning herein Resolution No. 913-2008; "Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 – Boatyard Vistas, Inc. property – Town of Brookhaven" vetoed in its entirety.

The purpose of acquiring land for the Open Space Program is to protect natural resources and the environment. The proposed sites for acquisition constitutes entirely of bulkhead containing dredge spill and fill material. The natural environment encompassing the area has already been destroyed and would not benefit from County acquisition.

Furthermore, the Department of Parks, Recreation and Conservation expressed concern that the maintenance of the bulkhead would be an additional expense that the County cannot afford due to the current financial climate. It may be more appropriate for the Town of Brookhaven to acquire the proposed sites since it owns the wetlands to the North and East.

For this and the other reasons enumerated above, I strongly urge the legislature to sustain my veto of this resolution.

Sincerely,

A handwritten signature in black ink that reads "Steve Levy". The signature is written in a cursive style with a prominent underline under the name "Levy".

Steve Levy  
County Executive of Suffolk County

SL:srt

cc: All Suffolk County Legislators  
Tim Laube, Clerk of the Legislature  
Christine Malafi, Esq., Suffolk County Attorney  
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney  
James A. Morgo, Chief Deputy County Executive  
Frederick B. Pollert, Deputy County Executive for Finance and Management  
Jeffrey W. Szabo, Deputy County Executive and Chief of Staff  
Ben Zwirn, Deputy County Executive  
Connie Corso, Budget Director  
Dan Aug, Director of Communications  
Mark Smith, Deputy Director of Communications

**RESOLUTION NO. 913 -2008, AUTHORIZING  
PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER  
THE SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –  
BOATYARD VISTAS, INC. PROPERTY – TOWN OF  
BROOKHAVEN**

**WHEREAS**, the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

**WHEREAS**, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land as open space; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 4.565 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Commissioner of the County Department of Public Works 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); and be it further

**4<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his 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

**5<sup>th</sup>** **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

**6<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his 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

7<sup>th</sup> **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

8<sup>th</sup> **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: NOV 18 2008

APPROVED BY:

**VETOED**  
\_\_\_\_\_  
County Executive of Suffolk County

Date: 12-4-08

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 861.00 Block 03.00 Lot 024.000	.326	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 2	District 0200 Section 861.00 Block 03.00 Lot 025.000	.054	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 3	District 0200 Section 861.00 Block 03.00 Lot 026.000	.082	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 4	District 0200 Section 861.00 Block 03.00 Lot 027.000	.212	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 5	District 0200 Section 861.00 Block 03.00 Lot 028.001	1.323	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 6	District 0200 Section 861.00 Block 03.00 Lot 029.000	1.993	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 7	District 0200 Section 861.00 Block 03.00 Lot 033.000	.575	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
Total Acreage		4.565	

**EXHIBIT "A"**

Intro. Res. 1588 Res. No. 913

November 18, 2008

**Motion:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-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	Brian BEEDENBENDER	/				
6	Daniel P. LOSQUADRO	/				
7	Jack EDDINGTON	/				
9	Ricardo MONTANO				/	
10	Cameron ALDEN		/			
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	13	4	-	1	-

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 _____

Tim Laube  
 Tim Laube, Clerk of the Legislature

Roll Call  Voice Vote rv

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

December 4, 2008

Presiding Officer William J. Lindsay and  
Members of the Suffolk County Legislature  
William H. Rogers Legislative Building  
725 Veterans Memorial Highway  
Smithtown, New York 11787

RE: RESOLUTION 914-2008, AUTHORIZING PLANNING STEPS FOR THE  
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER  
PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – LACK  
PROPERTY – TOWN OF SOUTHAMPTON

Dear Presiding Officer Lindsay and Members of the Legislature:

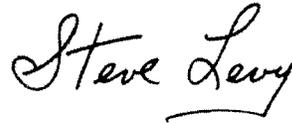
I am returning herein Resolution No. 913-2008; "Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 – Lack Property – Town of Southampton" vetoed in its entirety.

The intent of acquiring five (5) open building lots with no County-owned land within the vicinity raises an important policy question in setting precedent for future considerations.

Furthermore, the proposed parcel is located in an already-dedicated area of open space within the Village of North Haven and its critical environmental qualities have been protected through the Town of Southampton's subdivision process with the owner. The expected cost for acquisition of a protected parcel is an unnecessary expenditure given the state of the economy.

For this and the other reasons enumerated above, I strongly urge the legislature to sustain my veto of this resolution.

Sincerely,

A handwritten signature in black ink that reads "Steve Levy". The signature is written in a cursive style with a horizontal line under the name.

Steve Levy  
County Executive of Suffolk County

SL:st

cc: All Suffolk County Legislators  
Tim Laube, Clerk of the Legislature  
Christine Malafi, Esq., Suffolk County Attorney  
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney  
James A. Morgo, Chief Deputy County Executive  
Frederick B. Pollert, Deputy County Executive for Finance and Management  
Jeffrey W. Szabo, Deputy County Executive and Chief of Staff  
Ben Zwirn, Deputy County Executive  
Connie Corso, Budget Director  
Dan Aug, Director of Communications  
Mark Smith, Deputy Director of Communications

UPLANDS FARM SANCTUARY  
250 Lawrence Hill Road  
Cold Spring Harbor, NY 11724  
Tel (631) 367-3225  
Fax (631) 367-4715

CENTER FOR CONSERVATION  
Post Office Box 5125  
East Hampton, NY 11937  
Tel (631) 329-7689  
Fax (631) 329-0215

MASHOMACK PRESERVE  
Post Office Box 850  
Shelter Island, NY 11964  
Tel (631) 749-1001  
Fax (631) 749-1480

WORLDWIDE OFFICE  
4245 North Fairfax St  
Suite 100  
Arlington, VA 22203  
Tel (703) 841-5300  
www.nature.org

November 17, 2008

Suffolk County Legislator Jay Schneiderman  
P.O. Box 1827  
Sag Harbor, NY 11963

RE: Planning Steps Resolution for Lack Property, North Haven, NY;  
SCTM 901-5-2-17.3-17.8

Dear Legislator Schneiderman:

This letter is sent in support of the adoption of the Planning Steps Resolution for the above referenced 28.114 acres owned by Andrew Lack in North Haven Village, Town of Southampton (please see attached aerial map).

The seven Lack parcels (5 building lots, a 15.119 acre reserved area, and a paper street) which make up the 28.114 acre Lack Property, were created by a 1994 subdivision, which is entirely unimproved, except for one tennis court. There are no roads, utilities, clearing or structures built in the approved map at this time, except for one tennis court on lot 17.3, which Mr. Lack has agreed to remove at his own expense if a negotiated conservation purchase of the property can be agreed upon.

Mr. Lack is a willing seller (see attached letter) and has expressed a willingness to consider a significant bargain sale of the property.

The Nature Conservancy on Long Island believes the expenditure of public funds to protect this property makes sense for the following reasons:

- 1) The five building lots are listed as a priority for protection on the Peconic Estuary Program's Critical Lands Protection Strategy (CLPS) final map and are part of a larger, 100+ acre block of land proposed for protection by CLPS.
- 2) The Lack Property is part of a larger tidal marsh system that drains directly into Shelter Island Sound, 64 acres of which are already protected by a conservation easement held by the Peconic Land Trust.
- 3) The availability of 28 acres of priority conservation land on the North Haven peninsula, which is already subdivided and imminently threatened by development, possibly through a significant bargain sale, is a rare opportunity which deserves careful consideration. This type of consideration can only be done

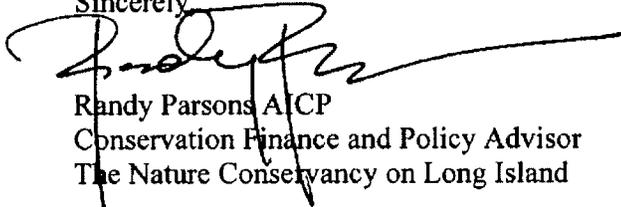


after planning steps are authorized.

- 4) The clearing and runoff, lawn and landscaping chemicals, outdoor lighting, and household sewage and other wastewater that will be introduced by the subdivision road and five homes that can be built at this location, pose a potential cumulative adverse impact to wildlife habitat, and the ground and surface waters on site and in the Peconic Estuary.

Thank you for your consideration of these comments. If I can provide any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Parsons", with a long horizontal flourish extending to the right.

Randy Parsons AICP  
Conservation Finance and Policy Advisor  
The Nature Conservancy on Long Island

Enc.

Cc: Andrew Lack

**Andrew Lack  
120 Hampshire Road  
Bronxville, NY 10708**

**RECEIVED**  
SEP - 5 2008  
BY:.....

September 2, 2008

Randy Parsons  
Conservation Finance and Policy Advisor  
The Nature Conservancy on Long Island  
P.O. Box 5125  
East Hampton, NY 11937

RE: Properties situate North Haven Village, NY;  
SCTM 0901-5-1-17.3, 17.4, 17.5, 17.6, 17.7, 17.8 and 17.9

Dear Mr. Parsons:

I am the sole owner of the above referenced seven parcels in North Haven Village, NY, which together comprise 28.114 acres of vacant land (except that parcel 17.3 contains a tennis court which can be removed).

I understand that the Village of North Haven, the Town of Southampton, Suffolk County, the State of New York and/or The Nature Conservancy (collectively "the Conservation Partners") may be interested in acquiring these properties for conservation purposes, in particular to protect the Peconic Estuary.

Without limiting my rights to pursue any other legal use of the aforementioned properties, including development and/or private sale, and without binding me or my interests in any respect, this letter will confirm that I am interested in receiving an offer from the Conservation Partners identified above to purchase these seven parcels.

Sincerely,



Andrew Lack  
120 Hampshire Road  
Bronxville, NY 10708

Property of Andrew Lack  
87 Fresh Pond Rd., North Haven, NY  
SCTM# 901-5-1-17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9  
(28 Acres Total)



0 425 850 1,700 Feet



Sources: Suffolk County Planning Dept., Real Property Tax Agency, NYS OFT, USDA, NYSDEC, USFWS, Towns of Southampton, East Hampton, Southold, Brookhaven, FEMA



**RESOLUTION NO. 914 -2008, AUTHORIZING  
PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER  
THE SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –  
LACK PROPERTY – TOWN OF SOUTHAMPTON**

**WHEREAS**, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

**WHEREAS**, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land as open space; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 27.8 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Commissioner of the County Department of Public Works 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); and be it further

**4<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his 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

**5<sup>th</sup>** **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

**6<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his 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

7<sup>th</sup> **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

8<sup>th</sup> **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: NOV 18 2008

APPROVED BY:  
**VETOED**

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

Date: 12-4-08

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0901 Section 005.00 Block 01.00 Lot 017.003	1.9	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
2	District: 0901 Section 005.00 Block 01.00 Lot 017.004	1.9	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
3	District: 0901 Section 005.00 Block 01.00 Lot 017.005	1.8	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
4	District: 0901 Section 005.00 Block 01.00 Lot 017.006	2.2	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
5	District: 0901 Section 005.00 Block 01.00 Lot 017.007	3.3	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
6	District: 0901 Section 005.00 Block 01.00 Lot 017.008	15.1	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
7	District: 0901 Section 005.00 Block 01.00 Lot 017.009	1.6	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
<b>TOTAL ACREAGE</b>		<b>±27.8</b>	

**EXHIBIT "A"**

Intro. Res. 1889 Res. No. 914

November 18, 2008

**Motion:**  
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**  
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**  
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

*\* AMENDED AS OF 12-5-08*

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	/				
2	Jay H. SCHNEIDERMAN	/				
3	Kate M. BROWNING	/				
4	Brian BEEDENBENDER	/				
6	Daniel P. LOSQUADRO	/				
7	Jack EDDINGTON	/				
9	Ricardo MONTANO				/	
10	Cameron ALDEN		/			
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.	/				
	<b>Totals</b>	15	2	-	1	-

**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