Intro. Res. No. 1473-2009 Laid on Table 6/9/2009
Introduced by Legislators Romaine and Eddington

RESOLUTION NO. 546 -2009, TO EVALUATE COUNTY PROPERTIES FOR COMMUNITY GARDEN PURPOSES

WHEREAS, the County of Suffolk owns diverse properties, from small unbuildable lots to large preserved properties, acquired through Open Space Preservation Programs or by tax default; and

WHEREAS, many of these smaller vacant properties are abandoned and could be utilized as "community gardens", which could be maintained and beautified through license agreements with volunteer organizations; and

WHEREAS, many municipalities, including the City of New York, have instituted "community garden" programs with local volunteer organizations planting and maintaining gardens of flowers or vegetables at no cost to the municipality; and

WHEREAS, engaging the services of volunteer organizations to beautify and enhance County owned properties would alleviate the need for the County workforce to maintain these parcels; and

WHEREAS, the first step toward establishing a "community garden" program is to inventory County properties and determine the number and location of properties that may be available for this program; now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management, is hereby authorized, empowered, and directed, to compile a list of properties presently owned by the County of Suffolk and to rate the properties for potential use in a "community garden" program; such list shall include properties that are not currently being used for another County purpose such as drainage, parks, nature preserve, roads, parking, or in the alternative, are not buildable and are located in areas of Suffolk County where the census reflects that the mean income of residents is less than eighty percent (80%) of the mean County income; and be it further

2nd **RESOLVED**, that the Division of Real Property Acquisition and Management is hereby authorized, empowered, and directed to issue a request for proposals to identify a vendor to manage a "community garden" program on behalf of the County; and be it further

3rd **RESOLVED**, that the Division of Real Property Acquisition and Management shall issue a written status report to this Legislature within one hundred eighty (180) days of the effective date of this resolution detailing the status of their efforts to establish a "community garden" program in accordance with the provisions of this resolution; 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 (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: June 23, 2009

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER, RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JULY 8, 2009

Schedule A

Relationship between the College Budget and the County General Fund Budget

		2007/08 Actual	2008/09 Adopted	2008/09 College Estimated	2009/2010 Requested	2009/2010 Recommended	2007/2008 Adopted	2008/2009 Recommended
1.	Suffolk County Contribution (818-2810 = 001-2495)	$34,131,342	$34,197,742	$34,197,742	$34,197,742	$34,197,742	$34,131,342	$34,131,342
2.	Transfer from General Fund (818-2812 = 001-E818)	$5,335,783	$5,513,971	$5,513,971	$0	$5,499,907	$5,427,383	$5,605,571
3.	818-1001-Real Property Taxes	$5,250,467	$5,250,467	$5,250,467	$4,405,215	$5,250,467	$5,250,467	$5,250,467
3.a.	Non-mandated College Tax Levy	$4,471,615	$4,405,215	$4,405,215	$4,405,215	$4,405,215	$4,471,615	$4,405,215
3.b.	Mandated College Tax Levy	$778,852	$845,252	$845,252	$0	$845,252	$778,852	$845,252
4.	County Contribution (818-Contribution to Community College Fd)	$38,602,957	$38,602,957	$38,602,957	$38,602,957	$38,602,957	$38,602,957	$38,536,557
1.	818-2810-Suffolk County Contribution (=001-2495)	$34,131,342	$34,197,742	$34,197,742	$34,197,742	$34,197,742	$34,131,342	$34,131,342
3.a.	NonMandated College Tax Levy	$4,471,615	$4,405,215	$4,405,215	$4,405,215	$4,405,215	$4,471,615	$4,405,215
5.	Revenue Sources for Mandated County Expenses and Incentive Payments	$6,114,635	$6,359,223	$6,359,223	$0	$6,345,159	$6,206,235	$6,450,823
2.	Transfer from General Fund (818-2812 = 001-E818)	$5,335,783	$5,513,971	$5,513,971	$0	$5,499,907	$5,427,383	$5,605,571
3.b.	Mandated College Tax Levy	$778,852	$845,252	$845,252	$0	$845,252	$778,852	$845,252
5.	Appropriations Paid from the above Revenue Sources	$6,174,635	$6,450,823	$6,419,223	$70,000	$6,415,159	$6,206,235	$6,450,823
	818-Debt Service	$6,114,635	$6,359,223	$6,359,223	$0	$6,345,159	$6,114,635	$6,359,223
	Out-of-County Tuition: County Incentive Payment	$0	$31,600	$0	$0	$0	$31,600	$31,600
	Nurses Tuition Reimbursement Program & Other Contracts	$60,000*	$60,000	$60,000*	$70,000	$70,000	$60,000	$60,000

Note: 2007/08 Actual for Nurses Tuition Reimbursement Program & Other Contracts is set equal to 2007/08 Adopted
2008/09 Actual for Nurses Tuition Reimbursement Program & Other Contracts is set equal to 2008/09 Adopted
Numbers to be confirmed by Suffolk County Community College

Schedule B

Relationships between Various Expenditures and Revenues in the College Budget Document
Suffolk Community College 2009-2010 Budget

	2007/08 Actual	2008/09 Adopted	2008/09 College Estimated	2009/2010 Requested	2009/2010 Recommended
1000-Personal Services	$99,349,743	$104,771,150	$104,761,229	$109,621,608	$109,621,608
2000-Equipment	$2,530,657	$2,619,465	$789,634	$2,669,181	$2,669,181
3000-Supplies Materials & Other Expenses	$8,521,740	$9,703,037	$9,388,044	$9,317,053	$9,317,053
4000-Contractual Expenses	$11,098,442	$11,732,605	$11,597,736	$13,130,529	$13,130,529
8000-Employee Benefits	$35,895,164	$37,523,346	$37,569,669	$40,663,610	$40,663,610
9000-Interfund Transfers	$2,540,230	$2,556,767	$2,556,767	$2,736,920	$2,736,920
Total College Expenditures (excluding grants)	$159,935,976	$168,906,370	$166,663,079	$178,138,901	$178,138,901
Grants	$4,337,339	$2,811,934	$2,609,493	$2,320,295	$2,320,295
Grand Total College Expenditures	$164,273,315	$171,718,304	$169,272,572	$180,459,196	$180,459,196
less Offsets to Expenses / Offset Revenue	$18,324,172	$17,359,860	$16,850,407	$17,065,097	$17,065,097
Net Operating Costs	$145,949,143	$154,358,444	$152,422,165	$163,394,099	$163,394,099
County Share	$39,947,195	$40,096,940	$39,949,557	$39,987,057	$39,987,057
State Share	$45,932,423	$47,575,455	$47,462,115	$49,099,948	$49,099,948
Student Share	$61,361,499	$65,156,783	$66,737,048	$72,580,539	$72,580,539
Offset Revenue	$18,324,172	$17,359,860	$16,850,407	$17,065,097	$17,065,097
Revenues: Total	$165,565,289	$170,189,038	$170,999,127	$178,732,641	$178,732,641
plus Fund Balance, September 1	$5,704,707	$5,941,726	$6,996,681	$8,723,236	$8,723,236
minus Transfer to Suffolk Community College Reserve Fund	$6,996,681	$4,412,460	$6,996,681	$6,996,681	$6,996,681
minus Funds Available for Subsequent Yr Operating Budget	$0	$0	$1,726,555	$0	$0
Total Gross Operating Costs	$164,273,315	$171,718,304	$169,272,572	$180,459,196	$180,459,196
Debt Service Obligation / Total Cost of Debt [1]	$6,114,635	$6,359,223	$6,359,223	$0	$6,345,159

1. College debt service is not counted in total College expenditures. The reason is that Section 6304 of Article 126 of the New York State Education Law mandates that the local sponsor of a county community college be responsible for the payment of all capital costs.

COUNTY OF SUFFOLK

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

July 7, 2009

Presiding Officer William J. Lindsay and
Members of the Suffolk County Legislature
William H. Rogers Legislative Building
725 Veterans Memorial Highway
Smithtown, New York 11787
RE: RESOLUTION 546 -2009; TO EVALUATE COUNTY PROPERTIES FOR COMMUNITY GARDEN PURPOSES

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning **herein Resolution No. 546 -2009; TO EVALUATE COUNTY PROPERTIES FOR COMMUNITY GARDEN PURPOSES** neither signed nor vetoed.

While community garden programs enhance a neighborhood and provide enjoyment and benefit to residents who take part in the development and maintenance of the gardens, I have strong reservations about the County's liability for any accidents that occur on County properties which would become more actively used and visited if converted into a community garden.

Furthermore, the resolution directs the Division of Real Property Acquisition and Management to issue a Request for Proposals (RFP) to identify a vendor to manage a countywide community garden program, and for the Division to rate county-owned properties suitable for such a purpose. I believe these steps are premature, in that we have not yet fully gauged the public's interest in such a program.

Unlike urban areas, where community gardens most often flourish, most Suffolk County residents have the ability and the property to grow beautiful flower and vegetable gardens in their own yards. A drive through almost any residential neighborhood will attest to the hard work and care of many Suffolk homeowners who enjoy gardening.

LOCATION:
H. LEE DENNISON BUILDING, 12th FLOOR
100 VETERANS MEMORIAL HIGHWAY ♦

MAILING ADDRESS:
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099 ♦

OFFICE (631) 853-4000
FAX (631) 853-4818

Questions also remain as to how County government could enforce who gets to reap the rewards of the hard work some may put into cultivating the garden. How could we prevent those not having put in their support to simply pass by and pick fruit or vegetables?

Sincerely,

Steve Levy
County Executive of Suffolk County

cc: All Suffolk County Legislators
Tim Laube, Clerk of the Legislature
Christine Malafi, Esq., Suffolk County Attorney
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney
Christopher Kent, Chief Deputy County Executive
Frederick B. Pollert, Deputy County Executive for Finance and Management
Jeffrey W. Szabo, Deputy County Executive and Chief of Staff
Ben Zwirn, Deputy County Executive
Connie Corso, Budget Director
Dan Aug, Director of Communications
Mark Smith, Deputy Director of Communications

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 June 23, 2009 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.

Tim Laube

Clerk of the Legislature

Intro. Res. 1473 _ Res. No. 546

June 23, 2009

Motion:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, 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	Brian BEEDENBENDER				✓	
6	Daniel P. LOSQUADRO	✓				
7	Jack EDDINGTON	✓				
9	Ricardo MONTANO	✓				
10	Cameron ALDEN	✓				
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	16	—		2	—

MOTION
X 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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED
X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature