

RESOLUTION NO. 338 -2013, AUTHORIZING APPRAISAL FOR THE ACQUISITION OF DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 - VOLMUT FARM PROPERTY - TOWN OF RIVERHEAD (SCTM NO. 0600-098.00-01.00-019.000)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, the Suffolk County Purchase of Development Rights Program was amended in 2010 pursuant to Local Law No. 52-2010 and as part of said amendments an annual review period was designated in order to maximize Suffolk County's financial resources while preserving its valuable farmland resources; and

WHEREAS, the County of Suffolk commenced the annual review period in September 2012 pursuant to Section 8-5 of the SUFFOLK COUNTY CODE and 1 application was received during said annual review period; and

WHEREAS, the Suffolk County Farmland Committee reviewed the received application at its January 22, 2013 meeting and adopted Resolution Number FC-3-2013 approving the parcel(s) recommended, and the parcel(s) recommended subject to the Committee's specified conditions, in the 2013 Annual Review Period Preservation Priority List for consideration by the Suffolk County Legislature; and

WHEREAS, the parcel(s) identified in Exhibit "A" was(were) listed in the Suffolk County Farmland Committee's approved 2013 Annual Review Period's Preservation Priority List category: Parcels Recommended to the Suffolk County Legislature for Inclusion in the Program; and

WHEREAS, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

WHEREAS, Resolution No. 265-2013 established a new three step land acquisition process, the first step being an appraisal of any parcel proposed for acquisition; now, therefore be it

1st **RESOLVED**, that the parcel(s) identified in Exhibit "A" shall be approved and included in the 2013 Annual Review Period's Preservation Priority List; and be it further

2nd **RESOLVED**, that such acquisition(s) is(are) to be made in accordance with the procedures set forth in Chapter 8 of the SUFFOLK COUNTY CODE which provided that they be

consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation(s) of the Suffolk County Farmland Committee; and be it further

3rd **RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program for Purchase of Development Rights of Farmland, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER; and be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section A35-3(B)(1) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to have the subject parcel(s) appraised; and be it further

5th **RESOLVED**, that the cost of such appraisal shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

6th **RESOLVED**, the costs associated with the preparation of a title search survey, map or environmental assessment of the subject parcel(s), which may be authorized by a subsequent legislative resolution or procedural motion, shall be paid for from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

7th **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 Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: May 7, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 15, 2013

EXHIBIT A

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER:</u>
No. 01	District 0600 Section 098.00 Block 01.00 Lot 019.000	47.2	Colleen & Robert Volmut
	<u>TOTAL ACRES:</u>	<u>47.2</u>	