

**RESOLUTION NO. 889 -2013, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO SECTION 72-H OF THE
GENERAL MUNICIPAL LAW - VILLAGE OF PATCHOGUE**

WHEREAS, in the late 19th century and early part of the 20th century, businessman-philanthropist Andrew Carnegie donated funds to build libraries across the United States; and

WHEREAS, a Carnegie Library, designed and built in the neoclassical style, opened in Patchogue in 1908 and served as the areas library for the next 72 years; and

WHEREAS, the Village of Patchogue and the County of Suffolk have been working in cooperation to preserve this historically significant century-old building; and

WHEREAS, a permanent location for the Carnegie Library building has been located on County-owned property in Patchogue Village, Suffolk County Tax Map No. 0204-009.00-06.00-043.003; and

WHEREAS, Resolution No. 902-2012 identified this parcel as the proposed permanent location of the Carnegie Library and authorized the installation of a foundation in reliance thereon; and

WHEREAS, pursuant to the intermunicipal agreement entered into by the County and the Village on April 26, 2013, the County's consistent intention has been to transfer this parcel to the Village to serve as the new home of the Carnegie Library; and

WHEREAS, the Patchogue-Medford Library, as a planned successor in interest to the Village, plans to use the Carnegie building as a youth center with tutoring, research and after school programs available for local students; now, therefore be it

1st **RESOLVED**, that pursuant to § 72-h of NEW YORK GENERAL MUNICIPAL LAW, the Director of Real Property Acquisition and Management and/or her designee is hereby authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above described property to the Village of Patchogue for the sum of \$10.00; and be it further

2nd **RESOLVED**, that the Village of Patchogue or its assigns or successors in interest will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for the preservation of the Carnegie Library building for municipal or library programs; with all right title and interest reverting to the County of Suffolk in the event that the Village of Patchogue or its assigns or successors in interest, at any time, uses or attempts to use said subject parcel for other than for municipal or library purposes, or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for municipal or library purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed tendered by the Director of Real Property Acquisition and Management, and/or her designee, pursuant to this resolution, shall contain a

reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th **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).

DATED: October 8, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: October 17, 2013