

Intro. Res. No. 2033-2011

Laid on Table 11/22/2011

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Viloría-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick, Schneiderman

**RESOLUTION NO. 1223 -2011, ADOPTING LOCAL LAW NO. 13 -2012, A LOCAL LAW TO INCREASE CERTAIN SUBSCRIPTION SERVICE FEES IN REAL PROPERTY TAX SERVICE AGENCY**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on November 22, 2011, a proposed local law entitled, "**A LOCAL LAW TO INCREASE CERTAIN SUBSCRIPTION SERVICE FEES IN REAL PROPERTY TAX SERVICE AGENCY**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 13 -2012, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO INCREASE CERTAIN SUBSCRIPTION SERVICE FEES IN REAL PROPERTY TAX SERVICE AGENCY**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the 2012 Operating Budget increases revenues generated by certain subscription service fees charged by the Real Property Tax Service Agency and the Suffolk County Clerk.

Therefore, the purpose of this law is to amend Chapter 767 of the SUFFOLK COUNTY CODE to increase certain subscription service fees charged by the Real Property Tax Service Agency and the County Clerk to offset their administration expenses.

**Section 2. Amendments.**

Chapter 767 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 767, SUBSCRIPTION SERVICE FEES**

**ARTICLE I, Access to Real Estate Information System Via Internet.**

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§ 767-2. Establishment of convenience fees.

A schedule of fees for Internet subscription services within the Suffolk County Real Property Tax Service Agency is hereby established as follows. The annual convenience fees described below shall be paid at the time of subscription. The annual subscriptions for access to AREIS via the Internet, authorized below, shall run on a term of one year from the commencement date of the subscription. Convenience fees to be charged municipalities, other

than tax assessors, shall be a reduced fee from those listed below. Suffolk County's Town and Village Tax Assessors shall not be charged a fee for the below services.

- A. Annual convenience fee for connection to Suffolk County Real Property Tax Service Agency's Advanced Real Estate Information System, AREIS, via the internet:

Detail	Fee
Access is for information via the Internet on parcel ownership and address, historic ownership information, tax map viewing and printing, and other information as it is made available, i.e., sales price	[\$2,500 per annum for unlimited AREIS viewing and printing for one user via the Internet; \$500 per annum for each additional user at the same location within the same firm, company or organization]
	<u>\$250 for access to information on East End towns, including the Towns of Southampton, Southold, Shelter Island, East Hampton, and Riverhead.</u>
	<u>\$250 for access to Town of Brookhaven information.</u>
	<u>\$250 for access to information on West End towns, including the Towns of Babylon, Huntington, Smithtown, and Islip.</u>
	<u>\$500 for access to information on the entire County.</u>
	<u>\$25 for each additional user at the same location within the same firm, company or organization.</u>

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## ARTICLE II, On-Line Records of County Clerk.

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### § 767-6. Establishment of fees.

A fee schedule for Internet access services, within the Office of the Suffolk County Clerk, is hereby established as follows:

- A. The fee schedule established in this section shall be increased on an annual basis in the amount of 3%\_[,or the increase in the Consumer Price Index for Urban Consumers (all items), or any successor index thereto, whichever is greater.]

<b>Records/Service</b>	<b>Time Period</b>	<b>Fee</b>
Lis Pendens access - All 10 towns	Annually	[\$2,500.00] <u>\$2,838.36</u>
	Monthly	[\$250.00] <u>\$283.84</u>
	Daily	[\$30.00] <u>\$34.06</u>
Land records search (with enhanced search capability)	Annually	[\$1,500.00] <u>\$1,703.02</u>
	Monthly	[\$150.00] <u>\$170.30</u>
	Daily	[\$30.00] <u>\$34.06</u>
Judgment, liens, miscellaneous	Annually	[\$3,000.00] <u>\$3,406.03</u>
	Monthly	[\$300.00] <u>\$340.60</u>
	Daily	[\$60.00] <u>\$68.12</u>
Uniform Commercial Codes (UCC)	Annually	[\$1,500.00] <u>\$1,703.02</u>
	Monthly	[\$150.00] <u>\$170.30</u>
	Daily	[\$30.00] <u>\$34.06</u>
Full subscription service Access to all on-line imaged material and indices (There will be a downloading fee of \$0.65 per page, per image.)	Annually	[\$6,000.00] <u>\$6,812.06</u>
Subdivision maps (images)	Annually	[\$2,000.00] <u>\$2,270.69</u>
	Monthly	[\$200.00] <u>\$227.07</u>

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**Section 3. Applicability.**

This law shall apply to all actions occurring on or after the effective date of this law.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (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. 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 law.

**Section 6. Effective Date.**

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language  
\_\_\_ Underlining denotes addition of new language

DATED: December 20, 2011

APPROVED BY:

**VETOED**

County Executive of Suffolk County

Date: 12-27-11

**\*\*VETO OVERRIDE ADOPTED ON FEBRUARY 7, 2012\*\***  
After a public hearing duly held on December 27, 2011  
Filed with the Secretary of State on February 23, 2012

COUNTY OF SUFFOLK



PRESIDING OFFICER  
COUNTY LEGISLATURE  
SUFFOLK COUNTY, NY

2011 DEC 27 PM 4:04

RECEIVED

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

December 27, 2011

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 NO. 1223-2011, A LOCAL LAW TO INCREASE CERTAIN  
SUBSCRIPTION SERVICE FEES IN REAL PROPERTY TAX SERVICE AGENCY**

Dear Presiding Officer Lindsay and Members of the Legislature:

**I AM RETURNING HEREIN RESOLUTION 1223 -2011, A LOCAL LAW TO  
INCREASE CERTAIN SUBSCRIPTION SERVICE FEES IN REAL PROPERTY TAX  
SERVICE AGENCY** vetoed in its entirety.

These are extraordinarily hard conditions our taxpayers are facing. Too many of our residents are losing their jobs, paying more into their benefits and some even seeing their pensions reduced. Major tax and fee increases are the last thing our residents wish to see in these very difficult economic times.

The tax and fee increases passed by the Legislature over the past month were, and are, avoidable. Had we simply closed the nursing home by January 1<sup>st</sup> and required employees to contribute to their healthcare, as I recommended in my proposed budget, the taxpayers could be given a break.

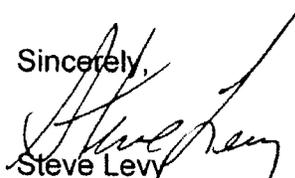
Over the last month the Legislature increased the property tax, removed the cap on gasoline taxes, increased fees charged to individuals seeking access to our parks; increased fees for services provided to the public through our Medical Examiner's office and our County Clerk's office, and increased fees for individuals seeking applications to our Suffolk County Planning Commission. Additionally, the Legislature is poised to vote for a \$0.50 increase in bus fares, which has a disproportionately high impact on the poor and working class.

Hopefully, the Legislature can work in the upcoming year toward moving the huge loses of the nursing home off of our books and require employees to pay a fair share into their healthcare costs. Every month that goes by without these measures being

implemented is millions of dollars that are wasted. We cannot tax and fee our way out of difficult economic times.

For these reasons, I urge the Legislature to sustain my veto.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Levy", written over the printed name.

Steve Levy

County Executive of Suffolk County

Intro. Res.

8033

Res. No.

1223

December 20, 2011

**Motion:**

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

**Co-Sponsors:**

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

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Vilorio-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	Sarah S. ANKER					
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		15	1			-12+

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

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 February 7, 2012 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".

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Clerk of the Legislature

Intro. Res.

2033  
Veto Override

Res. No.

1223

February 7, 2012

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE		/			
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER					
14	Wayne R. HORSLEY, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	17	1			

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

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

Roll Call \_\_\_\_\_ Voice Vote

*Tim Laube*

Tim Laube, Clerk of the Legislature