

RESOLUTION NO. 812 -2010, AUTHORIZING LICENSING AGREEMENT WITH BOYS AND GIRLS CLUB OF SUFFOLK COUNTY, INC., AT SHEEP PASTURE ROAD IN PORT JEFFERSON/SETAUKET, NEW YORK

WHEREAS, the County acquired a 36.8 acre parcel of real property located off Sheep Pasture Road in Port Jefferson/Setauket, New York, known as Suffolk County Tax Map No. 0200-158.00-04.00-016.000 for non-payment of taxes; and

WHEREAS, Resolution No. 76-1986, dedicated three separate parcels of land; one of which is the subject 36.8 acre parcel (approximately 30 acres dedicated as County parkland and approximately 6 acres dedicated for public purposes to be managed by the Suffolk County Department of Parks, Recreation and Conservation). Said parcel is identified as attachment "B" to Resolution No. 76-1986; and

WHEREAS, Resolution No. 636-2010 authorized the Department of Parks, Recreation and Conservation to enter into a license agreement with the North Brookhaven Little League for the use of approximately 15 acres of the above described parcel as sports fields; and

WHEREAS, the Boys and Girls Sports Club of Suffolk County, Inc., (hereinafter "the Club") has requested the use of the remaining 21.8 acres of the above described parcel for sports fields with appropriate accessory facilities, necessary for parking, administration, maintenance and restrooms for the Club's use and the use of Suffolk County residents; now, therefore be it

1st RESOLVED, that the Department of Parks, Recreation and Conservation is hereby authorized to enter into a license agreement with the Club, upon such terms and conditions as may be approved by the County Executive and the Department of Law, for non-exclusive use of approximately 21.8 acres of the above described parcel, the exact location and dimensions of which shall be negotiated between the Department of Parks, Recreation and Conservation and the Club. Such terms and conditions shall include, but not be limited to, scheduled use of the fields and facilities by Suffolk County residents consistent with open and equal access to such facilities for all Suffolk County residents, and prime time field use for Suffolk County residents, such hours for use to be enumerated in the license agreement; and be it further

2nd RESOLVED, that the Club shall submit a business plan to the Commissioner of Parks, Recreation and Conservation for approval prior to execution of a license agreement. Such business plan will describe the Club's plans to construct and maintain sports fields with appropriate accessory facilities necessary for parking, administration, maintenance and restrooms, at no cost to the County for use by the Club and Suffolk County residents. All construction shall be subject to the approval of the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation; and be it further

3rd RESOLVED, that the term of said license agreement shall be for a period of up to ten (10) years from the date of its full execution with an option on the part of the County to

renew said license for two (2) further periods of up to five (5) years each, provided the Club has complied with all of the terms and conditions of said license agreement; and be it further

4th RESOLVED, that the exact dimensions of the premises to be licensed shall be in accordance with a survey to be prepared by the Commissioner of the Suffolk County Department of Public Works. The Commissioner of the Suffolk County Department of Public Works shall approve any and all construction plans on the licensed premises; and be it further

5th RESOLVED, that there is no legislative intent to prohibit license agreement renewals beyond the term of the license agreement as herein provided, subject to such terms and conditions as may be approved by the Suffolk County Legislature; and be it further

6th RESOLVED, that any and all fees which may be charged to other groups, organizations, and persons using the licensed premises on a scheduled basis, must be approved in advance by the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation. The fees collected by the Club shall be used exclusively for the improvement and maintenance of the fields and accessory facilities at the subject 21.8 acre parcel; and be it further

7th RESOLVED, that this Legislature hereby determines that the above activity constitutes a Type I action under the provisions of Title 6 NYCRR Part 617.4(b) and Chapter 279 of the Suffolk County Code, since the project involves the physical alteration of more than 2.5 acres of parkland; and be it further

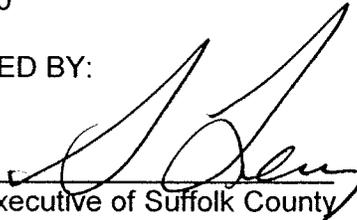
8th RESOLVED, that the project will not have significant effect on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
2. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;
3. The proposed site has been extensively disturbed due to sand mining, and no significant habitats will be affected;
4. Adequate natural and undisturbed buffers will be maintained between adjacent residential facilities and noted on the Conceptual Master Plan;
5. The wood area in the eastern portion of the site will remain in its natural state and noted on the plan;
6. Parking areas will be appropriately landscaped, which will be noted on the master plan and in the contract. Final landscape plans will be approved by the Parks Department;
7. The parking area will have appropriate drainage structures to retain storm water run off which will be approved by the Department of Public Works;
8. Compost/topsoil will be used to rehabilitate the soil for planting;

9. The Parks Department organic maintenance standards and the County Pesticide Law will be adhered to;
10. Existing roads should be able to accommodate the projected traffic; and
11. A traffic signal will be installed at the entrance and all necessary Town of Brookhaven permits obtained.

DATED: August 17, 2010

APPROVED BY:



County Executive of Suffolk County

Date: 8/26/10

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on August 17, 2010 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 1826 Res. No. 812

August 17, 2010

Motion:

Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Muratore, Losquadro
Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	<u>18</u>				

MOTION	
<input checked="" type="checkbox"/>	Approve
_____	Table: _____
_____	Send To Committee
_____	Table Subject To Call
_____	Lay On The Table
_____	Discharge
_____	Take Out of Order
_____	Reconsider
_____	Waive Rule _____
_____	Override Veto
_____	Close
_____	Recess
APPROVED <input checked="" type="checkbox"/>	FAILED _____
No Motion _____	No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
_____ NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote