

RESOLUTION NO. 481 -2009, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – HAMLET GREENS/ACTIVE RECREATION/HISTORIC AND/OR CULTURAL PARK COMPONENT – GRACE PRESBYTERIAN CHURCH PROPERTY, TOWN OF BROOKHAVEN (SCTM NO. 0200-392.00-04.00-017.000 p/o)

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. 613-2007, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Brookhaven has committed by Resolution No. 2009-448 (attached hereto as Exhibit "A") to improve and maintain the subject property as active parkland, including ball fields; 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 the Division of Real Property Acquisition and Management 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 Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore be it

1st 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, Hamlet Greens/Active Recreation/Historic and/or Cultural Park component, for a total purchase price of Five Hundred Thirty-Two Thousand Five Hundred Dollars (\$532,500.00±), at One Hundred Fifty Thousand Dollars (\$150,000.00) per acre, for 3.55± acres, 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> No. 1	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u> District 0200 Section 392.00 Block 04.00 Lot 017.000 p/o	<u>ACRES:</u> 3.55±	<u>REPUTED OWNER AND ADDRESS:</u> Grace Presbyterian Church 425 Hawkins Road Selden, NY 11784
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and be it further

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 C42-3(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, Hamlet Greens/Active Recreation/Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Five Hundred Thirty-Two Thousand Five Hundred Dollars (\$532,500.00±), at One Hundred Fifty Thousand Dollars (\$150,000.00) per acre, for 3.55± acres, 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 Five Hundred Thirty-Two Thousand Five Hundred Dollars (\$532,500.00±), at One Hundred Fifty Thousand Dollars (\$150,000.00) per acre, for 3.55± acres, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Hamlet Greens/Active Recreation/Historic and/or Cultural Park component, Section C12-2(A)(1)(i) 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 acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER:

- (i) land for use as Hamlet Greens, Hamlet Parks, pocket parks (with the effect providing public spaces that reinforce community livability by enhancing the pedestrian-friendly nature of communities, including uses for outdoor activities, playgrounds, and other public gathering purposes), active parkland, active recreation, historic and/or cultural park uses,

and be it further

6th **RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for its continued use as ball fields; and be it further

7th **RESOLVED**, that the Town of Brookhaven has agreed to enter into a written binding agreement (See Exhibit "A") with the County of Suffolk, through its Department of Parks, Recreation and Conservation, to improve and maintain the property, for the agreed upon active recreational use as ball fields, subject to continued public access to such property; and be it further

8th **RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

9th **RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

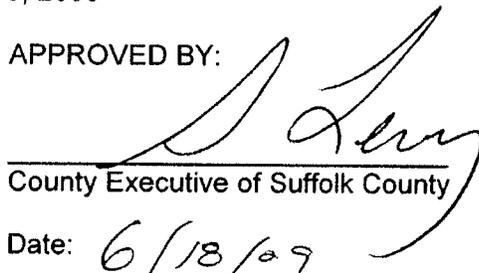
- 1.) the proposed action will not exceed any of the criteria of Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
- 2.) the proposed use of the subject parcel(s) will be for active recreation with its continued use as ball fields;
- 3.) the recreational facility already exists with ball fields, and will be maintained as such, requiring no clearing of vegetation whatsoever; and
- 4.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have;

and be it further

10th **RESOLVED**, that 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: June 9, 2009

APPROVED BY:


County Executive of Suffolk County

Date: 6/18/09

RESOLUTION NO. 2009-448
MEETING OF: May 12, 2009

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

REQUESTING ACQUISITION BY SUFFOLK COUNTY OF THE GRACE PRESBYTERIAN CHURCH PROPERTY IN SELDEN PURSUANT TO THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – HAMLET GREENS/ACTIVE RECREATION COMPONENT, AND AUTHORIZING CONSTRUCTION OF FACILITIES AND MAINTENANCE BY THE TOWN OF BROOKHAVEN

WHEREAS, the County of Suffolk, by Local Law No. 24-2007 authorized the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – Hamlet Greens/active Recreation/Historic and/or Cultural Park Component; and

WHEREAS, the Town of Brookhaven wishes to request that the County of Suffolk purchase a parcel of land under the New Suffolk County Drinking Water Protection Program for active parklands, including ball fields, which parcel is located on 425 Hawkins E. Road, Selden, and is more particularly described on the Suffolk County Tax Map as District 0200, Section 392.00, Block 04.00, Lot 017.000 p/o; and

WHEREAS, the Town of Brookhaven will improve and maintain the property as active parklands and ball fields;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Brookhaven that the Town of Brookhaven hereby requests that the following parcel of land be purchased by Suffolk County as part of the New Suffolk County Drinking Water Protection Program, to wit: 425

Exhibit "A"
Page 1

Hawkins E. Road, Selden, and is more particularly described on the Suffolk County Tax Map as District 0200, Section 392.00, Block 04.00, Lot 017.000 p/o; and

BE IT FURTHER RESOLVED that the Town of Brookhaven hereby makes a commitment to improve and maintain the property as active parkland; and

BE IT FURTHER RESOLVED that the Town of Brookhaven enter into an agreement with the Middle Country Youth Association or other civic groups to be approved by the County of Suffolk to maintain the parkland; and

BE IT FURTHER RESOLVED that the Town of Brookhaven Department of Law is authorized to negotiate an agreement with the County of Suffolk for construction and maintenance of the park; and

BE IT FURTHER RESOLVED that the Supervisor/Deputy Supervisor is hereby authorized to execute all necessary agreements and documents to effectuate the construction and maintenance of the park.

RESOLUTION SUBMISSION

MEETING OF: May 12, 2009

RESOLUTION NO. 2009-448

MOVED BY COUNCILMEMBER: Kathleen Walsh

REVISION May 12, 2009

SHORT TITLE: REQUESTING ACQUISITION BY SUFFOLK COUNTY OF THE GRACE PRESBYTERIAN CHURCH PROPERTY IN SELDEN PURSUANT TO THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – HAMLET GREENS/ACTIVE RECREATION COMPONENT, AND AUTHORIZING CONSTRUCTION OF FACILITIES AND MAINTENANCE BY THE TOWN OF BROOKHAVEN

DEPARTMENT: Law

REASON: To preserve parkland in Selden.

PUBLIC HEARING REQUIRED:

DEPARTMENT OF FINANCE APPROVAL: YES NO

DOLLARS INVOLVED:

SEQRA REQUIRED: no

DETERMINATION MADE: POSITIVE NEGATIVE

FEIS/FINDINGS FILED:

EXECUTION OF DOCUMENT REQUIRED:

AE:dlm

Present	Absent		Motion	Aye	No	Abstain	Not Voting
		Councilmember Fiore-Rosenfeld					
		Councilmember Bonner	2				
		Councilmember Walsh	1				
		Councilmember Kepert					
		Councilmember Mazzei					
		Councilmember Romaine					
		Supervisor Lesko					

1120



Proposal for use of Land – Middle Country Youth Association

Basic Improvements

- Construct 2 Ball Fields with backstops and dugouts and fencing
- Upgrade landscaping, including grass, flowers, bushes, etc.
- Expand parking through agreement with Grace Presbyterian Church for use by both church and park visitors.

Additional Future Upgrades

- Construct building housing bathrooms, concessions and storage
- Add training facilities, i.e. batting and pitching cages.
- Install irrigation system
- Install Security System
- Install Field "Stadium" lighting
- Install Electronic Scoreboards
- Install Public Address System
- Construct Perimeter Walking Path
- Install Fan Seating
- Install Turf fields

Time Table – Assuming Contract no later than 1/1/2010

- Project Architectural and Landscape Terrain Grading Drawings completed by April 1, 2010.
- Middle Country Youth Association plans to start the project June 2010
- Prior to September 1, 2010, extensive cleanup activity to prepare for grading and construction.
- Starting September 1, 2010 Minor grading will be required in order to re-position fields for more efficient use of land.
- From September 1, 2010 to September 1, 2012 all "Basic Improvements" to be completed.
- Starting September 1, 2013, "Additional Future Upgrades" will be planned and scheduled submitted to County.

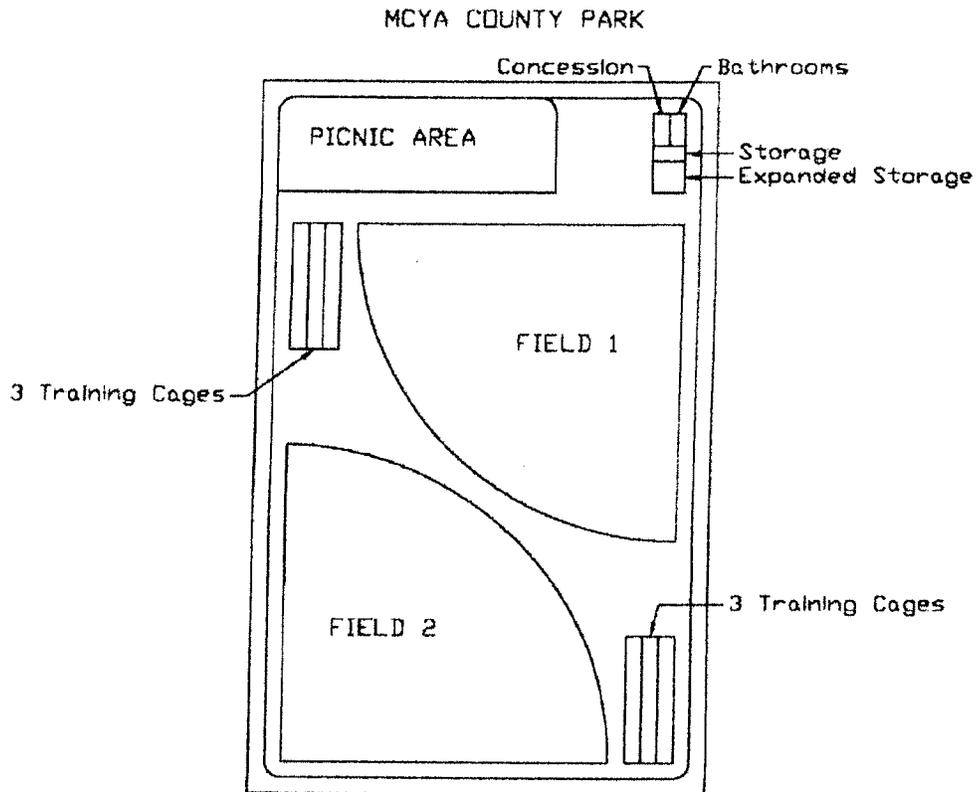
- Two Baseball Field constructed for use by March 2012. With “Basic Improvements” construction efforts completed by September 2012.

Block Diagram of Complex

- Attached
- Master Blueprint to be completed by April 2010

ATTACHMENT

DRAFT PARK LAYOUT



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 June 9, 2009 and that the same is a true and correct transcript of said resolution and of the whole thereof.

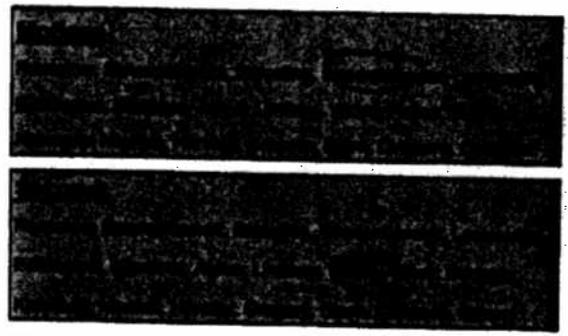
In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 1120 Res. No. 481

June 9, 2009



Co-Sponsors:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Vikoria-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		15	2	1		

MOTION	
<input checked="" type="checkbox"/>	Approve
Table: _____	
<input type="checkbox"/>	Send To Committee
<input type="checkbox"/>	Table Subject To Call
<input type="checkbox"/>	Lay On The Table
<input type="checkbox"/>	Discharge
<input type="checkbox"/>	Take Out of Order
<input type="checkbox"/>	Reconsider
<input type="checkbox"/>	Waive Rule _____
<input type="checkbox"/>	Override Veto
<input type="checkbox"/>	Close
<input type="checkbox"/>	Recess
APPROVED <input checked="" type="checkbox"/>	FAILED _____
No Motion _____	No Second _____

<input checked="" type="checkbox"/>	ADOPTED
<input type="checkbox"/>	NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote

**RESOLUTION NO. 961 -2009, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
481-2009**

WHEREAS, Resolution No. 481-2009 authorized the acquisition of a portion of the Grace Presbyterian Church property for active recreational uses; and

WHEREAS, this resolution when adopted did not specify that the active recreational uses would be limited to the development of ball fields, but not include the following: 1.) installation of lighting; 2.) installation of a public address system; and 3.) the building of restrooms, concessions and storage greater than or equal to 4,000 square feet in size, as had been identified in proposals prepared by the Middle Country Youth Association literature; and

WHEREAS, the Town of Brookhaven, who is responsible for the improvement and maintenance of the subject parcel, has concurred with these restrictions as outlined in a letter from the Deputy Supervisor dated September 11, 2009, a copy of which is provided in Exhibit A; and

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

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections by omitting the 6th and 9th Resolved clauses in Resolution No. 481-2009 and replacing them with the following, to read as follows:

6th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for its continued use as ball fields, but not include the following: 1.) installation of lighting; 2.) installation of a public address system; and 3.) the building of restrooms, concessions and storage greater than or equal to 4,000 square feet in size; and, be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

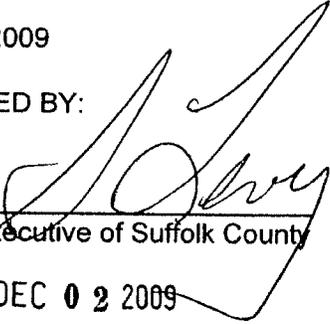
- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) will be for active recreation with its continued use as ball fields; and
- 3.) the proposed use of the subject parcel(s) will not include the following: 1.) installation of lighting; 2.) installation of a public address system; and 3.) the building of restrooms, concessions and storage greater than or equal to 4,000 square feet in size; and
- 4.) if not acquired, the property will most likely be developed

for residential purposes; incurring far greater environmental impact that the proposed acquisition and preservation of the site would have;

and be it further

DATED: November 17, 2009

APPROVED BY:



County Executive of Suffolk County

Date: DEC 02 2009

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 November 17, 2009 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.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 1911 Res. No. 961

November 17, 2009

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				<input checked="" type="checkbox"/>	
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Brian BEEDENBENDER					
6	Daniel P. LOSQUADRO					
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18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	17	1		15	

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
<input type="checkbox"/> Send To Committee
<input type="checkbox"/> Table Subject To Call
<input type="checkbox"/> Lay On The Table
<input type="checkbox"/> Discharge
<input type="checkbox"/> Take Out of Order
<input type="checkbox"/> Reconsider
<input type="checkbox"/> Waive Rule _____
<input type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

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

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote