

Introduced by Presiding Officer, on request of the County Executive and Legislator Anker

**RESOLUTION NO. 724 -2020, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE WILK PROPERTY – CHANDLER ESTATE COUNTY PARK ADDITION – TOWN OF BROOKHAVEN – (SCTM NO. 0200-046.00-03.00-028.007)**

**WHEREAS**, Local Law No. 24-2007, “A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection,” Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

**WHEREAS**, Resolution No. 919-2019 authorized planning steps and Procedural Motion No. 2-2020 authorized the acquisition of said property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Estate and/or his designee to negotiate the acquisition; and

**WHEREAS**, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

**WHEREAS**, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Estate and/or his designee and approved as to legality by the Office of the County Attorney; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Two Hundred Twenty Five Thousand Dollars (\$225,000.), 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:

<b>SUFFOLK COUNTY</b>			<b>REPUTED OWNER</b>
<b><u>PARCEL:</u></b>	<b><u>TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>AND ADDRESS:</u></b>
No. 1	District 0200	1.4±	Robert Wilk
	Section 046.00		27 Elinor Street
	Block 03.00		Centereach, NY 11720
	Lot 028.007		

and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Director of Real Estate and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) 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 New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price Two Hundred Twenty Five Thousand Dollars (\$225,000.), subject to a final survey; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the County Comptroller is hereby authorized to reserve and to pay \$225,000., subject to a final survey, from previously appropriated funds in capital project 525-CAP-8714.211 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Director of Real Estate 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

**5<sup>th</sup>** **RESOLVED**, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and One (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

**6<sup>th</sup>** **RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County; and be it further

**7<sup>th</sup>** **RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; 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 the adoption of this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(26)(33)(39) as this legislative decision involves an agency's routine administration and management involving the acquisition and dedication of 25 acres or less of land for passive recreational use parkland. As such, this Legislature has no further responsibilities under SEQRA.

DATED: October 6, 2020

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: October 19, 2020