

**RESOLUTION NO. 436 -2015, AUTHORIZING THE  
TRANSFER OF CERTAIN PROPERTIES TO SUFFOLK  
COUNTY DEPARTMENT OF PARKS, RECREATION AND  
CONSERVATION**

**WHEREAS**, the COUNTY OF SUFFOLK is the owner of certain real property described in Exhibit "A" attached hereto and made a part hereof; and

**WHEREAS**, these parcels, as shown on aforesaid Exhibit "A" have been identified by the Suffolk County Department of Economic Development and Planning, Division of Real Property Acquisition and Management, and Suffolk County Department of Parks, Recreation and Conservation, as containing, or are adjacent to, stream corridor systems and their associated tidal and/or freshwater wetlands as well as under water lands, or are adjacent or associated with presently existing Suffolk County Parkland/Nature Preserve, are designated Master List properties or within targeted areas of interest in connection with Master List properties or are within the Core of the Pine Barrens; and

**WHEREAS**, as a result thereof the jurisdiction of said parcels should be transferred to the Suffolk County Department of Parks, Recreation and Conservation in order to become part of said Suffolk County Parkland; and

**WHEREAS**, if it is found that such properties shown on Exhibit "A", once transferred or dedicated, have created a landlocked parcel or parcels, or denied access to such parcel or parcels, such portion of the dedication was inadvertent, and it is the intention of the Suffolk County Legislature not to dedicate such land to Suffolk County Parks system and/or Nature Preserve as may be required to maintain access and to prevent said properties from being either landlocked or having access denied thereto; and

**WHEREAS**, it is not the intention of the Suffolk County Legislature to grant rights to adjacent property owners that did not exist at the time of this dedication; and

**WHEREAS**, Section 406, Real Property Law provides that municipal real property held on public use shall be free of taxation; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the Director of Real Estate, Department of Economic Development and Planning, and/or her designee, be authorized to transfer to the Suffolk County Department of Parks, Recreation and Conservation, No Number Montauk Highway, Sayville, New York, the interest of Suffolk County in the above-described properties for the above stated reasons and purpose; and be it further

**2<sup>nd</sup>** **RESOLVED**, that, in the event that it is determined that an abutting property becomes landlocked, or access is denied thereto, such occurrence was not the intention of this dedication, and the Suffolk County Legislature shall provide such easements and/or rights-of-way as it deems just and proper to effectuate the intent of this resolution, without the necessity of a mandatory referendum, solely by a duly adopted resolution by a majority of its members; and be it further

**3<sup>rd</sup>**           **RESOLVED**, that said parcel(s) are held in public use and free of taxation under Section 406 (1) New York Real Property Tax Law and the assessor of the Town of Babylon, Brookhaven, Islip, Riverhead, Shelter Island, Smithtown, and Southampton, and all other assessors having jurisdiction thereof, be and they hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessment to the extent permitted by law, and further that the Clerk of the Legislature shall transmit a copy of this resolution to the aforesated assessors for this purpose; and be it further

**4<sup>th</sup>**           **RESOLVED**, that the designation of such property to the Suffolk County Department of Parks, Recreation and Conservation is a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c) (20), "routine or continuing agency administration", with no further environmental review necessary; and be it further

**5<sup>th</sup>**           **RESOLVED**, that the parcels set forth on Exhibit "A" attached hereto, to be utilized for passive recreation, are to be permanently sterilized and the development rights set forth opposite each such parcel shall be severed and placed in the Suffolk County Workforce Housing Transfer of Development Rights registry or otherwise utilized pursuant to a different transfer-of-development rights program to be developed by the Department of Economic Development and Planning and thereafter approved via duly enacted resolution of the Suffolk County Legislature.

DATED: May 12, 2015

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: May 28, 2015