

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1344 - 2011**

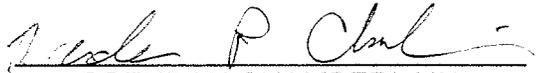
WHEREAS, INTRODUCTORY RESOLUTION NO. 1344 – 2011

**RESOLUTION NO. - 2011 AUTHORIZING THE
LEGAL AID SOCIETY TO PARTICIPATE IN THE
NEW YORK STATE HEALTH INSURANCE
PROGRAM**

**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. 1344 – 2011, BECAUSE EXPEDITED
ADOPTION WILL FACILITATE THE SUFFOLK COUNTY LEGAL AID
SOCIETY'S PARTICIPATION IN THE NEW YORK STATE HEALTH
INSURANCE PLAN.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY SIXTH DAY OF APRIL, 2011.**



**BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS**

APR 26 2011 12:23
SUFFOLK COUNTY CLERK
SUFFOLK COUNTY CLERK

1344

Intro. Res. No. -2011
Introduced by Legislators Kennedy and Montano

Laid on Table 4/26/11

**RESOLUTION NO. -2011, AUTHORIZING THE LEGAL AID
SOCIETY TO PARTICIPATE IN THE NEW YORK STATE
HEALTH INSURANCE PROGRAM**

WHEREAS, the County of Suffolk contracts with the Suffolk County Legal Aid Society, Inc., ("Legal Aid Society") to provide legal representation to criminal defendants who are unable to pay for their defense as well as juvenile and adult representation in Family Court; and

WHEREAS, the County of Suffolk provides annual funding for the Legal Aid Society; the County's 2011 Operating Budget includes \$12,408,793 for the Legal Aid Society; and

WHEREAS, in an attempt to reduce their employee health insurance costs, the Legal Aid Society wishes to participate in the New York State Health Insurance Program ("NYSHIP"); and

WHEREAS, the New York State Department of Civil Service has determined that the Legal Aid Society is eligible to participate in NYSHIP; and

WHEREAS, the Legal Aid Society's participation in NYSHIP will be beneficial to the Legal Aid Society and the County of Suffolk; now, therefore be it

1st **RESOLVED**, that this Legislature hereby authorizes the Legal Aid Society of Suffolk County, Inc., to participate as a participating employer in the New York State Health Insurance Program and to include in such plan its officers and employees and to include in such plan its retired officers and employees, subject to and in accordance with the provisions of Article XI of the CIVIL SERVICE LAW and the Regulations governing the New York State Health Insurance Program, as presently existing or hereafter amended, together with such provisions of the insurance contracts as may be approved by the President of the Civil Service Commission and any administrative rule or directive governing the plan; and be it further

2nd **RESOLVED**, that the Legal Aid Society will be responsible for all payments to NYSHIP related to their participation in this program.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. - 2011**

1360

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2011

**RESOLUTION NO. - 2011 AUTHORIZING USE OF
PROPERTY AT GABRESKI AIRPORT BY THE UNITED
STATES ARMY**

**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. 1360 - 2011, BECAUSE THE UNITED
STATES DEPARTMENT OF THE ARMY HAS REQUESTED USE OF
PROPERTY AT GABRESKI AIRPORT FOR THE PURPOSES OF MILITARY
TRAINING OPERATIONS AND THOSE TRAINING OPERATIONS ARE
SCHEDULED TO BEGIN BEFORE THE NEXT GENERAL MEETING.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY SIXTH DAY OF APRIL, 2011.**



BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS

APR 26 2011
SUFFOLK COUNTY
CLERK OF SUPERIOR COURT

APR 26 2011

APR 26 2011

Intro. Res. No. 1360-2011
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/26/2011

**RESOLUTION NO. -2011 AUTHORIZING USE OF
PROPERTY AT GABRESKI AIRPORT BY THE UNITED
STATES ARMY**

WHEREAS, The United States Department of the Army has requested use of property at Gabreski Airport for the purposes of military training operations; and

WHEREAS, the agreement allows the use of the civilian portion of Gabreski Airport along Taxiway A and Taxiway E as designated by Airport Management for May 1, 2011 through October 31, 2011; and

WHEREAS, the Department of Economic Development and Workforce Housing recommends that the Legislature approve this License Agreement; now, therefore be it

1st **RESOLVED**, that the County Executive or his designee, be and hereby is authorized to execute a license agreement for the use of the above described property between the United States Department of the Army and the County of Suffolk, in substantial accordance with the agreement annexed; and be it further

2nd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA") New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to volume 6 of New York Code of Rules and Regulations ("NYCRR") S617.5 (c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment.

DATED:

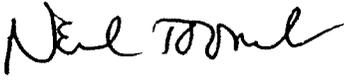
APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1360

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation AUTHORIZING USE OF PROPERTY AT GABRESKI AIRPORT BY THE UNITED STATES ARMY		
3. Purpose of Proposed Legislation		
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 <input type="checkbox"/>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing of Impact		
10. Typed Name & Title of Preparer NEIL TOOMB INTERGOVERNMENTAL RELATIONS COORDINATOR	11. Signature of Preparer 	12. Date 4/12/11

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1360

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 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

DEPARTMENT OF THE ARMY LICENSE

Licensors, _____, is the owner/manager/ agent of certain real property that the United States of America, hereafter "the Government," requests to use for military training. Licensors hereby grants a license to the Government, upon the following terms and conditions:

1. Revocable License. Licensors grants to the Government a revocable license to enter into and upon the lands and premises described in paragraph 9 below at any time upon written approval and coordination with Airport Management, within the period from May 1 2011 and October 31 2011 in order to conduct military training.
2. Compensation. Licensors provides this license at no cost.
3. Scope of Training Activities. The training event may include the use of simunitions (paint balls), tactical movement of soldiers in and around the property, and the use of rotary and fixed wing aircraft. The specific training activities that will be conducted pursuant to this license agreement will be discussed and agreed to between the Licensors and the Government during the walkthrough, described in paragraph 4, below.
4. Walkthrough. Prior to the Government's use of the premises under this license, representatives of the Government and Licensors will conduct a walkthrough of the premises to observe the general condition of the site and to discuss required preparations, the scope of training activities, and likely repairs by the Government, if any, that may be necessary as a result of the training. The Government will prepare a written memorandum to document the scope of the training activities, repairs that the Government will perform at the conclusion of the training event, and the results of the walkthrough. Should Licensors elect not to participate in the walkthrough, the Government will attach the memorandum to this license. Subsequent to the training event representatives of the Government and Licensors will conduct a second walkthrough to discuss cleanup and repair issues, if any.
5. Liability.
 - a. Government Liability to Licensors or Third Parties. The Government is responsible, under the terms of the Federal Tort Claims Act (FTCA), 28 U.S.C. §§ 1346(b), 2671-2680, or the Military Claims Act (MCA), 10 U.S.C. § 2733, as applicable, to Licensors and any third parties for any injury to persons or damage to property proximately caused by the acts or omissions of Government employees acting within the scope of their employment. The Government agrees to return the property to the Licensors in substantially the same condition it was prior to the training event, unless otherwise agreed upon. The Government reserves the right to make repairs to the property that would return it to the condition that existed at the start of the license. The right to make repairs should not be construed as a modification of the rights and obligations under the FTCA or MCA. Licensors or injured third parties may use the FTCA or MCA to recover losses caused as a result of the training exercise that are not repaired or compensated for adequately by the Government using other means. The FTCA provides a means of recovery for negligent acts by government personnel. The MCA provides a means of recovery for damages or injuries caused by military personnel conducting non-combat activities, including training, that are not the

1360

result of negligent acts. In no case will the Government's liability exceed that allowable under applicable law, including the FTCA and MCA.

b. Licensors Liability to the Government. Licensors is not liable to Government for damage or destruction to Government property or equipment, or injury or death to Government personnel. LICENSOR makes no representation that the property is suitable for the contemplated training. Government representatives will inspect and evaluate the suitability and safety of the property for the proposed training. The Government acknowledges that these premises may contain hazardous conditions.

6. Contract Damages to Property. Licensors agrees to notify the Government of any damage to the premises, beyond that discussed by the parties, within five (5) days of the expiration of the period outlined in paragraph 1, above. Failure to notify the Government within the five (5) day period constitutes a waiver of such damage claim. Payments made by the Government under this license are subject to the availability of funds for such purpose.

7. Security. Licensors agrees not to enter or grant permission to others to enter onto the premises during a period of training without prior permission of the Government. Licensors consents to the Government's placement of guards at various points to prevent observation and participation in the training by persons not authorized to do so. Licensors may, however, enter the premises at any time to revoke this license.

8. Licensors Representation. Licensors makes no representation as to whether the premises are occupied or vacant. It is solely the Government's responsibility to determine and maintain the vacancy of the premises throughout the term of this license. Licensors represents only that neither Licensors nor any of his agents, contractors, or employees shall enter the premises during the period of this license without Government consent, except to revoke the license pursuant to paragraph 7, above.

9. Property Description. The lands or premises affected by this license are located in the State of New York County of Suffolk and are further described as follows: Francis S. Gabreski Airport, Westhampton Beach, New York, Taxiway E, and other areas as specifically approved in writing by Airport Management.

10. Facsimile. The parties agree that a facsimile copy of this license bearing signatures of Licensors and the Government's representatives are valid for all purposes.

Printed Name of Licensors

Signature of Licensors

Capacity

Phone: _____
FAX: _____

Address for notice:

UNITED STATES OF AMERICA

By _____
ROBERT J. ELLS
Government Representative

Phone: (910) 643-5423
FAX: (910) 643-0686

Address for notice:
P.O. Box 70660
Fort Bragg, North Carolina
28307-5000

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1382 - 2011**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1382 – 2011

**RESOLUTION NO. - 2011, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED
RESOLUTION NO. 117-2011**

**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. 1382 – 2011, BECAUSE THE DEPARTMENT
OF PUBLIC WORKS NEEDS THIS TECHNICAL CORRECTION TO ACCEPT
FEDERAL AID.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY SIXTH DAY OF APRIL, 2011.**



**BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS**

APR 26 2011
SUFFOLK COUNTY
CLERK OF SUPERIOR COURT

Intro. Res. No. 1382-2011
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/26/2011

**RESOLUTION NO. -2011, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
117-2011**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 117-2011; and

WHEREAS, this resolution when adopted contained technical error; and

WHEREAS, the County Executive desires technical correction to this resolution; now, therefore be it

1st RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 117-2011

In the 3rd RESOLVED paragraph remove:

[(to be waived)]

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
SUFFOLK COUNTY EXECUTIVE

Eric C. Naughton
DEPUTY COUNTY EXECUTIVE FOR
FINANCIAL AFFAIRS

MEMORANDUM

TO: Tim Laube
Clerk of Legislature

FROM: Eric C. Naughton *ECN*
Deputy County Executive For Financial Affairs

DATE: April 18, 2011

SUBJECT: **Technical Correction for
Resolution No. 117-2011**

Would you please have Resolution No. 117-2011 corrected as follows:

1. In the 3rd RESOLVED paragraph remove [(to be waived)].

I have attached a marked copy of this resolution for your use.

RECEIVED
APR 19 2011 11:02
COUNTY OF SUFFOLK
FINANCIAL AFFAIRS

ECN:lp

enc.

cc: Christopher Kent, Chief Deputy County Executive
Kenneth Crannell, Deputy County Executive For Finance and Administration
Eric Kopp, Assistant Deputy County Executive
Connie R. Corso, Budget Director
Brendan Chamberlain, Director of Intergovernmental Relations
Nick Paglia, Budget Office

RESOLUTION NO. 117 -2011, REQUESTING THE CONVEYANCE OF A PARCEL OF REAL PROPERTY, HAVING A SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBER OF DISTRICT 0100 SECTION 053.00 BLOCK 01.00 LOT 062.000, FOR PUBLIC HIGHWAY PURPOSES AND REQUESTING APPROVAL FROM THE TOWN OF BABYLON FOR CONVEYANCE OF SAME, PURSUANT TO NEW YORK STATE GENERAL MUNICIPAL LAW §72-H

WHEREAS, a certain parcel of real property presently owned by The Town of Babylon, County of Suffolk, New York, and having a Suffolk County Tax Map Identification Number of District 0100 Section 053.00 Block 01.00 Lot 062.000, is situated within the geographical boundaries of the Town of Babylon, Suffolk County, New York; and

WHEREAS, the County of Suffolk, New York is interested in acquiring said parcel of real property (hereinafter referred to as the "Subject Premises") for the purpose of using said portion for public highway purposes in conjunction with the County's CR 3, Pinelawn Road improvement project; and

WHEREAS, the Town of Babylon, Suffolk County, New York, acquired the Subject Premises by Deed dated 02/07/2005, which was recorded in the Office of the Suffolk County Clerk on 05/01/2006 at Deed Liber D00012447 CP 891 (a copy of said Deed being attached hereto as Exhibit "A"); now, therefore be it

1st **RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR Part 617; and be it further

2nd **RESOLVED**, that the action will not have a significant adverse impact on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria of Title 6 NYCRR Part 617.7(c), which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
2. The proposed action simply transfers ownership of the land for public highway improvement purposes, an eventual Type II action under SEQRA;

and be it further

3rd **RESOLVED**, that the County of Suffolk does hereby request the acquisition of that portion of the parcel having a Suffolk County Tax Map Identification Number of District 0100 Section 053.00 Block 01.00 Lot 062.000, more particularly described in Exhibit "A", attached hereto and requests that the Town of Babylon, Suffolk County, New York and the State of New York, Office of General Services, approve conveyance of same pursuant to New York State General Municipal Law §72-h, for a consideration not to exceed One & 00/100 (\$1.00) Dollar (~~to be waived~~); and be it further

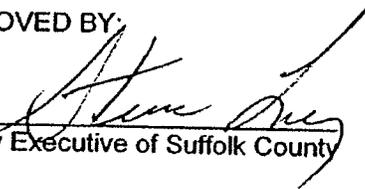
4th **RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works, or his duly appointed designee, be and hereby is authorized to execute and

acknowledge all documents necessary to convey the Subject Premises described herein into the County of Suffolk; and be it further

5th **RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works, or his duly appointed designee, be and hereby is authorized and directed to prepare and submit to the Town of Babylon, Suffolk County, New York a petition to abandon all paper streets fronting the parcel described herein.

DATED: March 8, 2011

APPROVED BY:



County Executive of Suffolk County

Date:

MAR 22 2011

Intro. Res. No. 1304-2011
Introduced by Presiding Officer, on request of County Executive

Laid on Table 3/22/2011

**RESOLUTION NO. 207 -2011, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
117-2011**

WHEREAS, the County Legislature adopted and the County Executive signed Resolution No. 317-2011 "Requesting The Conveyance Of A Parcel Of Real Property, Having A Suffolk County Tax Map Identification Number Of District 0100 Section 053.00 Block 01.00 Lot 062.000, For Public Highway Purposes And Requesting Approval From The Town Of Babylon For Conveyance Of Same, Pursuant To New York State General Municipal Law §72-h"; and

WHEREAS, the resolution when adopted contained certain technical errors; and

WHEREAS, the County Executive desires certain technical corrections to this resolution; now, therefore be it

1st **RESOLVED**, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 117-2011

Change the 3rd Resolved paragraph:

FROM:

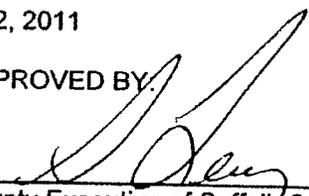
Change the amount [One & 00/100 (\$1.00) Dollar]

TO:

One Hundred and 00/100 Dollars (\$100.00)

DATED: March 22, 2011

APPROVED BY:



County Executive of Suffolk County

Date:

APR 0 4 2011

Peters, Laila

From: Paglia, Nick
Sent: Monday, April 18, 2011 12:21 PM
To: Chamberlain, Brendan
Cc: Corso, Connie; Peters, Laila
Subject: RE: Town of Babylon Property Transfer.

Brendan,

If this comes down as a CN, we would be doing a technical correction on the original Reso 117-2011. Bill Hillman's e-mail attached the technical correction. We are removing the "to be waved" from the third resolved of Reso 117-2011.

Nick Paglia
Office of Budget and Management
Phone: 853-4430
Fax:: 853-5716

From: Hillman, William
Sent: Monday, April 18, 2011 11:42 AM
To: Chamberlain, Brendan; Paglia, Nick; Chiusano, Carmine
Cc: Peterman, James; D'Angelo, Theresa
Subject: Town of Babylon Property Transfer.

Guys – As previously discussed. We need another technical correction, removing the words "to be waived". I just wanted to make sure this was being LOT as CN.

As you are aware this relates to the Federally Aided CR 3 project. This will help secure the federal aid funds.

Thanks WH

William Hillman, P.E.
Chief Engineer SCDPW
(631) 852-4002

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4/18/2011

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2011, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 117-2011		
3. Purpose of Proposed Legislation		
See No. 2 above.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
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		
Conveyance requested so Federal aided project can go forward.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Conveyance consideration not to exceed \$100.		
9. Timing of Impact		
Upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		April 25th, 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 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 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. - 2011**

1398

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2011

**RESOLUTION NO. - 2011 REQUESTING LEGISLATIVE
APPROVAL OF A CONTRACT AWARD ASSIGNMENT FOR
THE OPERATION AND MANAGEMENT OF THE
RESTAURANT, BAR, AND CATERING CONCESSION AT
INDIAN ISLAND COUNTRY CLUB IN RIVERHEAD**

**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. - 2011, BECAUSE THE SUFFOLK
COUNTY DEPARTMENT OF PARKS, RECREATION, CONSERVATION
WOULD LIKE TO EXPEDITE THE ASSIGNMENT OF THIRD ROCK
MANAGEMENT CORP.'S RIGHTS TO STRATEGIC MANEUVERS LLC AND
ENTER INTO A CONTRACTUAL AGREEMENT WITH STRATEGIC
MANEUVERS LLC FOR THE OPERATION AND MANAGEMENT OF THE
RESTAURANT, BAR, AND CATERING CONCESSION AT INDIAN ISLAND
COUNTRY CLUB IN RIVERHEAD.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY SIXTH DAY OF APRIL, 2011.**



**BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS**

APR 26 2011
SUFFOLK COUNTY
CLERK OF SUPERIOR COURT
1000 MARKET STREET
ROSELAND, NJ 07068
TEL: 908.262.1234
FAX: 908.262.1235
WWW.SUFFOLKCOUNTY.NJ.GOV

Intro. Res. No. 1398-11 Laid on Table 4/26/2011
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD ASSIGNMENT FOR THE OPERATION AND MANAGEMENT OF THE RESTAURANT, BAR, AND CATERING CONCESSION AT INDIAN ISLAND COUNTRY CLUB IN RIVERHEAD

WHEREAS, the Department of Parks, Recreation and Conservation advertised on December 9, 2010 for the restaurant, bar, and catering concession contract at Indian Island Country Club and distributed two (2) RFP packets to potential vendors; and

WHEREAS, the Department of Parks, Recreation and Conservation received only one (1) response, from Third Rock Management Corp.; and

WHEREAS, an independent evaluation committee reviewed the proposal from Third Rock Management Corp. and found the provider's quality of work and experience to be satisfactory and its submitted cost proposal to be acceptable, and recommended that the Department of Parks, Recreation, and Conservation enter into a contractual agreement with the provider; and

WHEREAS, Resolution No. 137-2011 authorized the Department of Parks, Recreation and Conservation to enter into a contractual agreement with Third Rock Management Corp. for the operation and management of the restaurant, bar, and catering concession at Indian Island Country Club in Riverhead; and

WHEREAS, the Department of Parks, Recreation and Conservation received a written request from Third Rock Management Corp. to assign its rights awarded under the RFP to a new corporation known as Strategic Maneuvers LLC; and

WHEREAS, the principal individuals controlling the interests of Strategic Maneuvers are the same individuals who represented Third Rock Management Corp. throughout the aforementioned RFP process, including appearing before the independent evaluation committee; now therefore be it

1st RESOLVED, that this Legislature authorizes the Suffolk County Department of Parks, Recreation, Conservation to accept the assignment of Third Rock Management Corp.'s rights to Strategic Maneuvers LLC and enter into a contractual agreement with Strategic Maneuvers LLC for the operation and management of the restaurant, bar, and catering concession at Indian Island Country Club in Riverhead; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(1), (20), and (27), in that the resolution concerns maintenance or repair involving no substantial changes in an existing structure or facility; routine, or continuing agency administration and management, not including new programs or major reordering of priorities; and adoption of a local legislative decision in connection with the

same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOSEPH J. MONTUORI
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: KEN CRANNELL, Deputy County Executive

FROM: JOSEPH J. MONTUORI, Commissioner

CC: CHRISTOPHER KENT, Chief Deputy County Executive

DATE: APRIL 15, 2011

**RE: INTRODUCTORY RESOLUTION REQUESTING LEGISLATIVE APPROVAL
OF A CONTRACT AWARD ASSIGNMENT FOR THE OPERATION AND
MANAGEMENT OF THE RESTAURANT, BAR, AND CATERING
CONCESSION AT INDIAN ISLAND COUNTRY CLUB IN RIVERHEAD**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Requesting Approval of Assignment of Contract for Indian Island Restaurant Concession.doc."

The Department of Parks, Recreation and Conservation received a written request from Third Rock Management Corp. to assign its contractual rights to Strategic Maneuvers LLC for the operation and management of the restaurant, bar and catering concession at Indian Island Country Club in Riverhead. The principal individuals controlling the interests of Strategic Maneuvers are the same individuals who represented Third Rock Management Corp. throughout the RFP process, including appearing before the independent evaluation committee.

This draft resolution has been prepared to request Legislative approval of this assignment.

Should you require anything further, please contact my office at 4-4984.

Enclosures

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. -2011, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD ASSIGNMENT FOR THE OPERATION AND MANAGEMENT OF THE RESTAURANT, BAR, AND CATERING CONCESSION AT INDIAN ISLAND COUNTRY CLUB IN RIVERHEAD		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
County will receive revenue consisting of a flat fee plus percent of gross of the restaurant, bar, and catering concession.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Upon Adoption		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		April 25th, 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 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 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. - 2011**

1399

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2011

**RESOLUTION NO. - 2011, AMENDING RESOLUTION
NO. 280-2011 TO INCLUDE THE TOWNS OF
BROOKHAVEN, EAST HAMPTON AND ADDITIONAL
SCHOOL DISTRICTS IN THE INTERMUNICIPAL
AGREEMENT FOR NATURAL GAS PROCUREMENT**

**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. - 2011, BECAUSE THE INTERMUNICIPAL
AGREEMENT AUTHORIZED WILL PROVIDE FOR A COST SAVINGS SHARED
SERVICES OPPORTUNITY BETWEEN SUFFOLK COUNTY AND THE TOWNS
OF BROOKHAVEN AND EAST HAMPTON.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY SIXTH DAY OF APRIL, 2011.**

APR 26 2011
SUFFOLK COUNTY
OFFICE OF THE CLERK

Brendan R Chamberlain

**BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS**

1399

Intro. Res. No. -2011
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/26/11

RESOLUTION NO. -2011, AMENDING RESOLUTION NO. 280-2011 TO INCLUDE THE TOWNS OF BROOKHAVEN, EAST HAMPTON AND ADDITIONAL SCHOOL DISTRICTS IN THE INTERMUNICIPAL AGREEMENT FOR NATURAL GAS PROCUREMENT

WHEREAS, Resolution No. 280-2011 authorized Suffolk County to enter into an Intermunicipal Agreement pursuant to paragraph (d) of sub-division (2) of section 119-o of Article 5-G of the General Municipal Law with BOCES for the joint purchase of natural gas; and

WHEREAS, it is in the interests of the Suffolk County taxpayers and BOCES to combine efforts in the undertaking of these important governmental services in order to reduce costs; and

WHEREAS, it would further serve the interests of the Suffolk County taxpayers and BOCES to also include the Towns of Brookhaven, East Hampton and Islip and the individual school districts contained within Exhibit "A," attached hereto, in order to further maximize purchasing value and obtain more favorable pricing, thus increasing the cost savings to Suffolk County; and

WHEREAS, the Intermunicipal Agreement authorized by Resolution 280-2011 needs to be amended to expand participation to these entities; and now therefore be it:

1st RESOLVED, that 1st RESOLVED of Resolution 280-2011 is hereby amended to read as follows:

1st RESOLVED, the County Executive is hereby authorized, empowered, and directed to enter into an intermunicipal agreement, in a form acceptable to the Department of Law, pursuant to §§ 119-o of the General Municipal Law with Eastern Suffolk B.O.C.E.S., the Town of Brookhaven, the Town of East Hampton and the individual school districts contained within Exhibit "A," attached hereto, to promote efficient and economical purchasing opportunities for natural gas; and be it further

2nd RESOLVED, that 2nd RESOLVED of Resolution 280-2011 is hereby amended to read as follows:

2nd RESOLVED, that such agreement shall provide that Eastern Suffolk B.O.C.E.S. and any of its affiliates, successors and assigns, the Town of Brookhaven, the Town of East Hampton and the individual school districts contained within Exhibit "A," attached hereto, shall be solely responsible for payments due the successful contractor or vendor for purchases made; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 N.Y.C.R.R.) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality

(CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2011, AMENDING RESOLUTION NO. 280-2011 TO INCLUDE THE TOWNS OF BROOKHAVEN, EAST HAMPTON AND ADDITIONAL SCHOOL DISTRICTS IN THE INTERMUNICIPAL AGREEMENT FOR NATURAL GAS PROCUREMENT		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
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		
Suffolk County can benefit from possible lower natural gas costs.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Upon adoption and procurement.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		April 25th, 2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 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 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1369 - 2011**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1369 – 2011

RESOLUTION NO. - 2011 AMENDING THE 2011 OPERATING BUDGET AND AUTHORIZING THE OPERATION OF THE JOHN J. FOLEY SKILLED NURSING FACILITY.

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. 1369 – 2011, BECAUSE THE COUNTY WOULD LIKE TO CONTINUE TO FUND THE FACILITY UNTIL THE END OF JUNE.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS TWENTY SIXTH DAY OF APRIL, 2011.



BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS

COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
RIVERHEAD

2011 APR 26 A 10:20

RECEIVED

UPDATED VERSION 4-26-2011

Intro. Res. No. 1369-2011
Introduced by Legislators Browning and Kennedy

Laid on Table 4/26/2011

**RESOLUTION NO. -2011, AMENDING THE 2011
OPERATING BUDGET AND AUTHORIZING THE OPERATION
OF THE JOHN J. FOLEY SKILLED NURSING FACILITY**

WHEREAS, Resolution No. 47-2011 authorized the County Executive to execute agreements for the sale of the John J. Foley Skilled Nursing Facility; and

WHEREAS, the County of Suffolk has been unable to consummate the sale due to the reluctance of the prospective buyer; and

WHEREAS, active litigation precludes the closure of the facility; and

WHEREAS, the health and safety of the patients requires continuing the operation of the John J. Foley Skilled Nursing Facility until such time as the issue is re-evaluated and a definitive plan and course of action is agreed to; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

1st RESOLVED, that appropriations within Fund 632 John J. Foley Skilled Nursing Facility are to be transferred as shown below in order to operate the facility through June 30, 2011 and assure the health and safety of the patients entrusted to the Suffolk County facility; and be it further

2nd RESOLVED, that the County Executive is directed to rescind all vehicle purchase orders and desist from further purchases of vehicles in 2011 unless otherwise directed by the Suffolk County Legislature; and be it further

3rd RESOLVED, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
632	HSV	4530	1020	Terminal Vacation Pay	-\$824,189
632	HSV	4530	1060	Longevity Pay	-\$28,000
632	HSV	4530	1380	Deferred Pay	-\$423,802
632	HSV	4530	8350	Unemployment Insurance	-\$750,000
016	DPW	5130	2030	Purchase of Automobiles	-\$600,000
016	ITS	1651	4010	Telephone and Telegraph	-\$100,000
016	ITS	1651	4015	Cellular Communications	-\$100,000
016	ITS	1680	4010	Telephone and Telegraph	-\$36,301

FROM: Con't

016	ITS	1680	4210	Computer Services	-\$150,000
038	MSC	1915	8504	Auto Liability	-\$49,666
038	MSC	9040	8606	Workers Compensation	-\$50,000
038	MSC	9090	8505	Medical Malpractice	-\$50,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
632	HSV	4530	1050	Terminal Sick Leave Payments	\$9,557
632	HSV	4530	1080	Retro & Vacation Pay	\$22,206
632	HSV	4530	1100	Permanent Salaries	\$2,077,857
632	HSV	4530	1120	Overtime Salaries	\$450,000
632	HSV	4530	1130	Temporary Salaries - No Fringe	\$25,649
632	HSV	4530	1410	Clothing Allowance	\$4,600
632	HSV	4530	1620	OT - Straight Time	\$34,523
632	HSV	4530	3320	Household & Laundry Supplies	\$57,140
632	HSV	4530	3330	Food	\$150,000
632	HSV	4530	3370	Medical, Dental & Laboratory S	\$70,000
632	HSV	4530	3380	Recreational & Morale	\$6,000
632	HSV	4530	3610	Repairs: Office Equipment	\$8,466
632	HSV	4530	3680	Repairs: Special Equipment	\$10,000
632	HSV	4530	3920	Laundry & Sanitation	\$64,000
632	HSV	4530	4015	Cellular Communications	\$600
632	HSV	4530	4070	MTA Payroll Tax	\$12,000
632	HSV	4530	4140	Transportation: Indigents	\$70,000
632	HSV	4530	4560	Fees For Services: Non-Employ	\$450,000
632	HSV	4530	8380	Benefit Fund Contribution	\$60,000
632	HSV	4530	8330	Social Security	\$79,360

INTERFUND TRANSFERS:

<u>FD</u>	<u>AGY</u>	<u>REV CODE</u>	<u>REVENUE NAME</u>	<u>AMOUNT</u>
016	IFT	R001	Transfer From the General Fund	-\$600,000
016	IFT	2854	Transfer From SC Nursing Home	-\$386,301
038	IFT	2854	Transfer From SC Nursing Home	-\$149,666
632	IFT	R001	Transfer From General Fund	\$1,100,000

<u>FD</u>	<u>AGY</u>	<u>EXP CODE</u>	<u>EXPENDITURE NAME</u>	<u>AMOUNT</u>
001	IFT	E016	Transfer To Fd 016 – Inter-Dept Chrg	-600,000
001	IFT	E525	Transfer To Fd 525 – Capital	-\$500,000
001	IFT	E632	Transfer To Fd 632 – SC Nursing Home	\$1,100,000
632	HSV	9810	Transfer To Fd 038 – Self Insurance	-\$149,666
632	HSV	9820	Transfer To Fd 016 – Inter-Dept Chrg	-\$386,301

and be it further

4th **RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding operations at the John J. Foley Skilled Nursing Facility, until and unless directed otherwise by the Suffolk County Legislature.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1369 - 2011**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1369 – 2011

**RESOLUTION NO. - 2011 AMENDING THE 2011 OPERATING
BUDGET AND AUTHORIZING THE OPERATION OF THE JOHN J.
FOLEY SKILLED NURSING FACILITY.**

**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. 1369 – 2011, BECAUSE THE COUNTY
WOULD LIKE TO CONTINUE TO FUND THE FACILITY UNTIL THE END OF
JUNE.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY SIXTH DAY OF APRIL, 2011.**



**BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS**

COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
RIVERHEAD

2011 APR 26 A 10:20

RECEIVED

UPDATED VERSION 4-26-2011

Intro. Res. No. 1369-2011
Introduced by Legislators Browning and Kennedy

Laid on Table 4/26/2011

**RESOLUTION NO. -2011, AMENDING THE 2011
OPERATING BUDGET AND AUTHORIZING THE OPERATION
OF THE JOHN J. FOLEY SKILLED NURSING FACILITY**

WHEREAS, Resolution No. 47-2011 authorized the County Executive to execute agreements for the sale of the John J. Foley Skilled Nursing Facility; and

WHEREAS, the County of Suffolk has been unable to consummate the sale due to the reluctance of the prospective buyer; and

WHEREAS, active litigation precludes the closure of the facility; and

WHEREAS, the health and safety of the patients requires continuing the operation of the John J. Foley Skilled Nursing Facility until such time as the issue is re-evaluated and a definitive plan and course of action is agreed to; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

1st RESOLVED, that appropriations within Fund 632 John J. Foley Skilled Nursing Facility are to be transferred as shown below in order to operate the facility through June 30, 2011 and assure the health and safety of the patients entrusted to the Suffolk County facility; and be it further

2nd RESOLVED, that the County Executive is directed to rescind all vehicle purchase orders and desist from further purchases of vehicles in 2011 unless otherwise directed by the Suffolk County Legislature; and be it further

3rd RESOLVED, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
632	HSV	4530	1020	Terminal Vacation Pay	-\$824,189
632	HSV	4530	1060	Longevity Pay	-\$28,000
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016	ITS	1651	4010	Telephone and Telegraph	-\$100,000
016	ITS	1651	4015	Cellular Communications	-\$100,000
016	ITS	1680	4010	Telephone and Telegraph	-\$36,301

FROM: Con't

016	ITS	1680	4210	Computer Services	-\$150,000
038	MSC	1915	8504	Auto Liability	-\$49,666
038	MSC	9040	8606	Workers Compensation	-\$50,000
038	MSC	9090	8505	Medical Malpractice	-\$50,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
632	HSV	4530	1050	Terminal Sick Leave Payments	\$9,557
632	HSV	4530	1080	Retro & Vacation Pay	\$22,206
632	HSV	4530	1100	Permanent Salaries	\$2,077,857
632	HSV	4530	1120	Overtime Salaries	\$450,000
632	HSV	4530	1130	Temporary Salaries - No Fringe	\$25,649
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632	HSV	4530	3330	Food	\$150,000
632	HSV	4530	3370	Medical, Dental & Laboratory S	\$70,000
632	HSV	4530	3380	Recreational & Morale	\$6,000
632	HSV	4530	3610	Repairs: Office Equipment	\$8,466
632	HSV	4530	3680	Repairs: Special Equipment	\$10,000
632	HSV	4530	3920	Laundry & Sanitation	\$64,000
632	HSV	4530	4015	Cellular Communications	\$600
632	HSV	4530	4070	MTA Payroll Tax	\$12,000
632	HSV	4530	4140	Transportation: Indigents	\$70,000
632	HSV	4530	4560	Fees For Services: Non-Employ	\$450,000
632	HSV	4530	8380	Benefit Fund Contribution	\$60,000
632	HSV	4530	8330	Social Security	\$79,360

INTERFUND TRANSFERS:

<u>FD</u>	<u>AGY</u>	<u>REV CODE</u>	<u>REVENUE NAME</u>	<u>AMOUNT</u>
016	IFT	R001	Transfer From the General Fund	-\$600,000
016	IFT	2854	Transfer From SC Nursing Home	-\$386,301
038	IFT	2854	Transfer From SC Nursing Home	-\$149,666
632	IFT	R001	Transfer From General Fund	\$1,100,000

<u>FD</u>	<u>AGY</u>	<u>EXP CODE</u>	<u>EXPENDITURE NAME</u>	<u>AMOUNT</u>
001	IFT	E016	Transfer To Fd 016 – Inter-Dept Chrg	-600,000
001	IFT	E525	Transfer To Fd 525 – Capital	-\$500,000
001	IFT	E632	Transfer To Fd 632 – SC Nursing Home	\$1,100,000
632	HSV	9810	Transfer To Fd 038 – Self Insurance	-\$149,666
632	HSV	9820	Transfer To Fd 016 – Inter-Dept Chrg	-\$386,301

and be it further

4th RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding operations at the John J. Foley Skilled Nursing Facility, until and unless directed otherwise by the Suffolk County Legislature.

Statement of Financial Impact on Proposed Suffolk County Legislation

IR Number: 1369

IR Year: 2011

Introduced By: John Kennedy, Jr., Kate Browning

Title of Proposed Resolution:

Amending the 2011 Operating Budget and authorizing the operation of the John J. Foley Skilled Nursing Facility.

Purpose and Intent of Proposed Legislation:

The resolution transfers \$3,661,958 in appropriations to continue to operate the John J. Foley Skilled Nursing Facility through June 30th 2011. These transfers consist of \$2.6 million from within the enterprise fund, and an increase in the transfer from the General fund offset by a \$600,000 cut in vehicle purchases, and a \$500,000 reduction in the pay-go fund.

Detailed Explanation of Fiscal Impact:

There is no 2011 tax impact for the resolution. However, continuing operation of the nursing facility has typically been associated with a cost to the General Fund of five to seven million dollars annually.

If applicable, what is the comparison cost if this is undertaken in-house, compared to an outside contractor or vendor?

Not Applicable.

Total Financial Cost and timing over five years on each affected political or other subdivision:

Indeterminate.

Proposed Source of Funding:

The resolution proposes to increase appropriations to allow for the continued operation of the Skilled Nursing Facility by reducing and transferring other appropriations within the enterprise fund and other funds.

Total Estimated Financial Impact on all Funds, tax rates, and property tax:

None.

Total Estimated Financial Impact on Suffolk County's economy including the impact on goods or services, economic development, small business activity, employment opportunities and overall business activity:

Indeterminate, However, continued operation of the Nursing home maintains more than 235 jobs, and also maintains more than 200 residents/patients with families within the Counties economic footprint.

Authorized Signature

Gail Vizzini

Date Completed

Analyst Code

CF

Gail Vizzini, Director Budget Review