

Intro. Res. No. 1879-2009
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 10/13/2009

**RESOLUTION NO. 984-2009, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO SECTION 72-H OF THE
GENERAL MUNICIPAL LAW (NORTHPORT-EAST
NORTHPORT UNION FREE SCHOOL DISTRICT)
(SCTM NO. 0400-115.00-02.00-095.000)**

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 Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400 Section 115.00, Block 02.00 Lot 095.000 and acquired by Tax Deed on March 12, 1981 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on March 13, 1981 in Liber 8973 at Page 62 and described as follows, Town of Huntington, known and designated as 10 Foot Right of Way on a certain map entitled "Map of Bellrose Manor, Section 3", and filed in the Office of the Clerk of the County of Suffolk on September 23, 1963 as Map No. 3868; and

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 Northport-East Northport Union Free School District has requested that the County of Suffolk convey this parcel to it (see annexed resolution-Exhibit "A"); 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 Pamela J. Greene, 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 Northport-East Northport Union Free School District for the sum of One Dollar; and be it further

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

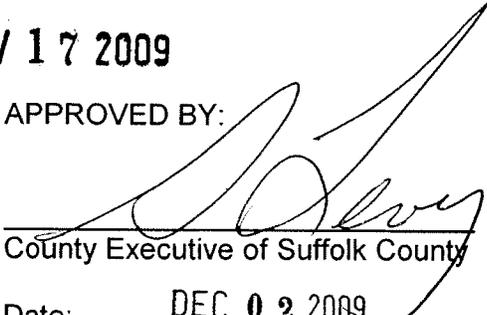
3rd **RESOLVED**, that said quitclaim deed tendered by Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the

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: **NOV 17 2009**

APPROVED BY:



County Executive of Suffolk County

Date: **DEC 02 2009**

BOARD OF EDUCATION
Northport-East Northport Union Free School District

CERTIFICATE

I, Beth M. Nystrom, District Clerk of the Northport-East Northport Union Free School District, Suffolk County, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Board of Education of said School District, duly called and held on August 31, 2009 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board of Education is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said School District this 4th day of September, 2009.


District Clerk

(SEAL)

Exhibit "A"

Northport-East Northport Union Free School District

EXTRACT OF MINUTES OF AUGUST 31, 2009 REGULAR MEETING OF THE BOARD OF EDUCATION

Members present: Mrs. Liz Dragone, Mr. Joe Gannon, Mr. Rob Ingraham, Mr. Tim Madden, Mrs. Donna McNaughton, Mrs. Arlene S. Munson, Dr. Kay Hutchins Sato, Mr. Stephen V. Waldenburg, Jr., Mrs. Karen Wills

Members absent: None

Motion was made by Trustee Gannon, seconded by Trustee Dragone, to approve item 9.6.

9.6 Approving the following resolution:

"WHEREAS, by letter dated April 29, 2009, addressed to the Superintendent by R.J. Bahtt, Land Management Specialist of the Auction/Sales Unit of The Division of Real Property, Acquisition and Management of the Department of Environment and Energy of the County of Suffolk, the District was advised that the County is offering Suffolk County tax map parcel 0400-115-2-95 to the School District; and

WHEREAS, the aforesaid parcel constitutes an access walkway from Dublin Court to the Pulaski Road Elementary School; and

WHEREAS, some years ago the County offered to sell the aforesaid parcel to the School District but now appears willing to convey same to the District without consideration provided that the District will use same for municipal purposes, now therefore be it

RESOLVED, that the Board of Education of the Northport-East Northport Union Free School District, hereby memorializes its willingness to accept the conveyance of the aforesaid parcel from the County of Suffolk to the School District for municipal purposes, to wit, to provide a pedestrian access walkway from Dublin Court to the site of the Pulaski Road Elementary School and provided that the aforesaid conveyance is effected without consideration"

Vote on Trustee Gannon's motion to approve item 9.6 was unanimously carried.

11879-2009

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. 1879 Res. No. 984

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				/		
2	Jay H. SCHNEIDERMAN	3					
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	-	-	-	-

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