

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

**RESOLUTION NO. 487 -2015 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] – FOR THE SCHAD PROPERTY – KETCHUM CREEK ADDITION TOWN OF BABYLON (SCTM NOS. 0101-008.00-03.00-011.001, 0101-008.00-03.00-011.002, 0101-008.00-03.00-012.000, 0101-008.00-03.00-013.000 and 0101-008.00-03.00-014.000)**

**WHEREAS**, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

**WHEREAS**, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Estate entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

**WHEREAS**, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(a) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

**WHEREAS**, Resolution No. 252-2000, authorized planning steps for the acquisition of the subject 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 the Division of Real Estate to negotiate the acquisition; and

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> Resolved, is listed in Resolution No. 252-2000, Authorizing Land Acquisition under Water Quality Protection Component of the ¼% Drinking Water Protection Program (Along Ketchams Creek Property), Town of Babylon, Suffolk County Tax Map Nos. 0101-008.00-03.00-011.001, 011.002, 012.000, 013.000 & 014.000 was listed as a SEQRA TYPE II action; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Thirty Thousand One Hundred Forty-Nine Dollars (\$30,149.00±), at One Dollar (\$1.00) per square foot, for 30,149± square feet, 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 0101 Section 008.00 Block 03.00 Lot 011.001	30,149± s.f.	John H. Schad, Jr. 338 Ocean Avenue Amityville, NY 11701
No. 2	District 0101 Section 008.00 Block 03.00 Lot 011.002		
No. 3	District 0101 Section 008.00 Block 03.00 Lot 012.000		
No. 4	District 0101 Section 008.00 Block 03.00 Lot 013.000		
No. 5	District 0101 Section 008.00 Block 03.00 Lot 014.000		

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 C42-2(C)(3)(d) 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 Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Thirty Thousand One Hundred Forty Nine Dollars (\$30,149.00±), at One Dollar (\$1.00) per square foot, for 30,149± square feet, 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 \$30,149.00±, subject to a final survey, from previously appropriated funds in MY-176-LAW GDHI under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

**6<sup>th</sup>** **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 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 252-2000.

DATED: June 2, 2015

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: June 17, 2015