

**RESOLUTION NO. 199 -2013, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – ACTIVE RECREATION/ HAMLET PARK/HISTORIC AND/OR CULTURAL PARK COMPONENT - FOR THE OAKDALE GREENHOUSES, LLC AS ASSIGNEE OF ROLLING STONE ESTATES, INC. PROPERTY - TOWN OF ISLIP (SCTM NOS. 0500-354.00-02.00-002.000, 0500-354.00-02.00-003.000 AND 0500-355.00-03.00-068.000)**

**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 No. 1368-2007, authorized planning steps for the acquisition of said property; 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 Estate to negotiate the acquisition; and

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

**WHEREAS**, contracts to acquire said property were prepared by the Office of the County Attorney, executed by the owner of the subject property and the Director of Real Estate 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 subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation / Hamlet Park/ Historic and/or Cultural Park component, for a total purchase price of One Million Four Hundred Ninety Thousand One Hundred Forty-Three Dollars (\$1,490,143), for 12.94± 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:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0500 Section 354.00 Block 02.00 Lot 002.000	12.94±	Oakdale Greenhouses, LLC as Assignee of Rolling Stone Estates, Inc. 95 Main Street Center Moriches, NY 11934
No. 2	District 05.00 Section 354.00 Block 02.00 Lot 003.000		
No. 3	District 05.00 Section 355.00 Block 03.00 Lot 068.000		

and, be it further

**2<sup>nd</sup>** **RESOLVED**, that the Director of the Division of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(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 December 1, 2007, Active Recreation/Hamlet Park/Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of One Million Four Hundred Ninety Thousand One Hundred Forty Three Dollars (\$1,490,143), subject to a final survey; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay One Million Four Hundred Ninety Thousand One Hundred Forty-Three Dollars \$1,490,143, subject to a final survey, from previously appropriated funds in capital project 525-CAP-8714.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation/Hamlet Park/Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Director of Real Estate 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

**5<sup>th</sup>** **RESOLVED**, that the acquisition of such parcel(s) is for the following purpose as set forth under Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER:

- a.) active recreational park

and be it further

**6<sup>th</sup>**           **RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for active recreation use; and be it further

**7<sup>th</sup>**           **RESOLVED**, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town of the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who charged with the management and operation of said property; and be it further

**8<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

**9<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 set forth in Title 6 NYCRR Part 617.7 which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and recreational development of the site would have; and
- 3.) a vegetated buffer shall be installed to the greatest extent practicable on the southern border of the property adjacent to the residential development; and
- 4.) bike lanes shall be considered and installed on the site access if they can be accommodated; and
- 5.) no lighting shall be installed to illuminate the fields for night activities; and
- 6.) natural vegetated buffers shall be retained to the greatest extent practicable; and
- 7.) security fencing shall be installed on the northern border of the property adjacent to the Long Island Rail Road right-of-way; and
- 8.) bicycle racks shall be installed on-site to accommodate and encourage non-motorized transportation; and
- 9.) The Town of Islip, as the operator of the facility shall address the severity of the traffic impacts by limiting the number of games to be played on any given day and requiring the timing of the games to be staggered so that the trips from all three fields are not exiting and entering the facility at once; and
- 10.) All development on site shall be conducted in accordance with all applicable Suffolk County Department of Public Works permits and the Suffolk County Sanitary Code; and be it further

**10<sup>th</sup>**        **RESOLVED**, that 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: March 19, 2013

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: March 22, 2013