

Introduced by Presiding Officer, on request of the County Executive and Browning

RESOLUTION NO. 696 -2014, AUTHORIZING APPRAISAL OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 - MASTIC/SHIRLEY CONSERVATION AREA PROPERTIES - TOWN OF BROOKHAVEN

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 parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program under section C12-2(A)(1)(a) and (d); and

WHEREAS, the parcel(s) listed in Exhibit "A" of this resolution lies within the floodplain that was damaged by Superstorm Sandy and, therefore, the County may be eligible to receive federal and/or state funding to aid in the acquisition of this parcel(s); and

WHEREAS, the County should proceed with an appraisal and other preliminary planning steps in anticipation of, but not contingent on, receiving federal and/or state funding for the acquisition; 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 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

2nd **RESOLVED**, that the cost of such appraisal(s) 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

3rd **RESOLVED**, that 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

4th **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: September 9, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: September 18, 2014

EXHIBIT A

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER:</u>
No. 01	District 0209 Section 036.00 Block 01.00 Lot 005.000	0.208	MICHAEL C BOTTICELLI DECLARATION OF TRUST 24 Peconic Dr., PO Box 002 Mastic Beach, NY 11951
No. 02	District 0209 Section 036.00 Block 01.00 Lot 022.000	0.0806	AMATO, ROBIN S PO Box 633 Mastic Beach, NY 11951
No. 03	District 0209 Section 036.00 Block 01.00 Lot 042.001	0.185	KARABAICH, ANTHONY PO Box 477 Mastic Beach, NY 11951
No. 04	District 0209 Section 036.00 Block 01.00 Lot 043.000	0.231	PISANO, JAMES PO Box 5203 Rocky Point, NY 11778
No. 05	District 0209 Section 036.00 Block 02.00 Lot 023.000	0.226	BRAND, EDWARD 688 Granny Rd. Medford, NY 11763
No. 06	District 0209 Section 036.00 Block 02.00 Lot 024.000	0.146	BRAND, EDWARD 688 Granny Rd. Medford, NY 11763
No. 07	District 0209 Section 036.00 Block 03.00 Lot 041.000	0.140	ANNICCHIARICO, CATELLO 1 River Plaza, Apt. 3-B Tarrytown, NY 10591
TOTAL ACRES:		1.2156	