

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1284 - 2009**

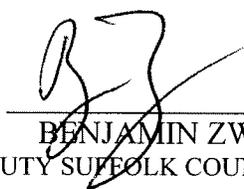
WHEREAS, INTRODUCTORY RESOLUTION NO. 1284 – 2009

**RESOLUTION NO. -2009, A RESPONSIBLE
PLAN TO ADDRESS 2009 REVENUE SHORTFALLS
AND AVOID A REDUCTION IN THE WORKFORCE
OF COUNTY PERSONNEL**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. ~~1284~~ 2009, BECAUSE IT IS THE INTENTION AND DESIRE OF
THE COUNTY TO CRAFT A REALISTIC AND WORKABLE PLAN TO AVOID A
REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL;.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.**



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED
2009 APR 28 A 11:44
SUFFOLK COUNTY, VA
CLERK OF COURSE

AMENDED 4/28/2009

Intro. Res. No. 1284-2009

Laid on Table 3/24/2009

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2009, A RESPONSIBLE PLAN TO
ADDRESS 2009 REVENUE SHORTFALLS AND AVOID A
REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL**

- 1st** **WHEREAS**, it is the intention and desire of the County to craft a realistic and workable plan to avoid a reduction in the workforce of County personnel; and
- 2nd** **WHEREAS**, in 2008, the County Executive and the Legislature worked together to develop and implement a plan which resulted in closing a potential budget shortfall in 2009; and
- 3rd** **WHEREAS**, this plan which was codified in Resolution 283-2008, showed that by working together and addressing projected fiscal and budgetary problems early in the year, Suffolk County taxpayers would be protected against draconian service cuts; and
- 4th** **WHEREAS**, revenue received from the County's state administered sales and use tax represents over forty-seven percent (47%) of the revenues required to fund the Police and General fund; and
- 5th** **WHEREAS**, the local economy has continued to slow down in response to the recession which grips our nation, state and all of Long Island; and
- 6th** **WHEREAS**, such slowdown has resulted in both the actual and projected reduction of revenues associated with collection of Suffolk County's sales tax and related revenues, including the continued reduction in the receipt of property taxes; and
- 7th** **WHEREAS**, Suffolk County has established and maintained a *Tax Stabilization Reserve Fund* which can be tapped for revenue during the 2009 fiscal year in the case of an "unanticipated revenue loss"; and
- 8th** **WHEREAS**, pursuant to § 719-6 of the Laws of Suffolk County funds "may only be expended there from in accordance with the provisions of § 6-e of the General Municipal Law"; and
- 9th** **WHEREAS**, § 6-e of the General Municipal Law provides, in relevant part, that moneys in a tax stabilization reserve fund may be used to finance an unanticipated revenue loss chargeable to the general fund portion of the annual budget; and
- 10th** **WHEREAS**, an unanticipated revenue loss means, in relevant part, a circumstance which takes effect or occurs after final adoption of the annual budget and which could not have been reasonably anticipated prior to final adoption of the annual budget; and

11th **WHEREAS**, year to date (2008 vs. 2009) sales tax revenue has declined by over nine percent (-9%), an event in Suffolk County which has never previously occurred; and

12th **WHEREAS**, this unprecedented decline in the sales and use tax due to a global recession of unprecedented economic contraction is a circumstance which took effect or occurred after final adoption of the annual budget and which could not have been reasonably anticipated prior to final adoption of the annual budget; and

13th **WHEREAS**, the unanticipated revenue loss cannot, as a matter of law, be financed with amounts available in any other account or fund; and

14th **WHEREAS**, the single largest expenditure of services and programs for our residents relate to personnel who provide these services; and

15th **WHEREAS**, it is in the best interest of the residents of Suffolk County that both the County Executive and the County Legislature work together to craft a comprehensive plan to balance the 2009 Adopted Budget through "smart government initiatives," revenue enhancements, and program modifications; and

16th **WHEREAS**, a careful review of the 2009 Adopted Budget for the Police Department has found surplus appropriations which can be stricken from its budget without affecting public safety; and

17th **WHEREAS**, a significant portion of these savings relate to the suspending of a police class in 2009; and

18th **WHEREAS**, funding for the police class in 2009 was not included in the financial presentation of the potential revenue problem facing Suffolk County by the Budget Review Office and the County Executive's Budget Office to the Budget and Finance Committee of the Legislature on March 17, 2009; and

19th **WHEREAS**, a like amount of sales tax revenue designated for the police district can also be stricken; and

20th **WHEREAS**, the County shall apply for federal stimulus funding for Public Safety which may allow for the hiring of a new police class prospectively; and

21st **WHEREAS**, a careful and thorough review of the Suffolk County's Office for the Aging "EPIC Reimbursement Program" has shown a twenty-four percent (24%) decrease in the number of enrollees who are eligible to receive reimbursement or who filled applications since 2007; and

22nd **WHEREAS**, this reduction is due to changes in the New York State Prescription Drug Program for the elderly; and

23rd **WHEREAS**, capping the appropriations for this program at the 2008 expenditure level of \$2,250,000 shall provide sufficient funding to meet the needs for those taking advantage of Suffolk's reimbursement program; and

24th WHEREAS, the Suffolk County Department of Labor is expected to receive an additional formula funding through the "Workforce Investment Act" (WIA) of approximately one million dollars (\$1.0M), to be utilized for the retraining of Suffolk County residents who are now unemployed due to structural unemployment or the effects of the economic downturn; and

25th WHEREAS, the Suffolk County Department of Labor has also been notified that it will receive Federal Stimulus funding in the amount of \$6.6 million dollars to provide work experience for youth and retraining for adults and dislocated workers; and

26th WHEREAS, the Department of Labor will require fifteen (15) additional positions to meet the requirements of providing needed service to these unemployed individuals; and

27th WHEREAS, the County Executive's Budget Office working together with the Commissioner of Social Services, the Director of Probation and their respective staff have developed a plan which will streamline the provision of services for youth in need while allowing the County to maximize funding from New York State sources; and

28th WHEREAS, this plan can be implemented administratively and would safeguard approximately \$1.0 million in State reimbursement for various youth programs; and

29th WHEREAS, taking the difficult, but decisive steps contained in this resolution, together with the savings contained in Introductory Resolution 1205-2009, or union accommodations, establishes a realistic fiscal plan to overcome the "unanticipated revenue loss" and to balance the 2009 Adopted Budget; now, therefore be it

1st RESOLVED, the County Treasurer is authorized, directed and empowered to transfer \$30,000,000 from the *Tax Stabilization Fund* to the County's General Fund an amount in accordance with the provisions of § 6-e on the basis that the County has sustained an unanticipated revenue loss; provided, however, that (1) the maximum amount of moneys in the *Tax Stabilization Fund* that may be used to finance the unanticipated revenue loss shall equal either the amount of the revenue actually received for the most recent fiscal year for which an annual report has been filed with the state comptroller pursuant to section thirty of the General Municipal Law or the amount of the estimated revenue for the current fiscal year, whichever is less, minus the amount of the revenue actually received for the current fiscal year; and (2) the moneys in the *Tax Stabilization Fund* may be used only to finance that portion of the unanticipated revenue loss which, as a matter of law, cannot be financed with amounts available in any other account or fund; and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they are hereby authorized to transfer \$30 million of the tax stabilization reserve fund to the General Fund as shown below:

EXPENSE:

403 IFT E001 TRANSFER TO GENERAL FUND \$30 MILLION

REVENUE:

001 IFT R403 TRANSFER FROM TAX STABILIZATION \$30 MILLION

and be it further

3rd **RESOLVED**, that the 2009 Operating Budget is hereby amended as follows to strike excess revenue and that the County Comptroller and the County Treasurer be and they are hereby authorized to strike the following:

001 FIN 1110 SALES TAX (-\$30 MILLION)

and be it further

4th **RESOLVED**, that the 2009 Operating Budget is hereby amended as follows to strike excess appropriations and that the County Comptroller and the County Treasurer be and they are hereby authorized to strike the following funds and authorizations:

APPROPRIATIONS:

<u>FUND</u>	<u>AGENCY</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>OBJECT NAME</u>	<u>FUNDS STRICKEN</u>
115	POL	3121	1040	HOLIDAY PAY	\$ 119,611
115	POL	3121	1100	PERMANENT SALARIES	\$ 1,546,698
115	POL	3121	1120	OVERTIME SALARIES	\$ 1,000,000
115	POL	3121	1400	CLEANING ALLOWANCE	\$ 16,000
115	POL	3121	3310	CLOTHING & ACCESSORIES	\$ 72,000
115	POL	3121	3339	POLICE SUPPLIES	\$ 72,000
115	EMP	9030	8330	SOCIAL SECURITY	\$ 118,322
115	EMP	9080	8380	BENEFIT FUND	\$ 157,881
039	EMP	9060	8360	HEALTH INSURANCE	\$ 58,156
039	EMP	9061	8360	HEALTH INSURANCE	\$ 47,163
039	EMP	9062	8360	HEALTH INSURANCE	\$ 51,881
TOTAL					\$3,259,712

INTERFUND TRANSFERS:

<u>FUND</u>	<u>AGENCY</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>OBJECT NAME</u>	<u>FUNDS STRICKEN</u>
115	IFT	E039	9600	TRANSFER OF FUNDS	\$157,200

REVENUES:

<u>FUND</u>	<u>AGENCY</u>	<u>REV. CODE</u>	<u>REVENUE NAME</u>	<u>REVENUES STRICKEN</u>
115	FIN	1110	STATE ADM. SALES TAX	\$ 3,259,712

INTERFUND REVENUES:

<u>FUND</u>	<u>AGENCY</u>	<u>REV. CODE</u>	<u>REVENUE NAME</u>	<u>REVENUES STRICKEN</u>
039	IFT	R115	TRANSFER OF FUNDS	\$157,200

and be it further

5th **RESOLVED**, that appropriations associated with the Suffolk County "EPIC" program be capped at \$2,250,000; and be it further

6th **RESOLVED**, that the 2009 Operating Budget within the Suffolk County Department of Labor be amended as follows to create fifteen (15) new positions in the Workforce Investment Act Program to help fight unemployment in Suffolk County:

<u>FD-AGY-UNIT-ACT- OBJ</u>	<u>TITLE</u>	<u>GRADE</u>	<u># CREATED</u>
320-LAB-6300 -0100	ACCOUNT CLERK	11	2
320-LAB-6300 -0100	ACCOUNT CLERK/TYP	11	2
320-LAB-6300 -0400	CLERK TYPIST	9	1
320-LAB-6300 -0400	SEN. CLERK TYPIST	12	1
320-LAB-6300 -0400	COURIER	12	2
320-LAB-6300 -0400	LABOR CREW LEADER	14	4
320-LAB-6300 -0400	SOC. SERVICE EXAM. I	16	2
320-LAB-6300 -0400	SOC. SERV. EXAM. I (SS)	16	1
TOTAL:			15

and be it further

7th **RESOLVED**, that it is the intent of the County to seek employees in similar titles to move into these 100% federally funded positions; and be it further

8th **RESOLVED**, that 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.

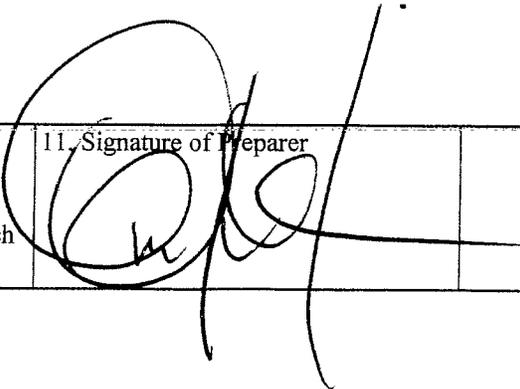
DATED:

APPROVED BY:

County Executive of Suffolk County

Date: _____

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>AMENDED 4/28/2009</p> <p style="text-align: center;">RESOLUTION NO. 2009 A RESPONSIBLE PLAN TO ADDRESS 2009 REVENUE SHORTFALL AND AVOID THE LAYOFF OF COUNTY PERSONNEL IN THE 2009 ADOPTED OPERATING BUDGET</p>		
3. Purpose of Proposed Legislation		
SAME AS ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact: Mitigate a projected revenue shortfall by the following actions:		
<ol style="list-style-type: none"> 1. Transfer of \$30million from the tax stabilization fund to offset revenue loss 2. Reduce Police appropriations by \$3.2 million 3. Prevent the loss of \$1.0 million in State Aid by administrative changes in youth prevention programs 4. Save \$750,000 by capping EPIC at current levels 5. Created Positions in 100% funded positions in Labor for the eventual transfer of 15 staff 		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Can not be quantified at this time		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Upon approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 28 , 2009

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1335 - 2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1335 – 2009

RESOLUTION NO. -2009, AUTHORIZING PUBLIC HEARINGS PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF THE STATE OF NEW YORK IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR INTERSECTION IMPROVEMENTS ON C.R.3, PINELAWN ROAD/WELLWOOD AVENUE, TOWNS OF BABYLON AND HUNTINGTON, SUFFOLK COUNTY, NEW YORK (CP 5510)

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY RESOLUTION BE CONSIDERED IMMEDIATELY,

NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. 1335 – 2009, BECAUSE IT IS REQUIRED THAT A PUBLIC HEARING BE HELD PRIOR TO ACQUISITION IN ORDER TO INFORM THE PUBLIC AND TO REVIEW THE PUBLIC USE TO BE SERVED BY THE PROJECT AND TO REVIEW THE IMPACT ON THE ENVIRONMENT FOR RESIDENTS OF THE LOCALITY IN WHICH THE PROJECT IS SITUATED.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS TWENTY-EIGHTH DAY OF APRIL, 2009.



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

SEAL OF SUFFOLK COUNTY, N.Y.
COUNTY LEGISLATURE
CHAIRMAN

2009 APR 27 11:40

RECEIVED

RESOLUTION NO. -2009, AUTHORIZING PUBLIC HEARINGS PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF THE STATE OF NEW YORK IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR INTERSECTION IMPROVEMENTS ON C.R. 3, PINELAWN ROAD/WELLWOOD AVENUE, TOWNS OF BABYLON AND HUNTINGTON, SUFFOLK COUNTY, NEW YORK (CP 5510)

WHEREAS, the Commissioner of the Department of Public Works, was directed to prepare maps showing the properties to be acquired for intersection improvements on C.R. 3, Pinelawn Road/Wellwood Avenue, Towns of Babylon and Huntington, Suffolk County, New York, indicating the properties to be acquired, the names of the reputed owners, the boundaries and dimensions of the parcels to be acquired; and

WHEREAS, said maps were prepared on or about December 29, 2008, and are entitled "ABSTRACT REQUEST MAP"; and

WHEREAS, the project has been adopted in the 2009 Capital Budget as and by Capital Project No. 5510; and

WHEREAS, pursuant to Article 2 of the Eminent Domain Procedure Law, it is required that a public hearing be held prior to acquisition in order to inform the public and to review the public use to be served by this project and to review the impact on the environment for residents of the locality in which the project is situated; and

WHEREAS, Section 204 of the Eminent Domain Procedure Law requires the making of Findings and Determinations concerning the proposed project and requires the publication thereafter of a brief synopsis; now, therefore be it

1st RESOLVED, that the Commissioner of the Suffolk County Department of Public Works, or his Designee, be deemed Hearing Officer with authority to make Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law; and the said Director, or designee, is hereby authorized to exercise the full authority of the Legislature to conduct public hearings and make determinations and findings as provided in Article 2 of the Eminent Domain Procedure Law; and be it further

2nd RESOLVED, that upon conclusion of the aforesaid hearings, pursuant to Eminent Domain Procedure Law, the Hearing Officer file written Findings and Determinations with the Clerk of the Legislature within 90 days of the conclusion of the Public Hearing provided for in Article 2 of the Eminent Domain Procedure Law; and be it further

3rd RESOLVED, that a brief synopsis of the filed Findings and Determinations shall be published pursuant to the requirements of Section 204 of the Eminent Domain Procedure Law; and be it further

4th **RESOLVED**, that copies of the Findings and Determinations will be forwarded upon written request, to applicants without cost to said applicant by the Clerk of the Legislature; and be it further

5th **RESOLVED**, that upon completion of hearings required by Article 2 of the Eminent Domain Procedure Law, the map aforesaid, be filed in the Office of the Clerk of the County Legislature of the County of Suffolk; and be it further

6th **RESOLVED**, that upon the filing of the Determinations and Findings with the Clerk of the Legislature, the Legislature of Suffolk County shall consider whether to adopt or reject said Findings and Determinations; and be it further

7th **RESOLVED**, that all costs pertaining to notices, public hearings, publications, stenographic fees, mailings, postings, and direct service of process and/or notices be deemed an appropriate charge to this project as provided in the capital program for the acquisition of said real property.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1335

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. - 2009, AUTHORIZING PUBLIC HEARINGS PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF THE STATE OF NEW YORK IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR INTERSECTION IMPROVEMENTS ON C.R. 3, PINELAWN ROAD/WELLWOOD AVENUE, TOWNS OF BABYLON AND HUNTINGTON, SUFFOLK COUNTY, NEW YORK. (CP 5510)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> </u> <u> </u> No <u> X </u> <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing of Impact		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Gina H. Kommer Assistant Executive Analyst		April 20th, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1335

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1335

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: April 17, 2009

RE: **AUTHORIZING PUBLIC HEARINGS PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF THE STATE OF NEW YORK IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR INTERSECTION IMPROVEMENTS ON C.R. 3, PINELAWN ROAD/WELLWOOD AVENUE, TOWNS OF BABYLON AND HUNTINGTON, SUFFOLK COUNTY, NEW YORK. (CP 5510)**

Attached is a draft resolution and one duplicate copy authorizing the Department of Public Works to hold a Public Hearing to condemn properties situated in the Towns of Babylon and Huntington, Suffolk County, New York. The purpose of this acquisition is to reconstruct intersections on C.R. 3, Pinelawn Road/Wellwood Avenue, Towns of Babylon and Huntington.

This hearing is required by the New York State Eminent Domain Procedure Law.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5510.doc".

Should you have any questions or require further information, please feel free to contact Geoff Mascaro, Property Management Administrator at (631) 852-5321.

TL:WH:gim
attach.

- cc Jim Morgo, Chief Deputy County Executive
- Brendan Chamberlain, County Executive Assistant
- Carmine Chiusano, Principal Financial Analyst
- William Hillman, P.E., Chief Engineer
- Frank Messina, Federal & State Aid Claims Technician
- Laura Conway, CPA, Director of DPW Administrative Services
- Linda Brandolf, CPA, Capital Accounting
- Theresa D'Angelo, Principal Clerk (Cover memo only)
- James Bagg, Chief Environmental Analyst

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1391

WHEREAS, INTRODUCTORY RESOLUTION NO. ¹³⁹¹-2009

**RESOLUTION NO. -2009, ACCEPTING AND
APPROPRIATING AMERICAN RECOVERY AND
REINVESTMENT ACT FUNDING FROM THE NEW YORK
STATE DEPARTMENT OF LABOR UNDER THE
WORKFORCE INVESTMENT ACT (WIA) PROGRAM,
SECOND HALF OF FUNDING**

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,

NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, BECAUSE THE SECOND HALF OF A ONE
HUNDRED PERCENT STATE GRANT IS NOW AVAILABLE AND THE
DEPARTMENT IS OBLIGATING FUNDS.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED
2009 APR 27 A 11: 23
SUFFOLK COUNTY, N.Y.
CLERK OF COUNTY LEGISLATURE
HARRISBURG

1391

Intro Res. No. -09
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 4/28/09

RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FROM THE NEW YORK STATE DEPARTMENT OF LABOR UNDER THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM, SECOND HALF OF FUNDING.

WHEREAS, the New York State Department of Labor has awarded American Recovery and Reinvestment Act funds for the Workforce Investment Act (WIA) Program to the Suffolk County Department of Labor in the amount of \$3,327,341.00; and

WHEREAS, the additional funds were awarded to integrate employment and training services into a comprehensive workforce delivery system for impacted workers; and

WHEREAS, these additional funds have not been included in the 2009 Adopted Operating Budget; and

WHEREAS, it is in the best interest of the County to accept this 100% grant funding now, therefore be it

1ST RESOLVED, that the County Comptroller and the County Treasurer be and they are hereby authorized to accept and appropriate the following funds:

REVENUES:

320-4790 Federal Aid \$3,327,341

ORGANIZATIONS:

Department of Labor (LAB) \$3,327,341
Workforce Investment Act
320-6300

1000- PERSONAL SERVICES

\$2,837,341

1100 Permanent Salaries \$1,182,341
1117 YCC In School \$ 993,000
1118 YCC Out of School \$ 662,000

2000- EQUIPMENT

\$80,000

2450- Replacement Computers \$80,000

4000-CONTRACTUAL EXPENSES

\$410,000

4770- Special Services (Stipend) \$60,000
4980-Contracted Agencies \$350,000

and, be it further

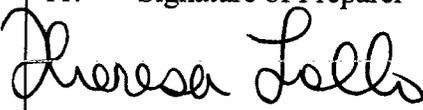
2ND RESOLVED, that the Reporting Category for the Integrated Financial Management system (IFMS) s 6300.

APPROVED BY: _____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<p>1. Type of Legislation</p> <p>Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/></p>		
<p>2. Title of Proposed Legislation:</p> <p>ACCEPTING AND APPROPRIATING AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FROM THE NEW YORK STATE DEPARTMENT OF LABOR UNDER THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM, SECOND HALF OF FUNDING</p>		
<p>3. Purpose of Proposed Legislation</p> <p>TO INTEGRATE RELATED EMPLOYMENT AND TRAINING SERVICES INTO A COMPREHENSIVE WORKFORCE DELIVERY SYSTEM FOR IMPACTED WORKERS</p>		
<p>4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>		
<p>5. If the Answer to item 4 is "yes", on what will it impact? (check appropriate category)</p> <p><input checked="" type="checkbox"/> County <input type="checkbox"/> Town <input type="checkbox"/> Economic Impact <input type="checkbox"/> Village <input type="checkbox"/> School District <input type="checkbox"/> Other (Specify) <input type="checkbox"/> Library District <input type="checkbox"/> Fire District <input type="checkbox"/> NOT APPLICABLE</p>		
<p>6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact</p> <p>TOTAL REVENUE TO THE COUNTY IN THE AMOUNT OF \$6,654,682. THIS RESOLUTION ACCEPTS AND APPROPRIATES THE SECOND HALF OF THIS FUNDING.</p>		
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Subdivision.</p> <p>N/A</p>		
<p>8. Proposed Source of Funding</p> <p>AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FROM THE NEW YORK STATE DEPARTMENT OF LABOR</p>		
<p>9. Timing of Impact</p> <p>IMMEDIATE</p>		
<p>10. Typed Name & Title of Preparer</p> <p>THERESA LOLLO PRINCIPAL FINANCIAL ANALYST</p>	<p>11. Signature of Preparer</p> 	<p>12. Date</p> <p>APRIL 22, 2009</p>

3. EXPLANATION OF REQUESTED COUNTY FINANCIAL ASSISTANCE

CATEGORY	TOTAL REQUESTED	PERSONNEL COSTS REQUESTED	NON-PERSONNEL COSTS REQUESTED
TOTAL COUNTY SHARE:	\$ -0-	\$ -0-	\$ -0-
Cash Contribution:	\$ -0-	\$ -0-	\$ -0-
a.			
b. In-kind Contribution:	\$ -0-	\$ -0-	\$ -0-

4. Total Number of Positions Requested
-0-

5. Can This Program Be Re-funded by the Proposed Non-County Sources? Yes No

6. Estimated Expected Additional Indirect costs (Costs to County not Delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)
-0-

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implication, layoffs, etc.)

Program terminates.

8. Attach a List of Potential Subcontractors, If Any, Outlining the Purpose of Each Subcontract (That is, 456 and 498 Account Items; use an additional 8 1/2" x 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

Intergovernmental Relations Division Review:	<input type="checkbox"/> Approved	Signature of Coordinator	Date
	<input type="checkbox"/> Disapproved		

Comments

Budget Office Review:	<input type="checkbox"/> Approved	Signature of Budget Director	Date
	<input type="checkbox"/> Disapproved		

Comments

Department Request
Sponsors Memo for County Legislation

Resolution Title:

ACCEPTING AND APPROPRIATING AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FROM THE NEW YORK STATE DEPARTMENT OF LABOR UNDER THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM, SECOND HALF OF FUNDING.

Purpose/Justification of Request:

TO INTEGRATE EMPLOYMENT & TRAINING SERVICES INTO A COMPREHENSIVE WORKFORCE DELIVERY SYSTEM FOR IMPACTED WORKERS.

Specify Where Applicable:

1. Is request due to change in law? yes _____ no X
If yes, please explain:

2. Has this resolution been submitted previously? yes _____ no X
If yes, give I.R.#, attach copy and reason for resubmittal:

3. Is back up attached? yes X no _____

4. Is this resolution subject to SEQRA review? yes _____ no X

Fiscal Information:

Budget Line:

Amount & source of outside funding:

Federal	\$ _____
State	\$ <u> 3,327,341 </u>
County	\$ _____
(Town)Other	\$ _____

Contact Person James M. Andrews, Principal Management Analyst **Telephone Number** 3-6610

Instructions: All departments must submit this form, along with your draft resolution for Legislative action, to the Budget Office no later than noon on the Monday before the Thursday deadline imposed by the Legislature.

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

- (1) Please limit this suggestion form to ONE proposal.
- (2) Describe in detail.
- (3) Attach all pertinent backup material.

Submitting Department
(Dept. Name & Location):

Department Contact Person
(Name & Phone No.):

**Suffolk County Department of Labor
Bldg. 17, No. County Complex
Veterans Memorial Highway
Hauppauge, NY 11788**

**James M. Andrews
36610**

Suggestion Involves:

Technical Amendment New Program
 Grant Award Contract (New_Rev._).
 Other

Summary of Problem: (Explanation of why this legislation is needed.)

To accept and appropriate funds from the American Recovery and Reinvestment Act of 2009 from the New York State Department of Labor under the Workforce Investment Act (WIA) Program, second half of funding.

Proposed Changes in Present Statute: (Please specify section when possible.)

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN Form 175a (10/95) Prior editions of this form are obsolete.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

ROBERT W. DOW, JR.
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

ADDRESS CORRESPONDENCE TO:
P.O. BOX 1319
SMITHTOWN, N.Y. 11787-0895
e-mail: sc.dol@suffolkcountyny.gov
FAX # (631) 853-6510
www.suffolkcountyny.gov/labor

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive for Intergovernmental Relations
Suffolk County Executive's Office

FROM: Robert W. Dow, Jr., Commissioner

DATE: April 20, 2009

RE: INTRODUCTORY RESOLUTION

Attached please find the following Introductory Resolution for the next Legislative meeting:

RESOLUTION NO. -09, **ACCEPTING AND APPROPRIATING AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FROM THE NEW YORK STATE DEPARTMENT OF LABOR UNDER THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM, SECOND HALF OF FUNDING.**

This resolution requires a Certificate of Necessity, as the funds have been available for expenditure since 2/17/09 and the department has been obligating the funds since this date.

Thank you for your assistance.

* * *

RWD:dv
Attachment

cc: Christopher Kent, Chief Deputy County Executive



New York State Department of Labor
David A. Paterson, Governor
M. Patricia Smith, Commissioner

March 23, 2009

Mr. Steve Levy
County Executive
Suffolk County
H. Lee Dennison Building
100 Veteran's Memorial Highway
P.O. Box 6100, 12th Floor
Hauppauge, New York 11788

Dear Mr. Levy:

Attached is Notice of Obligational Authority (NOA) Stimulus #PY08-1 for LWIA – Suffolk County.

NOA Stimulus #PY08-1 identifies the initial funding allotments made under the American Recovery and Reinvestment Act of 2009 (ARRA) to supplement Program Year (PY) 2008 allotments for WIA Title I Adult, Dislocated Worker and Youth Activities Programs. This initial allotment represents ½ of the total allotment you will receive under the ARRA. The balance of these funds will be issued as soon as New York State funding authority is available.

The intent of the Recovery Act is that funds be spent quickly and effectively in meeting the employment and training needs of the Nation's workforce. To ensure that these funds are expended in the manner intended a Technical Advisory regarding the recapture of unexpended funds will be issued shortly. To maximize the accrued expenditures, and to avoid a potential recapture of funds, it is imperative that current accruals be appropriately reported in your monthly expenditure reports.

A new accrued expenditure reporting package will be sent to you under separate cover. Please note these funds must be accounted for separate from regular WIA funds. In addition to reporting expenditures separately you must also request cash draw downs separately.

Questions concerning this information should be directed to your State Representative.

Sincerely,

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment

cc: Mr. Robert W. Dow, Jr.
Mr. James Andrews
Mr. Henry Daisey - State Rep
Mr. Joe Lowenstein

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 78

Stimulus NOA #PY06- 1

LWIA: Suffolk Co.
Grantee: Steve Levy
County Executive, Suffolk County

GRANTOR: The Governor of New York through
the New York State Department
of Labor

This NOA authorizes Program Year 2008 under the American Recovery and Reinvestment Act
of 2009 for the period (02/17/09 through 6/30/11).

NYSDEL Contact: Henry Daissey

TELEPHONE: (212) 775-3346

<u>WIA GRANT</u>	<u>PRIOR LEVEL</u>	<u>CHANGE THIS NOA</u>	<u>NEW LEVEL</u>
CFDA# 17.259 T-1B Youth	\$0.00	\$1,187,127.00	\$1,187,127.00
CFDA# 17.258,17.259,17.260 T-1B Admin	\$0.00	\$332,734.10	\$332,734.10
CFDA# 17.258 T-1B Adult	\$0.00	\$525,919.50	\$525,919.50
CFDA# 17.260 T-1B Dislocated Worker	\$0.00	\$1,281,560.40	\$1,281,560.40

Approved

by:



Karen A. Coleman 03/23/09
Director
Division of Employment and Workforce Solutions

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1401
WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

RESOLUTION NO. -2009, RESOLUTION NO. -2009,
ACCEPTING AND APPROPRIATING A FEDERAL GRANT
IN THE AMOUNT OF \$7,000.00 FROM THE U.S.
DEPARTMENT OF LABOR, VETERANS' EMPLOYMENT
AND TRAINING SERVICE IN SUPPORT OF THE SUFFOLK
COUNTY VETERANS SERVICE AGENCY'S VETERANS
STAND DOWN

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,

NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, BECAUSE THE VETERANS STAND DOWN WILL BE
HELD BEFORE THE NEXT GENERAL MEETING ON MAY 12TH.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.


BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED
2009 APR 27 P 1:26
SUFFOLK COUNTY, N.Y.
CLERK OF COUNTY

RECEIVED

1401
Intro. Res. No. -2009

Laid on Table 4/28/09

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING A FEDERAL GRANT IN THE AMOUNT OF \$7,000.00 FROM THE U.S. DEPARTMENT OF LABOR, VETERANS' EMPLOYMENT AND TRAINING SERVICE IN SUPPORT OF THE SUFFOLK COUNTY VETERANS SERVICE AGENCY'S VETERANS STAND DOWN

WHEREAS, the U.S. Department Of Labor Veterans' Employment And Training Service has awarded \$7,000.00 in federal funds to the Suffolk County Veterans Service Agency to provide enhanced employment and training opportunities and/or to promote self-sustainment for homeless veterans; and

WHEREAS, these funds will be used in support of the Suffolk County Veterans Service Agency's Veterans Stand Down to be held on May 1, 2009; and

WHEREAS, the agreement period of this program will be upon the date of notification of receipt of grant (expected within the next two weeks) through May 5, 2009; and

WHEREAS, said grant funds totaling \$ 7,000.00 have not been included in the 2009 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

REVENUE:	AMOUNT
001-4671-Federal Aid:	\$ 7,000.00

ORGANIZATIONS:

Suffolk County Executive
Veterans Service Agency
001-EXE-6509

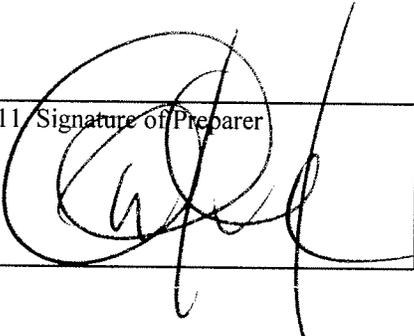
3000-Supplies, Materials & Others	<u>\$7,000</u>
3010-Supplies	\$4,700
3040-Outside Printing	\$1,000
3500-Unclassified	\$1,300

DATED:

APPROVED BY:

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING A FEDERAL GRANT IN THE AMOUNT OF \$7,000 FROM THE UNITED STATES DEPARTMENT OF LABOR, VETERANS' EMPLOYMENT AND TRAINING SERVICE IN SUPPORT OF THE SUFFOLK COUNTY VETERANS SERVICE AGENCY'S VETERAN'S STAND DOWN		
3. Purpose of Proposed Legislation		
SAME AS ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:		
NONE – 100% GRANT		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
UNITED STATES DEPT OF LABOR		
9. Timing of Impact		
Upon Approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 24, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1402

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

**RESOLUTION NO. -2009, ECONOMIC
RECOVERY PROJECT MUNICIPAL/SPONSOR
RESOLUTION
(CP 5127.310)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, BECAUSE THE FEDERAL GOVERNMENT
REQUIRES A COMPANION RESOLUTION IN THEIR FORMAT TO ACCOMPANY
IR #1179-09**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RECEIVED
2009 APR 27 P 1: 26
SUFFOLK COUNTY, N.Y.
CLERK OF COUNTY LEGISLATURE
HARRISBURG

**RESOLUTION NO. - 2009,
ECONOMIC RECOVERY PROJECT
MUNICIPAL/SPONSOR RESOLUTION
(CP 5127.310)**

WHEREAS, the 2009 Pavement Resurfacing L.I.E. North/South Service Roads from Ocean Avenue, Exit 59, to North Ocean Avenue, Exit 63, PIN 075944 Economic Recovery Project(s) (hereinafter "the Project(s)") in the Towns of Brookhaven and Islip, in Suffolk County (hereinafter "the Municipality/Sponsor") is (are) eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; now, therefore, be it

1st RESOLVED, that the Suffolk County Legislature hereby approves the above Project(s); and be it further

2nd RESOLVED, that the Municipality/Sponsor agrees to advance the Project(s) through: (Check only one of the following boxes):

1) The Municipality/Sponsor's resources and agrees that the Suffolk County Legislature hereby authorizes the Municipality/Sponsor to pay in the first instance the full federal and non-federal costs of any and all phase(s) or portions thereof, and appropriates from bond anticipation notes, if required, the funds necessary to complete the Project(s) including all phase(s) or portions thereof

-OR-

2) NYSDOT resources and agrees that the Municipal/Sponsor Board hereby authorizes the Municipality/Sponsor to pay in the first instance the full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from _____ [or pursuant to ____] the funds necessary to complete the Project(s) including all phase(s) or portions thereof;

and be it further

3rd RESOLVED, that the Suffolk County Legislature makes a 100% commitment of the federal and non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project(s) or portions thereof, with the federal share of such costs to be applied by the New York State Department of Transportation (hereinafter "NYSDOT") pursuant to the appropriate State/Local Agreement; and be it further

4th RESOLVED, that the sum of \$10,000,000 is hereby appropriated under Introductory Resolution No. 1179-09 and made available to cover the cost of participation in the above phases(s) of the Project(s), and the Suffolk County Legislature authorizes, from bond anticipation notes, the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and be it further

5th RESOLVED, that upon completion of construction of the Project(s), or a fully usable portion thereof, the Municipality/Sponsor agrees to maintain the Project(s), or fully usable portion thereof, at its sole cost and expense; and be it further

6th RESOLVED, that in the event the full federal and non-federal share of the Project(s) exceeds the amount appropriated above, the Suffolk County Legislature shall convene as soon as possible to appropriate said excess amount immediately; and be it further

7th RESOLVED, that the County Executive of the County of Suffolk, or his designee, is hereby authorized to execute all necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the County Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Project(s) identified in the State/Local Agreement; and providing for the administration of the Project(s) and the Municipality/Sponsor's first instance funding of the federal and non-federal share of Project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

8th RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary agreement in connection with the Project; and be it further

9th RESOLVED, that this Resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of the County of Suffolk

Dated:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2009, ECONOMIC RECOVERY PROJECT MUNICIPAL/SPONSOR RESOLUTION (CP 5127.310)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u> County </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution is a companion resolution to County Introductory Resolution 1179-09. This resolution has no impact. This is a companion resolution required for the purpose of meeting Federal format requirements for stimulus projects.		
Suffolk County must "first instance" the entire cost of the project. The share allocation for the project is 100% Federal and 0% County. County Comptroller is authorized to issue bond anticipation notes. If short term notes are issued, the county would incur minimal interest costs.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Federal Highway Administration PIN 075944—100% allocation		
0% allocation for County. County must first instance fund the project.		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		April 24th, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Thomas LaGuardia
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: April 27, 2009
RE: **ECONOMIC RECOVERY PROJECT MUNICIPAL/SPONSOR
RESOLUTION (CP 5127.310)**

This is a Federal stimulus companion resolution to County Introductory Resolution 1179-09. We request it be presented as a C/N.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5127.310.doc".

TL:WH:sk
attach.

cc Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk (Cover memo only)
James Bagg, Chief Environmental Analyst

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE

YAPHANK, N.Y. 11980

(631) 852-4010
FAX (631) 852-4150

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1403

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

**RESOLUTION NO. -2009, ECONOMIC RECOVERY
PROJECT MUNICIPAL/SPONSOR RESOLUTION
(CP 5131.310)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, BECAUSE THE FEDERAL GOVERNMENT
REQUIRES A COMPANION RESOLUTION IN THEIR FORMAT TO ACCOMPANY
IR #1268-09**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RECEIVED
2009 APR 27 P 1:26
SUFFOLK COUNTY, N.Y.
CLERK OF SUPREMACY

**RESOLUTION NO. - 2009,
ECONOMIC RECOVERY PROJECT
MUNICIPAL/SPONSOR RESOLUTION
(CP 5131.310)**

WHEREAS, the CR 67, Motor Parkway Rehabilitation and Resurfacing Vicinity of L.I.E. Service Road to CR 17, PIN 075943 Economic Recovery Project(s) (hereinafter "the Project(s)") in the Town of Islip, in Suffolk County (hereinafter "the Municipality/Sponsor") is (are) eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; now, therefore, be it

1st RESOLVED, that the Suffolk County Legislature hereby approves the above Project(s); and be it further

2nd RESOLVED, that the Municipality/Sponsor agrees to advance the Project(s) through: (Check only one of the following boxes):

- 1) The Municipality/Sponsor's resources and agrees that the Suffolk County Legislature hereby authorizes the Municipality/Sponsor to pay in the first instance the full federal and non-federal costs of any and all phase(s) or portions thereof, and appropriates from bond anticipation notes, if required, the funds necessary to complete the Project(s) including all phase(s) or portions thereof

-OR-

- 2) NYSDOT resources and agrees that the Municipal/Sponsor Board hereby authorizes the Municipality/Sponsor to pay in the first instance the full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from _____ [or pursuant to ____] the funds necessary to complete the Project(s) including all phase(s) or portions thereof;

and be it further

3rd RESOLVED, that the Suffolk County Legislature makes a 100% commitment of the federal and non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project(s) or portions thereof, with the federal share of such costs to be applied by the New York State Department of Transportation (hereinafter "NYSDOT") pursuant to the appropriate State/Local Agreement; and be it further

4th RESOLVED, that the sum of \$4,000,000 is hereby appropriated under Introductory Resolution No. 1268-09 and made available to cover the cost of participation in the above phases(s) of the Project(s), and the Suffolk County Legislature authorizes, from bond anticipation notes, the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and be it further

5th RESOLVED, that upon completion of construction of the Project(s), or a fully usable portion thereof, the Municipality/Sponsor agrees to maintain the Project(s), or fully usable portion thereof, at its sole cost and expense; and be it further

6th RESOLVED, that in the event the full federal and non-federal share of the Project(s) exceeds the amount appropriated above, the Suffolk County Legislature shall convene as soon as possible to appropriate said excess amount immediately; and be it further

7th RESOLVED, that the County Executive of the County of Suffolk, or his designee, is hereby authorized to execute all necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the County Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Project(s) identified in the State/Local Agreement; and providing for the administration of the Project(s) and the Municipality/Sponsor's first instance funding of the federal and non-federal share of Project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

8th RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary agreement in connection with the Project; and be it further

9th RESOLVED, that this Resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of the County of Suffolk

Dated:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2009, ECONOMIC RECOVERY PROJECT MUNICIPAL/SPONSOR RESOLUTION (CP 5131.310)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution is a companion resolution to County Introductory Resolution 1268-09. This resolution has no impact. This is a companion resolution required for the purpose of meeting Federal format requirements for stimulus projects.		
Suffolk County must "first instance" the entire cost of the project. The share allocation for the project is 100% Federal and 0% County. County Comptroller is authorized to issue bond anticipation notes. If short term notes are issued, the county would incur minimal interest costs.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Federal Highway Administration PIN 075943—100% allocation		
0% allocation for County. County must first instance funds.		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		April 24th, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Thomas LaGuardia
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: April 27, 2009
**RE: ECONOMIC RECOVERY PROJECT MUNICIPAL/SPONSOR
RESOLUTION (CP 5131.310)**

This is a Federal stimulus companion resolution to County Introductory Resolution 1268-09. We request it be presented as a C/N.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5131.310.doc".

TL:WH:sk
attach.

cc Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk (Cover memo only)
James Bagg, Chief Environmental Analyst

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. ¹⁴⁰⁴ - 2009

**RESOLUTION NO. -2009, ECONOMIC RECOVERY
PROJECT MUNICIPAL/SPONSOR RESOLUTION
(CP 5127.311)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, BECAUSE THE FEDERAL GOVERNMENT
REQUIRES A COMPANION RESOLUTION IN THEIR FORMAT TO ACCOMPANY
IR #1278-09**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RECEIVED
2009 APR 27 P 1:26
SUFFOLK COUNTY, VA

RECEIVED

**RESOLUTION NO. - 2009,
ECONOMIC RECOVERY PROJECT
MUNICIPAL/SPONSOR RESOLUTION
(CP 5127.311)**

WHEREAS, the 2009 Pavement Resurfacing L.I.E North/South Service Roads from Washington Avenue/Wicks Road to Ocean Avenue, Exit 59 PIN 075845 Economic Recovery Project(s) (hereinafter "the Project(s)") in the Town of Islip, in Suffolk County (hereinafter "the Municipality/Sponsor") is (are) eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; now, therefore, be it

1st RESOLVED, that the Suffolk County Legislature hereby approves the above Project(s); and be it further

2nd RESOLVED, that the Municipality/Sponsor agrees to advance the Project(s) through: (Check only one of the following boxes):

1) The Municipality/Sponsor's resources and agrees that the Suffolk County Legislature hereby authorizes the Municipality/Sponsor to pay in the first instance the full federal and non-federal costs of any and all phase(s) or portions thereof, and appropriates from bond anticipation notes, if required, the funds necessary to complete the Project(s) including all phase(s) or portions thereof

-OR-

2) NYSDOT resources and agrees that the Municipal/Sponsor Board hereby authorizes the Municipality/Sponsor to pay in the first instance the full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from _____ [or pursuant to ____] the funds necessary to complete the Project(s) including all phase(s) or portions thereof;

and be it further

3rd RESOLVED, that the Suffolk County Legislature makes a 100% commitment of the federal and non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project(s) or portions thereof, with the federal share of such costs to be applied by the New York State Department of Transportation (hereinafter "NYSDOT") pursuant to the appropriate State/Local Agreement; and be it further

4th RESOLVED, that the sum of \$10,000,000 is hereby appropriated under Introductory Resolution No. 1278-09 and made available to cover the cost of participation in the above phases(s) of the Project(s), and the Suffolk County Legislature authorizes, from bond anticipation notes, the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and be it further

5th RESOLVED, that upon completion of construction of the Project(s), or a fully usable portion thereof, the Municipality/Sponsor agrees to maintain the Project(s), or fully usable portion thereof, at its sole cost and expense; and be it further

6th RESOLVED, that in the event the full federal and non-federal share of the Project(s) exceeds the amount appropriated above, the Suffolk County Legislature shall convene as soon as possible to appropriate said excess amount immediately; and be it further

7th RESOLVED, that the County Executive of the County of Suffolk, or his designee, is hereby authorized to execute all necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the County Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Project(s) identified in the State/Local Agreement; and providing for the administration of the Project(s) and the Municipality/Sponsor's first instance funding of the federal and non-federal share of Project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

8th RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary agreement in connection with the Project; and be it further

9th RESOLVED, that this Resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of the County of Suffolk

Dated:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. – 2009, ECONOMIC RECOVERY PROJECT MUNICIPAL/SPONSOR RESOLUTION (CP 5127.311)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u> County </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution is a companion resolution to County Introductory Resolution 1278-09. This resolution has no impact. This is a companion resolution required for the purpose of meeting Federal format requirements for stimulus projects.		
Suffolk County must "first instance" the entire cost of the project. The share allocation for the project is 100% Federal and 0% County. County Comptroller is authorized to issue bond anticipation notes. If short term notes are issued, the county would incur minimal interest costs.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Federal Highway Administration PIN 075845—100% allocation		
0% allocation for County. County must first instance fund the project.		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		April 24th, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Thomas LaGuardia
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: April 27, 2009
**RE: ECONOMIC RECOVERY PROJECT MUNICIPAL/SPONSOR
RESOLUTION (CP 5127.311)**

This is a Federal stimulus companion resolution to County Introductory Resolution 1278-09. We request it be presented as a C/N.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5127.311.doc".

TL:WH:sk
attach.

cc Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk (Cover memo only)
James Bagg, Chief Environmental Analyst

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1405

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

**RESOLUTION NO. -2009, A RESOLUTION MAKING
CERTAIN FINDINGS AND DETERMINATIONS IN RELATION
TO THE INCREASE AND IMPROVE FACILITIES FOR
SEWER DISTRICT NO. 21-SUNY (CP 8121)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, TO SATISFY THE REQUIREMENTS OF THE NYS
ENVIRONMENTAL FACILITIES CORPORATION AND RECEIVE A SUBSIDIZED
LOAN WHICH MAY BE ELIGIBLE FOR A PARTIAL GRANT.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.**



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

REC'D
APR 27 2009
SUFFOLK COUNTY

2009 APR 27 P 1:26

RECEIVED

1405

Intro. Res. No. 2009

Laid on Table

4/28/09

Introduced by the Presiding Officer, on the request of the County Executive

RESOLUTION NO. _____, 2009 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVE FACILITIES FOR SEWER DISTRICT NO. 21 - SUNY (CP 8121)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on April 28, 2009 in relation to the increase and improvement of facilities for said district which includes the installation of an emergency electric generator and recharge facilities at Suffolk County Sewer District No. 21 – SUNY, in relation to; and

WHEREAS, pursuant to Resolution No. 244 - 2009, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Hauppauge, New York in said County on April 28, 2009 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement of electric generator and recharge facilities for Suffolk County Sewer District No. 21 – SUNY submitted and evidence given at the public hearing held on April 28, 2009; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improve the electric generator and recharge facilities at Suffolk County Sewer District No. 21 – SUNY, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$3,923,586 on the increase and improvement of recharge and emergency power facilities at Suffolk County Sewer District No. 21 – SUNY, including Suffolk County Sewer District No. 10 – Stony Brook and Suffolk County Sewer District No. 19 – Haven Hills.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improve the electric generator and recharge facilities at Suffolk County Sewer District No. 21 – SUNY at a maximum cost of \$3,923,586 which

represents the aforementioned project which will be attributable to the increase and improvement of emergency electric generator and recharge facilities of said sewer district, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that the project will result in an increase to the typical property of less than \$16.68;

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 21 – SUNY, Suffolk County Sewer District No. 10 – Stony Brook and Suffolk County Sewer District No. 19 – Haven Hills will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

2nd RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVE FACILITIES FOR SEWER DISTRICT NO. 21 – SUNY (CP 8121)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	<u>Other (Specify): Sewer Districts</u>
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
An appropriating resolution has been forwarded for this project adopting the findings and determinations in relation to the increase and improve facilities for sewer District No. 21 – SUNY (CP 8121).		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
\$187,286 is the annual cost which will be paid from user fees up to a maximum increase of 3%. Rates are stabilized by Assessment Stabilization Reserve Fund.		
8. Proposed Source of Funding		
NYS Environmental Facilities Corporation		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Gina H. Kommer Assistant Executive Analyst		April 24, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

- (1) Please limit this suggestion form to ONE proposal.
- (2) Describe in detail
- (3) Attach all pertinent backup material.

Submitting Department (Dept. Name & Location): Department of Public Works 335 Yaphank Avenue Yaphank, NY 11980	Department Contact Person (Name & Phone No.): Ben Wright, P.E., Chief Engineer, Sanitation 852-4204
--	--

Suggestion Involves:

Technical Amendment _____	New Program <u> X </u>
	Contract _____
Grant Award _____	New _____
	Rev. _____

Summary of Problem: (Explanation of why this legislation is needed.)

A findings determination will lead to providing funds to improvement of SCSD #21 – SUNY including emergency electric generation and recharge facilities. SCSD # 21 – SUNY provides treatment of the wastewater from SCSD #10 – Stony Brook and SCSD #19 – Haven Hills.

Proposed Changes in Present Statute: (Please specify section when possible.)

The findings resolution and statement involves the improvements to the SCSD #21 – SUNY.

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN Form 175a (10/95) Prior editions of this form are obsolete.

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improve Facilities for Sewer District No. 21 - SUNY (CP 8121)**

DATE: April 8, 2009

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW-bw CP 8121- SD 21 Improvement 4-8-09 and backup filed as Backup-DPW-bw CP 8121 SD 21 Improvement 4-8-09 for the findings resolution of the increase and improve Sewer District No. 21 - (SUNY). It is noted that SD 21 serves Sewer Districts No. 10 – Stony Brook and No. 19 – Haven Hills which is the focus of the hearing. The public hearing is to be held April 28th. The project involves Phase I of a project to install recharge and generation facilities to meet a NYSDEC compliance schedule related to the Long Island Sound discharge. In order to satisfy the requirements of the NYS Environmental Facilities Corporation and receive a subsidized loan which may be eligible for a partial grant, the resolution should be the subject of a CN such that it can be adopted on April 28th following the public hearing.

TL:BW:ni

Attachment

cc: Jim Morgo, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Lynne Bizzaro, Esq., Deputy County Attorney
Carmine Chiusano, Assistant Budget Director
Ben Wright, P.E., Chief Engineer, Sanitation
CE Reso Review
tl-bw4-8-09 Backup-DPW sd 21 SUNY improvement CP 8121 memo to BZwirn

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1406
WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

**RESOLUTION NO. -2009, AUTHORIZING THE
EXECUTION OF A COMPLIANCE AGREEMENT RELATING
TO THE LEASE OF PREMISES LOCATED AT 3500 SUNRISE
HIGHWAY, GREAT RIVER**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, BECAUSE THE TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY REQUIRES TENANTS OF THE SUNRISE BUSINESS
CENTER TO EXECUTE, AND DELIVER A TENANT AGENCY COMPLIANCE
AGREEMENT AS A CONDITION OF ITS LEASE WITH AG-METROPOLITAN
SUNRISE, LLC. RESOLUTION NUMBER 240-2009 AUTHORIZED THE LEASE OF
PREMISES LOCATED AT 3500 SUNRISE HIGHWAY, GREAT RIVER, FOR USE
BY THE DEPARTMENT OF SOCIAL SERVICES.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RECEIVED
2009 APR 27 P 1:26
SUFFOLK COUNTY

1406
Intro. Res. No. - 2009 Laid on Table
Introduced by the Presiding Officer at the Request of the County Executive

4/28/09

**RESOLUTION NO. -2009, AUTHORIZING THE
EXECUTION OF A COMPLIANCE AGREEMENT
RELATING TO THE LEASE OF PREMISES LOCATED
AT 3500 SUNRISE HIGHWAY, GREAT RIVER**

WHEREAS, Resolution Number 240-2009 authorized the lease of premises located at 3500 Sunrise Highway, Great River, for use by the Department of Social Services; and

WHEREAS, the Town of Islip Industrial Development Agency ("IDA") has a lease agreement with AG-Metropolitan Sunrise, LLC, the landlord, to assist in the acquisition, renovation and equipping of the Sunrise Business Center located at 3500 Sunrise Highway in order to provide incentives towards the full occupancy of the buildings; and

WHEREAS, the IDA requires the tenants of the Sunrise Business Center to execute, and deliver a Tenant Agency Compliance Agreement as a condition of its lease with AG-Metropolitan Sunrise, LLC; now, therefore, be it

RESOLVED, that 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(1), (2), (7), (20) and (27) of the New York Code of Rules and Regulations (NYCRR) and Section 8-109 of the New York Environmental Conservation Law. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices; and be it further

RESOLVED, that the County Executive be and hereby is authorized to execute a Tenant Agency Compliance Agreement in a form reviewed and approved by the County Attorney.

DATED:

County Executive of Suffolk County

Date of Approval:

Form of Tenant Agency Compliance Agreement

THIS TENANT AGENCY COMPLIANCE AGREEMENT, dated as of April ___, 2009, is between the TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY, a public benefit corporation of the State of New York, having its office at 40 Nassau Avenue, Islip, New York 11751 (the "Agency"), and COUNTY OF SUFFOLK a municipal corporation with an address at County Center, Riverhead, New York 11901 (the "Tenant"), acting through its duly constituted Department of Public Works on behalf of the Department of Social Services.

WITNESSETH

WHEREAS, the Agency was created by Chapter 47 of the Laws of 1974 of the State of New York, as amended, pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York (collectively, the "Act"); and

WHEREAS, the Agency has agreed to assist in the acquisition, renovation and equipping of an approximately 41 acre parcel of land (the "Land") presently improved with three (3) commercial buildings comprising approximately 340,000 aggregate square feet (the "Buildings") currently known as the Sunrise Business Center located at 3500 Sunrise Highway, Great River, Town of Islip, Suffolk County, New York (more specifically described as District 0500, Section 211.00, Bock 01.00, Lot 005.006) and the renovation and equipping of the improvements to make the Buildings state-of-the-art in order to provide incentives towards full occupancy by various lessees of the Buildings to be leased to AG-METROPOLITAN SUNRISE, L.L.C., a Delaware limited liability company, having its principal office c/o Angelo, Gordon & Co., L.P., 245 Park Avenue, 26th Floor, New York, New York 10022 (the "Company (the "Facility")); and

WHEREAS, the Agency has leased the Facility to the Company pursuant to the Lease Agreement, dated as of January 1, 2007 (the "Lease Agreement"), by and between the Agency and the Company, and the Company intends to sublease a portion of the Facility (the "Demised Premises") to the Tenant pursuant to an Agreement of Lease, dated as of April ___, 2009 (the "Tenant Lease Agreement"), by and between the Company and the Tenant, which may be amended from time to time.

NOW, THEREFORE, the parties hereto hereby agree as follows:

ARTICLE I

REPRESENTATIONS AND COVENANTS OF TENANT

Section 1.1 Representations and Covenants of Tenant. The Tenant makes the following representations and covenants as the basis for the undertakings on its part herein contained:

(a) The Tenant is a municipal corporation duly organized and validly existing under the laws of the State of New York, and has full legal right, power and authority to execute, deliver and perform this Tenant Agency Compliance Agreement. This Tenant Agency Compliance Agreement has been duly authorized, executed and delivered by the Tenant.

(b) Neither the execution and delivery of this Tenant Agency Compliance Agreement nor the consummation of the transactions contemplated hereby nor the fulfillment of or compliance with the provisions hereof will conflict with or result in a breach of or constitute a default under any of the terms, conditions or provisions of any law or ordinance of the State or any political subdivision thereof, any Tenant's organizational documents, as amended, or any restriction or any agreement or instrument to which the Tenant is a party or by which it is bound.

(c) Any and all leasehold improvements undertaken by the Tenant with respect to the Demised Premises and the design, acquisition, construction, equipping and operation thereof by the Tenant will conform with all applicable zoning, planning, building and environmental laws, ordinances, rules and regulations of governmental authorities having jurisdiction over the Facility. The Tenant shall defend, indemnify and hold harmless the Agency from any liability or expenses, including reasonable attorneys fees, resulting from any failure by the Tenant to comply with the provisions of this subsection.

(d) The Tenant Agency Compliance Agreement constitutes a legal, valid and binding obligation of the Tenant enforceable against the Tenant in accordance with its terms.

ARTICLE II INSURANCE

Section 2.1 Insurance Required. At all times throughout the Lease Term, the Tenant shall, at its sole cost and expense, maintain or cause to be maintained insurance against such risks and for such amounts as are customarily insured against by businesses of like size and type and shall pay, as the same become due and payable, all premiums with respect thereto, including, but not necessarily limited to:

(a) Workers' compensation insurance, disability benefits insurance and each other form of insurance that the Tenant is required by law to provide, covering loss resulting from injury, sickness, disability or death of employees of the Tenant or any permitted sublessee who are located at or assigned to the Demised Premises. This coverage shall be in effect from and after the date any such employees first occupy the Demised Premises.

(b) Insurance protecting the Agency and the Tenant against loss or losses from liability imposed by law or assumed in any written contract (including the contractual liability assumed by the Tenant under Section 3.2 hereof) or arising from personal injury, including bodily injury or death, or damage to the property of others, caused by an accident or other occurrence, with a limit of liability of not less than \$1,000,000 (combined single limit for personal injury, including bodily injury or death, and property damage), and blanket excess liability coverage, in an amount not less than \$5,000,000 combined single limit or equivalent, protecting the Agency and the Tenant against any loss or liability or damage for personal injury, including bodily injury or death, or property damage. This coverage shall also be in effect during any construction or renovation period with respect to the Demised Premises.

(c) During any construction period with respect to the Demised Premises (and for at least one year thereafter in the case of Products and Completed Operations as set forth below),

the Tenant shall cause the general contractor to carry liability insurance of the type and providing the minimum limits set forth below:

- (i) Workers' compensation and employer's liability with limits in accordance with applicable law.
- (ii) Comprehensive general liability providing coverage for:
 - Premises and Operations
 - Products and Completed Operations
 - Owners Protective
 - Contractors Protective
 - Contractual Liability
 - Personal Injury Liability
 - Broad Form Property Damage
(including completed operations)
 - Explosion Hazard
 - Collapse Hazard
 - Underground Property Damage Hazard

Such insurance shall have a limit of liability of not less than \$1,000,000 (combined single limit for personal injury, including bodily injury or death, and property damage).

- (iii) Business auto liability, including all owned, non-owned and hired autos, with a limit of liability of not less than \$1,000,000 (combined single limit for personal injury, including bodily injury or death, and property damage).
- (iv) Excess "umbrella" liability providing liability Insurance in excess of the coverages in (i), (ii) and (iii) above with a limit of not less than \$5,000,000.

Section 2.2 Additional Provisions Respecting Insurance.

(a) All insurance required by this Tenant Agency Compliance Agreement shall be procured and maintained in financially sound and generally recognized responsible insurance companies selected by the entity required to procure the same and authorized to write such insurance in the State. The company issuing the policies required hereby shall be rated "A" or better by A.M. Best Co., Inc. in Best's Key Rating Guide. Such insurance may be written with deductible amounts comparable to those on similar policies carried by other companies engaged in businesses similar in size, character and other respects to those in which the procuring entity is engaged. All policies of insurance required by Section 2.1 hereof shall provide for at least thirty (30) days prior written notice to the Agency of the restriction, cancellation or modification thereof. The policy evidencing the insurance required by Section 2.1(b) hereof shall name the Agency as an additional named insured. All policies evidencing the insurance required by Section 2.1 (c)(ii) and (iv) shall name the Agency and the Tenant as additional named insureds.

(b) The policy (or a certificate or binder) of insurance required by Section 2.1(b) hereof shall be delivered to the Agency on or before the date hereof. A copy of the policies (or certificates or binders) of insurance required by Section 2.1(c)(ii) and (iv) hereof shall be delivered to the Agency on or before the date hereof. The Tenant shall deliver to the Agency before the first Business Day of each calendar year thereafter a certificate dated not earlier than the immediately preceding month reciting that there is in full force and effect, with a term covering at least the next succeeding calendar year, insurance of the types and in the amounts required by Section 2.1 hereof and complying with the additional requirements of Section 2.2(a) hereof. Prior to the expiration of each such policy or policies, the Tenant shall furnish to the Agency and any other appropriate Person a new policy or policies of insurance or evidence that such policy or policies have been renewed or replaced or are no longer required by this Tenant Agency Compliance Agreement. The Tenant shall provide such further information with respect to the insurance coverage required by this Tenant Agency Compliance Agreement as the Agency may from time to time reasonably require.

Section 2.3 Application of Net Proceeds of Insurance. Subject to the provisions of Section 2.2(a) hereof, the Net Proceeds of the insurance carried pursuant to the provisions of Section 2.1 hereof shall be applied as follows: (i) the Net Proceeds of the insurance required by Section 2.1(a), (b) and (c) hereof shall be applied toward extinguishment or satisfaction of the liability with respect to which such insurance proceeds may be paid.

Section 2.4 Right of Agency to Pay Insurance Premiums. If the Tenant fails to maintain or cause to be maintained any insurance required to be maintained by Section 2.1 hereof, the Agency may pay or cause to be paid the premium for such insurance. No such payment shall be made by the Agency until at least ten (10) days shall have elapsed since notice shall have been given by the Agency to the Tenant. No such payment by the Agency shall affect or impair any rights of the Agency hereunder arising in consequence of such failure by the Tenant. The Tenant shall, on demand, reimburse the Agency for any amount so paid pursuant to this Section, together with interest thereon from the date of payment of such amount by the Agency.

Section 2.5 Self-Insurance by Tenant. Notwithstanding the provisions of this Article II, the parties acknowledge that Tenant has elected to be self-insured and is not required to provide insurance in excess of that required under the Tenant Lease Agreement as of the date of execution thereof. If the Tenant no longer wishes to continue to be self-insured, the Tenant hereby agrees to provide the Agency with thirty (30) days notice of such change and to provide the Agency with insurance complying with the provisions of this Article II.

ARTICLE III SPECIAL COVENANTS

Section 3.1 No Warranty of Condition or Suitability by Agency. THE AGENCY MAKES NO WARRANTY, EITHER EXPRESS OR IMPLIED, AS TO THE CONDITION, DESIGN, OPERATION, MERCHANTABILITY OR FITNESS OF, OR TITLE TO, THE FACILITY OR THAT IT IS OR WILL BE SUITABLE FOR THE TENANT'S PURPOSES OR NEEDS.

Section 3.2 Hold Harmless Provisions.

(a) To the extent permitted by law, the Tenant agrees that the Agency and its directors, members, officers, agents and employees shall not be liable for, and agrees to defend, indemnify, release and hold the Agency and its directors, members, officers, agents and employees harmless from and against, any and all (i) liability for loss or damage to Property or injury to or death of any and all Persons that may be occasioned by, directly or indirectly, any acts or omissions of Tenant or its agents, employees, licensees or invitees, pertaining to the Demised Premises or to common areas (such areas, together with the Demised Premises, are hereinafter referred to as the "Tenant Premises") or arising by reason of or in connection with the occupation or the use thereof by Tenant or its agents, employees, licensees or invitees, and (ii) liability arising from or expense incurred in connection with the Agency's participation in the subleasing of the Demised Premises to the Tenant, including, without limiting the generality of the foregoing, all claims arising from the breach by the Tenant of any of its covenants contained herein, the exercise by the Tenant of any authority conferred upon it pursuant to this Tenant Agency Compliance Agreement and all causes of action and reasonable attorneys' fees (whether by reason of third party claims or by reason of the enforcement of any provision of this Tenant Agency Compliance Agreement (including without limitation this Section) or any other documents delivered by the Agency in connection with this Tenant Agency Compliance Agreement), and any other expenses incurred in defending any claims, suits or actions which may arise as a result of any of the foregoing, to the extent that any such losses, damages, liabilities or expenses of the Agency are not incurred and do not result from the gross negligence or intentional or willful wrongdoing of the Agency or any of its directors, members, agents or employees. Except as otherwise provided herein, the foregoing indemnities shall apply notwithstanding the fault or negligence in part of the Agency, or any of its members, directors, officers, agents or employees, and irrespective of the breach of a statutory obligation or the application of any rule of comparative or apportioned liability. The foregoing indemnities are limited only to the extent of any prohibitions imposed by law, and upon the application of any such prohibition by the final judgment or decision of a competent court of law, the remaining provisions of these indemnities shall remain in full force and effect.

(b) Notwithstanding any other provisions of this Tenant Agency Compliance Agreement, the obligations of the Tenant pursuant to this Section shall remain in full force and effect after the termination of this Tenant Agency Compliance Agreement until the expiration of the period stated in the applicable statute of limitations during which a claim, cause of action or prosecution relating to the matters herein described may be brought, and payment in full or the satisfaction of such claim, cause of action or prosecution relating to the matters herein described and the payment of all expenses and charges incurred by the Agency or its members, directors, officers, agents and employees relating to the enforcement of the provisions herein specified.

(c) In the event of any claim against the Agency or its members, directors, officers, agents or employees by any employee or contractor of the Tenant or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the obligations of the Tenant hereunder shall not be limited in any way by any limitation on the amount or type of damages, compensation, disability benefits or other employee benefit acts.

Section 3.3 Right to Inspect Demised Premises. The Agency and its duly authorized agents shall have the right at all reasonable times and upon reasonable prior written notice to inspect the Demised Premises subject to the tenant's reasonable security provisions.

Section 3.4 Intentionally Omitted.

Section 3.5 Compliance with Orders, Ordinances, Etc.

(a) The Tenant, throughout the Lease Term, agrees that it will promptly comply, and cause any sublessee of the Tenant or occupant of the Demised Premises which is occupying the Demised Premises by permission of the Tenant to comply, with all statutes, codes, laws, acts, ordinances, orders, judgments, decrees, injunctions, rules, regulations, permits, licenses, authorizations, directions and requirements, ordinary or extraordinary, which now or at any time hereafter may be applicable to the Facility or any part thereof, or to the acquisition, renovation and equipping thereof, or to any use, manner of use or condition of the Facility or any part thereof, of all federal, state, county, municipal and other governments, departments, commissions, boards, courts, authorities, officials and officers having jurisdiction of the Facility or any part thereof, and companies or associations insuring the premises.

(b) The Tenant shall not cause or permit the Demised Premises to be used to generate, manufacture, refine, transport, treat, store, handle, dispose, transfer, produce or process Hazardous Substances, except in compliance with all applicable federal, state and local laws or regulations, nor shall the Tenant cause or permit, as a result of any intentional or unintentional act or omission on the part of the Tenant or any of its contractors, subcontractors or tenants, a release of Hazardous Substances onto the Facility or onto any other property. The Tenant shall comply with, and ensure compliance by all of its contractors, subcontractors and subtenants with, all applicable federal, state and local environmental laws, ordinances, rules and regulations, whenever and by whomever triggered, and shall obtain and comply with, and ensure that all of its contractors, subcontractors and subtenants obtain and comply with, any and all approvals, registrations or permits required thereunder. The Tenant shall (i) conduct and complete all investigations, studies, sampling and testing and all remedial, removal and other actions necessary to clean up and remove all Hazardous Substances released, stored, generated or used by it. (A) in accordance with all applicable federal, state and local laws, ordinances, rules, regulations and policies, (B) to the satisfaction of the Agency, and (C) in accordance with the orders and directives of all federal, state and local governmental authorities; and (ii) defend, indemnify and hold harmless the Agency, its employees, agents, officers, members and directors, from and against any claims, demands, penalties, fines, liabilities, settlements, damages, costs or expenses of whatever kind or nature, known or unknown, contingent or otherwise, arising out of, or in any way related to (A) the presence, disposal, release or threatened release of any Hazardous Substances which are on, from or affecting the soil, water, vegetation, buildings, personal property, persons, animals or otherwise, (B) any bodily injury, personal injury (including wrongful death) or property damage (real or personal) arising out of or related to such Hazardous Substances, (C) any lawsuit brought or threatened, settlement reached, or government order relating to such Hazardous Substances, or (D) any violation of laws, orders, regulations, requirements or demands of government authorities, or of any policies or requirements of the Agency, which are based upon or in any way related to such Hazardous Substances, and in all cases which result from the intentional or unintentional act or omission of the Tenant or any of

its contractors, subcontractors or subtenants, including, without limitation, reasonable attorney and consultant fees, investigation and laboratory fees, court costs and litigation expenses. The provisions of this Section shall be in addition to any and all other obligations and liabilities the Tenant may have to the Agency at common law and shall survive the transactions contemplated herein.

(c) Notwithstanding the provisions of subsections (a) and (b) hereof, the Tenant may in good faith contest the validity or the applicability of any requirement of the nature referred to in such subsections (a) and (b) by appropriate legal proceedings conducted in good faith and with due diligence. In such event, the Tenant may fail to comply with the requirement or requirements so contested during the period of such contest and any appeal therefrom, unless the Agency shall notify the Tenant that, by failure to comply with such requirement or requirements, the Facility or any part thereof may be subject to loss, penalty or forfeiture, in which event the Tenant shall promptly take such action with respect thereto or provide such security as shall be reasonably satisfactory to the Agency. If at any time the then existing use or occupancy of the Facility shall, pursuant to any zoning or other law, ordinance or regulation, be permitted only so long as such use or occupancy shall continue, the Tenant shall use reasonable efforts not to cause or permit such use or occupancy by the Tenant to be discontinued without the prior written consent of the Agency, which consent shall not be unreasonably withheld.

(d) Notwithstanding the provisions of this Section, if, because of a breach or violation of the provisions of subsection (a) or (b) hereof (without giving effect to subsection (c) hereof), the Agency or any of its members, directors, officers, agents or employees shall be threatened with a fine, liability, expense or imprisonment, then, upon notice from the Agency, the Tenant shall immediately provide legal protection or pay an amount or post a bond in an amount necessary, in the opinion of the Agency and of its members, directors, officers, agents and employees, to the extent permitted by applicable law, to remove the threat of such fine, liability, expense or imprisonment.

(e) Notwithstanding any provisions of this Section, the Agency retains the right to defend itself in any action or actions, which are based upon or in any way related to such Hazardous Substances. In any such defense of itself, the Agency shall select its own counsel, and any and all reasonable costs of such defense, including, without limitation, reasonable attorney and consultant fees, investigation and laboratory fees, court costs and litigation expenses, shall be paid by the Tenant.

Section 3.6 Agreement to Provide Information. The Tenant agrees to provide and certify or cause to be provided and certified whenever requested by the Agency such information concerning the Tenant, its respective finances, its respective operations, its respective employment and its affairs necessary to enable the Agency to make any report required by law, governmental regulation, including, without limitation, any reports required by the Act or the Public Authorities Accountability Act of 2005, as amended from time to time, or any of the Agency Documents or Tenant Documents. Such information shall be provided within thirty (30) days following written request from the Agency.

Section 3.7 Employment Opportunities; Notice of Jobs. The Tenant covenants and agrees that, in consideration of the participation of the Agency in the transactions contemplated

herein, it will, except as otherwise provided by collective bargaining contracts or agreements to which it is a party, cause any new employment opportunities created in connection with the Demised Premises to be listed with the New York State Department of Labor, Community Services Division and with the administrative entity of the service delivery area created pursuant to the Job Training Partnership Act (PL 97-300) in which the Facility is located (collectively, the "Referral Agencies"). The Tenant also agrees that it will, except as otherwise provided by collective bargaining contracts or agreements to which it is a party, first consider for such new employment opportunities persons eligible to participate in federal job training partnership programs who shall be referred by the Referral Agencies.

Section 3.8 Intentionally Omitted.

Section 3.9 Definitions. All capitalized terms used in this Tenant Agency Compliance Agreement and not otherwise defined herein shall have the meanings assigned thereto in the Schedule of Definitions attached to the Lease Agreement as Schedule A.

Section 3.10 Execution of Counterparts. This Tenant Agency Compliance Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Agency and the Tenant have caused this Tenant Agency Compliance Agreement to be executed in their respective names by their duly authorized representatives, all as of April ___, 2009.

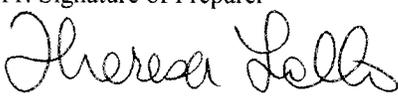
TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: _____
Name: William G. Mannix
Title: Executive Director

COUNTY OF SUFFOLK

By: _____
Name:
Title:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
AUTHORIZING THE EXECUTION OF A COMPLIANCE AGREEMENT RELATING TO THE LEASE OF PREMISES LOCATED AT 3500 SUNRISE HIGHWAY, GREAT RIVER		
3. Purpose of Proposed Legislation		
SEE # 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THIS RESOLUTION AUTHORIZES THE COUNTY TO EXECUTE A TENANT AGENCY COMPLIANCE AGREEMENT AS A CONDITION OF ITS LEASE WITH AG-METROPOLITAN SUNRISE, LLC.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
THERESA M. LOLLO PRINCIPAL FINANCIAL ANALYST		April 23, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1407 - 2009

**RESOLUTION NO. -2009, ECONOMIC RECOVERY
PROJECT MUNICIPAL/SPONSOR RESOLUTION
(CP 5567.310)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, BECAUSE THE FEDERAL GOVERNMENT
REQUIRES A COMPANION RESOLUTION IN THEIR FORMAT TO ACCOMPANY
IR #1269-09**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RECEIVED
2009 APR 27 P 1:26
SUFFOLK COUNTY EXECUTIVE
1200 WASHINGTON ST
SUFFOLK VA 23060

**RESOLUTION NO. - 2009,
ECONOMIC RECOVERY PROJECT
MUNICIPAL/SPONSOR RESOLUTION
(CP 5567.310)**

WHEREAS, the Rehabilitation of Commack Road, (CR 4,) from Nicolls Road to Vicinity of Polo Street PIN 075942 Economic Recovery Project(s) (hereinafter "the Project(s)") in the Town of Islip, in Suffolk County (hereinafter "the Municipality/Sponsor") is (are) eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; now, therefore, be it

1st RESOLVED, that the Suffolk County Legislature hereby approves the above Project(s); and be it further

2nd RESOLVED, that the Municipality/Sponsor agrees to advance the Project(s) through: (Check only one of the following boxes):

- 1) The Municipality/Sponsor's resources and agrees that the Suffolk County Legislature hereby authorizes the Municipality/Sponsor to pay in the first instance the full federal and non-federal costs of any and all phase(s) or portions thereof, and appropriates from bond anticipation notes, if required, the funds necessary to complete the Project(s) including all phase(s) or portions thereof

-OR-

- 2) NYSDOT resources and agrees that the Municipal/Sponsor Board hereby authorizes the Municipality/Sponsor to pay in the first instance the full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from _____ [or pursuant to ____] the funds necessary to complete the Project(s) including all phase(s) or portions thereof;

and be it further

3rd RESOLVED, that the Suffolk County Legislature makes a 100% commitment of the federal and non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project(s) or portions thereof, with the federal share of such costs to be applied by the New York State Department of Transportation (hereinafter "NYSDOT") pursuant to the appropriate State/Local Agreement; and be it further

4th RESOLVED, that the sum of \$3,500,000 is hereby appropriated under Introductory Resolution No. 1269-09 and made available to cover the cost of participation in the above phases(s) of the Project(s), and the Suffolk County Legislature authorizes, from bond anticipation notes, the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and be it further

5th RESOLVED, that upon completion of construction of the Project(s), or a fully usable portion thereof, the Municipality/Sponsor agrees to maintain the Project(s), or fully usable portion thereof, at its sole cost and expense; and be it further

6th RESOLVED, that in the event the full federal and non-federal share of the Project(s) exceeds the amount appropriated above, the Suffolk County Legislature shall convene as soon as possible to appropriate said excess amount immediately; and be it further

7th RESOLVED, that the County Executive of the County of Suffolk, or his designee, is hereby authorized to execute all necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the County Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Project(s) identified in the State/Local Agreement; and providing for the administration of the Project(s) and the Municipality/Sponsor's first instance funding of the federal and non-federal share of Project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

8th RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary agreement in connection with the Project; and be it further

9th RESOLVED, that this Resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of the County of Suffolk

Dated:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2009, ECONOMIC RECOVERY PROJECT MUNICIPAL/SPONSOR RESOLUTION (CP 5567.310)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution is a companion resolution to County Introductory Resolution 1269-09. This resolution has no impact. This is a companion resolution required for the purpose of meeting Federal format requirements for stimulus projects.		
Suffolk County must "first instance" the entire cost of the project. The share allocation for the project is 100% Federal and 0% County. County Comptroller is authorized to issue bond anticipation notes. If short term notes are issued, the county would incur minimal interest costs.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Federal Highway Administration PIN 075942—100% allocation		
0% allocation for County. County must first instance fund the project.		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		April 24th, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Thomas LaGuardia
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: April 27, 2009
**RE: ECONOMIC RECOVERY PROJECT MUNICIPAL/SPONSOR
RESOLUTION (CP 5567.310)**

This is a Federal stimulus companion resolution to County Introductory Resolution 1269-09. We request it be presented as a C/N.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5567.310.doc".

TL:WH:sk
attach.

cc Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk (Cover memo only)
James Bagg, Chief Environmental Analyst

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE

YAPHANK, N.Y. 11980

(631) 852-4010
FAX (631) 852-4150

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1411

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

RESOLUTION NO. -2009, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE SUFFOLK COUNTY CORRECTION OFFICERS ASSOCIATION, INC., COVERING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES COVERED UNDER BARGAINING UNIT #10 FOR THE PERIOD OF JANUARY 1, 2006 THROUGH DECEMBER 31, 2007.

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY RESOLUTION BE CONSIDERED IMMEDIATELY,

NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. - 2009, TO EXPEDITE THE EXECUTION OF A CONTRACT AGREED UPON BY BOTH SUFFOLK COUNTY AND THE SUFFOLK COUNTY CORECTIONS OFFICERS ASSOCIATION, INC.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS TWENTY-EIGHTH DAY OF APRIL, 2009.



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

2009 APR 28 A 11:02
SUFFOLK COUNTY
CLERK

RECEIVED

Intro. Res. No. 1411-09

Laid on the Table 4/28/09

Introduced by the Presiding Officer, on Request of the County Executive

RESOLUTION NO. - 2009, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE SUFFOLK COUNTY CORRECTION OFFICERS ASSOCIATION, INC., COVERING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES COVERED UNDER BARGAINING UNIT #10 FOR THE PERIOD OF JANUARY 1, 2006 THROUGH DECEMBER 31, 2007.

WHEREAS, the County Executive, the Director of Labor Relations, and the President of the Suffolk County Correction Officers Association have reached an agreement covering the terms and conditions of employment for the period January 1, 2006 through December 31, 2007, subject to the approval, to the extent necessary, by the Suffolk County Legislature; and

WHEREAS, such agreement has been set down in a Stipulation of Agreement, a copy of which has been filed with the Clerk of the Suffolk County Legislature;

WHEREAS, such agreement has been ratified by the Suffolk County Correction Officers Association; and

WHEREAS, sufficient funds are included in the 2009 Operating Budget to cover the 2006 and 2007 portion of the labor contract between the County of Suffolk and the Suffolk County Correction Officers Association; now, therefore be it

RESOLVED, that the County Executive be and is hereby authorized to execute an agreement with the Suffolk County Correction Officers Association Bargaining Unit # 10 in accordance with the stipulation of agreement dated April 14, 2009, a copy of which is on file with the Clerk of the Suffolk County Legislature, covering the terms and conditions of employment for the period January 1, 2006 through December 31, 2007.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

SUFFOLK COUNTY LEGISLATURE



WILLIAM J. LINDSAY, PRESIDING OFFICER

April 27, 2009

Honorable Steve Levy
County Executive
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York 11788-0099

Dear County Executive Levy:

We have received a copy of the Stipulation of Agreement between the County of Suffolk and the Suffolk County Correction Officers Association entered into on April 14, 2009 and have reviewed its provisions.

It is our understanding that the members of the Suffolk County Correction Officers Association have overwhelmingly approved this Stipulation of Agreement. Therefore, we are requesting that you, as County Executive, issue a Certificate of Necessity which will allow the County Legislature, on Suffolk County's part, to take immediate action in approving the settlement.

Your cooperation in this matter will be greatly appreciated.

William J. Lindsay, Legislator
Presiding Officer

Very truly yours,

Daniel P. Losquadro, Legislator
Minority Leader

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

LABOR RELATIONS

Jeffrey L. Tempera
Director

Stipulation of Agreement
Between
the County of Suffolk and the
Suffolk County Correction Officers Association

Stipulation of Agreement entered into this 14th day of April 2009 by and between the County of Suffolk ("the County") and the Suffolk County Correction Officers Association, Inc. ("the Association").

1. Term: The terms of the present Collective Bargaining Agreement as amended, including the 2004-2005 Interest Arbitration Award, shall remain in full force and effect except as modified by this Stipulation of Agreement.
2. Duration: For a period of two years, from January 1, 2006 up to and including December 31, 2007.
3. Wage Rates: Effective January 1, 2006, each step on the biweekly salary schedules, except for Correction Officer II and Correction Officer III, shall be increased by 3.25%. Effective January 1, 2006, the indexing for Correction Officer II shall be returned to 16% greater than a C.O. I and the indexing for Correction Officer III shall be returned to 16% greater than a C.O. II.

Effective January 1, 2007, each step on the biweekly salary schedules, except for Correction Officer II and Correction Officer III, shall be increased by an additional 3.25%.

Retroactive biweekly salary increases covering the period January 1, 2008 through September 21, 2008 shall be deferred and paid in a lump sum, minus applicable taxes and withholdings, to each employee upon his/her separation from service at his/her rate of pay in effect on that date. This paragraph shall satisfy in full the Association's proportionate share of the union concessions sought by the County in order to address its stated budgetary requirements for the 2009 calendar year.

4. Operational Security/Emergency-Related Services Stipend: Effective January 1, 2006, the Sheriff shall have the sole discretion to utilize any unit member for non-traditional duties pertaining to operational security/emergency-related services including, but not limited to, gang-related and anti-terrorism recruitment initiatives and other non-traditional duties pertaining to the care and custody of inmates.

For the period January 1, 2006 – December 31, 2006, the Operational Security/Emergency-Related Services Stipend for each employee shall be equal to 0.25% of the employee's step

Continued . . .

as of December 31, 2005. The stipend shall be prorated (for those hired/terminated after January 1, 2006) and incorporated into and paid as part of the employee's biweekly base wages.

For the period January 1, 2007 – December 31, 2007, the Operational Security/Emergency-Related Services Stipend for each employee shall be equal to 0.25% of the employee's step as of December 31, 2006. The stipend shall be prorated (for those hired/terminated after January 1, 2007) and incorporated into and paid as part of the employee's biweekly base wages.

Effective December 31, 2007, the Operational Security/Emergency-Related Services Stipend shall continue to be a part of the employee's biweekly base wages, but there shall be no further increase in the employee's base wages unless otherwise negotiated by the parties.

5. Cleaning Allowance: Effective July 1, 2006, increase the annual cleaning allowance by \$100.00 to \$700.00.

Effective January 1, 2007, increase the annual cleaning allowance by \$100.00 to \$800.00.

6. Stipend in Lieu of Overtime: Effective January 1, 2006, amend so that the stipend in lieu of overtime shall be added to the bi-weekly wage rate.
7. Sick Leave Management Program: Effective upon the complete ratification and approval of the 2006-2007 Agreement, the attached sick leave management program shall be implemented.
8. Night Differential & Rotating Shift Differential: Notwithstanding the terms of the 2004-2005 Interest Arbitration Award, eligible employees shall continue to be entitled to receive, and the County will not seek to recoup, any night differential or rotating shift differential monies paid to employees for the period covering December 31, 2005 until the implementation of the change in hours in March 2009. Eligible employees shall be deemed to include those employees who worked and received night differential or rotating shift differential for the period covering December 31, 2005 until the implementation of the change in hours in March 2009.
9. Sick Time: Effective upon the complete ratification and approval of the 2006-2007 Agreement, amend to provide that extended sick leave may be utilized only once per calendar year per employee.
10. Disability Insurance: Amend to provide that, for any disability occurring after the date on which the 2006-2007 Agreement is completely ratified and approved, the waiting period for eligibility for disability will be increased from 45 days to 90 days and the period of coverage shall be increased from 78 weeks to 104 weeks
11. Protection of Employees: Effective upon the complete ratification and approval of the 2006-2007 Agreement, and notwithstanding any prior court decisions, arbitration awards or practices to the contrary, this section shall be interpreted so that all employees are covered by and subject to the County's Disciplinary Manual and amendments made thereto by the Office of Labor Relations.

12. Transfers: Effective upon the complete ratification and approval of the 2006-2007 Agreement, amend to provide that the Sheriff, in his/her sole discretion, may designate one additional employee of the bargaining unit (for a total of five) to work in the Administration Office of the Sheriff, notwithstanding any contrary contract provision or practice to the contrary including, but not limited to, those pertaining to transfers, shifts, seniority, posting, etc.
13. Personnel Files:
 - a. Effective upon the complete ratification and approval of the 2006-2007 Agreement, amend Section 18 (E) to provide that the answer must be submitted within 30 calendar days of the date on which the material is placed in the personnel file.
 - b. Effective upon the complete ratification and approval of the 2006-2007 Agreement, delete Section 18 (F).
14. Benefit Fund: Effective upon the complete ratification and approval of the 2006-2007 Agreement, the County will make a one time non-recurring payment to the Suffolk County Municipal Employees Benefit Fund for each Association unit member on the payroll as of that date equal to \$158.08 per member.
15. Arbitration: Effective upon the complete ratification and approval of the 2006-2007 Agreement, the second paragraph of Section 15(A) shall be amended by changing "Association" to "employee."
16. Orders, Directives and Policies: Effective upon the complete ratification and approval of the 2006-2007 Agreement, add the following to Section 20, "The Association shall be furnished with a copy of all general, special and personnel orders, directives and policies issued by the Sheriff's Office."
17. Effective upon the complete ratification and approval of the 2006-2007 Agreement, the Association shall withdraw Grievance 06-01 (Me Too), the parties shall execute the attached stipulation in settlement of Grievances 06-06 (Drug Testing) and 06-07 (Drug Testing), and any and all pending litigation, complaints, requests and/or other actions relating to the 2004-2005 Interest Arbitration Award and/or the 2006-2007 Agreement shall be withdrawn.
18. The provisions of this Agreement are subject to ratification by the Association membership, ratification by the County Executive, and for those provisions requiring the appropriation of funds, the approval of the County Legislature. The ratification and approval of this Agreement is made contingent upon the Association's representation that it will not file any action and/or lawsuit relating to the parties' 2004-2005 Interest Arbitration Award. In the event that the Association and/or any of its agents files such an action and/or lawsuit, then all of the terms and conditions of this Agreement shall become null and void and as though the parties had never entered into, ratified and approved this Agreement, and the parties shall revert to their respective rights pursuant to New York State Law.

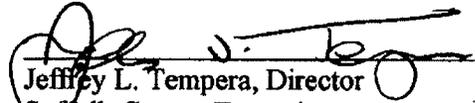
DATED: 4-14-09

FOR THE ASSOCIATION:

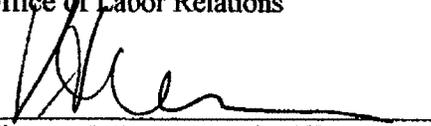


Vito Dagnello, President
Suffolk County Correction Officers
Association

FOR THE COUNTY:

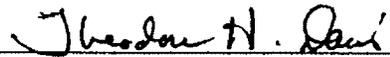


Jeffrey L. Tempera, Director
Suffolk County Executive
Office of Labor Relations

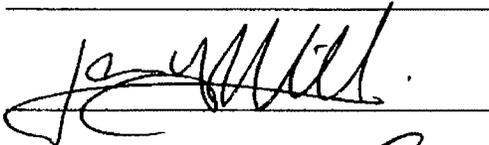


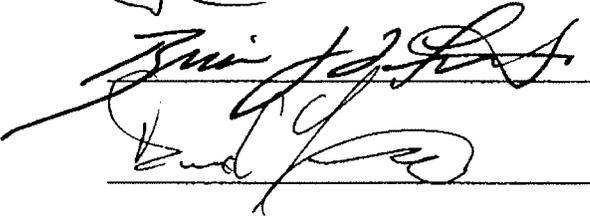
Vincent F. DeMarco, Sheriff

EXECUTIVE BOARD/NEGOTIATING COMMITTEE:









CORRECTION OFFICERS ASSOCIATION
SICK LEAVE MANAGEMENT PROGRAM

The following Sick Leave Management Program is established for Correction Officers. Unless otherwise stated in this document, the Rules and Procedures relating to sick leave remain in effect for Correction Officers.

A. Effective Dates

1. The Sick Leave Management Program is effective immediately. This does not limit the Department from taking disciplinary action against any Correction Officer where they deem it appropriate.

2. A Correction Officer will be designated a Sick Leave Abuser or a Chronic Sick Leave Abuser as determined by the Department in accordance with Section B.

B. Definitions

1. **Sick Leave Abuser**: A Correction Officer who has five or more occurrences of sick leave, or eight or more non consecutive sick days, or a combination of occurrences and non consecutive sick days that equal eight, during any 12-month period.

2. **Chronic Sick Leave Abuser**: A Correction Officer who has either:

a. been a sick leave abuser for 18 consecutive months from the date of the first use of sick time during the 12 month period, or

b. 10 or more occurrences of sick leave, or 16 or more non consecutive sick days, or a combination of occurrences and non consecutive sick days that equal 16, during any 12 month period.

3. **Occurrence**: Includes any partial day or more than one consecutive sick day. Occurrence includes only non-line of duty illnesses and injuries.

4. **Sick Day**: Includes full tour of duty on sick leave. Sick day includes only non-line of duty illnesses and injuries.

5. Included as an occurrence is any pattern of use of sick leave.

6. Discipline may be initiated by the Department at any time if they deem it necessary and any designations as utilized in this program will not negatively impact such discipline.

7. **Family Sick Leave:** Use of Family Sick Leave in accordance with section 16.4 (A) of the Agreement shall not be considered in determining an abuse under this sick leave management program.

8. **Report to the Medical Evaluation Unit:** Unless otherwise stated, means report immediately, when a Doctor/Medical Personnel are available. When a Doctor/Medical Personnel are not available, report at the beginning of the next operating hours of the Medical Evaluation Unit. Correction Officers will not be entitled to any overtime for said reporting to the Medical Evaluation Unit.

9. Approved Family Medical Leave Act (FMLA) time taken in accordance with the County procedures will not be considered in determining abuses in accordance with this program.

C. **Rules Sick and Chronic Sick Leave Abuse**

1. Correction Officers designated as a Sick Leave Abuser or Chronic Sick Leave Abuser, will report to the Medical Evaluation Unit each time they call in on sick leave.

2. Correction Officers who are designated a Sick Leave Abusers or Chronic Sick Leave Abusers will not:

- a. work Overtime, unless approved by the Sheriff or his/her designee based on operational needs.
- b. switch a tour of duty.
- c. apply for preferred assignments or designations.
- d. apply for a new tour schedule if an opening occurs.
- e. will not receive night differential while on sick leave.
- f. **Applies to Chronic only:** will not receive night differential pay while on vacation.

E. **Duties**

1. The Commanding Officer of the Medical Evaluation Unit will monitor the sick leave system and identify Correction Officers who should be designated or relieved as Sick Leave Abusers and/or Chronic Sick Leave Abusers, and will:

- a. notify a Correction Officer and his/her Commanding Officer when a member is identified as a Sick Leave Abuser or a Chronic Sick Leave Abuser,

b. notify a Correction Officer and his/her Commanding Officer when a member is designated or relieved as a Sick Leave Abuser or a Chronic Sick Leave Abuser,

c. inform a Correction Officer in writing of his/her rights and restrictions,

d. notify a Correction Officer in writing of final determinations on appeals,

e. monitor those who are designated as abusers for purposes of maintaining or removing from designated status,

(1) Remove designation as a Sick Leave Abuser when a Correction Officer:

(a) Uses no sick leave during 6 consecutive months of active duty (i.e., not on vacation or other types of paid or unpaid leave) following the designation as a Sick Leave Abuser.

(2) Remove designation as a Chronic Sick Leave abuser when a Correction Officer:

(a) uses no sick leave during 6 consecutive months of active duty (i.e., not on vacation or other types of paid or unpaid leave) following the designation as a Chronic Sick Leave Abuser. Correction Officers will then be designated a Sick Leave Abuser.

2. The Medical Evaluation Unit will receive appeals from Correction Officers requesting that tours of sick leave not be considered when designation or removal as a Sick Leave Abuser or Chronic Sick Leave Abuser is determined.

3. Commanding Officers ensure that the command has in place a system to implement and monitor the Sick Leave Management Program, and

a. ensure that the direct Supervisor is notified when a Correction Officer is designated or relieved as a Sick Leave Abuser or a Chronic Sick Leave Abuser,

b. prepare written internal correspondence to the Sheriff or his/her designee when an ineligible Correction Officer receives overtime,

c. deny applications for preferred assignments from ineligible Correction Officers,

d. deny requests for switching tours of duty or picking new tour schedule, from ineligible Correction Officers.

4. Supervisors will monitor the Sick Leave List, for ineligible Correction Officers prior to scheduling overtime, and

a. notify the Sheriff or his/her designee when an ineligible member is ordered to work scheduled overtime,

b. deduct night differential when a Correction Officer is not entitled,

c. notify the Sheriff or his/her designee when an ineligible Correction Officer receives scheduled overtime.

F. **Restriction to Residence:** During a day where their regularly scheduled tour of duty falls, all Correction Officers designated as Sick Leave Abusers or Chronic Sick Leave Abusers shall be confined to their residences between 9 a.m. and 5 p.m., except where excused from same by the Sheriff/Sheriff designee and/or the Medical Evaluation Unit due to, for example, attendance at medical appointments, attendance at other matters that cannot be attended to at another time and which has been approved by the Department pursuant to its guidelines regarding same.

COUNTY OF SUFFOLK



STEVE LEVY
Suffolk County Executive

LABOR RELATIONS

Jeffrey L. Tempera
DIRECTOR

MEMORANDUM OF AGREEMENT

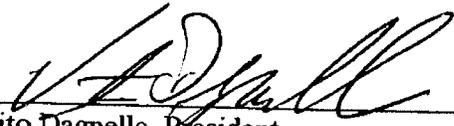
When signed below, this shall constitute an Agreement between the County of Suffolk and the Suffolk County Correction Officers Association (SCCOA) for the purpose of confirming the procedure to be followed whenever the County elects to request a random selection of more than 25 Correction Officers for a random drug test. The parties herein agree as follows:

1. At the testing site and prior to the commencement of testing, the Office of Labor Relations and the Department will meet with the representative from the SCCOA to determine which employees are scheduled to work and available for testing during the 72 hour window. The Office of Labor Relations will bring to the testing site the random, non-alphabetized list generated by the Third Party Provider and an alphabetized list. Copies of both lists will be provided to the representative from the SCCOA and to the Department.
2. The non-alphabetized list will be used to determine the order of selection for possible testing. The alphabetized list is for informational purposes only and will be used to aide in determining work schedules. In the event that more than 25 Correction Officers remain on the non-alphabetized list after the Department has determined which employees are available for testing, the parties will refer to the random, non-alphabetized list generated by the Third Party Provider. The Department will, then, eliminate the appropriate number of employees (excluding those who have already been eliminated by virtue of their unavailability) beginning with those at the bottom of the non-alphabetized list until there are no more than 25 remaining employees on the list.
3. The Department will then schedule tests, beginning with the first Correction Officer listed on the random, non-alphabetized list generated by the Third Party Provider who is available during the 72 hour window. If, and when, 25 Correction Officers have been selected as being available the list will be deemed exhausted.
4. When all random drug testing has been completed during the 72 hour period, the list of tested Correction Officers will be provided to the SCCOA.
5. The SCCOA agrees to withdraw Grievance # 06-06 and Grievance 06-07 and the above is in full settlement and satisfaction of the grievances.

Nothing contained herein shall be deemed as precedent setting with regard to any other matter and is entered into solely due to the unique circumstances of the instant situation. This agreement may not be cited in any other matter, such as, but not limited to, any grievance, grievance hearing, arbitration, PERB conference/hearing, court matter or any other similar proceeding except to enforce the provisions of this agreement.

DATED: 4-14-09

FOR ASSOCIATION:

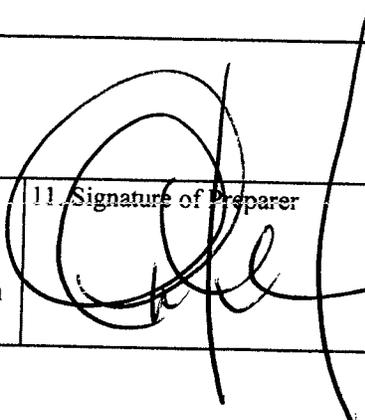

Vito Dagnello, President
Suffolk County Correction
Officers Association

FOR THE COUNTY:


Jeffrey L. Tempera, Director
Suffolk County Executive:
Office of Labor Relations

Caminske Grievance 06-06 -moa testing procedures 7-9-07(EA-GRIEV)

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. -2009, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE SUFFOLK COUNTY CORRECTION OFFICERS ASSOCIATION, INC., COVERING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES COVERED UNDER BARGAINING UNIT #10 FOR THE PERIOD OF JANUARY 1, 2006 THROUGH DECEMBER 31, 2007</p>		
3. Purpose of Proposed Legislation		
SAME AS ABOVE, ALSO INCLUDES THE ASSOCIATIONS APPROPRIATE SHARE OF UNION CONCESSIONS REQUIRED TO HELP THE COUNTY MEET THE "UNANTICIPATED REVENUE LOSS" IN SALES TAX RECIEPTS.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:		
Sufficient funding is included in the 2009 Adopted Budget:		
1. Projected Cost: 2006 – 2009: \$18 - \$19M plus FICA		
2. Projected Value of Union Concessions: \$3m		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Will be dependant on number of employees, overtime costs, and future agreements.		
This agreement calls for 3.25% increase in 2006, and an additional 3.25% in 2007. These increases will carry into future years		
8. Proposed Source of Funding		
2009 Adopted Budget		
9. Timing of Impact		
Upon Approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	Date
Allen M. Kovesdy Director of Management and Research		April 27, 2009

REVISED

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1412

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

**RESOLUTION NO. -2009, ENHANCING ADMINISTRATIVE
BUDGET DEFICIT CONTROL**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, BECAUSE TAKING DECISIVE DEFICIT CONTROL
MEASURES NOW WILL AVOID MORE DRACONIAN CUTS IN COUNTY
SERVICES AND STAFFING, AND HELP MODERATE TAX INCREASES IN 2010.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RECEIVED
2009 APR 28 P 3:39
SUFFOLK COUNTY, N.Y.
HADDONFIELD

AMENDED 4/28/2009

Intro. Res. No. 1412-2009

Laid on Table 4/28/2009

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2009, ENHANCING ADMINISTRATIVE
BUDGET DEFICIT CONTROL**

WHEREAS, Resolution No. 283-2008 implemented a number of budgetary measures to maintain County fiscal stability in light of a deteriorating national economy; and

WHEREAS section A6-4 of the Suffolk County Administrative Code requires the County Department of Civil Service to implement layoffs and bump-and-retreat provisions by treating vacancies as having been abolished first before a filled position in the same title is abolished; and

WHEREAS, the national, state, and regional economy continue on a downward spiral, and they are projected to remain unimproved into 2010, with a slow recovery forecast thereafter; and

WHEREAS, the economic slowdown has resulted in significant reductions in multiple County revenue sources, causing both budget shortfalls and cash flow difficulties; and

WHEREAS, members of the Suffolk County Legislature have been working cooperatively with the County Executive to explore all available means to implement budget deficit control; and

WHEREAS, taking decisive deficit control measures now will avoid more draconian cuts in County services and staffing, and help moderate tax increases in 2010; now, therefore be it

1st RESOLVED, all vacant positions in the department layoff unit, if any, for a title slated to be abolished in Attachment "A," are hereby abolished; and be it further

2nd RESOLVED, the County Executive is hereby authorized and empowered to implement work force reductions for the currently filled authorized positions shown in Attachment "A", Abolished Positions 2009 Adopted Budget; and be it further

3rd RESOLVED, that those filled positions on Attachment "A" are hereby abolished in accordance with state and local laws and applicable collective bargaining agreements; and be it further

4th RESOLVED, the Director of Civil Service is hereby authorized, directed and empowered to implement the layoff and bump and retreat provisions by treating vacant positions in the department layoff unit as having been abolished first before a filled position in the same title is abolished; and be it further

5th RESOLVED, that any bargaining unit whose membership ratifies an agreement with the County pursuant to which the County achieves its savings target for that unit, will be excluded from the provisions of this resolution; and be it further

6th RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

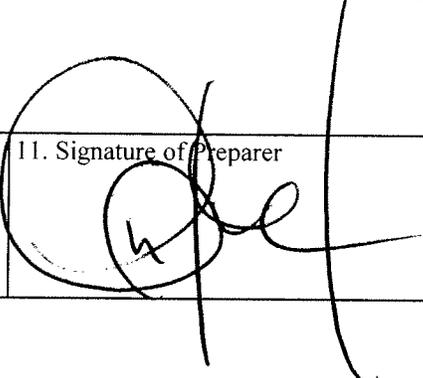
APPROVED BY:

County Executive of Suffolk County

Date:

dept	fund	approp	unit	jobtitle
PROB	01	3189	0100	PROBATION OFFICER
PROB	01	3140	0300	PROBATION OFFICER TRAINEE
PROB	01	3140	0300	PROBATION OFFICER TRAINEE
PROB	01	3140	0300	PROBATION OFFICER TRAINEE
PROB	01	3138	0100	PROGRAM COORDINATOR-PROB OFFCR
PROB	01	3169	0100	PROGRAM COORDINATOR-PROB OFFCR
PROB	01	3138	0100	SENIOR PROBATION OFFICER
PROB	01	3138	0100	SENIOR PROBATION OFFICER
PROB	01	3140	0500	SENIOR PROBATION OFFICER
PROB	01	3140	0500	SENIOR PROBATION OFFICER
PROB	01	3140	0500	SENIOR PROBATION OFFICER
PROB	01	3140	0500	SENIOR PROBATION OFFICER
PROB	01	3147	0100	SENIOR PROBATION OFFICER
PROB	01	3169	0100	SENIOR PROBATION OFFICER
PROB	01	3173	0100	SENIOR PROBATION OFFICER
PROB	01	3173	0100	SENIOR PROBATION OFFICER
PROB	01	3541	2900	SENIOR PROBATION OFFICER
PROB	01	3541	2900	SENIOR PROBATION OFFICER
PROB	01	3541	2900	SENIOR PROBATION OFFICER
PROB	01	3140	0200	SUPVSNG PROBATION OFFICER
PROB	01	3145	0100	SUPVSNG PROBATION OFFICER
PROB	01	3169	0100	SUPVSNG PROBATION OFFICER
PROB	01	3189	0100	SUPVSNG PROBATION OFFICER
SHER	01	3110	0107	DEPUTY SHERIFF I (INVEST)
SHER	01	3110	0210	DEPUTY SHERIFF I (INVEST)
SHER	01	3110	0220	DEPUTY SHERIFF I (INVEST)
SHER	01	3110	0303	DEPUTY SHERIFF I (INVEST)
SHER	01	3110	0210	DEPUTY SHERIFF I (INVEST)
SHER	01	3110	0210	DEPUTY SHERIFF I (INVEST)

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2009, ENHANCING ADMINISTRATIVE BUDGET DEFICIT CONTROL		
3. Purpose of Proposed Legislation		
AUTHORIZES WORKFORCE REDUCTIONS WHICH MAY BE REQUIRED AS A COMPONENT OF THE COUNTY'S PLAN TO ADDRESS BUDGET PROBLEMS CAUSED BY THE "UNANTICIPATED SHORTFALL IN REVENUES"		
ATTACHMENT A: -69 POSITIONS 23 FILLED, 46 VACANT		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:		
PROVIDES FOR AN ESTIMATED SAVINGS OF OVER \$1M IN 2009.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Projected annual savings of \$2,300,000.		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Upon Approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 24, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1413

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

**RESOLUTION NO. 2009 INSTITUTING A LAG PAYROLL IN FISCAL
YEAR 2009 FOR EMPLOYEES WITHIN THE SUFFOLK COUNTY BOARD
OF ELECTIONS IN BARGAINING UNIT 21 (BU 21) AND BARGAINING
UNIT 24 (BU 24) TO ADDRESS REVENUE SHORTFALLS AND AVOID A
REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, BECAUSE THE INSTITUTION OF "LAG
PAYROLL" FOR EMPLOYEES WITHIN THE SUFFOLK COUNTY BOARD OF
ELECTIONS WILL HELP MITIGATE UNANTICIPATED LOSS OF REVENUE IN
THE 2009 ADOPTED BUDGET.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.**



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE

2009 APR 28 A 11:25

RECEIVED

1413

Intro. Res. No. 2009
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 4/28/09

RESOLUTION NO. 2009 INSTITUTING A LAG PAYROLL IN FISCAL YEAR 2009 FOR EMPLOYEES WITHIN THE SUFFOLK COUNTY BOARD OF ELECTIONS IN BARGAINING UNIT 21 (BU 21) AND BARGAINING UNIT 24 (BU 24) TO ADDRESS REVENUE SHORTFALLS AND AVOID A REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL

WHEREAS, Legislative Resolution 283-2008 (10th Resolved) imposed a wage freeze on exempt employees via the abolishment of step increases in fiscal year 2009; and

WHEREAS, a reduction in the workforce of County employees, may be avoided, at least in part, by the institution of a "lag payroll" or other personnel savings initiatives to help balance the shortfall in revenues projected in the 2009 Operating Budget through either a "lag payroll" or other personnel savings initiatives, and

WHEREAS, the institution of a two week "lag payroll" for employees within the Suffolk County Board of Elections in BU 21 and BU 24 is a job savings measure, and will help mitigate unanticipated loss of revenue in the 2009 Adopted Budget, and

1st RESOLVED, that employees within the Suffolk County Board of Elections in BU 21 and BU 24 shall participate in a lag payroll of one weeks pay deferred from the July 13, 2009 through and including July 26, 2009 pay period and one weeks pay deferred from the December 14, 2009 through and including December 27, 2009 pay period for a total of 10 days lagged, or consistent with a lag payroll as agreed to for AME bargaining units 2 & 6; and be it further

2nd RESOLVED, that the Department of Audit and Control is hereby authorized, directed and empowered to take all necessary steps to institute a two week "lag payroll" for employees within the Suffolk County Board of Elections in BU 21 and BU 24 consistent with this resolution; and be it further

3rd RESOLVED, that those employees who participate in the two week "lag payroll" as specified herein, shall be entitled to receive reimbursement upon separation from employment with the County for such lagged time; and

4th RESOLVED, that the reimbursement rate for such lag time shall be at the rate of pay at the time of his or her separation from the County; and be it further

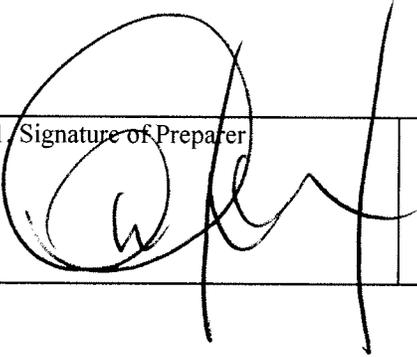
5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and 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.

DATED:

APPROVED BY:

Steve Levy
County Executive of Suffolk County

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. 2009 INSTITUTING A LAG PAYROLL IN FISCAL YEAR 2009 FOR EMPLOYEES WITHIN THE SUFFOLK COUNTY BOARD OF ELECTIONS IN BARGAINING UNIT 21 (BU 21) AND BARGAINING UNIT 24 (BU 24) TO ADDRESS REVENUE SHORTFALLS AND AVOID A REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL		
3. Purpose of Proposed Legislation		
AUTHORIZES A TWO WEEK LAG PAYROLL FOR EMPLOYEES WITHIN THE SUFFOLK COUNTY BOARD OF ELECTIONS		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:		
PROVIDES FOR AN ESTIMATED SAVINGS OF OVER \$265,000 IN 2009.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Upon Approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 28, 2009

SCIN FORM 175b (10/95)

OFFICE OF THE COUNTY EXECUTIVE
COUNTY OF SUFFOLK

- (1) Please limit this suggestion to (ONE) proposal.
- (2) Describe in detail.
- (3) Attach all pertinent backup material.

Submitting Department Department Contact Person
(Dept. Name & Location)(Name & Telephone No.)

SUFFOLK COUNTY EXECUTIVE'S OFFICE
HAUPPAUGE, NEW YORK

Suggestion Involves:

Technical Amendment New Program

Grant Award Contract (New Rev.)

Summary of Problem: (Explanation of why this legislation is needed.)

**RESOLUTION NO. 2009 INSTITUTING A LAG PAYROLL IN
FISCAL YEAR 2009 FOR EMPLOYEES WITHIN THE SUFFOLK
COUNTY BOARD OF ELECTIONS IN BARGAINING UNIT 21 (BU 21)
AND BARGAINING UNIT 24 (BU 24) TO ADDRESS REVENUE
SHORTFALLS AND AVOID A REDUCTION IN THE WORKFORCE OF
COUNTY**

Proposed Changes in Present Statute: (Please specify section when possible)

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN Form 175a(10/95) Prior editions of this form are obsolete.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2009**

1414

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

**RESOLUTION NO. 2009 INSTITUTING A LAG PAYROLL IN FISCAL
YEAR 2009 FOR BARGAINING UNITS 21 AND 30 (MANAGEMENT AND
CONFIDENTIAL EMPLOYEES, RESPECTIVELY AND EXCLUSIVE OF
SUFFOLK COUNTY COMMUNITY COLLEGE AND EMPLOYEES OF THE
BOARD OF ELECTIONS) TO ADDRESS REVENUE SHORTFALLS AND
AVOID A REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. - 2009, BECAUSE THE INSTITUTION OF A "LAG
PAYROLL" FOR EMPLOYEES WITHIN THESE BARGAINING UNITS WILL HELP
MITIGATE UNANTICIPATED LOSS OF REVENUE IN THE 2009 ADOPTED
BUDGET.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-EIGHTH DAY OF APRIL, 2009.**



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

SEAL OF SUFFOLK COUNTY, N.Y.
COUNTY LEGISLATURE
MANUSCRIPT

2009 APR 28 A 11:25

RECEIVED

1414

Intro. Res. No. 2009
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 4/28/09

RESOLUTION NO. 2009 INSTITUTING A LAG PAYROLL IN FISCAL YEAR 2009 FOR BARGAINING UNITS 21 AND 30 (MANAGEMENT AND CONFIDENTIAL EMPLOYEES, RESPECTIVELY AND EXCLUSIVE OF SUFFOLK COUNTY COMMUNITY COLLEGE AND EMPLOYEES OF THE BOARD OF ELECTIONS) TO ADDRESS REVENUE SHORTFALLS AND AVOID A REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL

WHEREAS, a reduction in the workforce of County employees, may be avoided, at least in part, by the institution of a "lag payroll" or other personnel savings initiatives to help balance the projected shortfall in revenues contained within the 2009 Operating Budget, and

WHEREAS, Legislative Resolution 283-2008 (10th Resolved) amended Resolution 1173-05 by imposing a wage freeze on certain employees via the suspension of step advances in fiscal year 2009; and

WHEREAS, to achieve budgetary savings, while acknowledging that some employees pursuant to Resolution 283-2008 have forgone a step advancement on July 1, 2009, and their contribution should be equitable with other employees who have agreed to help mitigate the unanticipated loss of revenue, and

WHEREAS, the voluntary institution of a lag payroll on all elected officials will show leadership and solidarity with those County employees who are contributing to help resolve the current shortfall of revenues and prevent the layoff of county employees, now, therefore be it

1st RESOLVED, that employees in Bargaining Units 21, except those listed for Suffolk Community College and the Board of Elections, who are at top step shall participate in a lag payroll of one weeks pay deferred from the July 13, 2009 through and including July 26, 2009 pay period and one weeks pay deferred from the December 14, 2009 through and including December 27, 2009 pay period for a total of 10 days lagged, or consistent with a lag payroll as agreed to for AME bargaining units 2 & 6 and be it further

2nd RESOLVED, that employees in Bargaining Units 21, except those listed for Suffolk Community College and the Board of Elections, and who, pursuant to Resolution 283-08 (10th Resolved Clause) will have a suspension of the July 1, 2009 step advancement, shall participate in a lag payroll of one weeks pay deferred from the July 13, 2009 through and including July 26, 2009 pay period and one weeks pay deferred from the December 14, 2009 through and including December 27, 2009 pay period for a total of 10 days lagged, or consistent with a lag payroll as agreed to for AME bargaining units 2 & 6, but the value of the lagged time will be reduced to reflect the savings that will be achieved by each covered employee's step advancement which was rescinded for 2009; and be it further

3rd RESOLVED, that employees with titles covered by a pertinent bargaining unit and who have attained the status of confidential employee (BU 30) shall participate in a lag payroll in the same manner as Bargaining Unit No. 2 of the Suffolk County Association of Municipal Employees (AME); and be it further

4th RESOLVED, that the Department of Audit and Control is hereby authorized, directed and empowered to take all necessary steps to institute a two week "lag payroll" for employees designated in the 1st Resolved Clause of this resolution, consistent with this resolution; and be it further

5th RESOLVED, that the Department of Audit and Control is hereby authorized, directed and empowered to take all necessary steps to adjust the pay of employees as designated in the 2nd Resolved Clause of this resolution, consistent with this resolution; and be it further

6th RESOLVED, that the Department of Audit and Control is hereby authorized, directed and empowered to take all necessary steps to institute a two week "lag payroll" for employees designated in the 3rd Resolved Clause of this resolution, consistent with this resolution; and be it further

7th RESOLVED, that those employees who participate in the two week "lag payroll" as specified herein, shall be entitled to receive reimbursement upon separation from employment with the County for such lagged time; and

8th RESOLVED, that the reimbursement rate for such lag time shall be at the rate of pay at the time of his or her separation from the County; and be it further

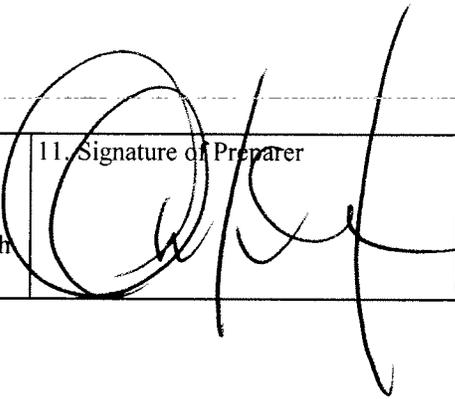
9th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and 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.

DATED:

APPROVED BY:

Steve Levy
County Executive of Suffolk County

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. 2009 INSTITUTING A LAG PAYROLL IN FISCAL YEAR 2009 FOR BARGAINING UNITS 21 AND 30 (MANAGEMENT AND CONFIDENTIAL EMPLOYEES, RESPECTIVELY AND EXCLUSIVE OF SUFFOLK COUNTY COMMUNITY COLLEGE AND EMPLOYEES OF THE BOARD OF ELECTIONS) TO ADDRESS REVENUE SHORTFALLS AND AVOID A REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL		
3. Purpose of Proposed Legislation		
PROVIDES FOR A PAYROLL SAVINGS TO HELP MITIGATE THE UNANTICIPATED REDUCTION IN SALES TAX REVENUE, STRUCTURES CONTRIBUTION TO BE IN LINE WITH OTHER EMPLOYEE CONTRIBUTIONS		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:		
ESTIMATED SAVINGS OF \$1,140,000 IN 2009 IN ADDITION TO THE \$565,000 IN STEP FREEZE		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A – COST SAVING		
9. Timing of Impact		
Upon Approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 28, 2009