

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2010**

WHEREAS, INTRODUCTORY RESOLUTION NO. *1722-10*

**RESOLUTION NO. -2010, ACCEPTING AND
APPROPRIATING A GRANT SUB-AWARD FROM
TIDEWATER COMMUNITY COLLEGE FOR A
DEPARTMENT OF HEALTH AND HUMAN SERVICES
HEALTH INFORMATION TECHNOLOGY PROJECT,
100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK
COUNTY COMMUNITY COLLEGE**

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

NOW, I, BRENDAN CHAMBERLAIN, DIRECTOR OF INTERGOVERNMENTAL
RELATIONS, 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. - 2010, BECAUSE, DUE TO THE START
DATE OF THIS PROJECT IN THE MIDDLE OF AUGUST, IT IS NECESSARY
THAT THIS RESOLUTION BE APPROVED IN ANTICIPATION OF THE
ACCEPTANCE OF THE GRANT SUB-AWARD BY THE BOARD OF TRUSTEES
OF SUFFOLK COUNTY COMMUNITY COLLEGE

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
SEVENTH OF JULY, 2010.



BRENDAN CHAMBERLAIN

DIRECTOR OF INTERGOVERNMENTAL RELATIONS

RECEIVED
SUFFOLK COUNTY COMMUNITY COLLEGE

2010 JUL - 6 P 3:55

RECEIVED

1722

Introductory Resolution No. -2010
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 7/7/10

RESOLUTION NO. - 2010, ACCEPTING AND APPROPRIATING A GRANT SUB-AWARD FROM TIDEWATER COMMUNITY COLLEGE FOR A DEPARTMENT OF HEALTH AND HUMAN SERVICES HEALTH INFORMATION TECHNOLOGY PROJECT, 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received a sub-award from Tidewater Community College as a member of a consortium of community colleges for a two-year Department of Health and Human Services Health Information Technology (HIT) Project in the amount of \$494,115, including indirect costs, for year one of the project, for the period of April 2, 2010 through April 1, 2011; and

WHEREAS, the grant sub-award provides for developing and implementing training programs that create, manage and maintain portable electronic medical records; and

WHEREAS, no matching funds are required as the program is 100% reimbursed by Federal funds; and

WHEREAS, due to the start date of this project, it is necessary that this resolution be approved in anticipation of the acceptance of the grant sub-award by the Board of Trustees of Suffolk County Community College; and

WHEREAS, the College anticipates spending the \$494,115, including indirect costs, for the first year of the project, in accordance with the terms of said grant sub-award by April 1, 2011; now therefore be it

^{1st} **RESOLVED**, that said grant sub-award, in the amount of \$494,115, including indirect costs, for year one of a two-year Department of Health and Human Services Health Information Technology (HIT) Project be accepted; and be it further

^{2nd} **RESOLVED**, that funding for the first year of said grant sub-award in the amount of \$494,115, including \$20,305 in indirect costs, be accepted and appropriated for the operation of the project as follows:

<u>REVENUES:</u>	<u>AMOUNT:</u>
Federal Aid: Tidewater Community College HIT Consortium: GC67-GC6710-544241	\$ 494,115

<u>APPROPRIATIONS:</u>	<u>AMOUNT:</u>
Tidewater Community College HIT Consortium: GC67-GC6710	\$ 473,810

and be it further

^{3rd} **RESOLVED**, that the following positions be created for the entire period of the grant:

Title	Spec No.	Job Classification	Bargaining Unit	Grade
Professional Assistant 0	9100	Faculty	3	Step 1

Professional Assistant 1	9101	Faculty	3	Step 4
Professional Assistant 1	9101	Faculty	3	Step 4

And be it further

4th **RESOLVED**, that nothing contained herein shall be construed as obligating or committing Suffolk County Community College or the County of Suffolk to continue the employment of the individuals filling the positions created by the Resolution at the conclusion of the grant sub-award funding provided for such positions created by said grant sub-award.

Suffolk County Community College
Tidewater Community College HIT Consortium
GC67-GC6710

<u>611000-Personal Services</u>	<u>\$171,913</u>
611100-Permanent Salaries	139,913
611170-Part-Time Instructors	16,000
611570-Full-time Overload	16,000
<u>628000-Employee Benefits</u>	<u>\$ 52,370</u>
628100-State Teachers Retirement	8,661
628300-Workmens Compensation	743
628330-Social Security	13,151
628350-Unemployment Insurance	345
628360-Health Insurance	25,483
628380-Benefit Fund Contribution	3,987
<u>712000-Equipment</u>	<u>\$ 2,700</u>
712460-New Computers	2,700
<u>713000-Supplies & Materials</u>	<u>\$ 17,000</u>
713040-Outside Printing	1,000
713100-Instructional Supplies	2,000
713170-Instructional Software	14,000
<u>714300-Travel</u>	<u>\$ 9,827</u>
714330-Travel: Mileage Reimbursement	427
714350-Travel: College Business	9,400
<u>714700-Miscellaneous</u>	<u>\$220,000</u>
714770-Special Services	220,000

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 X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Accepting and Appropriating a Grant Sub-award from Tidewater Community College for a Department of Health and Human Services Health Information Technology Project 100% Reimbursed by Federal Funds at Suffolk County Community College

3. Purpose of Proposed Legislation

To accept a grant sub-award from Tidewater Community College, in the amount of \$494,115, including indirect costs, for a Department of Health and Human Services Health Information Technology (HIT) project for year one of a two-year project, during the 2009-2010 fiscal year and completing during the 2010-2011 fiscal year.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes ___ No X

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 4 is "yes," Provide Detailed Explanation of Impact

The grant sub-award from Tidewater Community College will provide \$494,115, including indirect costs, for operating costs for year one of a two-year Department of Health and Human Services Health Information Technology (HIT) Project for the period of April 2, 2010 through April 1, 2011, will be used for the operation of the grant project during the 2009-2010 fiscal year and completing during the 2010-2011 fiscal year.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdiv.
Not Applicable

8. Proposed Source of Funding: Department of Health and Human Services
Tidewater Community College

9. Timing of Impact: April 2, 2010 through April 1, 2012
Year 1: April 2, 2010 through April 1, 2011

10. Typed Name & Title of Preparer
Allen M. Kovesdy
Director of Management

11. Signature of Preparer

12. Date
July 6, 2010

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 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 2009.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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.

Submitting Department
(Dept. Name & Location):

Department Contact Person
(Name & Phone No.):

SUFFOLK COUNTY COMMUNITY COLLEGE

Deborah Lesser, M.S.
Senior Accountant - (631) 451-4227

Suggestion Involves:

Technical Amendment

New Program

Grant Sub-award

Subcontract

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

The operating costs for the project are not included in the College budget

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

Not Applicable

PLEASE FILL IN REVERSE SIDE OF FORM

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

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.

Submitting Department
(Dept. Name & Location):

Department Contact Person
(Name & Phone No.):

SUFFOLK COUNTY COMMUNITY COLLEGE

Deborah Lesser, M.S.
Senior Accountant - (631) 451-4227

Suggestion Involves:

Technical Amendment

New Program

Grant Sub-award

Subcontract

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

The operating costs for the project are not included in the College budget

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

Not Applicable

PLEASE FILL IN REVERSE SIDE OF FORM

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

**RESOLUTION NO. 2010.44 ACCEPTING A GRANT SUB-AWARD FROM
TIDEWATER COMMUNITY COLLEGE FOR A DEPARTMENT OF HEALTH
AND HUMAN SERVICES HEALTH INFORMATION TECHNOLOGY
PROJECT**

WHEREAS, Suffolk County Community College has received a sub-award from Tidewater Community College as a member of a consortium of community colleges for a two-year Department of Health and Human Services Health Information Technology (HIT) Project in the amount of \$494,115, including indirect costs, for year one of the program for the period of April 2, 2010 through April 1, 2011, and

WHEREAS, the program will provide for developing and implementing training programs that create, manage and maintain portable electronic medical records, and

WHEREAS, matching funds are not required, be it therefore

RESOLVED, that a grant sub-award, in the amount of \$494,115, including indirect costs, from Tidewater Community College, for year one of a two-year Department of Health and Human Services Health Information Technology (HIT) Project, for the period of April 2, 2010 through April 1, 2011, is hereby accepted, and the College President or his designee is authorized to execute a contract with the administering agency.

Project Directors: Nina Leonhardt
Diane Fabian

Note: Full-time personnel: 1 Professional Assistant 0, 12 month
2 Professional Assistants 1, 12 month

Board of Trustees Meeting
Date: June 24, 2010

ABSTRACT

Grant Subaward X Proposal _____

Funding Source Department of Health and Human Services
Tidewater Community College

Project Name: Tidewater Community College HIT Consortium

Project Period: April 2, 2010 through April 1, 2012
Year 1: April 2, 2010 through April 1, 2011

Project Directors (PD/PI): Nina Leonhardt
Diane Fabian

Campus/Location: Central

Total Grant Award: Year 1: \$494,115

Match / In-kind: None

Total Project Budget: Year 1: \$494,115

Full-time Positions: 1 Professional Assistant 0, 12 month
2 Professional Assistants 1, 12 month

Reassigned/Overload Time: Yr 1: Overload

No. of Students to be Served: 200

Type of Student to be Served: Incumbent or displaced workers with IT or HIT
background

Description of Project:

Through the Health Information Technology (HIT) Consortium project, Suffolk County Community College (SCCC) will provide economic opportunities and improve healthcare system efficiencies by developing and implementing training programs that create, manage and maintain portable electronic medical records. SCCC will provide training for each of six defined roles: practice workflow and information management redesign specialists, clinician/practitioner consultants, implementation support specialists, implementation managers, technical/software support staff and trainers. The training programs will accommodate each trainee's skill gaps, and be flexibly designed to allow each trainee to enroll in just those courses he or she needs to attain the desired level of competency, thereby allowing completion of training in six months or less, with most single role training to be completed in 12 weeks or less.

News Release

FOR IMMEDIATE RELEASE
Friday, April 2, 2010

Contact: HHS Press Office
(202) 690-6343

HHS Awards \$144 Million in Recovery Act Funds to Institutions of Higher Education and Research to Address Critical Needs for the Widespread Adoption and Meaningful Use of Health Information Technology

Academia and the Research Community will support health providers by delivering more than 50,000 new health IT professionals to the workforce and addressing current and future barriers to achieving meaningful use of health IT

Washington, D. C. — Health and Human Services Secretary Kathleen Sebelius has enlisted the talent and resources of some of the nation's leading universities, community colleges, and major research centers to advance the widespread adoption and meaningful use of health information technology (health IT).

Awards totaling \$84 million to 16 universities and junior colleges will support training and development of more than 50,000 new health IT professionals. Additionally Strategic Health IT Advanced Research Projects (SHARP) awards totaling \$60 million were provided to four advanced research institutions (\$15 million each) to focus on solving current and future challenges that represent barriers to adoption and meaningful use of health IT. Both sets of awards are funded by the American Recovery and Reinvestment Act of 2009. Today's awards are part of the \$2 billion effort to achieve widespread meaningful use of health IT and provide for the use of an electronic health record (EHR) for each person in the United States by 2014.

"Training a cadre of new health IT professionals and breaking down barriers to the adoption of meaningful use of health IT are both critical to the national effort to use information technology to realize better patient care," stated David Blumenthal, MD, MPP, national coordinator for health information technology. "The institutions receiving awards today will develop necessary roadmaps to help health care providers and hospitals implement and effectively use electronic health records."

Workforce Award recipients, by program area, include:

Community College Consortia Program (\$36 million):

The Community College Consortia Program provides assistance to five regional recipients to establish a multi-institutional consortium within each designated region. The five regional consortia will include 70 community colleges in total. Each college will create non-degree training programs that can be completed in six months or less by individuals with appropriate prior education and/or experience. First year grant awards are estimated at \$36 million. An additional \$34 million is available for year two funding of these programs after successful completion of a mid-project evaluation.

Institution	Amount of Award
Bellevue College Bellevue, Washington	\$ 3,364,798
Cuyahoga Community College District Cleveland, Ohio	\$ 7,531,403
Los Rios Community College District Sacramento, California	\$ 5,435,587
Pitt Community College Winterville, North Carolina	\$10,901,009
Tidewater Community College Norfolk, Virginia	\$ 8,492,793

**Department of Health and Human Services
Office Of The Secretary Of HHS
Notice of Grant Award (NGA)**

1.RECIPIENT

SAI NUMBER:

PMS DOCUMENT NUMBER:
90CC008001

1. AWARDING OFFICE: Office of the Natl Coordinator for Health Info. Technology	2. ASSISTANCE TYPE: Coop agreement	3. AWARD NO.: 90CC0080/01	4. AMEND. NO.:
5. TYPE OF AWARD: TRAINING	6. TYPE OF ACTION: New	7. AWARD AUTHORITY: ARRA, Div A Approp, Subtitle B--IT Professio	
8. BUDGET PERIOD: 04/02/2010 THRU 04/01/2011	9. PROJECT PERIOD: 04/02/2010 THRU 04/01/2012	10. CAT NO.: 93721	

11. RECIPIENT ORGANIZATION: Tidewater Community College Academic and Student Affairs 121 College Place Norfolk VA 23510 1938 Phyllis Milloy, Vice President for Finance	12. PROJECT / PROGRAM TITLE: Tidewater Community College HIT Consortium, made up of 23 community colleges from 10 states and the District of Columbia
---	---

13. COUNTY:	14. CONGR. DIST: 03, 04, 03, 04, 0	15. PRINCIPAL INVESTIGATOR OR PROGRAM DIRECTOR: Daniel DeMarte, Vice President
--------------------	--	--

16. APPROVED BUDGET:		17. AWARD COMPUTATION:	
Personnel.....	\$ 465,713	A. NON-FEDERAL SHARE.....	\$ 0 0.00 %
Fringe Benefits.....	\$ 178,287	B. FEDERAL SHARE.....	\$ 8,492,793 100.00 %
Travel.....	\$ 22,803	18. FEDERAL SHARE COMPUTATION:	
Equipment.....	\$ 0	A. TOTAL FEDERAL SHARE.....	\$ 8,492,793
Supplies.....	\$ 26,000	B. UNOBLIGATED BALANCE FEDERAL SHARE.....	\$
Contractual.....	\$ 7,686,239	C. FED. SHARE AWARDED THIS BUDGET PERIOD..	\$ 8,492,793
Facilities/Construction.....	\$ 0	19. AMOUNT AWARDED THIS ACTION:	
Other.....	\$ 0	\$ 8,492,793	
Direct Costs.....	\$ 8,379,042	20. FEDERAL \$ AWARDED THIS PROJECT PERIOD:	
Indirect Costs.....	\$ 113,751	\$ 8,492,793	
At % of \$		21. AUTHORIZED TREATMENT OF PROGRAM INCOME:	
In Kind Contributions.....	\$ 0	ADDITIONAL COSTS	
Total Approved Budget(**)..	\$ 8,492,793	22. APPLICANT EIN: 1-541268286-A1	23. PAYEE EIN: 1-541268286-A1
		24. OBJECT CLASS: 41.51	

25. FINANCIAL INFORMATION: DUNS: 074761354

ORGN	DOCUMENT NO.	APPROPRIATION	CAN NO.	NEW AMT.	UNOBLIG.	NONFED %
OS/ONC	90CC008001	75-X-0131	2010 19999QX	\$8,492,793		

26. REMARKS: (Continued on separate sheets)

Statutory Authority: This grant award is issued under the authority of the American Recovery and Reinvestment Act, 2009 (PL 111-5), Title XIII.
By receiving funds under this award, the recipient assures that it will carry out the project/program as authorized and will comply with the terms and conditions and other requirements of this award.
The terms and conditions of this Notice of Grant Award and other requirements have the following order of precedence if there is any conflict in what they require: (1) American Recovery and Reinvestment Act, 2009 (PL 111-5); (2) other applicable Federal statutes and their implementing regulations; (3) terms and conditions of award.
This award is subject to the HHS-Approved Standard Terms and Conditions for the American Recovery and Reinvestment Act of 2009.

27. SIGNATURE - OS GRANTS OFFICER Barbara Benyard <i>BB Benyard</i>	DATE: 4/2/2011	28. SIGNATURE(S) CERTIFYING FUND AVAILABILITY Karen Butler <i>Karen Butler</i>
29. SIGNATURE AND TITLE - PROGRAM OFFICIAL(S) David Blumenthal, Program Official <i>David Blumenthal</i>	DATE: 4/2/2010	

Tidewater Community College HIT Consortium Agreement

This AGREEMENT is made this second day of April, 2010 between Suffolk County Community College (hereinafter "the Member Community College") and Tidewater Community College (TCC), an agency of the Commonwealth of Virginia (hereinafter "the Lead Awardee").

WHEREAS, the Lead Awardee is a Community College which provides post secondary training and education programs and;

WHEREAS, the Member Community College is a two-year institution of higher education commonly identified as a community college or a collaborative group of community colleges and;

WHEREAS, it is to the benefit of the Lead Awardee that the resources of the Member Community College be made available to support the Tidewater Community College Region E Consortia to Educate Information Technology Professionals in Health Care (hereinafter "the TCC HIT Consortia") and;

WHEREAS, it is to the benefit of both the Lead Awardee and Member Community College to collaborate in the proposed project;

NOW THEREFORE, in consideration of the promises herein contained and other good and valuable consideration the parties agree as follows:

1. Purpose

The purpose of this Agreement is to establish procedures and guidelines for coordination and operation of the proposed project: "TCC HIT Consortia", Grant Award No: 90CC0080/01 from US DHHS – Office of the National Coordinator for Health Information Technology.

2. The Lead Awardee's Responsibilities

The Lead Awardee agrees to develop a mechanism for convening a regional coordination committee of member community colleges to provide training in the six Health IT Workforce Roles as prescribed in the Funding Opportunities Announcement EP-HIT-10-001 from the US Department of Health and Human Services (HHS). The responsibilities include organizing and managing the consortium, issuing and administering sub-awards to member institutions, serving as a custodian of federal funds, coordinating curriculum committees or other committees needed to meet the project goals, gathering performance measures data, reporting progress and participating in program evaluation, and representing the consortium in the national coordination committee.

3. The Member Community College's Responsibilities

The Member Community College agrees to support the TCC HIT Consortium as prescribed in the US Department of Health and Human Services announcement EP-HIT-10-001 by working with local health entities, recruiting qualified students, providing appropriate training to be initiated prior to September 29, 2010, assisting students in finding job opportunities, evaluating student progress, submitting student success data to the Lead Awardee, submitting annual reports, submitting monthly financial reports and reimbursement requests to the Lead Awardee, and collaborating with other Office of the National Coordinator (ONC) programs as prescribed. Details of these responsibilities are outlined in the attached Statement of Work.

4. Consideration and Payment

- a. In full and complete consideration of the Member Community College's satisfactory performance as per the guidelines established by the Office of the National Coordinator (ONC) under this agreement, the Lead Awardee agrees to reimburse the Member Community College for allowable costs incurred in accordance with the terms of this Agreement in an amount not to exceed **\$494,115**. Payment of such sum shall be in accordance with the budget appended hereto and incorporated as Exhibit 2.
- b. Invoices for expenses incurred, in sufficient detail to clearly indicate the nature of expenses, shall be submitted to the Lead Awardee. Invoices must be received by the 10th of the month following each calendar month close. All invoices shall have the following certification on their face, executed by an individual authorized by the Member Community College: "I certify that all payments requested are for appropriate purposes and in accordance with the Agreement." Invoices shall include the Federal Award Number 90CC0080/01, TCC purchase order number, project number, and the Member Community College's federal tax identification number. The TCC purchase order number and project number will be provided following receipt of a fully executed agreement with the Member Community College.
- c. The Member Community College shall submit invoices to the Lead Awardee addressed as follows:

Tidewater Community College
Office of Fiscal Services, Suite 510
Green District Administration Building
121 College Place
Norfolk, VA 23510
Attention: Grant Accounting
- d. The Member Community College shall submit its final invoice, which must be marked "Final", no later than 30 days after the ending date of this agreement.

- e. Payment for work performed under this agreement will be made from the Lead Awardee to the Member Community College on a reimbursement basis. Reimbursement will be made within 30 days following the receipt of properly documented allowable expenditures or reimbursement to the Lead Awardee from the grantor agency, whichever is later.
- f. The Member Community College assumes sole responsibility for reimbursement to the Lead Awardee of a sum of money equivalent to the amount of any disallowed expenditures should the Lead Awardee or an authorized agency rule, through audit exception or some other appropriate means, that expenditures from funds allocated to the Member Community College for direct and/or indirect costs were not made in compliance with the regulations of DHHS or the provisions of this Agreement.
- g. The Member Community College shall maintain books, records, documents, and other evidence pertaining all costs and expenses incurred and revenues acquired under this Agreement to the extent and in such detail as will properly reflect all costs, direct and indirect, of labor, materials, equipment, supplies and services, and other costs and expenses of whatever nature for which reimbursement is claimed.

5. Governing Law

This Agreement is made in Norfolk, Virginia, and shall be governed by DHHS regulations and federal law.

6. Agreement

The funding period is from April 2, 2010 through April 1, 2011 with one subsequent year contingent upon funding availability.

This award is a Cooperative Agreement between the Lead Awardee and the Member Community College. **The Member Community College is held accountable to all requirements, restrictions, and terms in this agreement and associated addenda A, B, and C, and Exhibits 1 and 2.**

7. Terms and Conditions: Terms and conditions are incorporated within addenda A, B, and C.

8. Contingency

Based on the conditions of the award to the Member Community College, this Agreement commences upon award of said grant and is in effect for one (1) year with a renewal for one (1) subsequent one (1) year term contingent upon the Lead Awardee being awarded funding for year two (2) of the grant. Member Community College's award for year two (2) will be contingent upon Lead Awardees receipt of funding for second year from DHHS and Member Community College's satisfactory performance.

9. Termination

This agreement may be terminated by either party in writing or certified mail at least ninety (90) days prior to the date of termination for that year. Should notice of termination be given by either party to this Agreement, the US Department of Health and Human Services will be notified immediately.

Termination of this Agreement may be affected by either party at the address given below.

Notice of termination to the Member Community College shall be directed to:

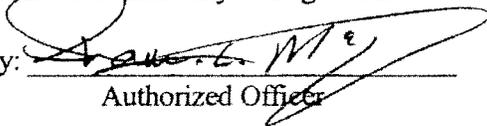
Dr. Shaun L. McKay, President
Suffolk County Community College
533 College Road
Selden, NY 11784

Notice of termination to the Lead Awardee shall be directed to:

Phyllis F. Milloy
Vice President for Finance
Tidewater Community College
Green District Administration Building
121 College Place, Suite 508
Norfolk, VA 23510

IN WITNESS THEREOF, the parties hereto have caused this Agreement to be executed on the day, month, and year as written above:

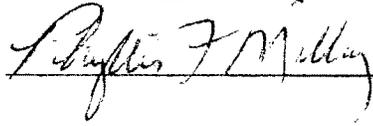
Suffolk County Community College
Member Community College Name

By: 
Authorized Officer

Dr. Shaun L. McKay
Authorized Officer's Printed Name

Date: 5/18/10

Tidewater Community College
Lead Awardee Name

By: 

Title: Vice President for Finance

Date: 6/11/10

**STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION**

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

Accepting and Appropriating a Grant Sub-award from Tidewater Community College for a Department of Health and Human Services Health Information Technology Project 100% Reimbursed by Federal Funds at Suffolk County Community College

3. Purpose of Proposed Legislation

To accept a grant sub-award from Tidewater Community College, in the amount of \$494,115, including indirect costs, for a Department of Health and Human Services Health Information Technology (HIT) project for year one of a two-year project, during the 2009-2010 fiscal year and completing during the 2010-2011 fiscal year.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes No X

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 4 is "yes," Provide Detailed Explanation of Impact

The grant sub-award from Tidewater Community College will provide \$494,115, including indirect costs, for operating costs for year one of a two-year Department of Health and Human Services Health Information Technology (HIT) Project for the period of April 2, 2010 through April 1, 2011, will be used for the operation of the grant project during the 2009-2010 fiscal year and completing during the 2010-2011 fiscal year.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdiv.
Not Applicable

8. Proposed Source of Funding: Department of Health and Human Services
Tidewater Community College

9. Timing of Impact: April 2, 2010 through April 1, 2012
Year 1: April 2, 2010 through April 1, 2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Deborah E. Lesser, M.S. Senior Accountant		June 14, 2010

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2010**

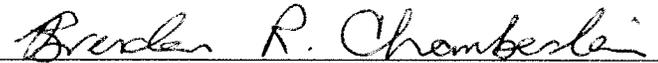
WHEREAS, INTRODUCTORY RESOLUTION NO. **1723-10**

**RESOLUTION NO. - 2010, ACCEPTING AND APPROPRIATING A
GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF
LABOR – EMPLOYMENT TRAINING ADMINISTRATION (DOL-ETA)
FOR A COMMUNITY-BASED JOB TRAINING GRANT: POWER 100%
REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY
COMMUNITY COLLEGE**

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

NOW, I, BRENDAN CHAMBERLAIN, DIRECTOR OF INTERGOVERNMENTAL
RELATIONS, 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. – 2010, BECAUSE, SUFFOLK COUNTY
COMMUNITY COLLEGE HAS RECEIVED A GRANT AWARD FROM THE
UNITED STATES DEPARTMENT OF LABOR – EMPLOYMENT TRAINING
ADMINISTRATION (DOL-ETA), IN THE AMOUNT OF \$1,877,305, INCLUDING
INDIRECT COSTS, FOR A COMMUNITY-BASED JOB TRAINING GRANT -
POWER: PATHWAYS TO OPPORTUNITIES WITHIN ENERGY & RENEWABLES,
FOR THE PERIOD OF JULY 1, 2010 THROUGH JUNE 30, 2013.

IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
SEVENTH OF JULY, 2010.


BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS

RECEIVED
2010 JUL - 6 P 3:55

RECEIVED

1723

Introductory Resolution No. -2010

Laid on the Table

7/7/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF LABOR – EMPLOYMENT TRAINING ADMINISTRATION (DOL-ETA) FOR A COMMUNITY-BASED JOB TRAINING GRANT: POWER 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received a grant award from the United States Department of Labor – Employment Training Administration (DOL-ETA), in the amount of \$1,877,305, including indirect costs, for a Community-Based Job Training Grant -POWER: Pathways to Opportunities Within Energy & Renewables, for the period of July 1, 2010 through June 30, 2013; and

WHEREAS, the program provides for short-term, standards-based career and job training in renewable energy technology and energy efficiency, for unemployed, dislocated and incumbent workers, and veterans who are entering the workforce or are transitioning to a new job or career; and

WHEREAS, no matching funds are required; and

WHEREAS, due to the start date of this project, it is necessary that this resolution be approved in anticipation of the acceptance of the grant by the Board of Trustees of Suffolk County Community College; and

WHEREAS, the College anticipates spending the \$1,877,305, including indirect costs, in accordance with the terms of said grant award by June 30, 2013; now therefore be it

^{1st} **RESOLVED**, that said grant award, in the amount of \$1,877,305, including \$161,391 in indirect costs, from the United States Department of Labor – Employment Training Administration (DOL-ETA), for a three-year program, for a Community-Based Job Training Grant – POWER: Pathways to Opportunities Within Energy & Renewables, be accepted and appropriated for the operation of the program as follows:

<u>REVENUES:</u>	<u>AMOUNT:</u>
Federal Aid: Community Based Job Training Grant: POWER :	
GC68-GC6810-544242	\$ 1,877,305

<u>APPROPRIATIONS:</u>	<u>AMOUNT:</u>
Community Based Job Training Grant: POWER:	
GC68-GC6810	\$ 1,715,914

Suffolk County Community College
Community Based Job Training Grant: POWER
GC68-GC6810

<u>611000-Personal Services</u>	<u>\$ 921,384</u>
611100-Permanent Salaries	633,634

611130-Temporary Salaries	31,875
611170-Part-time Instructor	231,875
611570-Full-time Overload	24,000
628000-Employee Benefits	\$ 214,180
628160-TIAA/CREF Retirement	52,611
628300-Workers' Comp	2,970
628330-Social Security	70,486
628350-Unemployment Insurance	2,042
628360-Health Insurance	69,871
628380-Benefit Fund Contribution	16,200
712000-Equipment	\$ 383,000
712440-Instructional Equipment	383,000
713000-Supplies and Materials	\$ 88,450
713010-Office Supplies	3,000
713100-Instructional Supplies	85,450
714300-Travel	\$ 26,350
714330-Travel: Mileage Reimbursement	750
714340-Travel: College Business	25,600
714500-Contracted Services	\$ 82,550
714560-Fees for Services	82,550

and be it further

2nd **RESOLVED**, that the following positions be created for the entire period of the grant:

Title	Spec No.	Job Classification	Bargaining Unit	Grade
Project Director	9094	Exempt	21	33
Director	9094	Exempt	21	33
Professional Assistant 1	9101	Faculty	3	Step 4

And be it further

3rd **RESOLVED**, that nothing contained herein shall be construed as obligating or committing Suffolk County Community College or the County of Suffolk to continue the employment of the individuals filling the positions created by the Resolution at the conclusion of the grant funding provided for such positions created by said grant.

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 Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Accepting and Appropriating a Grant Award from the United States Department of Labor – Employment Training Administration (DOL-ETA) for a Community-Based Job Training Grant: POWER 100% Reimbursed by Federal Funds at Suffolk County Community College

3. Purpose of Proposed Legislation

To accept a grant award, in the amount of \$1,877,305, including indirect costs, from the United States Department of Labor – Employment Training Administration (DOL-ETA) for a Community-Based Job Training Grant , POWER: Pathways to Opportunities Within Energy & Renewables during the 2009-2010 fiscal year and completing during the 2012-2013 fiscal year.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes ___ 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 4 is "yes," provide detailed explanation of impact.

The grant will provide \$1,877,305, including indirect costs, from the United States Department of Labor – Employment Training Administration (DOL-ETA) for a three-year program, Community-Based Job Training Grant: POWER: Pathways to Opportunities Within Energy & Renewables during the 2009-2010 fiscal year and completing during the 2012-2013 fiscal year. No matching funds required.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdiv.
Not Applicable

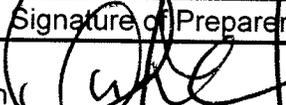
8. Proposed Source of Funding: United States Department of Labor
Employment Training Administration (DOL-ETA)

9. Timing of Impact: July 1, 2010 through June 30, 2013

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date

Allen M. Kovesdy

Director of Management and Research



July 6, 2010 ✓

July 6, 2010 ✓

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 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 2009.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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.

Submitting Department
(Dept. Name & Location):

Department Contact Person
(Name & Phone No.):

SUFFOLK COUNTY COMMUNITY COLLEGE

Deborah Lesser, M.S.
Senior Accountant - (631) 451-4227

Suggestion Involves:

Technical Amendment

New Program

Grant Award

Subcontract

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

The operating costs for the project are not included in the College budget

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

Not Applicable

PLEASE FILL IN REVERSE SIDE OF FORM

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

CN

Suffolk

COUNTY COMMUNITY COLLEGE

To: Ken Crannell, Deputy County Executive
Christopher Kent, Chief Deputy County Executive
✓ Brendan Chamberlain, Director, Intergovernmental

From: Nancy Stier *Nancy Stier* P. for Business & Financial Affairs

Date: July 2, 2010

Subject: Request for a Certificate of Necessity (CN) Accepting and Appropriating a Grant Award for a Suffolk County Community College Program

Enclosed are the application and requisite forms to request acceptance and appropriation of a grant award for a program at Suffolk County Community College.

Proposal Grant Award Subcontract

Program Name: Community Based Job Training Grant: POWER

Funder: U. S. Department of Labor
Employment Training Administration (DOL-ETA)

Amount of Grant: \$1,887,305

Full Time Positions: Years 1-3: Project Director: Exempt Grade 33
Director: Exempt Grade 33
Professional Assistant 1, 12 month

Please call me if there are questions regarding this request.
An e-mail version of the resolution was sent to CE RESO REVIEW:
File name: Co CBJTG POWER Award 10.doc

cc: N. Leonhardt, Associate Dean, Office of Continuing Education
J. Bullard, Jr., Associate Dean for Financial Affairs
J. Canniff, Vice President for Academic and Campus Affairs
G. Gatta, Jr., Executive Vice President

Central Administration
533 College Road
Selden, NY 11784-2899
(631) 451-4112

Ammerman Campus
533 College Road
Selden, NY 11784-2899
(631) 451-4110

Grant Campus
Crooked Hill Road
Brentwood, NY 11717-1092
(631) 851-6700

Eastern Campus
121 Speonk-Riverhead Road
Riverhead, NY 11901-3499
(631) 548-2500

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.

Submitting Department
(Dept. Name & Location):

Department Contact Person
(Name & Phone No.):

SUFFOLK COUNTY COMMUNITY COLLEGE

Deborah Lesser, M.S.
Senior Accountant - (631) 451-4227

Suggestion Involves:

Technical Amendment

New Program

Grant Award

Subcontract

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

The operating costs for the project are not included in the College budget

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

Not Applicable

PLEASE FILL IN REVERSE SIDE OF FORM

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

RESOLUTION NO. 2010. ACCEPTING A GRANT AWARD FOR A COMMUNITY-BASED JOB TRAINING GRANT: PATHWAYS TO OPPORTUNITIES WITHIN ENERGY & RENEWABLES (POWER)

WHEREAS, Suffolk County Community College has received a grant award from the United States Department of Labor – Employment Training Administration (DOL-ETA), in the amount of \$1,877,305, for a Community-Based Job Training Grant, “Pathways to Opportunities Within Energy & Renewables (POWER)”, for the period of July 1, 2010 through June 30, 2013, and

WHEREAS, the program provides funds for short-term, standards-based career and job training in renewable energy technology and energy efficiency, for unemployed, dislocated and incumbent workers, and veterans who are entering the workforce or are transitioning to a new job or career, and

WHEREAS, matching funds are not required, be it therefore

RESOLVED, that a grant award, in the amount of \$1,877,305, including indirect costs, from the United States Department of Labor – Employment Training Administration (DOL-ETA), for a Community-Based Job Training Grant, “Pathways to Opportunities Within Energy & Renewables (POWER)”, beginning during the 2009-2010 fiscal year, and completing during the 2012-2013 fiscal year, is hereby accepted, and the College president or his designee is authorized to execute a contract with the administering agency.

Project Director: Nina Leonhardt

Note: 3 full-time positions for the entire grant period:

Project Director

Director

Professional Assistant

Board of Trustees Meeting
Date: July 19, 2010

ABSTRACT

Grant Proposal ___ Grant Award X

Funding Source U. S. Department of Labor
Employment Training Administration (DOL-ETA)

Project Name: POWER: Pathways to Opportunities Within Energy & Renewables

Project Director: Nina Leonhardt

Project Period: July 1, 2010 through June 30, 2013
Campus: Central

Amount of Award: \$1,877,305
Match/Fees: No Match Required
Total Program Budget: \$1,877,305
In-kind Contribution: \$875,000 leveraged resources from government,
non-profit, and educational partners

Full-time Positions: 1 Project Director; 1 Director,
1 Professional Assistant
Reassigned/Overload Time: Instruction Coordinator: Overload
No. of Students to be Served: 250
Type of Student to be Served: Unemployed, dislocated and incumbent workers,
and veterans who are entering the workforce or are
transitioning to a new job or career

Description of Project:

Suffolk County Community College, along with its partners Nassau Community College, the Suffolk County Workforce Investment Board, Brookhaven National Lab, industry associations Long Island Forum for Technology and Renewable Energy Long Island, United Way of Long Island, Stony Brook University, and the Suffolk County Economic Development Commission propose short-term, standards and outcomes-based career and job training in renewable energy technology and energy efficiency for 250 unemployed, dislocated and incumbent workers, and veterans on suburban Long Island over a three year period. In addition to job skills training, this POWER ("Pathways to Opportunities Within Energy & Renewables") initiative will include career planning for all participants, and emerging workers will have the opportunity to earn their GEDs and/or the National Work Readiness Credential.

U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION	GRANT / AGREEMENT NOTIFICATION OF AWARD/OBLIGATION
--	--

Under the authority of the *Workforce Investment Act*, this grant or agreement is entered into between the above named *Grantor Agency* and the following named *Awardee*, for a project entitled - **COMMUNITY-BASED JOB TRAINING GRANTS.**

Name & Address of Awardee:	Agreement #:	CB-20577-10-60-A-36
SUFFOLK COUNTY	CFDA #:	17.269
Community College	Accounting Code:	1630-2010-05017410108D201001740003105CB0001041GAOWI00AOWI00-A90200-410023-ETA-DEFAULT TASK-
533 College Road	Mod Amount:	\$1,877,305.00
Seiden, NEW YORK 11784	EIN:	262415339
	DUNS #:	068017615

The Period of Performance shall be from **July 01, 2010 thru June 30, 2013.**
Total Government's Financial Obligation is **\$1,877,305.00** (unless other wise amended).
Payments will be made under the Payments Management System, and can be automatically drawn down by the awardee on an as needed basis covering a forty-eight (48) hour period.

In performing its responsibilities under this grant agreement, the awardee hereby certifies and assures that it will fully comply with the following regulations and cost principles, including any subsequent amendments:

Uniform Administrative Requirements:
29 CFR Part 97, for State/Local Governments and Indian Tribes; OR
29 CFR Part 95, for Institutions of Higher Education, Hospitals and other Non-Profit Organizations and Commercial Organizations.

Cost Principles:
OMB Circular A-87, for State/Local Governments and Indian Tribes;
OMB Circular A-21, for Institutions of Higher Education; OR
OMB Circular A-122, for Non-Profit Organizations.
48 CFR Part 31.

Other Requirements (As Applicable):
29 CFR Part 96 and 99, Single Audit Act
29 CFR Part 93, Lobbying Certification
29 CFR Part 37, Nondiscrimination and Equal Opportunity Requirements
29 CFR Part 98, Debarment and Suspension; Drug Free Workplace
20 CFR Part 652 et al., Workforce Investment Act
Wagner-Peyser Act
Grant Award Document, Parts I through IV, and attachments.

90-day indirect

The awardee's signature below certifies full compliance with all terms and conditions as well as the above stated grant regulations and certifications, and that this document has not been altered.

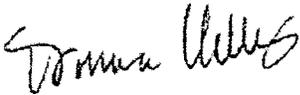
Signature of Approving Official - **AWARDEE**

Signature of Approving Official - **DOL / ETA**

No Additional Signature Required

(Signature / Date)
See SF 424 for Signature

(Type Name and Title)


DONNA KELLY _____ June 29, 2010
Grant Officer

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant: NY-2

*b. Program/Project: NY-1, NY-2, NY-3

17. Proposed Project:

*a. Start Date: July 1, 2010

*b. End Date: June 30, 2013

18. Estimated Funding (\$):

*a. Federal	1,877,305
*b. Applicant	_____
*c. State	_____
*d. Local	_____
*e. Other	_____
*f. Program Income	_____
*g. TOTAL	_____
	<u>1,877,305</u>

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

- Yes
- No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Dr. *First Name: Shaun
Middle Name: _____
*Last Name: McKay
Suffix: Ed. D.

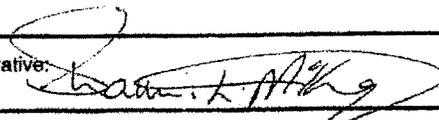
*Title: President

*Telephone Number: 631-451-4736

Fax Number: 631-451-4715

*Email: mckays@sunysuffolk.edu

*Signature of Authorized Representative:



*Date Signed: 04/28/2010

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2010**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1724-10

**RESOLUTION NO. -2010, A LOCAL LAW
ELECTING A RETIREMENT INCENTIVE
PROGRAM AS AUTHORIZED BY PART A OF
CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE
EMPLOYEES OF THE COUNTY OF SUFFOLK**

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

NOW, I, BRENDAN CHAMBERLAIN, DIRECTOR OF INTERGOVERNMENTAL
RELATIONS, 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. - 2010, BECAUSE THE STATE LAW
THAT AUTHORIZES THIS EARLY RETIREMENT INCENTIVE ONLY PROVIDES
THE COUNTY WITH A LIMITED TIME FRAME TO ACT ON THE REQUIRED
LOCAL LAW.

IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
SEVENTH DAY OF JULY, 2010.


BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200

AMENDED COPY AS OF 7/7/2010

Intro. Res. No. 1724-2010

Laid on Table 07/7/2010

Introduced by Presiding Officer, on request of the County Executive and Legislators Losquadro, D'Amaro, Nowick and Stern

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO.
-2010, A LOCAL LAW ELECTING A RETIREMENT
INCENTIVE PROGRAM AS AUTHORIZED BY PART A OF
CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE
EMPLOYEES OF THE COUNTY OF SUFFOLK**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on July 7, 2010, a proposed Local Law entitled "A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY PART A OF CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF SUFFOLK"; and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM
AS AUTHORIZED BY PART A OF CHAPTER 105, LAWS OF 2010 FOR
THE ELIGIBLE EMPLOYEES OF THE COUNTY OF SUFFOLK**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the 2010 Part A Retirement Incentive Program (Chapter 105, Laws of 2010) has recently been adopted by the State of New York, as a temporary program for certain members of the New York State and Local Employees Retirement System.

The Legislature further finds and determines that Part A is a targeted incentive for eligible titles which must be offered to members of the employees retirement system on or before August 31, 2010. The Part A incentive provides eligible employees with one (1) additional month of service credit for each year of service credit as of the date of retirement with a maximum amount of additional service credit of three (3) years.

The Legislature further finds and determines that the retirement incentive provided by this local law is designed to achieve cost savings for the County, to minimize layoffs of public employees in this time of fiscal need, and will result in a reduction of the overall County workforce.

Therefore, the purpose of this law is to enact targeted incentive Part A as provided for in Chapter 105 of the Laws of 2010 of the State of New York.

Section 2. Requirements.

- A.) The County hereby elects to provide all of its eligible employees with a Retirement Incentive Program authorized by Part A of Chapter 105, Laws of 2010.
- B.) The commencement date of the Retirement Incentive Program shall be July 23, 2010.
- C.) The open period during which eligible employees may retire and receive the additional retirement benefits, shall be thirty days in length.
- D.) The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one (1) lump sum, or in five (5) annual installments. The amount of annual payment shall be determined by the actuary of the New York State and Local Employees Retirement System, and it shall be paid by the County for each employee who receives the benefit payable under this local law.
- E.) The County shall not be required to eliminate the positions of eligible employees in eligible titles receiving the retirement incentive authorized by Part A of Chapter 105, Laws of 2010 so long as the County achieves compensation savings whereby the total amount of base salary paid for the two-year period subsequent to the effective date of retirement of the eligible employees to new hires who otherwise would not have been hired by the County after the effective date of this law but for the retirement incentive, is at least eighty percent of the total amount of base salary that would have been paid to eligible employees from their date of retirement for such two-year period.

Section 3. Eligible Employees.

For purposes of this law, eligible employees shall be all full time employees in any title, excepting: (i) those full time employees employed in a title designated by the County Executive pursuant to section one of Part A of Chapter 105, Laws of 2010, and excepting (ii) those employees whose salary is at least 50% funded with Federal and/or State Aid, provided, however, that employees in the Department of Health Services and the Department of Social Services whose salary is at least 50% funded with Federal and/or State aid shall be deemed eligible employees, and provided further that in the Office for the Aging, three Caseworkers, one Senior Caseworker and one Senior Citizen Aide shall be deemed eligible employees.

Section 4. Applicability.

This law shall apply to all eligible employees duly electing to participate in the Retirement Incentive Program authorized by Part A of Chapter 105, Laws of 2010.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK

ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Severability.

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

Section 7. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1724

Early Retirement Impact - LIST A

Impact of Early Retirement

	2010	2011	2012	2013	2014	2015	2016
Salary & Benefits	9,849,689	29,549,067	29,549,067	753,501	1,618,966	-	-
Termination Payment	(9,071,563)	-	-	-	-	-	-
Revenue Loss	(1,287,027)	(3,861,081)	(3,861,081)	-	-	-	-
Retirement payback	-	-	(4,672,322)	(4,672,322)	(4,672,322)	(4,672,322)	(4,672,322)
Two Week Accrual	(1,136,503)	-	-	-	-	-	-
Backfill	-	(5,589,698)	(5,589,698)	-	-	-	-
TOTAL	(1,645,404)	20,098,288	15,425,966	(3,918,821)	(3,053,356)	(4,672,322)	(4,672,322)

Regular Retirement Impact

	2010	2011	2012	2013	2014	2015	2016
Salary & Benefits	2,619,383	12,022,968	20,352,606	-	-	-	-
Termination Payment	(2,369,465)	(2,511,633)	(2,511,633)	-	-	-	-
Revenue Loss	(361,859)	(1,660,933)	(2,811,644)	-	-	-	-
Retirement payback	-	-	-	-	-	-	-
Two Week Accrual	(302,236)	(320,371)	(320,371)	-	-	-	-
Backfill	-	-	-	-	-	-	-
TOTAL	(414,177)	7,530,031	14,708,957	-	-	-	-

Early Retirement Impact

	2010	2011	2012	2013	2014	2015	2016	Total
Salary & Benefits	7,230,306	17,526,099	9,196,461	753,501	1,618,966	-	-	44,557,807
Termination Payment	(6,702,098)	2,511,633	2,511,633	-	-	-	-	(11,064,626)
Revenue Loss	(925,168)	(2,200,148)	(1,049,437)	-	-	-	-	(5,200,601)
Retirement payback	-	-	(4,672,322)	(4,672,322)	(4,672,322)	(4,672,322)	(4,672,322)	(23,361,610)
Two Week Accrual	(834,267)	320,371	320,371	-	-	-	-	(1,143,121)
Backfill	-	(5,589,698)	(5,589,698)	-	-	-	-	(11,179,396)
TOTAL	(1,231,227)	12,568,257	7,17,009	(3,918,821)	(3,053,356)	(4,672,322)	(4,672,322)	(7,391,547)

Total Three Year Impact

12,054,038

Notes:

Total expected to take Early Retirement 394
 Total expected to retire the rest of 2010 without Early Retirement 121
 Total Eligible 1,870

1724

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution _____ Local Law <u> X </u> Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. - , 2010, A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY PART A OF CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF SUFFOLK		
3. Purpose of Proposed Legislation Same as above - With a Suffolk County target date of on or before August 31, 2010.		
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): DAV
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact Please see the attached chart which will provide best estimates of the cost and savings of the above noted early retirement incentive.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. See above #6.		
8. Proposed Source of Funding 2010 and future adopted budgets.		
9. Timing of Impact Upon approval		
10. Typed Name & Title of Preparer Stephanie Rubino Chief Executive Analyst	11. Signature of Preparer <i>Stephanie Rubino</i>	12. Date July 6, 2010

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
 Office of Management and Budget
853-5684

Suggestion Involves:

Technical Amendment New Program
 Grant Award Contract (New Rev.)

Local law

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

**A LOCAL LAW ELECTING A RETIREMENT INCENTIVE
 PROGRAM AS AUTHORIZED BY PART A OF CHAPTER 105,
 LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF THE
 COUNTY OF SUFFOLK**

Refer to attachment for specific details.

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

PLEASE FILL IN REVERSE SIDE OF FORM

1724

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
email: george.nolan@suffolkcountyny.gov



WILLIAM H. ROGERS BUILDING
P.O. Box 6100
HAUPPAUGE, NY 11788-0099
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

DATE: JULY 6, 2010
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. ¹⁷²⁴-2010; A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY PART A OF CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF SUFFOLK

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 7/6/10 PUBLIC HEARING: 7/7/10

DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

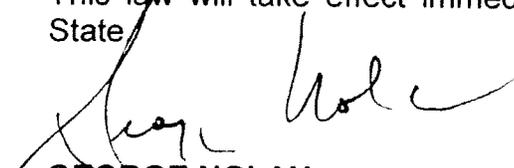
By enacting the proposed local law, the County would elect to offer certain County employees a retirement incentive, as authorized by the New York State Legislature (Chapter 105, Laws of 2010).

Specifically, under the proposed law the County elects the "Part A" retirement incentive, which will provide additional service credit (1/12th of a year for each year of service up to a maximum of three years of service) to eligible employees.

The law states that all full-time County employees shall be eligible to participate in the program except: 1) those employed in a title contained in a separate List "A", attached to the proposed law, and 2) those employees whose salary is at least 50% federal or state aided.¹

The retirement incentive program will commence on July 23, 2010 and remain open for 30 days.

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


GEORGE NOLAN
Counsel to the Legislature

¹ However, employees in the Department of Health Services and the Department of Social Services as well as five (5) employees in the Office for the Aging are deemed eligible even if their salary is more than 50% federal or state aided.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2010**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1725-10

**RESOLUTION NO. -2010, APPORTIONING
MORTGAGE TAX BY: COUNTY TREASURER**

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

NOW, I, BRENDAN CHAMBERLAIN, DIRECTOR OF INTERGOVERNMENTAL
RELATIONS, 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. - 2010, BECAUSE PASSAGE OF THIS
LEGISLATION IS NECESSARY FOR DISTRIBUTION OF MORTGAGE TAX
PROCEEDS TO TOWNS AND VILLAGES.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
SEVENTH DAY OF JULY, 2010.



BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS

Intro. Res. No. 1725

Laid on Table 7/7/10

Introduced by the Presiding Officer at the request of the County Executive

RESOLUTION NO. -2010, APPORTIONING
MORTGAGE TAX BY: COUNTY TREASURER

RESOLVED, that the joint reports of the Recording Officer and the County Treasurer as filed with this Legislature on July 7th 2010 relative to the distribution of mortgage taxes for the six month period ending March 31, 2010, be accepted and that the amounts specified therein be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

RESOLVED, that the Presiding Officer and Clerk of this Legislature be authorized to execute and deliver to the County Treasurer a warrant of this Legislature directing him to make the payments therein specified in the report in accordance with the provisions of Section 261 of the Tax Law.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

OFFICE OF THE COUNTY LEGISLATURE
Riverhead, New York

TO THE TREASURER OF SUFFOLK COUNTY:

Pursuant to the authority conferred by Section 261 of the New York State Tax Law and a resolution adopted this day relative to the distribution of mortgage taxes to the several tax districts of this County for the six-month period ending March 31, 2010, the County Legislature of this County this day assembled hereby directs you to pay the Supervisors of the several Towns and to the Treasurers of the several Villages, as herein after specified, such sums as are listed in the schedule following:

To the Supervisors of the Towns of:

Babylon	\$2,104,280.99
Brookhaven	5,602,708.24
East Hampton	1,344,684.46
Huntington	3,450,534.43
Islip	3,693,823.35
Riverhead	479,717.64
Shelter Island	175,166.34
Smithtown	2,107,816.90
Southampton	2,691,064.09
Southold	545,696.28
Total Towns:	<u>\$22,195,492.72</u>

To the Treasurers of the Villages of:

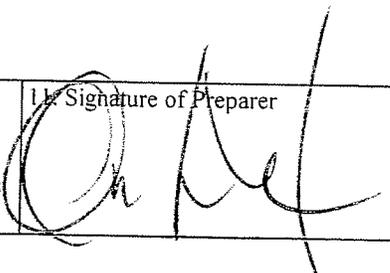
Amityville	\$68,955.06
Babylon	85,577.23
Lindenhurst	138,039.55
Belle Terre	15,567.10
Bellport	25,939.18
Lake Grove	85,965.77
Old Field	23,117.50
Patchogue	60,833.63
Poquott	11,328.59
Port Jefferson	146,482.56
Shoreham	6,205.32
East Hampton	164,263.80
Sag Harbor	17,312.37

Asharoken	14,634.13
Huntington Bay	23,098.51
Lloyd Harbor	77,092.92
Northport	59,642.16
Brightwaters	26,187.21
Islandia	56,082.75
Ocean Beach	18,549.27
Saltaire	20,510.26
Dering Harbor	3,397.17
Head of the Harbor	26,837.21
Nissequogue	34,299.54
Village of the Branch	23,270.46
North Haven	44,763.95
Quogue	101,069.58
Sagaponack	105,101.36
Sag Harbor	36,972.12
Southampton	308,898.06
Westhampton Beach	90,230.99
Westhampton Dunes	18,511.53
Greenport	12,541.37
Total Villages:	<u>\$1,951,278.21</u>
Grand Total:	<u><u>\$24,146,770.93</u></u>

Presiding Officer, County Legislature

Clerk, County Legislature

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 APPORTIONING MORTGAGE TAX BY: COUNTY TREASURER		
3. Purpose of Proposed Legislation SAME AS ABOVE -		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <u>X</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: NO IMPACT -		
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 Allen M. Kovesdy Director of Management and Research	11. Signature of Preparer 	July 6, 2010

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 TREASURER

Suggestion Involves:

Technical Amendment New Program
 Grant Award Contract (New Rev.)

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

APPORTIONING MORTGAGE TAX BY: COUNTY TREASURER

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

PLEASE FILL IN REVERSE SIDE OF FORM

CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2010

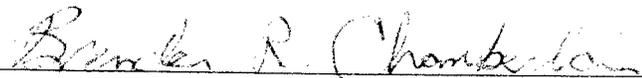
WHEREAS, INTRODUCTORY RESOLUTION NO. 1726-10

RESOLUTION NO. -2010, A LOCAL LAW
AMENDING LOCAL LAW NO. - 2010 TO
ENLARGE THE OPEN PERIOD AND THE NUMBER
OF EMPLOYEES ELIGIBLE TO PARTICIPATE IN
THE RETIREMENT INCENTIVE PROGRAM AS
AUTHORIZED BY LOCAL LAW -2010 AND
PART A OF CHAPTER 105, LAWS OF 2010

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

NOW, I, BRENDAN CHAMBERLAIN, DIRECTOR OF INTERGOVERNMENTAL
RELATIONS, 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. - 2010, BECAUSE THE STATE LAW
THAT AUTHORIZES THIS EARLY RETIREMENT INCENTIVE ONLY PROVIDES
THE COUNTY WITH A LIMITED TIME FRAME TO ACT ON THE REQUIRED
LOCAL LAW.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
SEVENTH DAY OF JULY, 2010.


BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS

2010 JUL - 7 P 3:56

RECEIVED

AMENDED COPY AS OF 7/7/2010

Intro. Res. No. 1726-2010

Laid on Table 07/7/2010

Introduced by Presiding Officer, on request of the County Executive and Legislators Losquadro, D'Amaro, Nowick and Stern

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW
NO. -2010, A LOCAL LAW AMENDING LOCAL LAW
NO. -2010, TO ENLARGE THE OPEN PERIOD AND
THE NUMBER OF EMPLOYEES ELIGIBLE TO PARTICIPATE
IN THE RETIREMENT INCENTIVE PROGRAM AS
AUTHORIZED BY LOCAL LAW NO. -2010, AND PART A
OF CHAPTER 105, LAWS OF 2010**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on July 7, 2010, a proposed Local Law entitled "A LOCAL LAW AMENDING LOCAL LAW NO. - 2010 TO ENLARGE THE OPEN PERIOD AND THE NUMBER OF EMPLOYEES ELIGIBLE TO PARTICIPATE IN THE RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY LOCAL LAW -2010 AND PART A OF CHAPTER 105, LAWS OF 2010;" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW AMENDING LOCAL LAW NO. -2010, TO
ENLARGE THE OPEN PERIOD AND THE NUMBER OF EMPLOYEES
ELIGIBLE TO PARTICIPATE IN THE RETIREMENT INCENTIVE
PROGRAM AS AUTHORIZED BY LOCAL LAW NO. -2010, AND
PART A OF CHAPTER 105, LAWS OF 2010**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law No. -2010 was recently adopted by this Legislature authorizing county employees to participate in a retirement incentive program.

This Legislature further finds and determines that Introductory Resolution No. 1474-2010, "A Local Law Authorizing The County Executive To Execute Agreements For The Sale Of The John J. Foley Skilled Nursing Facility" is likely to be duly considered and voted upon by this Legislature on August 17, 2010.

This Legislature further finds and determines that the retirement incentive provided by Local Law No. -2010 should be enlarged to include eligible employees employed at the John J. Foley Skilled Nursing Facility in the event that Introductory Resolution is approved by this Legislature.

This Legislature further finds and determines that the deadline set by state law for final passage of local law authorizing participation in a retirement incentive program under Part A of Chapter 105 of the Laws of 2010 is on or before August 31, 2010.

Therefore, the purpose of this law is to enlarge the targeted incentive Part A as provided for in Chapter 105 of the Laws of 2010 of the State of New York and Local Law No. -2010 to include eligible employees employed at the John J. Foley Skilled Nursing Facility in the event that Introductory Resolution No. 1474-2010 is approved by this Legislature on August 17, 2010.

Section 2. Amendments.

A.) Local Law No. -2010 is amended as follows:

Section 2. Requirements.

C.) The open period during which eligible employees may retire and receive the additional retirement benefits, shall be [thirty] sixty days in length.

Section 3. Eligible Employees.

For purposes of this law, eligible employees shall be all full time employees in any title, excepting: (i) those full time employees employed in a title designated by the County Executive pursuant to section one of Part A of Chapter 105, Laws of 2010, and excepting (ii) those employees whose salary is at least 50% funded with Federal and/or State Aid, provided, however, that employees in the Department of Health Services and the Department of Social Services whose salary is at least 50% funded with Federal and/or State aid shall be deemed eligible employees, and provided further that in the Office for the Aging, three Caseworkers, one Senior Caseworker and one Senior Citizen Aide shall be deemed eligible employees.

Section 3. Applicability.

The amendments set forth in § 2 of this law shall only apply if the Suffolk County Legislature approves Introductory Resolution No. 1474-2010, "A Local Law Authorizing The County Executive To Execute Agreements For The Sale Of The John J. Foley Skilled Nursing Facility" on or before August 17, 2010.

Section 4. SEQRA Determination.

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

REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 5. Severability.

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

Section 6. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Early Retirement Impact - LIST B

Impact of Early Retirement

	2010	2011	2012	2013	2014	2015	2016
Salary & Benefits	10,545,609	31,636,827	31,636,827	806,739	1,778,680	-	-
Termination Payment	(9,712,505)	-	-	-	-	-	-
Revenue Loss	(1,287,027)	(3,861,081)	(3,861,081)	-	-	-	-
Retirement payback	-	-	(4,989,652)	(4,989,652)	(4,989,652)	(4,989,652)	(4,989,652)
Two Week Accrual	(1,216,801)	-	-	-	-	-	-
Backfill	-	(7,387,677)	(7,387,677)	-	-	-	-
TOTAL	(1,670,724)	20,388,069	15,398,417	(4,182,913)	(3,210,972)	(4,989,652)	(4,989,652)

Regular Retirement Impact

	2010	2011	2012	2013	2014	2015	2016
Salary & Benefits	2,726,492	12,514,600	21,184,845	-	-	-	-
Termination Payment	(2,429,249)	(2,575,621)	(2,575,621)	-	-	-	-
Revenue Loss	(361,859)	(1,660,933)	(2,811,644)	-	-	-	-
Retirement payback	-	-	-	-	-	-	-
Two Week Accrual	(314,595)	(333,471)	(333,471)	-	-	-	-
Backfill	-	-	-	-	-	-	-
TOTAL	(379,211)	7,944,575	15,464,109	-	-	-	-

Early Retirement Impact

	2010	2011	2012	2013	2014	2015	2016	Total
Salary & Benefits	7,819,117	19,122,227	10,451,982	806,739	1,778,680	-	-	48,211,218
Termination Payment	(7,283,256)	2,575,621	2,575,621	-	-	-	-	(11,517,808)
Revenue Loss	(925,168)	(2,200,148)	(1,049,437)	-	-	-	-	(5,200,601)
Retirement payback	-	-	(4,989,652)	(4,989,652)	(4,989,652)	(4,989,652)	(4,989,652)	(24,948,260)
Two Week Accrual	(902,206)	333,471	333,471	-	-	-	-	(1,184,860)
Backfill	-	(7,387,677)	(7,387,677)	-	-	-	-	(14,775,354)
TOTAL	(1,291,513)	12,443,494	(65,692)	(4,182,913)	(3,210,972)	(4,989,652)	(4,989,652)	(9,415,664)

Total Three Year Impact

11,086,289

Notes:

- Total expected to take Early Retirement 434
- Total expected to retire the rest of 2010 without Early Retirement 127
- Total Eligible 1,970

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution _____ Local Law <u> X </u> Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. - , 2010, A LOCAL LAW AMENDING LOCAL LAW NO. - 2010 TO ENLARGE THE OPEN PERIOD AND THE NUMBER OF EMPLOYEES ELIGIBLE TO PARTICIPATE IN THE RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY LOCAL LAW -2010 AND PART A OF CHAPTER 105, LAWS OF 2010		
3. Purpose of Proposed Legislation		
Same as above - With a Suffolk County target date of on or before August 31, 2010.		
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)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> County </div>	Town	Economic Impact
Village	School District	Other (Specify): DAV
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact Please see the attached chart which will provide best estimates of the cost and savings of the above noted early retirement incentive.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
See above #6.		
8. Proposed Source of Funding		
2010 and future adopted budgets.		
9. Timing of Impact		
Upon approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Stephanie Rubino Chief Executive Analyst	<i>Stephanie Rubino</i>	July 6, 2010

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
Office of Management and Budget
853-5684

Suggestion Involves: _____

Technical Amendment New Program

Grant Award Contract (New Rev.)

Local law

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

TO ENLARGE THE OPEN PERIOD AND THE NUMBER OF EMPLOYEES ELIGIBLE TO PARTICIPATE IN THE RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY LOCAL LAW -2010 AND PART A OF CHAPTER 105, LAWS OF 2010.

Refer to attachment for specific details.

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.

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
email: george.nolan@suffolkcountyny.gov



WILLIAM H. ROGERS BUILDING
P.O. Box 6100
HAUPPAUGE, NY 11788-0099
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

DATE: JULY 7, 2010
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2010

TITLE: ¹⁷²⁶ I.R. NO. -2010; A LOCAL LAW TO ENLARGE THE OPEN PERIOD AND THE NUMBER OF EMPLOYEES ELIGIBLE TO PARTICIPATE IN THE RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY LOCAL LAW - 2010 AND PART A OF CHAPTER 105, LAWS OF 2010

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE AND LEGISLATORS LOSQUADRO, D'AMARO, NOWICK AND STERN

DATE OF RECEIPT BY COUNSEL: 7/6/10 PUBLIC HEARING: 7/7/10

DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law seeks to amend the local law that elects the "Part A" retirement incentive program under Chapter 105, Laws of 2010.

Specifically, this law would allow employees at the John J. Foley Skilled Nursing Facility to participate in the early retirement program and extend the open period from August 23, 2010 to September 22, 2010. However, these "amendments" would only be effective if the County Legislature approves the sale of the Foley facility by August 17, 2010.

This law, as proposed, has two potential legal defects: 1) the proposed law purports to amend a local law that has not yet been enacted, and 2) the proposed law would, in the middle of the program, enlarge the period from 30 to 60 days, effectively creating two open periods. The authorizing state legislation specifically says that only one open period shall be made available for eligible employees.

If enacted, this law would take effect immediately upon its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-retirement incentive - CE with Foley

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2010**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1727-10

**RESOLUTION NO. -2010, AUTHORIZING
TRANSFER OF FUNDS FROM THE TAX
STABILIZATION RESERVE FUND TO THE
GENERAL FUND**

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

NOW, I, BRENDAN CHAMBERLAIN, DIRECTOR OF INTERGOVERNMENTAL
RELATIONS, 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. - 2010, BECAUSE THIS
UNANTICIPATED EXPENDITURE CANNOT, AS A MATTER OF LAW, BE
FINANCED WITH AMOUNTS AVAILABLE IN ANY OTHER ACCOUNT OR
FUND.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
SEVENTH OF JULY, 2010.


BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS

1727

Intro. Res. No. -2010

Laid on Table 07/07/2010

Introduced by the Presiding Officer, on request of the County Executive and Legislator
Losquadro

**RESOLUTION NO. – 2010, AUTHORIZING
TRANSFER OF FUNDS FROM THE TAX
STABILIZATION RESERVE FUND TO THE
GENERAL FUND**

WHEREAS, the local economy has not recovered from the effects of the recession, which has caused a significant reduction in the County's largest revenue sources to levels below that of prior years; and

WHEREAS, Suffolk County's economy traditionally lags six to nine months behind that of the national economy and to date the national economy has not yet fully recovered from the depths of the "great recession;" and

WHEREAS, updated estimates of the County's sales tax and real estate related revenues, including the continued projected reductions in the receipt of property taxes, will create a revenue shortfall in 2010; and

WHEREAS, the Suffolk County Executive's Budget Office and the Legislature's Office of Budget Review jointly addressed the Legislature on March 16, 2010 and agreed on the magnitude of the revenue shortfalls; and

WHEREAS, the County Tax Stabilization Reserve Fund (403) was established in 1997 and is authorized pursuant to Section 6-e of the General Municipal Law and County Resolution 1154-1997; and

WHEREAS, the Tax Stabilization Reserve Fund can be tapped for revenue during the 2010 fiscal year in the case of an "unanticipated expenditure;" and

WHEREAS, Section 6-e(1)(k) of the General Municipal Law provides that moneys in a tax stabilization reserve fund may be used to finance an unanticipated expenditure chargeable to the general fund portion of the annual budget; and

WHEREAS, an unanticipated expenditure means, in relevant part, an expenditure for a specific purpose for which there is no or insufficient appropriation or which will cause an appropriation to be insufficient that is necessitated by a change in state law which takes effect or occurs after final adoption of the annual budget and which could not have been reasonably anticipated prior to the final adoption of the annual budget; and

WHEREAS, the 2010 Part A Retirement Incentive Program (Chapter 105, Laws of 2010) has recently been adopted by the State of New York, as a temporary program for certain members of the New York State and Local Employees Retirement System; and

WHEREAS, the retirement incentive provided by this state law is designed to achieve cost savings for public employers and to minimize layoffs of public employees in this time of fiscal crisis; and

WHEREAS, the County anticipates that many eligible County employees will opt into this incentive program which will cost the County approximately \$10,000,000 in termination pay and additional retirement benefits; now, therefore be it

1st RESOLVED, that the adoption of this state law will result in an unanticipated expenditure for the County, as that term is defined under Section 6-e of the General Municipal Law, the adoption occurred after the final adoption of the 2010 annual budget, and such adoption could not have been reasonably anticipated prior to the final adoption of the 2010 annual budget; and be it further

2nd RESOLVED, that this unanticipated expenditure cannot, as a matter of law, be financed with amounts available in any other account or fund; and be it further

3rd RESOLVED, the County Treasurer and the County Comptroller are hereby authorized, directed and empowered to transfer up to \$10,000,000 from the Tax Stabilization Reserve Fund to the County's General Fund, an amount in accordance with the provisions of Section 6-e of the General Municipal Law, on the basis that the County will sustain an unanticipated expenditure; provided, however, that (1) the maximum amount of moneys in the Tax Stabilization Reserve Fund that may be used to finance the unanticipated expenditure shall equal the sum of the amount of the unanticipated expenditure and the amount appropriated for that purpose for the current fiscal year minus either the amount appropriated for that purpose for the current fiscal year or the actual expenditure for the same purpose in the most recent fiscal year for which an annual report has been filed with the state comptroller pursuant to Section 30 of the General Municipal Law, whichever is greater; and (2) the moneys in the Tax Stabilization Reserve Fund may be used only to finance that portion of the unanticipated expenditure which, as a matter of law, cannot be financed with amounts available in any other account or fund; and be it further

4th RESOLVED, that the County Comptroller and the County Treasurer be and they are hereby authorized to transfer up to \$10 million of the Tax Stabilization Reserve Fund to the General Fund as shown below:

EXPENSE:

403	IFT	E001	TRANSFER TO GENERAL FUND	\$10 MILLION
-----	-----	------	--------------------------	--------------

REVENUE:

001	IFT	R403	TRANSFER FROM TAX STABILIZATION	\$10 MILLION
-----	-----	------	---------------------------------	--------------

and be it further

5th RESOLVED, that the transfer authorized in the 3rd and 4th RESOLVED clauses set forth herein above shall only be made upon approval and adoption of Legislative Introductory Resolution 1724-2010 in accordance with local law and the New York State Municipal Home Law; and be it further

6th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/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 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 resolution.

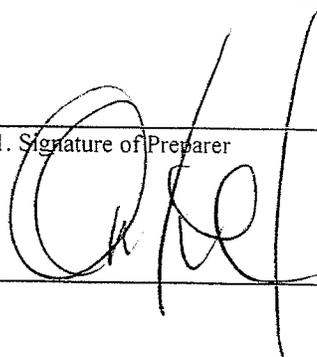
DATED: _____, 2010

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		
RESOLUTION NO. – 2010, AUTHORIZING TRANSFER OF FUNDS FROM THE TAX STABILIZATION RESERVE FUND TO THE GENERAL FUND		
3. Purpose of Proposed Legislation		
AUTHORIZING THE TRANSFER OF \$10,000,000 FROM THE TAX STABILIZATION RESERVE FUND TO PAY FOR THE UNANTICIPATED COSTS OF AN EMPLOYEE RETIREMENT INCENTIVE		
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:		
NO IMPACT ON ADOPTED BUDGET – TAX STABILIZATION RESERVE WILL BE REDUCED BY \$10M. THE CURRENT BALANCE IS APPROX \$100 M WITH A PUBLIC HEARING SET ON THE TRANSFER OF \$30M TO A PENSION RESERVE FUND		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
TAX STABILIZATION RESERVE FUND		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		June 22, 2010

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 COUNY EXECUTIVE'S OFFICE

Suggestion Involves:

Technical Amendment New Program

Grant Award Contract (New Rev.)

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

AUTHORIZING THE TRANSFER OF FUNDS FROM THE TAX
STABILIZATION RESERVE FUND TO THE GENERAL FUND TO FUND
THE UNANTICIPATED COSTS ASSOCIATED WITH AN EARLY
RETIREMENT PROGRAM.

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

PLEASE FILL IN REVERSE SIDE OF FORM
