

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1152-2012, ACCEPTING THE DONATION OF CERTAIN LANDS NOW OWNED BY FRANKLIN FAYE AND TRANSFERRING SUCH LANDS TO THE SUFFOLK COUNTY DEPARTMENT OF PARKS, RECREATION AND CONSERVATION FOR PINE BARRENS CORE PROTECTION PURPOSES – WARBLER WOODS COUNTY PARK ADDITION (BR40) (SCTM NOS. 0200-529.00-04.00-004.000 and 0200-529.00-04.00-035.000)**

**WHEREAS**, Franklin Faye is the owner of an environmentally sensitive property with no site or building improvements thereon located in the hamlet of Yaphank, Town of Brookhaven; and

**WHEREAS**, said property, totaling 0.269± acres, is currently in a natural state, within the Warbler Woods County Park Area (BR40) and the Pine Barrens Core area (Exhibit "A"); and

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

**WHEREAS**, Franklin Faye has offered to donate this property at no cost to the County of Suffolk for Pine Barrens Core protection purposes; 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>SUFFOLK COUNTY</b>	<b><u>ACRES:</u></b>	<b>REPUTED OWNER</b>
<b>No. 1</b>	<b><u>TAX MAP NUMBER:</u></b> District 0200 Section 529.00 Block 04.00 Lot 004.000	<b>0.092±</b>	<b><u>AND ADDRESS:</u></b> Franklin Faye 590 Isaac Prugh Way Apt. 336 Kettering, OH 45429
<b>No. 2</b>	District 0200 Section 529.00 Block 04.00 Lot 035.000	0.177±	Franklin Faye 590 Isaac Prugh Way Apt. 336 Kettering, OH 45429
<b>TOTAL ACREAGE</b>		<b>0.269±</b>	

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 parcel(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:

c.) any tract of land located fully or partially within the statutorily designated Special Groundwater Protection Area; 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 Warbler Woods County Park Area (BR40) for passive recreation/Pine Barrens Core 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

Date: *12-20-12*

*Acting Chief Deputy.*

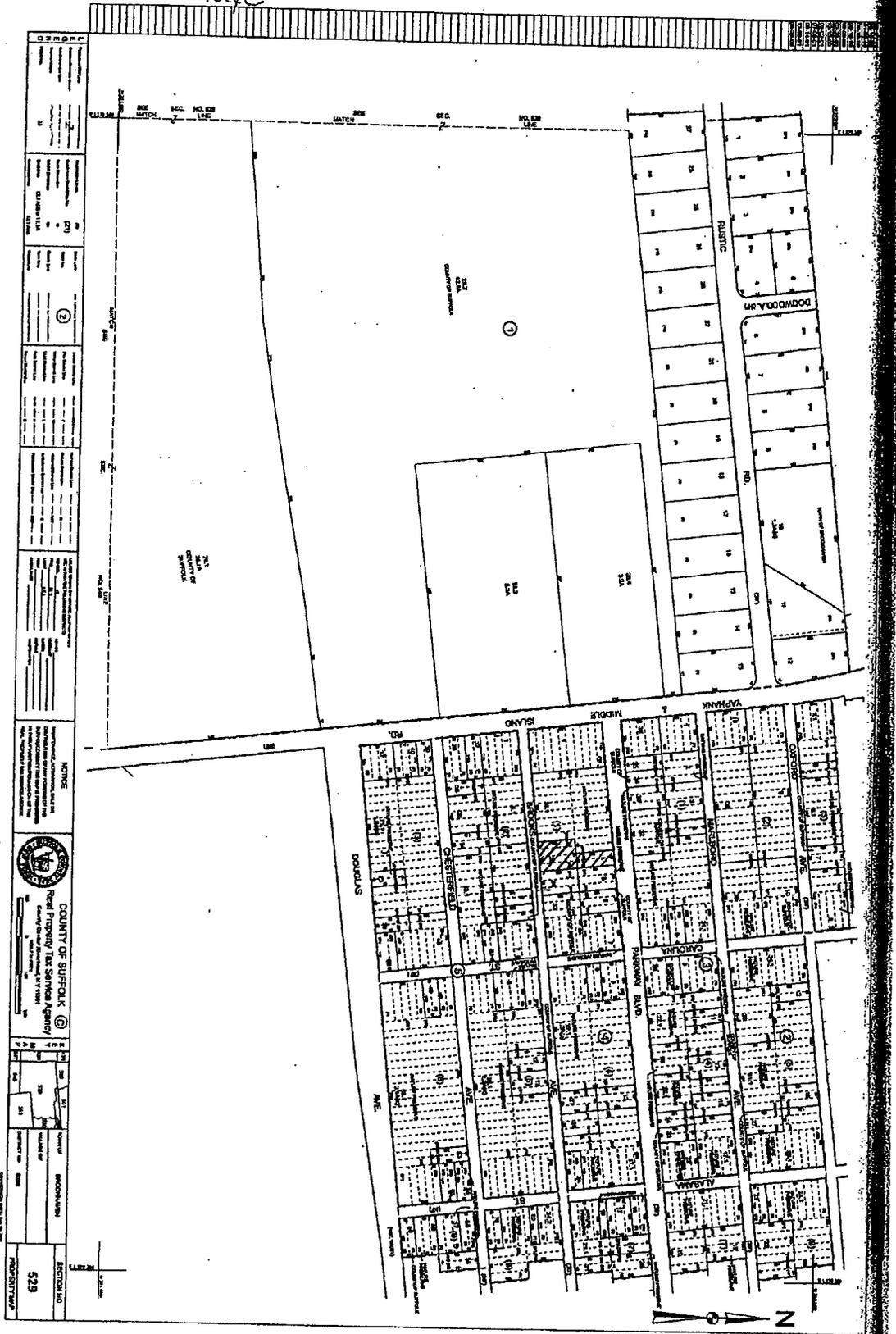
12157-2012.

# EXHIBIT "A"

EXHIBIT A -

0200-52900-0400-004000 and  
0200-52900-0400-035000

Faye



**FAYE PROPERTY - WARBLER WOODS COUNTY PARK**  
**SCRPTM#s 0200 52900 0400 04000 & 035000**  
**Donation and Dedication of Land to Suffolk County Parks**  
**0.269 ± acres - Hamlet of Yaphank, Town of Brookhaven**

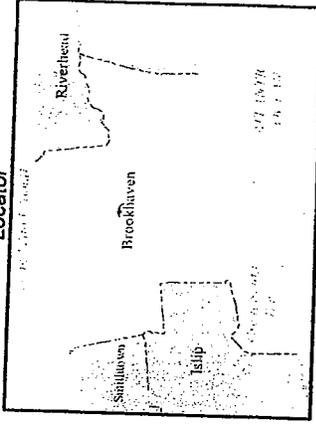


-  Proposed Acquisition
-  County of Suffolk
-  SCRPTM Map Base
-  NYS Freshwater Wetlands

Located within Pine Barrens CORE  
 and Central Suffolk SGPA



Locator



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 Real Property Taxmap parcel linework 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 employed is an interagency or 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 final compilation of data. In some cases correct data has been left out and questionable accurate 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.

\*Exempted from (FOIL) the provisions of the Freedom of Information Law (Public Officers Law Article 6 Section 84-60) by section 87.2g



# 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  
Revised 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 Pine Barrens Faye property.doc"*

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution accepting the donation of property owned by Franklin Faye, in the Town of Brookhaven, and transferring this land to the Suffolk County Department of Parks, Recreation, and Conservation for passive recreation/Pine Barrens Core protection purposes. The parcels being donated, at no cost, total 0.269± acres, and are located within the Warbler Woods County Park Area (BR40), and within the Pine Barrens Core Area.

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

by

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**

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  FAILED \_\_\_\_\_

No Motion \_\_\_\_\_ No Second \_\_\_\_\_

**RESOLUTION DECLARED**

ADOPTED

NOT ADOPTED

*Tim Laube*

Tim Laube, Clerk of the Legislature

Roll Call \_\_\_\_\_ Voice Vote