

RESOLUTION NO. 1050 -2015, AUTHORIZING EXECUTION OF RECIPROCAL EASEMENT AGREEMENTS WITH GURWIN JEWISH HEALTHCARE FOUNDATION IN CONNECTION WITH THE RECONSTRUCTION OF A COUNTY RECHARGE BASIN IN THE VICINITY OF CR 4 COMMACK ROAD

WHEREAS, the County of Suffolk is the record owner of property identified on the Suffolk County Tax Map as District 0400, Section 251.00, Block 01.00, Lot 015.000 upon which is located an operational dry recharge basin; and

WHEREAS, Gurwin Jewish Healthcare Foundation ("Gurwin") is the owner of adjacent property which Gurwin intends to develop as a senior independent living facility; and

WHEREAS, the existing dry recharge basin is necessary for the County to adequately manage storm water runoff and drainage from County Road 4, Commack Road; and

WHEREAS, Gurwin is desirous of reconstructing the dry recharge basin so as to provide a more aesthetically pleasing water feature adjacent to its property, while maintaining the functionality of the recharge basin; and

WHEREAS, Gurwin further agrees to assume responsibility for future maintenance of the reconstructed recharge basin/water feature; and

WHEREAS, Gurwin requires an easement across the County-owned property adjacent to the Gurwin property in order to progress the reconstruction of the recharge basin/water feature and to perform future maintenance of same; and

WHEREAS, in furtherance of this project, Gurwin will provide the County a reciprocal easement across a portion of its property, identified on the Suffolk County Tax Map as p/o District 0400, Section 251.00, Block 01.00, Lot 017.003 in order to accommodate the expansion of the reconstructed recharge basin/water feature and to provide future access to the recharge basin by the County; and

WHEREAS, prior to any construction, Gurwin will submit for review and approval by the County and the Town of Huntington detailed plans for the reconstruction and enlargement of the existing dry recharge basin for conversion to a wet recharge basin/water feature; and

WHEREAS, the reconstructed recharge basin will continue to serve its public purposes without any diminishment in functionality, at no cost to the County for the reconstruction and with Gurwin assuming responsibility for the future maintenance cost associated with the recharge basin, while providing a water feature for the aesthetic enhancement of the Gurwin Property; now, therefore be it

1st RESOLVED, that this Legislature hereby authorizes, empowers, and directs the County Executive, or his designee, to enter into such easement agreements necessary to facilitate the reconstruction of the subject recharge basin in accordance with the plans submitted by Gurwin to, and as approved by, the Department and upon such other terms and conditions,

including future maintenance of the recharge basin by Gurwin, as approved by the Department of Public Works, and subject to the approval of the Department of Law; and be it further

2nd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act, New York Environmental Conservation Law Article 8 (“S.E.Q.R.A.”), and Chapter 279 of the Suffolk County Code, hereby determines that authorization of the subject reciprocal Easements constitutes an unlisted action and will not have significant adverse effects on the environment, which completes SEQRA; and be it further

3rd **RESOLVED**, that, in accordance with Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate SEQRA notices of determination in accordance with this resolution.

DATED: December 1, 2015

APPROVED BY:

/s/ Dennis M. Cohen
Chief Deputy County Executive of Suffolk County

Date: December 3, 2015