Intro. Res. No. 1733-2009 Laid on Table 8/18/2009
Introduced by Presiding Officer, on request of the County Executive and Legislator Montano

RESOLUTION NO. 831 -2009, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-h OF THE GENERAL MUNICIPAL LAW (The Central Islip Union Free School District) (SCTM NO. 0500-099.00-02.00-082.000)

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 099.00, Block 02.00 Lot 082.000 and acquired by Tax Deed on July 14, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004 in Liber 12331 at Page 567 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Islip under Suffolk County Tax Map No. District 0500 Section 099.00 Block 02.00 Lot 082.000.

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, The Central Islip Union Free School District has requested that the County of Suffolk convey to The Central Islip Union Free School District the parcel described in Exhibit "A" annexed hereto; and

WHEREAS, the Suffolk County Department of Planning has approved the proposed transfer and use of said parcel; now, therefore be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said The Central Islip Union Free School District for the sum of $1.00 plus the pro rata share of the current tax adjustment due at closing; and be it further

2nd **RESOLVED**, that The Central Islip Union Free School District will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Highway purposes; with all right title and interest reverting to the County of Suffolk in the event that The Central Islip Union Free School District, at any time, uses or attempts to use said subject parcel for other than Highway 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 Highway purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed tendered by Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, 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 governmental 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 governmental 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: September 17, 2009

APPROVED BY:

County Executive of Suffolk County

Date: 9/25/09

EXHIBIT "A"

CENTRAL ISLIP UNION FREE SCHOOL DISTRICT

CRAIG G. CARR, Ed.D.
SUPERINTENDENT OF SCHOOLS

MICHAEL WOLPERT
ASST. SUPERINTENDENT, PERSONNEL

DENISE M. LOWE, Ed.D.
ASST. SUPERINTENDENT, CURRICULUM AND INSTRUCTION

KEVIN M. MILLER
ASST. SUPERINTENDENT, BUSINESS

Buildings, Grounds & Security Operations Office

Norman A. Wagner
Administrative Assistant for Operations

1733

P.O. Box 9027, 50 Wheeler Rd.
Central Islip, New York 11722
(631) 348-5014

April 22, 2009

Mr. R.J. Bhatt
Land Management Specialist
Auction/Sales Unit
P.O. Box 6100
Hauppauge, NY 11788-0099

RE: SCTM# 0500-099.00-02.00-082.000

Dear Mr. Bhatt:

Please be advised that the Central Islip Union Free School District is interested in the above referenced parcel of land that you have offered to us.

Please also be advised that the School District will use this property for municipal purposes.

Very truly yours,

Norman A. Wagner
Administrative Assistant for Operations

NAW/bmc

cc: Dr. C.G. Carr, Supt. of Schools

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 September 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.

Tim Laube

Clerk of the Legislature

Intro. Res. 1733 Res. No. 831

September 17, 2009

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

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

Second:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-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	18	—	—	—	—

MOTION

X 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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED

X ADOPTED
___ NOT ADOPTED

Renee L. Ortiz
Tim Laube, Clerk of the Legislature

Roll Call ___ Voice Vote X