

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1150-2012, ACCEPTING THE DONATION OF CERTAIN LANDS NOW OWNED BY PAUL AND SANDRA GRAF AND TRANSFERRING SUCH LANDS TO THE SUFFOLK COUNTY DEPARTMENT OF PARKS, RECREATION AND CONSERVATION FOR TIDAL WETLANDS PROTECTION PURPOSES - MORICHES BAY COUNTY PARK ADDITION (BR68) (SCTM NO. 0200-917.00-03.00-012.000)**

**WHEREAS**, Paul and Sandra Graf are the owners of an environmentally sensitive property with no site or building improvements thereon located in the hamlet of East Moriches, Town of Brookhaven; and

**WHEREAS**, said property, totaling 0.021± acres, is currently in a natural state, within the Moriches Bay County Park Area (BR68) (Exhibit "A"); and

**WHEREAS**, the Suffolk County Division of Planning and Environment recommends that the County acquire this property for tidal wetland protection purposes; and

**WHEREAS**, Paul and Sandra Graf have offered to donate this property at no cost to the County of Suffolk for tidal wetlands protection purposes; and

**WHEREAS**, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution No. 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and Resolution Nos. 621-2004 and/or 877-2005 - Master Lists I and II Reports, respectively; and

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> Resolved, is listed in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and/or Resolution Nos. 621-2004 and/or 877-2005 - Master Lists I and/or II Reports, respectively; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that the County of Suffolk hereby approves the donation of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as December 1, 2007, Open Space component, at no cost to the County; and hereby authorizes, if necessary, any possible additional expenses associated with this donation; which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
<b>No. 1</b>	District 0200 Section 917.00 Block 03.00 Lot 012.000	0.021±	Paul and Sandra Graf 44 Moriches Island Road East Moriches, NY 11940

and be it further

**2<sup>nd</sup>** **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 A35-3(B) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to accept this donation of parcels(s) listed herein above from the reputed owner, and to pay such additional expenses as may be necessary and appropriate to consummate such donation, 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, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as December 1, 2007, Open Space component; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay such additional expenses as may be necessary and appropriate to consummate such donation, the funding for which shall be provided from previously appropriated funds in Capital Project 525-CAP-8714.210, for the New Suffolk County Drinking Water Protection Program, effective as 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 the Division of Real Property Acquisition and Management and/or her designee; the County Division of Planning and Environment; 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 the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- a.) freshwater/tidal wetlands and buffer lands for same;

and be it further

**6<sup>th</sup>** **RESOLVED**, that the subject parcel(s) shall be transferred to the Suffolk County Department of Parks, Recreation and Conservation as part of the Moriches Bay County Park Area (BR68) for passive recreation/tidal wetland protection purposes;

and be it further

**7<sup>th</sup>** **RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617;

and be it further

**8<sup>th</sup>** **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 in 6 NYCRR, Section 617.7(c), 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 passive recreation;

and be it further

9<sup>th</sup> **RESOLVED**, in accordance with Section 450-5(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: **DEC 04 2012**

APPROVED BY:



\_\_\_\_\_  
County Executive of Suffolk County

*ACTING CHIEF DEPUTY*

Date: *12-20-12*



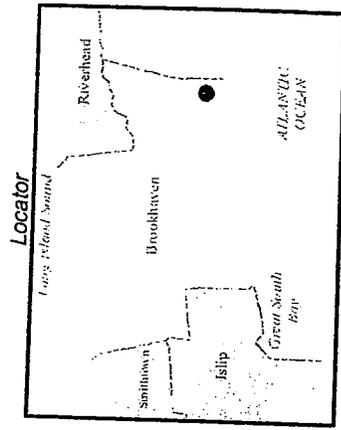
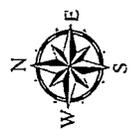
**GRAF PROPERTY**

SCRPTM# 0200 91700 0300 012000

Donation and Dedication of Land to Suffolk County Parks  
0.021 ± acres - Hamlet of East Moriches, Town of Brookhaven



- Proposed Acquisition
- Suffolk County
- Town of Brookhaven
- Master List
- SCRP Tax Map Base
- NYS DEC Tidal Wetlands
- SM - Coastal Shoals
- HM - High Marsh
- LZ - Littoral Zone
- IM - Intertidal Marsh



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Real Property taxmap parcel framework used with permission of Suffolk County Real Property Tax Service Agency (R.P.T.S.A.). This rendering is a DRAFT MAP. In that 1) the data displayed is an amalgamation of intra agency work produced for the purpose of identifying and correcting data. It is not a final agency determination. It is not statistical or for publication purposes. 2) some cases correct data has been left out and questionable or incorrect data has been exaggerated to help identify errors. In short, this is a DRAFT MAP produced in an effort to aid in the correction of data and is not held out as being complete or accurate in any way.



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July 5, 2012



1 inch = 250 feet

\*exempted from FOIL by the provisions of the Freedom of Information Law (Public Officers Law Article 6 Section 84-b)(3) by section 07.2.g

COUNTY OF SUFFOLK



Steven Bellone  
SUFFOLK COUNTY EXECUTIVE  
Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Planning  
and Environment

October 12, 2012  
November 15, 2012

Mr. Jon Schneider, Deputy County Executive  
H. Lee Dennison Building – 12<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

*Re: "Reso-ECODEVPLN-Donation to Parks Graf property.doc"*

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution accepting the donation of property owned by Paul and Sandra Graf, in the Town of Brookhaven, and transferring this land to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation/tidal wetlands protection purposes. The parcel being donated, at no cost, totals 0.021± acres. The property is located within the Moriches Bay County Park Area (BR68), and it on Master List II (Planning Steps Resolution No. 877-2005).

Please contact me if you require any additional information.

Sincerely,

Sarah Lansdale, A.I.C.P.  
Director

SL:lrf:km  
Enclosures

cc: Regina M. Calcaterra, Chief Deputy County Executive  
Thomas Vaughn, County Executive Assistant, Intergovernmental Relations  
Joanne Minieri, Deputy County Executive and Comm. of Dept. of Econ. Dev. & Planning  
Jill Rosen-Nikoloff, Dir. of Affordable Housing, Comm. Dev. & Real Estate  
Lauretta Fischer, Principal Environmental Analyst  
Robert Braun, Deputy Bureau Chief, Department of Law  
Janet Longo, Division of Real Property Acquisition and Management  
CE Reso Review (e-mail copy only)

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 December 4, 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

**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						
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	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 0