Intro. Res. No. 1212-2012 Laid on Table 3/13/2012
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 386 -2012, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) FOR THE HAROLD E. GOODALE, JR., HAROLD E. GOODALE AND GENE E. GOODALE PROPERTY - GOODALE FAMILY FARM - TOWN OF RIVERHEAD (SCTM NO. 0600-085.00-02.00-003.000 p/o AND 0600-085.00-02.00-005.005 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 Nos. 892-2002 and 621-2004, authorized planning steps for the acquisition of farmland development rights of the subject property; and

WHEREAS, pursuant thereto, said acquisition is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation of the Suffolk County Farmland Committee; 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 Property Acquisition and Management to negotiate the acquisition of farmland development rights; and

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

WHEREAS, contracts to acquire said rights 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 farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, for a total purchase price of One Million Nine Hundred Three Thousand Two Hundred Dollars ($1,903,200.00±), at Fifty Two Thousand Dollars ($52,000.00) per acre for 36.6± 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 for inclusion in the Suffolk County Purchase of Development Rights Program:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	20.1±	Harold E. Goodale, Jr.
	Section	085.00		222 Main Road
	Block	02.00		Riverhead, NY 11901
	Lot	003.000 p/o		
No. 2	District	0600	16.5±	Harold E. & Gene E. Goodale
	Section	085.00		5 Park Road
	Block	02.00		Riverhead, NY 11901
	Lot	005.005 p/o f/k/a		
	Lot	005.003		

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(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 as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of One Million Nine Hundred Three Thousand Two Hundred Dollars ($1,903,200.00±), at Fifty Two Thousand Dollars ($52,000.00) per acre for 36.6± acres, subject to a final survey; and be it further

3rd **RESOLVED**, that the Adopted 2012 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$1,903,200.00±*

*subject to a final survey

and be it further

4th **RESOLVED**, that these interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$1,903,200.00±*

*subject to a final survey

and be it further

5th **RESOLVED**, that the $1,903,200.00± from the Fund 477, New Drinking Water Protection Program, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007, fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8714.210	New Drinking Water Protection Program-Farmland	$1,903,200.00±*

*subject to a final survey

and be it further

6th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, as described above, to the Capital Fund required to finance this capital project; and be it further

7th **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $1,903,200.00±, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007, for this acquisition; and be it further

8th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her 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

9th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Purchase of Development Rights Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

DATED: MAY 0 8 2012

APPROVED BY:

County Executive of Suffolk County

Date: 5-24-2012

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 May 8, 2012 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. 1212 Res. No. 386 May 8, 2012

Motion:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:
Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	/				
2	Jay H. SCHNEIDERMAN	/				
3	Kate M. BROWNING				/	
4	Thomas MURATORE	/				
5	Kara HAHN	/				
6	Sarah S. ANKER	/				
7	Rob CALARCO	/				
9	Ricardo MONTANO		/			
10	Thomas CILMI		/			
11	Thomas F. BARRAGA		/			
12	John M. KENNEDY, JR.	/				
13	Lynne C. NOWICK	/				
15	DuWayne GREGORY		/			
16	Steven H. STERN	/				
17	Lou D'AMARO		/			
18	William SPENCER		/			
14	Wayne R. HORSLEY, D.P.O.	/				
8	William J. LINDSAY, P.O.				/	
	Totals	10	6	—	2	—

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

Roll Call X Voice Vote ____

Tim Laube

Tim Laube, Clerk of the Legislature