

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION  
OF INTRODUCTORY RESOLUTION NO. 1153 - 2012**

**WHEREAS, INTRODUCTORY RESOLUTION NO. 1153 – 2012**

**RESOLUTION NO. -2012, APPROVING FERRY FREIGHT LICENSE  
FOR RONCALLI FREIGHT COMPANY INC. d/b/a COASTLINE FREIGHT**

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

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY  
EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND  
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT  
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF  
INTRODUCTORY RESOLUTION NO. 1153 – 2012, BECAUSE THEIR CURRENT  
LICENSE WILL EXPIRE ON MARCH 15<sup>TH</sup>, 2012. ENACTING THIS LEGISLATION  
IMMEDIATELY WILL PREVENT A LAPSE IN THAT LICENSE.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND  
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS  
13<sup>th</sup> DAY OF MARCH, 2012.**

  
\_\_\_\_\_  
JONATHAN SCHNEIDER  
DEPUTY SUFFOLK COUNTY EXECUTIVE

2012 MAR 12 P 1:19

RECEIVED

**RESOLUTION NO. -2012, APPROVING FERRY FREIGHT  
LICENSE FOR RONCALLI FREIGHT COMPANY INC. d/b/a  
COASTLINE FREIGHT**

**WHEREAS**, Roncalli Freight Company Inc. d/b/a Coastline Freight has applied to the Suffolk County Legislature, by a Petition dated and verified January 31, 2012, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County for the approval of a freight ferry license and franchise for service between ferry terminals located at Sayville, New York and the Fire Island communities of Fire Island Pines and Cherry Grove; and

**WHEREAS**, said Petition was accompanied by the consents in writing specified by Section 110 and the Navigation Law; and

**WHEREAS**, Roncalli Freight Company Inc. d/b/a Coastline Freight has heretofore filed with the Clerk of the Suffolk County Legislature its undertaking with a surety all pursuant to Article 8 of the Navigation Law; now, therefore be it

**1<sup>st</sup>**

**RESOLVED**, that

- 1) The Petition of Roncalli Freight Company Inc. d/b/a Coastline Freight dated and verified January 31, 2012 is approved;
- 2) The undertaking heretofore filed with the Clerk of the Suffolk County Legislature in the sum of \$10,000.00 is hereby approved;
- 3) A ferry license and franchise be and the same hereby is granted to Roncalli Freight Company Inc. d/b/a Coastline Freight of Sayville, New York to operate a public ferry service over and upon the waters of the Great South Bay for service between Sayville, New York on the mainland of Long Island and the Fire Island Communities of Fire Island Pines and Cherry Grove, New York, all within the County of Suffolk commencing on the date of approval hereof up to and including March 15, 2017;
- 4) This ferry license and franchise is granted subject to all existing laws, rules and regulations of all federal, state, county and municipal governments and agencies having jurisdiction thereover;
- 5) The rates to be charged for freight transportation pursuant to his license and franchise shall not exceed the rates authorized for Roncalli Freight Company Inc. d/b/a Coastline Freight by the Suffolk County Legislature pursuant to Article 8 of the Navigation Law, Section 71 of the Transportation Corporations Law, Section 131-g of the Highway Law and Local Law No. 7 of 1982 of Suffolk County; and

- 6) Said rates and schedules shall be posted at each entrance of the ferry pursuant to Section 113 of the Navigation Law of the State of New York and Section 72 of the Transportation Corporations Law.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

**Statement of Financial Impact on Proposed Suffolk County Legislation**

**IR Number:** 1153

**IR Year:** 2012

**Introduced By:** Presiding Officer Lindsay

**Title of Proposed Resolution:**

**Approving ferry freight license for Roncalli Freight Company Inc. d/b/a Coastline Freight.**

**Purpose and Intent of Proposed Legislation:**

This legislation approves the ferry freight license for Roncalli Freight Company, d/b/a Coastline Freight, for operations between Sayville and Cherry Grove and Fire Island Pines.

**Detailed Explanation of Fiscal Impact:**

A surety of \$10,000 was collected by the Clerk of the Legislature in accordance with the state navigation law.

**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:**

None.

**Proposed Source of Funding:**

Not applicable.

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

The ferry service facilitates commerce, and probably has a positive, but indeterminate, impact on sales tax revenues

**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:**

Facilitation of commerce through the freight ferry is probably a net positive for Suffolk County's Economy, but the specific impact is indeterminate.

**Authorized Signature**



**Gail Vizzini, Director  
Budget Review Office**

**Date Completed**

2/29/2012

**Analyst Code**

CF

EXHIBIT "A"

1153

SPRING - SUMMER SCHEDULE (May 1 - August 31)

DAY	LEAVE	ARRIVE	ARRIVE
Monday	Sayville 11:30 a.m.	Grove 12:30 p.m.	Pines 2:30 p.m.
Tuesday	Sayville 8:00 a.m. 11:30 a.m. *5:00 p.m.	Pines 9:00 a.m. 12:30 p.m. 6:00 p.m.	Grove ----- 2:30 p.m. -----
Wednesday	Sayville 8:00 a.m. 11:30 a.m. *5:00 p.m.	Pines 9:00 a.m. 12:30 p.m. 6:00 p.m.	Grove ----- 2:30 p.m. -----
Thursday	Sayville 8:00 a.m. 11:30 a.m. *5:00 p.m.	Grove 9:00 a.m. 12:30 p.m. -----	Pines ----- 2:30 p.m. 6:00 p.m.
Friday	Sayville 8:00 a.m. 11:30 a.m. *5:00 p.m.	Pines 9:00 a.m. 12:30 p.m. 6:00 p.m.	Grove ----- 2:30 p.m. -----
Saturday	Sayville *8:00 a.m. 11:30 a.m.	Pines 9:00 a.m. 12:30 p.m.	Grove ----- 2:30 p.m.

\*These boats run May 1 to July 30 on a demand basis only.

Arrival times may vary due to weather and volume, please call or check for updates.  
Boats run weather permitting. Schedules subject to change without notice based on weather and loads. Additional or special boats may be scheduled through the office.

WINTER SCHEDULE (September 1 - April 30)

DAY	LEAVE	ARRIVE	ARRIVE	ARRIVE
Monday	Sayville 11:30 a.m.	Grove 12:30 p.m.	Pines 1:30 p.m.	Sayville 3:00 p.m.
Tuesday	Sayville 11:30 a.m.	Pines 12:30 p.m.	Grove 1:30 p.m.	Sayville 3:00 p.m.
Wednesday	Sayville 11:30 a.m.	Pines 12:30 p.m.	Grove 1:30 p.m.	Sayville 3:00 p.m.
Thursday	Sayville 11:30 a.m.	Grove 12:30 p.m.	Pines 1:30 p.m.	Sayville 3:00 p.m.
Friday	Sayville 11:30 a.m.	Pines 12:30 p.m.	Grove 1:30 p.m.	Sayville 3:00 p.m.

Arrival times may vary due to weather and volume, please call or check for updates.  
Boats run weather permitting. Schedules subject to change without notice based on weather and loads. Additional or special boats may be scheduled through the office.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION  
OF INTRODUCTORY RESOLUTION NO. 1250 - 2012**

**WHEREAS, INTRODUCTORY RESOLUTION NO. 1250 – 2012**

**RESOLUTION NO. 1250 -2012, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY 0200-728.00-05.00-010.003**

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

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. 1250 – 2012, BECAUSE IT IS THE DESIRE OF THE OFFICE OF THE COUNTY EXECUTIVE TO PROMOTE ECONOMIC DEVELOPMENT BY EXPEDITING THE REDEMPTION PROCESS WHICH WILL ALLOW THE PRIOR OWNER TO AVAIL THEMSELVES OF THE MARCH 1ST TAXABLE STATUS DEADLINE.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 13<sup>th</sup> DAY OF MARCH, 2012.**

  
\_\_\_\_\_  
JONATHAN SCHNEIDER  
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED  
2012 MAR 12 P 4:35  
SUFFOLK COUNTY  
LEGISLATIVE  
BROOKHAVEN

Introductory Resolution No. 1250-12 Laid on Table 3/13/12 1250

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT  
TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY  
0200-728.00-05.00-010.003**

**WHEREAS**, the COUNTY OF SUFFOLK acquired the following described parcel:

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 728.00, Block 05.00, Lot 010.003, and acquired by tax deed on November 30, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on December 01, 2011, in Liber 12678, at Page 80, and otherwise known and designated by the Town of Brookhaven, as a portion of Plots 5 and 7 on a certain map entitled "Map of Richard Smith at Holbrook" and filed in the Office of the Suffolk County Clerk on July 9, 1870 as Map No. 564; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 30, 2011, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on December 01, 2011 in Liber 12678 at Page 80.

**WHEREAS**, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

**WHEREAS**, TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY has made application of said above described parcel and TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY has paid the application fee and has paid \$78,429.33, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2012, and

**WHEREAS**, that the taxable status date for assessments and exemptions is March 1, 2012, so in order to preserve the right of County residents to apply for exemptions, the Director of Real Estate has executed a quitclaim deed dated February 28, 2012 to TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY, 1 Independence Hall, Farmingville, NY 11738, now, therefore be it

**1<sup>st</sup> - RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

2<sup>nd</sup> - **RESOLVED**, that the quitclaim deed dated February 28, 2012 executed and duly acknowledged by the Director of the Division of Real Property Acquisition and Management, and/or her designee, to TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY, 1 Independence Hall, Farmingville, NY 11738 to transfer the interest of Suffolk County in the above described property and on the above described terms is hereby approved; and be it further

3<sup>rd</sup> - **RESOLVED**, that this Legislature hereby ratifies and adopts all official acts heretofore taken by the Director to transfer said property on the above described terms.

DATED:

APPROVED BY: \_\_\_\_\_  
County Executive of Suffolk County

Date of Approval: \_\_\_\_\_

COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE

1250

PAMELA J. GREENE  
DIVISION DIRECTOR

DEPARTMENT OF PLANNING  
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

SARAH LANSDALE, A.I.C.P.  
DIRECTOR

Jon Schneider, Deputy County Executive  
H. Lee Dennison Bldg. – 12<sup>th</sup> Floor  
Hauppauge, New York 11788-0099

Re: Tax Map No. 0200-728.00-05.00-010.003  
TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY

Dear Mr. Schneider:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Pamela J. Greene, Director  
Director of Division of Real Property  
Acquisition and Management

DB:lag

Enclosures  
Resolution + one copy  
Closing Statement  
Legislative Memorandum  
Treasurer's Computation

Copy of Resolution to:

Jon Schneider, Deputy County Executive (original & 1 hard copy)  
Ben Zwirn, Director of Intergovernmental Relations (2 hard copies)  
Regina M. Calcaterra, Chief Deputy County Executive (1 hard copy)  
CE Reso Review (electronic copy)

Copy of letter to:

Eric Kopp, Legislative Liaison  
Connie Corso, Budget Director  
Sarah Lansdale, Director, Planning Dept.  
Alice Kubicko, Inventory

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1250

February 01, 2012

Tax Map No.: 0200-728.00-05.00-010.003

Name of Last Legal Fee Owner: TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT  
AGENCY

TREASURER'S COMPUTATION..... \$78,429.33

Taxes.....2011/2012..... \$0

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$78,429.33

Monies Received..... \$78,429.33

RESOLUTION AMOUNT..... \$78,429.33

PREPARED BY:

APPROVED:

Diane Bishop  
Redemption Unit  
(631)853-5932

Accounting

DB:lag

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1250

1. Type of Legislation

Resolution X  
Tax Map Number 0200-728.00-05.00-010.003

2. Title of Proposed Legislation

Authorizing the Director of the Division of Real Property Acquisition and Management and/or her designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

4. Will the Proposed Legislation have a fiscal impact? Yes X 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 4 is "yes", provide detailed explanation of Impact

The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

2012

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

Diane Bishop      \_\_\_\_\_      \_\_\_\_\_

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1250

<p>1. Type of Legislation</p> <p>Resolution <u>  X  </u>                  Local Law _____                  Charter Law _____</p>											
<p>2. Title of Proposed Legislation – <b>AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY 0200-728.00-05.00-010.003</b></p>											
<p>3. Purpose of Proposed Legislation : Sale of property</p>											
<p>4. Will the Proposed Legislation Have a Fiscal Impact?                  Yes <u>  X  </u>                  No <u>  </u></p>											
<p>5. If the answer to item 4 is "yes", on what will it impact?                  (circle appropriate category)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;"><u>  County  </u></td> <td style="width: 33%; border: none;">Town</td> <td style="width: 33%; border: none;">Economic Impact</td> </tr> <tr> <td style="border: none;">Village</td> <td style="border: none;">School District</td> <td style="border: none;">Other (Specify):</td> </tr> <tr> <td style="border: none;">Library District</td> <td style="border: none;">Fire District</td> <td style="border: none;"></td> </tr> </table>			<u>  County  </u>	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
<u>  County  </u>	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
<p>6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Payment of taxes, penalties, interest, recording fees, and any other charges to the County in the amount of \$78,429.33</p>											
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p>											
<p>8. Proposed Source of Funding:</p>											
<p>9. Timing of Impact - immediate.</p>											
<p>10. Typed Name &amp; Title of Preparer:</p> <p>Neil Toomb Intergovernmental Relations Coordinator</p>	<p>11. Signature of Preparer</p> <p style="font-family: cursive; font-size: 1.5em;">Neil Toomb.</p>	<p>12. Date: 2/29/12</p>									

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

1250

**GENERAL FUND**

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

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1250

February 01, 2012

Tax Map No.: 0200-728.00-05.00-010.003

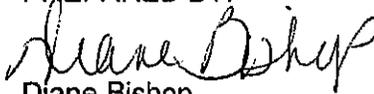
Name of Last Legal Fee Owner: TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT  
AGENCY

TREASURER'S COMPUTATION.....	\$78,429.33
Taxes.....2011/2012.....	\$0
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$78,429.33
<hr/> <hr/>	
Monies Received.....	\$78,429.33
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$78,429.33
<hr/> <hr/>	

APPROVED:

Karen A. Slater 2/2/12  
Accounting  
DB:lag

PREPARED BY:

  
Diane Bishop  
Redemption Unit  
(631)853-5932

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	728.00	05.00	010.003

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2008/09

1250

72320.32

**THERE ARE NO PROPERTY TAXES ASSESSED FOR THE 2009/10 AND 2010/11 TAX YEARS.**

TOTAL: 72320.32

B. INTEREST DUE

2374.28

C. TOTAL

74694.60

D. 5% LINE C

3734.73

E. FEE

F. MISC

G. MISC

H. TOTAL DUE

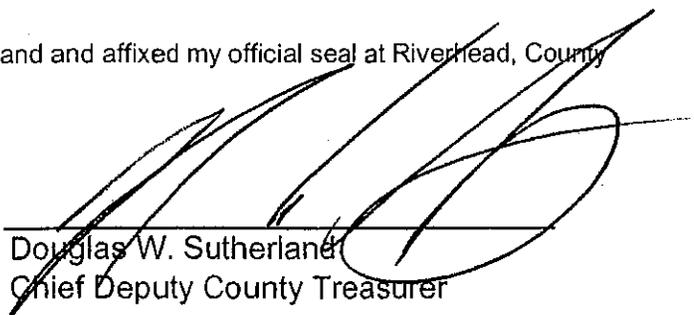
\$78,429.33

2/2/12

**CERTIFICATION BY COUNTY TREASURER**

I, Douglas W. Sutherland, Chief Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 19-Dec-11

  
\_\_\_\_\_  
Douglas W. Sutherland  
Chief Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 06/16/12

dz

THE WORD "APPEARS" IS PRINTED BELOW THE COUNTY TREASURER'S NOTICE THE REVERSE SIDE.

DIANE  
853-5905

**STATEMENT OF TAXES**

DECEMBER 1, 2011 thru NOVEMBER 30, 2012 TAX LEVY  
TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK  
TAXABLE STATUS DATE MARCH 1, 2011  
TAXES BECOME A LIEN DECEMBER 1, 2011

ITEM NUMBER 80-00603 7  
Est. State Aid  
SCH 98,293,100 TWN 14,777,543  
CTY 281,983,132 SEW 0

KEY FUNDS PAYABLE TO:  
**Luis J. Marcoccia**  
DIRECTOR OF TAXES  
100 INDEPENDENCE HILL, SUITE 110  
HOLTSVILLE, NEW YORK 11738-2149

OFFICE PAYMENT HOURS  
MON. TO FRI. 9 A.M. to 4:00 P.M.  
PHONE: 631-451-9009 FAX: 631-451-9008  
Email us at: taxoffice@brookhaven.org with inquiries  
Important for School Inquiries: **631-471-1321** School District 05

If property has been sold or transferred after March 1, 2011 please forward this statement to the new owner or return to this office with forwarding information.

Suffolk Tax Map Number	ORPS SD	Description of Property	Exemption Description	Code	Value	Full Value	Real Savings
0200 728.00 05.00 010.003 4872205		N. LKESIDE HM & ANGLE TOB IDA					
99464	21:27 236 8	W-LILCO T208					
Bill #	Land Area	Assessed Value	Uniform %	Full Value			
0	10,625	621,920 Which is	0.91 % of	68,342,857			

Physical Address  
EXPRESSWAY N DR HOLBROOK 11741  
2010 - 2011 Tax Payment Information  
1st Half  
2nd Half

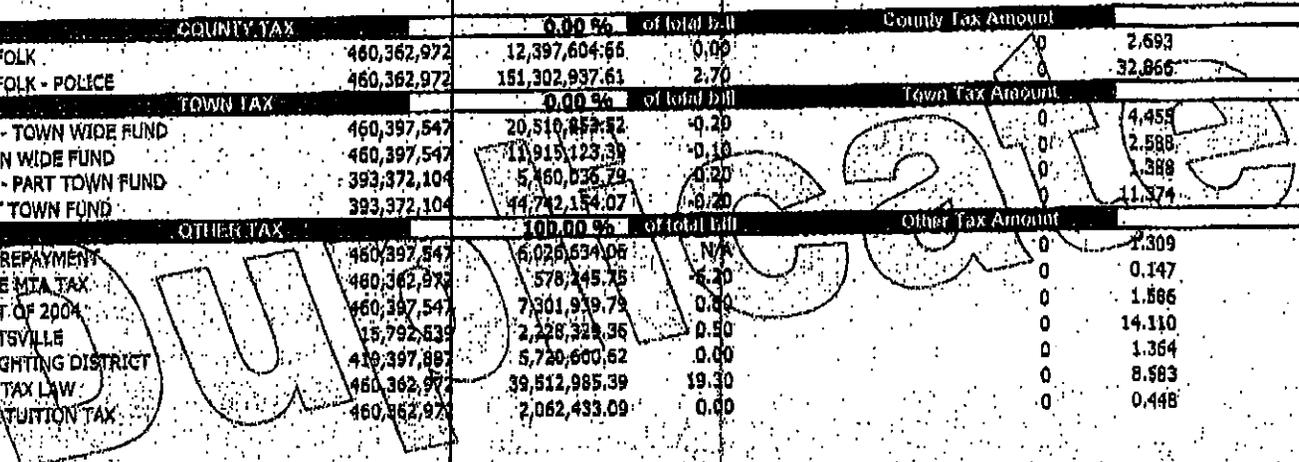
Bank & Mort. No.  
Tax Billing Address

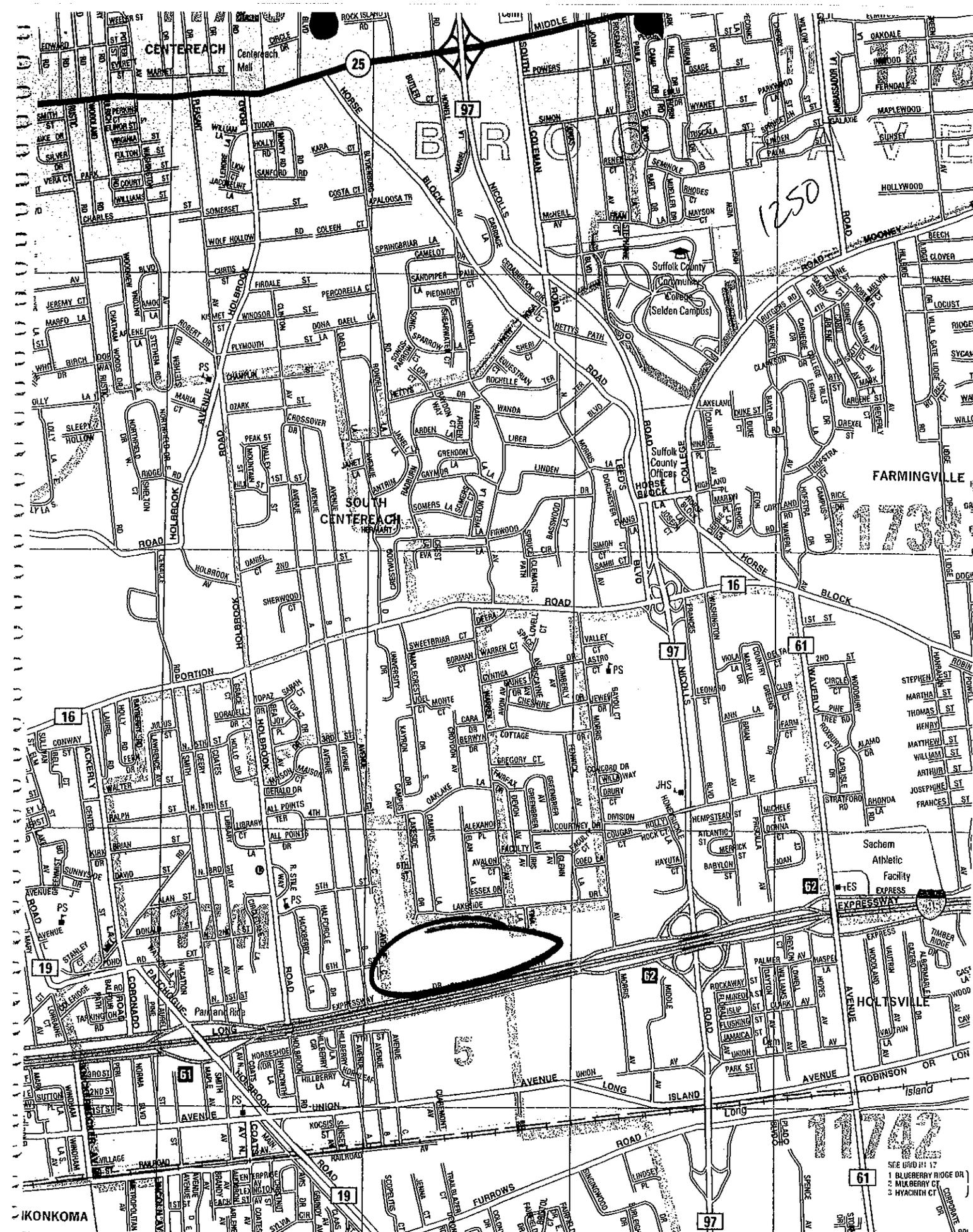
Owner as of Taxable status date of March 1, 2011  
TOWN OF BROOKHAVEN IDA  
MOTOROLA  
1 MOTOROLA PLZ  
HOLTSVILLE NY 11742

TOWN OF BROOKHAVEN IDA  
MOTOROLA  
1 MOTOROLA PLZ  
HOLTSVILLE NY 11742

Category	District Taxable Value	District Tax Amount	Prior Year % Change	Exempt Code	Taxable Value Adjusted by Exemption	Tax Rate Per \$100	Tax Amount
<b>SCHOOL TAX</b>		<b>0.00 %</b>	<b>of total bill</b>		<b>School Tax Amount</b>		<b>0.00</b>
SCHOOL DIST - SACHEM CSD	55,431,124	84,390,646.34	3.30	0	0	174.395	0.00
LIBRARY DIST - SACHEM CSD	55,431,124	5,970,491.80	1.20	0	0	10.771	0.00
<b>COUNTY TAX</b>		<b>0.00 %</b>	<b>of total bill</b>		<b>County Tax Amount</b>		<b>0.00</b>
COUNTY OF SUFFOLK	460,362,972	12,397,604.66	0.00	0	0	2.693	0.00
COUNTY OF SUFFOLK - POLICE	460,362,972	151,302,937.61	2.70	0	0	32.866	0.00
<b>TOWN TAX</b>		<b>0.00 %</b>	<b>of total bill</b>		<b>Town Tax Amount</b>		<b>0.00</b>
TOWN GENERAL - TOWN WIDE FUND	460,397,547	20,510,877.52	-0.20	0	0	4.455	0.00
HIGHWAY - TOWN WIDE FUND	460,397,547	11,915,123.39	-0.10	0	0	2.588	0.00
TOWN GENERAL - PART TOWN FUND	393,372,104	5,460,036.79	0.20	0	0	1.388	0.00
HIGHWAY - PART TOWN FUND	393,372,104	44,742,154.07	-0.20	0	0	11.374	0.00
<b>OTHER TAX</b>		<b>100.00 %</b>	<b>of total bill</b>		<b>Other Tax Amount</b>		<b>0.00</b>
BLIZZARD NOTE REPAYMENT	460,397,547	6,020,634.06	N/A	0	0	1.309	0.00
NEW YORK STATE MTA TAX	460,362,972	578,145.75	0.20	0	0	0.147	0.00
100M BOND ACT OF 2004	460,397,547	7,301,919.79	0.00	0	0	1.586	0.00
FIRE DIST - HOLTSVILLE	15,792,639	2,228,323.36	0.00	0	0	14.110	0.00
BROOKHAVEN LIGHTING DISTRICT	410,397,887	5,720,600.62	0.00	0	0	1.364	0.00
REAL PROPERTY TAX LAW	460,362,972	39,512,985.39	19.30	0	0	8.583	0.00
OUT OF COUNTY TUITION TAX	460,362,972	2,062,433.09	0.00	0	0	0.448	0.00
<b>First Half Tax</b>	<b>0.00</b>	<b>Second Half Tax</b>	<b>0.00</b>	<b>Total Tax</b>		<b>0.00</b>	<b>0.00</b>

Due December 1, 2011. Payable without penalty to January 10, 2012. See reverse side for penalty schedule.  
Due December 1, 2011. Payable without penalty to May 31, 2012. See reverse side for penalty schedule and County Treasurer's Notice.  
This total tax may be paid in one or two installments.





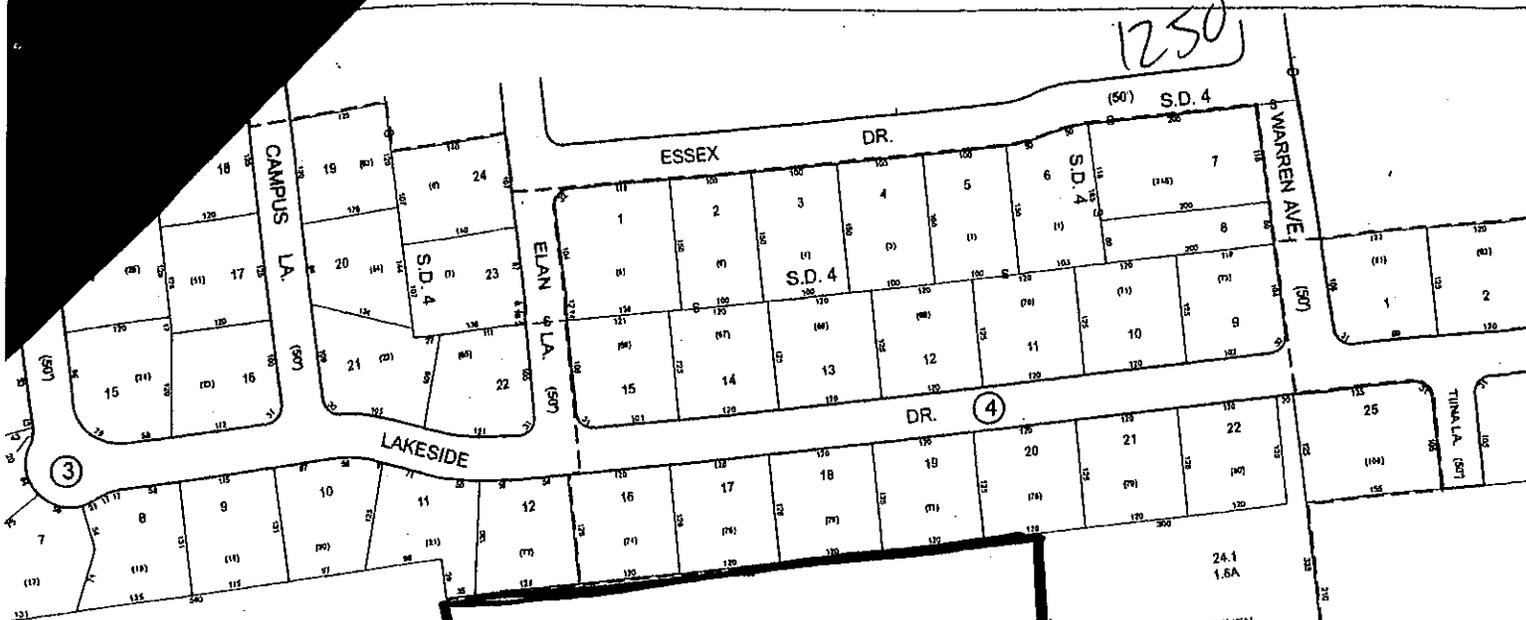
H1 73°05'15" J1 73°04'30" K1 73°03'45" L1 73°03'00" M1 73°

0200-728.00-0500-010-003

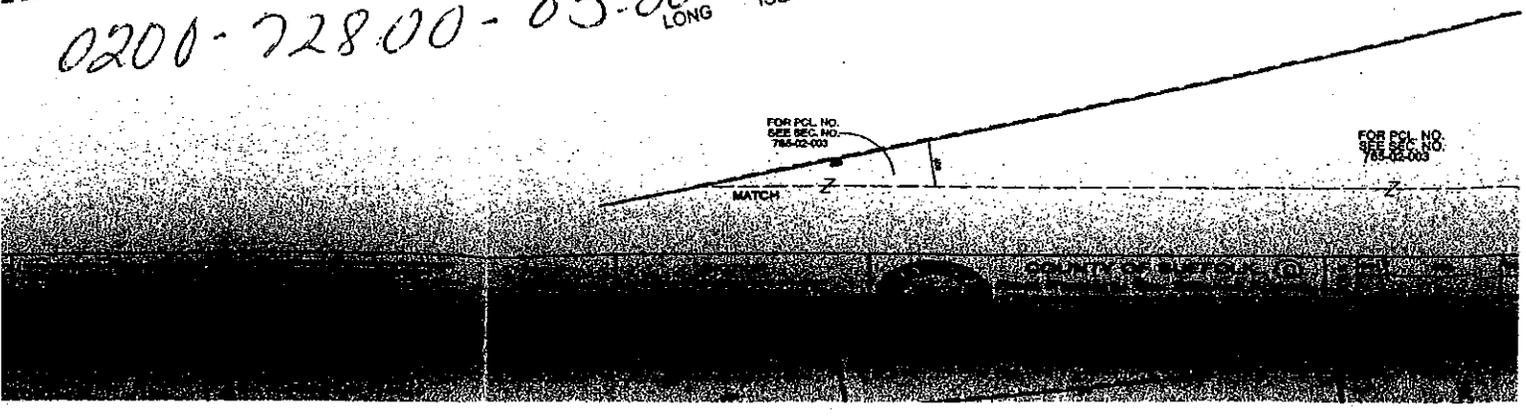
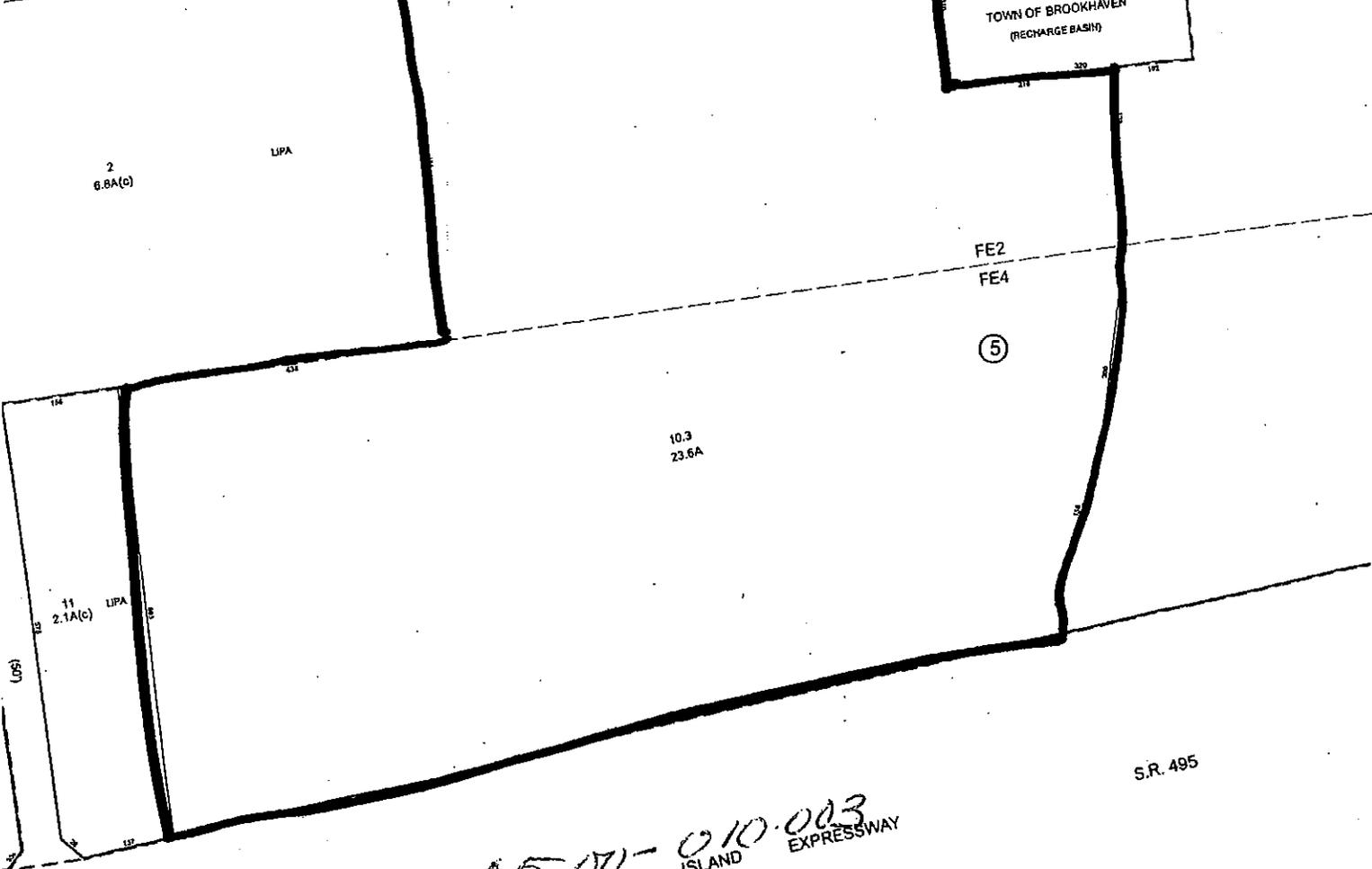
Joins Map 22

- SEE GRID H1 17
- 1 BLUEBERRY RIDGE DR
  - 2 BLUEBERRY CT
  - 3 HYACINTH CT

1250



24.1  
1.6A  
TOWN OF BROOKHAVEN  
(RECHARGE BASIN)



0200-72800-05-00-010-003  
LONG ISLAND EXPRESSWAY

FOR PCL. NO.  
SEE REC. NO.  
785-02-003

FOR PCL. NO.  
SEE REC. NO.  
785-02-003

MATCH

S.R. 495

2  
6.8A(c)

LIPA

10.3  
23.6A

11  
2.1A(c)

LIPA

COUNTY OF SUFFOLK



STEVEN BELLONE  
COUNTY EXECUTIVE

1250

DEPARTMENT OF PLANNING

DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

PAMELA J. GREENE  
DIVISION DIRECTOR

SARAH LANSDALE, A.I.C.P.  
DIRECTOR

February 8, 2012

Jon Schneider, Deputy County Executive  
H. Lee Dennison Bldg. – 12<sup>th</sup> Floor  
Hauppauge, New York 11788-0099

Re: Tax Map No. 0200-728.00-05.00-010.003  
TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY

Dear Mr. Schneider:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

  
Pamela J. Greene, Director  
Director of Division of Real Property  
Acquisition and Management

DB:lag

Enclosures  
Resolution + one copy  
Closing Statement  
Legislative Memorandum  
Treasurer's Computation

Copy of Resolution to:

Jon Schneider, Deputy County Executive (original & 1 hard copy)

~~Sean Zwill, Director of Intergovernmental Relations (2 hard copies)~~

Regina M. Calcaterra, Chief Deputy County Executive (1 hard copy)

CE Reso Review (electronic copy)

Copy of letter to:

Eric Kopp, Legislative Liaison  
Connie Corso, Budget Director  
Sarah Lansdale, Director, Planning Dept.  
Alice Kubicsko, Inventory

53

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION  
OF INTRODUCTORY RESOLUTION NO. - 2012**

**WHEREAS, INTRODUCTORY RESOLUTION NO. 1268 – 2012**

**RESOLUTION NO. 1268 -2012, AMENDING THE 2012 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) TO CONCERN FOR INDEPENDENT LIVING, INC. FOR SHELTER-PLUS CARE CASE MANAGEMENT SERVICES**

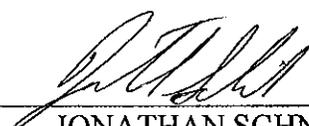
**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. 1268 – 2012, BECAUSE THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE (NYS OASAS) HAS PROVIDED ADDITIONAL 100% STATE AID FUNDING RETROACTIVE TO JULY 1, 2011 TO CONCERN FOR INDEPENDENT LIVING, INC. THIS ADDITIONAL FUNDING WILL BE USED TO SUPPORT CASE MANAGEMENT SERVICE DELIVERY TO INDIVIDUALS AND FAMILIES RESIDING IN THE SHELTER-PLUS CARE HOUSING, WHICH IS FUNDED BY UNITED STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

**THE TIMELY ADOPTION OF THIS RESOLUTION IS NECESSARY TO ALLOW CONCERN FOR INDEPENDENT LIVING, INC. TO ACCESS THE 2011 100% STATE AID ALLOCATION FOR PAYMENT OF 2011 EXPENSES AND THE CONTINUATION OF SERVICES IN 2012.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 13<sup>th</sup> DAY OF MARCH, 2012.**

CLERK OF SUPREME COURT  
COUNTY CLERK  
2012 MAR -9 P 1:32

  
\_\_\_\_\_  
JONATHAN SCHNEIDER  
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED

1268

Intro. Res. No. - 2012

Laid on the Table

3/13/12

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2012, AMENDING THE 2012 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) TO CONCERN FOR INDEPENDENT LIVING, INC. FOR SHELTER-PLUS CARE CASE MANAGEMENT SERVICES**

**WHEREAS**, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has allocated 100% State Aid funding to Concern for Independent Living, Inc. to support case management service delivery to individuals and families residing in the Shelter-Plus Care housing funded by Housing for Urban Development (HUD); and

**WHEREAS**, NYS OASAS has allocated 100% State Aid as follows: \$30,445 retroactively for July 1, 2011 through December 31, 2011 and \$60,889 for January 1, 2012 through December 31, 2012 to Concern for Independent Living, Inc. for the continued provision of Shelter-Plus Care case management service delivery; and

**WHEREAS**, Concern for Independent Living, Inc. has incurred expenses for the provision of Shelter-Plus Care case management services delivered from July 1, 2011 through December 31, 2011; and

**WHEREAS**, the \$30,445 in State Aid funding allocated for July 1, 2011 to December 31, 2011 to Concern for Independent Living, Inc. should be expended prior to the 2012 funding allocation of \$60,889; and

**WHEREAS**, this 100% State Aid from NYS OASAS is not currently included in the 2012 Adopted Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$91,334 in State Aid as follows:

REVENUES:

001-HSV 3486 State Aid: Narcotics Addiction Control \$91,334

ORGANIZATIONS

Department of Health Services (HSV)  
Division of Community Mental Hygiene Services  
001-HSV-4310-4980

<u>XORG OBJECT NAME</u>	<u>2012 Adopted Budget</u>	<u>Increase/ Decrease</u>	<u>2012 Modified Budget</u>
XXXX Concern for Independent Living, Inc. and be it further	\$0	+\$91,334	\$91,334

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract, effective July 1, 2011, with Concern for Independent Living, Inc.; and be it further

**3<sup>rd</sup> RESOLVED**, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

**4<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

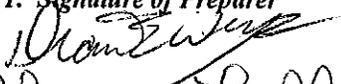
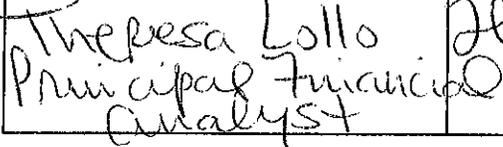
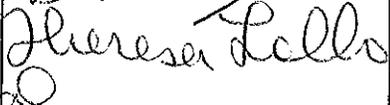
\_\_\_\_\_  
County Executive of Suffolk County

Date of Approval:

HSV #11-2012

1268

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

1. Type of Legislation		
Resolution <u>  X  </u>	Local Law	Charter Law
Title of Proposed Legislation AMENDING THE 2012 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) TO CONCERN FOR INDEPENDENT LIVING, INC. FOR SHELTER-PLUS CARE CASE MANAGEMENT SERVICES		
3. Purpose of Proposed Legislation This legislation is needed to accept and appropriate 100% State aid from the New York State Office of Alcoholism and Substance Abuse Services to Concern for Independent Living, Inc. for Shelter-Plus Care case management Services. The funding is retroactive to July 1, 2011 and services for July through December 2011 have already been provided by this agency. The 2012 funding will allow for the continuance of services.		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <u>  </u> 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 4 is "yes", Provide Detailed Explanation of Impact: Not applicable		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. None		
8. Proposed Source of Funding 100% State aid from the New York State Office of Alcoholism and Substance Abuse Services		
9. Timing of Impact 2012		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst	11. Signature of Preparer 	Date 2/15/12
 Theresa Lollo Principal Financial Analyst		3/5/12

1268

**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
<b>TOTAL</b>	\$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
<b>TOTAL</b>	\$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
<b>TOTAL</b>	\$0	\$0.00		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1268



**OASAS**

Improving Lives.

NEW YORK STATE  
OFFICE OF ALCOHOLISM & SUBSTANCE ABUSE SERVICES  
*Addiction Services for Prevention, Treatment, Recovery*

Governor  
Andrew M. Cuomo

Commissioner  
Arlene González-Sánchez, M.S., L.M.S.W.

February 7, 2012

Art Flescher, Director  
Suffolk County Division of Community Mental Hygiene Services  
North County Complex Bldg C928  
PO Box 6100  
Hauppauge, NY 11788

Dear Mr. Flescher:

This letter will confirm the New York State Office of Alcoholism and Substance Abuse Services' (OASAS) allocation of state aid for Concern for Independent Living, Inc to support case management service delivery to individuals and families residing in the Shelter-Plus Care housing funded by HUD.

The state aid allocation for July 1, 2011 to December 31, 2011 is \$30,445.

Sincerely,

Lisa Lite-Rottmann  
Regional Director

Cc: Steven Rabinowitz  
Evelyn Zamir  
Jaci Best



NEW YORK STATE  
OFFICE OF ALCOHOLISM & SUBSTANCE ABUSE SERVICES  
Addiction Services for Prevention, Treatment, Recovery

1268

Governor  
Andrew M. Cuomo

Commissioner  
Arlene González-Sánchez, M.S., L.M.S.W.

February 7, 2012

Art Flescher, Director  
Suffolk County Division of Community Mental Hygiene Services  
North County Complex Bldg C928  
PO Box 6100  
Hauppauge, NY 11788

Dear Mr. Flescher:

This letter will confirm the New York State Office of Alcoholism and Substance Abuse Services' (OASAS) allocation of state aid for Concern for Independent Living, Inc to support case management service delivery to individuals and families residing in the Shelter-Plus Care housing funded by HUD.

The annualized state aid allocation for January 1, 2012 through December 31, 2012 is \$60,889. The full year amount of \$60,889 will be allocated as base funding for CY 2012.

Sincerely,

Lisa Lite-Rottmann  
Regional Director

Cc: Steven Rabinowitz  
Evelyn Zamir  
Jaci Best

1268

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD  
MSW, MPH, MBA, FRCPC, FACP  
Commissioner

MEMORANDUM

**To:** James L. Tomarken, MD, MSW, MPH, MBA, FRCPC, FACP  
Commissioner, Department of Health Services

**From:** Art Flescher, L.C.S.W., C.A.S.A.C. (AF)  
Director, Division of Community Mental Hygiene Services

**Date:** February 10, 2012

**Subject:** REQUEST FOR CN LEGISLATIVE RESOLUTION

The New York State Office of Alcoholism and Substance Abuse Services (NYSOASAS) has allocated \$30,445 in state aid retroactively for July 1, 2011 through December 31, 2011 and \$60,889 in state aid for January 1, 2012 to December 31, 2012 to Concern for Independent Living, Inc. for Shelter-Plus Care case management services. This additional \$91,334 in state aid is currently not included in the 2012 Adopted County Operating Budget.

The Division of Community Mental Hygiene requests introduction of a legislative resolution to accept and appropriate this additional 100% state aid funding to Concern for Independent Living, Inc.

Attached please find drafts of the intro resolution, fiscal impact statement, routing form and NYSOASAS letters dated February 7, 2012 confirming the funding allocation of \$30,445 for 2011 and \$60,889 for 2012 to Concern for Independent Living, Inc.

The Division is requesting a Certificate of Necessity to allow timely execution of a contract with Concern for Independent Living, Inc. as a necessary first step to their ability to access this 100% state aid.

Thank you for your consideration.

AF:PM

Attachments

Cc: J. Best, A. Rotundo, D. Weyer, L. Wright, S. Reagan, D. DeSimone, G. Terry, P. Manos



Public Health  
Prevent. Promote. Protect.

DIVISION OF COMMUNITY MENTAL HYGIENE  
North County Complex, Bldg. C928, 725 Veterans Memorial Highway, PO Box 6100 Hauppauge, NY 11788  
(631) 653-8500 Fax (631) 853-3117

CN REQUEST  
1268

COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

RECEIVED

FEB 22 2012

OFFICE OF THE  
SUFFOLK COUNTY EXECUTIVE  
HAUPPAUGE

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD, MPH, MBA, MSW  
Commissioner

February 21, 2012

Jon Schneider, Deputy County Executive  
County Executive's Office, 12<sup>th</sup> Floor  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, NY 11788-0099

**RE: Resolution Request along with a Certificate of Necessity**

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution to amend the 2012 Adopted Operating Budget to accept and appropriate 100% State Aid from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) to Concern for Independent Living, Inc. for Shelter-Plus Care case management services. Some of this funding is retroactive to July 1, 2011 and services for July through December 2011 have already been provided by this agency. A *Certificate of Necessity* is requested to allow timely execution of a contract with Concern for Independent Living, Inc. as a necessary first step to their ability to access the 2011 State Aid allocation for payment of 2011 expenses and for continuation of services in 2012.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Anthony Rotundo at 3-8517. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH Concern.docx."

Sincerely,

James L. Tomarken, MD, MPH, MBA, MSW  
Commissioner

Enclosures

JLT/lw

C: Regina Calcaterra, Chief Deputy County Executive  
Ben Zwirn, Director of Intergovernmental Relations (2 copies)  
Thomas Vaughn, County Executive Assistant III  
Margaret B. Bermel, Director of Health Administrative Services  
Janet DeMarzo, Deputy Commissioner



Public Health  
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER  
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION  
OF INTRODUCTORY RESOLUTION NO. 1282 - 2012**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1282 – 2012

**RESOLUTION NO. -2012, RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWER TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$90,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF SUFFOLK, NEW YORK, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012, TO PRESCRIBE THE TERMS, FORM AND CONTENTS OF SUCH NOTES, AND TO PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT THEREOF**

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

NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. 1282 – 2012, BECAUSE THE REVENUE GENERATED AS A RESULT OF THE ISSUANCE OF THESE NOTES IS NECESSARY TO COVER THE CASH FLOW NEEDS OF SUFFOLK COUNTY FOR FISCAL 2012.

IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 13<sup>th</sup> DAY OF MARCH, 2012.

  
\_\_\_\_\_  
JONATHAN SCHNEIDER  
DEPUTY SUFFOLK COUNTY EXECUTIVE

CO. & LEGISLATIVE  
SUFFOLK COUNTY, N.Y.  
2012 MAR 12 P 1:19  
RECEIVED

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2012, RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWER TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$90,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF SUFFOLK, NEW YORK, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012, TO PRESCRIBE THE TERMS, FORM AND CONTENTS OF SUCH NOTES, AND TO PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT THEREOF**

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called the "Notes") of the County of Suffolk, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$90,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The Notes, in the amount of not to exceed \$90,000,000, are authorized to be issued in anticipation of the receipt of certain revenues expected to be received by the County during the fiscal year ending December 31, 2012, from (i) social services aid and other State aid revenues to be received from the State of New York, and (ii) social services aid revenues to be received from the United States of America. All of the foregoing shall be due and payable to the County during the fiscal year ending December 31, 2012. The proceeds of such Notes shall be used only for the purposes of paying the current expenses of the County for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The following additional matters are hereby determined and declared:

- (a) The Notes are not issued in renewal of other notes.
- (b) The Notes shall mature within the period of one year from the date of their issuance and may be renewed from time to time in accordance with the provisions of the Law.
- (c) No revenue anticipation notes have been heretofore issued in anticipation of the revenues specified in Section 2 hereof.
- (d) The Notes are issued in anticipation of the collection of revenues other than real estate taxes or assessments.
- (e) Not less than \$90,000,000 of the revenues specified in Section 2 hereof remains uncollected as of the date hereof for the fiscal year of the County ending December 31, 2012.

Section 4. The Notes hereby authorized shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on the Notes and unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 5. Subject to the provisions of this resolution and the Law, and pursuant to Section 50.00 and Sections 56.00 to 61.00 and 168.00 of the Law, the powers to sell and issue the Notes authorized pursuant hereto, and any renewals thereof, and to determine the terms, form and contents, including the manner of execution of such Notes, and to execute arbitrage certifications relative thereto and any contracts for credit enhancements in connection with the issuance of the Notes and any other certificates and agreements, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. This resolution shall take effect immediately.

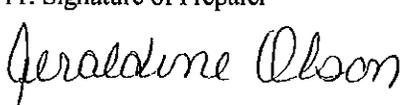
DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

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

1. Type of Legislation		
Resolution <u>  x  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation Delegating to the County Comptroller of the County of Suffolk, New York, the power to authorize the issuance of and to sell not exceeding \$90,000,000 Revenue Anticipation Notes of said County in anticipation of the collection of New York State and Federal Aid by said County for the fiscal year that commenced January 1, 2012, and providing for other matters in connection therewith.		
3. Purpose of Proposed Legislation To issue revenue anticipation notes for cash flow purposes to cover cash flow needs for fiscal 2012. The current 2012 cash flow anticipates revenue of \$70,000,000 in such revenue anticipation notes. The resolution has been written to provide sufficient latitude in principal and final sizing will be based upon actual cash flow projection formulas.		
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 The notes would be issued prior to December 31, 2012 for a term of one year and will impact debt service in the 2013 operating budget. Estimated "gross" interest cost for the maturing note is estimated to be \$1,400,000 (\$70,000,000 x 2.00% gross coupon for 12 months). It is anticipated that a reasonable premium will be bid by the underwriters and that the net interest cost may be approximately 1.25%. Interest rate estimates are based on current market rates and are subject to change.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Gross Interest cost in 2013 for the notes = \$1,400,000.		
8. Proposed Source of Funding Revenue Anticipation Notes		
9. Timing of Impact One Year Impact - 2013		
10. Typed Name & Title of Preparer Geraldine Olson Municipal Finance Administrator Audit and Control	11. Signature of Preparer 	12. Date 2/29/12

*Ch 3/6/12*

**FINANCIAL IMPACT  
2013 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$1,400,000	\$2.68		\$0.005

**POLICE DISTRICT AND DISTRICT COURT**

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

**COMBINED**

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$1,400,000	\$2.68		\$0.005

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



RECEIVED

MAR 03 2012

SUFFOLK COUNTY EXECUTIVE  
HAUPPAUGE

OFFICE OF THE COMPTROLLER

JOSEPH SAWICKI, JR.  
Comptroller

February 29, 2012

HAND DELIVERED

Mr. John Schneider  
Deputy County Executive  
H. Lee Dennison Office Building – 12<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, New York 11788

Dear John:

SUBJECT: REVENUE ANTICIPATION NOTE RESOLUTION – \$90,000,000

Attached please find the above referenced resolution and fiscal impact statement. Same has been circulated to all parties via e-mail (CE RESO REVIEW) and hand delivered this date so the resolution may be considered for adoption on March 13, 2012. Titles of the electronic files are *Reso-A&C-2012 RAN*, *Backup-A&C-2012 RAN-175a* and *Backup-A&C-2012 RAN-175b*.

The resolution authorizes me to issue revenue anticipation notes to fulfill our operating cash flow requirements. Details relative to the issue are recited in the fiscal impact statement that is attached herewith. Bond Counsel has reviewed and approved the format of the resolution for presentation to the County Legislature. In order to facilitate adoption of this resolution I am **requesting a Certificate of Necessity** to provide sufficient time to enable us to complete the financing and have cash to the County as needed.

Thank you for your immediate attention to this matter.

Sincerely,

Joseph Sawicki, Jr.  
County Comptroller

Encl

cc: Regina Calcaterra, Chief Deputy County Executive  
Ben Zwirn, Director of Intergovernmental Relations  
Christina Capobianco, Chief Deputy Comptroller  
Connie Corso, Budget Director  
Fred Pollert, Deputy County Executive for Finance & Management  
Geraldine Olson, Municipal Finance Administrator

1R 1296-12

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a local law entitled "A LOCAL LAW TO CREATE THE SUFFOLK COUNTY LANDBANK CORPORATION" has been introduced in the Suffolk County Legislature.

This proposed law would authorize the creation of the Suffolk County Landbank Corporation.

NOTICE IS FURTHER GIVEN that the County Legislature will hold a public hearing in the Maxine S. Postal Auditorium of the Suffolk County Legislature, in the Riverhead County Center, Riverhead, New York, on the 13th day of March, 2012, at 2:30 P.M.

It is requested that speakers prepare a written statement to submit for the record.

Tim Laube  
Clerk of the County Legislature

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION  
OF INTRODUCTORY RESOLUTION NO. - 2012**

1296  
**WHEREAS, INTRODUCTORY RESOLUTION NO. - 2012**

**RESOLUTION NO. -2012, RESOLUTION NO. -2012,  
ADOPTING LOCAL LAW NO. -2012, A LOCAL LAW TO CREATE THE  
SUFFOLK COUNTY LANDBANK CORPORATION**

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

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY  
EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND  
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT  
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF  
INTRODUCTORY RESOLUTION NO. - 2012, BECAUSE OF A RAPIDLY  
APPROACHING NEW YORK STATE IMPOSED DEADLINE TO APPLY FOR  
LAND BANK STATUS.**

**IN JULY 2011, GOVERNOR CUOMO SIGNED INTO LAW AN  
AMENDMENT TO NEW YORK STATE'S NOT-FOR-PROFIT CORPORATION  
LAW, WHICH ALLOWS FOR THE CREATION OF 10 LAND BANKS STATEWIDE  
BY MUNICIPALITIES UPON APPROVAL OF THE EMPIRE STATE  
DEVELOPMENT CORPORATION (ESDC). THE ESDC IS CURRENTLY  
ACCEPTING APPLICATIONS TO ESTABLISH THE FIRST 5 LAND BANKS IN  
NEW YORK STATE AND HAS SET THE APPLICATION DEADLINE OF MARCH  
30, 2012. A REQUIRED COMPONENT OF THE APPLICATION IS A DULY  
ADOPTED LOCAL LAW ENACTED BY THE MUNICIPALITY.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND  
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS  
13<sup>th</sup> DAY OF MARCH, 2012.**

  
\_\_\_\_\_  
**JONATHAN SCHNEIDER  
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RECEIVED  
2012 MAR -9 4 11:38  
SUFFOLK COUNTY LEGISLATIVE  
OFFICE

**REVISED 3/9/12**

Intro. Res. No. 1296 -2012

Laid on Table 3/13/2012

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2012, ADOPTING LOCAL LAW  
NO. -2012, A LOCAL LAW TO CREATE THE SUFFOLK  
COUNTY LANDBANK CORPORATION**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2012, a proposed local law entitled, "**A LOCAL LAW TO CREATE THE SUFFOLK COUNTY LANDBANK CORPORATION**"; 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. -2012, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO CREATE THE SUFFOLK COUNTY LANDBANK  
CORPORATION**

**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 many communities are struggling to cope with vacant, abandoned, and tax-delinquent properties, resulting in lost revenue to the County and local governments and leading to the deterioration of neighborhoods and business districts.

This Legislature also finds and determines that due to the liabilities associated with many of these properties and the cost of potential public health and safety mitigation, the County may be unable or have no authority to take control and redevelop these properties.

This Legislature further finds that Article 16 of the New York Not-For-Profit Corporation Law authorizes a municipality that is deemed a "foreclosing governmental unit," such as Suffolk County, to create a land bank, through local law, incorporation, and application to the New York State Empire State Development Corporation, for the purpose of acquiring real property that is tax delinquent; tax foreclosed; vacant; or abandoned in order to design; develop; construct; demolish; reconstruct; rehabilitate; renovate; relocate; and otherwise improve upon banked real property.

This Legislature also finds and determines that a land bank can serve to free up strategic brownfield sites and provide for local involvement in the disposition and re-use of these sites.

This Legislature finds and declares that Suffolk County has, for the past two decades, accumulated in excess of \$20 million in back taxes on several dozen vacant, abandoned, environmentally contaminated tax-delinquent properties otherwise known as brownfields and has been prohibited by the Suffolk County Tax Act to sell for less than the amount of the taxes owed. There is an economic redevelopment opportunity in this crisis. A report issued by New Partners for Community Revitalization cites that the cleanup and redevelopment of brownfield properties lead to property value increases on the order of 5% to 15% for properties that are up to 3/4 mile from the site and research by noted academic and planner Marie Howland indicates that the economic benefits, estimated using a dynamic simulation

model, predict that on a national basis, 10 to 11 jobs are created per developed acre with an annual tax flow of \$5,470 per job.

This Legislature also finds that a land bank shall constitute a Type C not-for-profit corporation under the law and accordingly, will be a significant economic development tool in that it is empowered to take discretionary action with regard to vacant, abandoned, and tax-delinquent properties that the County is currently restrained from taking, such as selling delinquent tax liens for more or less than the face amount of the tax liens.

Therefore, the purpose of this law is to establish the "Suffolk County Landbank Corporation."

## **Section 2. Creation of the Suffolk County Landbank Corporation.**

- A.) The County Executive and/or his designee(s) are hereby authorized, empowered and directed to take all steps necessary to create and cause the incorporation of the not-for-profit "Suffolk County Landbank Corporation" pursuant to Article 16 of the New York Not-For-Profit Corporation Law, including submission of all applicable documentation for application to the New York State Empire State Development Corporation.
- B.) The Suffolk County Landbank Corporation shall be created for the purposes and shall exercise and perform the powers set forth herein in accordance with the provisions of the Certificate of Incorporation, the by-laws and Article 16 of the New York Not-For-Profit Corporation Law.
- C.) Properties and/or tax liens shall only be transferred to the Suffolk County Landbank Corporation via duly adopted resolution of the Suffolk County Legislature.
- D.) All actions of the Suffolk County Landbank Corporation require approval by two-thirds (2/3) vote of its membership and the two-thirds (2/3) must include the representative of the County Executive and a representative of the Legislature who serve as Directors.
- E.) Any borrowing or bonding by the Suffolk County Landbank Corporation shall be for capital purposes only; borrowing or bonding shall not be authorized for operating expenses. Approval of borrowing or bonding by the Suffolk County Landbank Corporation shall require a unanimous vote of all Directors.
- F.) The Suffolk County Landbank Corporation shall contract in writing with Suffolk County for all of its operating expenses, including but not limited to personnel, overhead, supplies and equipment and such contract shall include terms for repayment of all expenses.
- G.) Funds received by the Suffolk County Landbank Corporation shall be remitted to the County to reimburse the County for:
  - i.) start-up costs;
  - ii.) the balance of any tax lien transferred to the Suffolk County Landbank Corporation for less than the full amount of the lien, including any interest and penalties, which interest and penalties shall continue to accrue on each lien until paid in full;
  - iii.) the difference between the value of any property transferred to the Suffolk County Landbank Corporation for less than the full amount of the value of the property, including any charges and assessments;
  - iv.) the cost of any County personnel, overhead, supplies and equipment assigned to the Suffolk County Landbank Corporation pursuant to Section 2. F. above.

## **Section 3. Board of Directors**

A.) The Initial Board of Directors (the "Board") of the Corporation shall consist of seven members as follows:

- i.) DuWayne Gregory, Suffolk County Legislator
- ii.) Thomas Cilmi, Suffolk County Legislator
- iii.) Mark Lesko, Brookhaven Town Supervisor
- iv.) Adrienne Esposito, Citizens Campaign for the Environment
- v.) Sarah Lansdale, Suffolk County Director of Planning
- vi.) James Tomarken, Suffolk County Commissioner of Health
- vii.) Jonathan M. Schneider, Deputy County Executive

B.) Members of the Board shall serve staggered terms. Of the initial members appointed:

- i.) two shall be appointed for one year;
- ii.) two shall be appointed for two years; and
- iii.) three shall be appointed for three years.

Thereafter, each member shall serve a term of three years.

C.) Notwithstanding the foregoing, members shall be appointed as follows:

- i.) One Director shall be selected by the Majority Leader of the Suffolk County Legislature, with the approval of the Suffolk County Legislature (hereinafter the "Legislature"). This shall initially be a one-year term, and will be filled by DuWayne Gregory.
- ii.) One Director shall be selected by the Minority Leader of the Legislature, with the approval of the Legislature. This shall initially be a one-year term and will be filled by Thomas Cilmi.
- iii.) One Director shall be the President of the Suffolk County Supervisors' Association, or a successor organization. This shall initially be a two-year term and will be filled by Mark Lesko.
- iv.) One Director shall be a representative of environmental organizations in Suffolk County, selected by the County Executive of Suffolk County, with the approval of the Legislature. This shall initially be a two-year term, and will be filled by Adrienne Esposito.
- v.) One Director shall be the Commissioner of the Suffolk County Department of Health Services. This shall initially be a three-year term and will be filled by James Tomarken.
- vi.) One Director shall be the Suffolk County Director of Planning. This shall initially be a three-year term and will be filled by Sarah Lansdale.
- vii.) One Director shall be appointed by the County Executive. This shall initially be a three-year term and will be filled by Jonathan M. Schneider.

### **Section 3. Articles of Incorporation**

The Certificate of Incorporation of the Suffolk County Landbank Corporation, in substantially the same form as attached hereto, shall be filed with the New York State Department of State upon approval by the New York Empire State Development Corporation of the application for the creation of the Corporation.

**Section 4. Applicability.**

This law shall apply to any actions occurring on or after the effective date of 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 effect, 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 judgment or order shall be rendered.

**Section 6. SEQRA Determination.**

This Legislature, being the State Environment 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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 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:

## BY-LAWS

### The Suffolk County Landbank Corporation

#### ARTICLE I: Name and Address

**Name.** The name of the Land Bank is the Suffolk County Landbank Corporation (hereinafter referred to as the "Land Bank"). The address of the Land Bank is: 100 Veterans Memorial Highway, Hauppauge, NY 11788

#### ARTICLE II: Directors

- Section 1. **General Powers.** The business affairs of the Land Bank shall be managed by a Board of Directors, except as otherwise provided by statute or by these by-laws.
- Section 2. **Board of Directors.** The initial Board of Directors (the Board of Directors is hereinafter referred to as the "Board") of the Land Bank shall consist of the seven individuals named in the Certificate of Incorporation. The size of the Board may be adjusted by vote of the Board, and if so adjusted, qualifications for any newly established seat shall be set forth, or the specific seats eliminated shall be identified, as the case may be.
- Section 3. **Terms, Replacement and Vacancies.** Members of the Board shall serve staggered terms. Of the initial members appointed, two shall be appointed for one year, two shall be appointed for two years, and three shall be appointed for three years. Thereafter, each member shall serve a term of three years. Notwithstanding the foregoing, Directors shall be appointed as follows:
1. One Director shall be a member of the Suffolk County Legislature (hereinafter the "Legislature"), selected by the Majority Leader of the Legislature, with the approval of the Legislature. This shall initially be a one-year seat.
  2. One Director shall be a member of the Legislature selected by the Minority Leader of the Legislature, with the approval of the Legislature. This shall initially be a one-year seat.
  3. One Director shall be the President of the Suffolk County Supervisors' Association, or a successor organization. This shall initially be a two-year seat.
  4. One Director shall be a representative of environmental organizations in Suffolk County, selected by the County Executive of Suffolk County, with the approval of the Legislature. This shall initially be a two-year seat.

5. One Director shall be the Commissioner of the Suffolk County Department of Health Services. This shall initially be a three-year seat.
6. One Director shall be the Suffolk County Director of Planning. This shall initially be a three-year seat.
7. One Director shall be selected by the County Executive. This shall initially be a three-year seat.

A Director whose term of office on the Board has expired shall continue to hold office until a successor has been appointed. If a vacancy is created by death, resignation or change in the identity of the individual holding the underlying office, a successor shall be appointed within thirty (30) days of the vacancy, to hold office for the remainder of the term of office so vacated. A vacancy on the Board shall be filled in the same manner and with the same qualifications as the original appointment.

Section 4. **Removal.** A Director may be removed from office for neglect of duty, misconduct or malfeasance, by a vote of the Board, excluding the individual whose conduct is in question. The seat of the removed Director shall be filled by the Board, and the individual so appointed shall serve until an individual other than the one removed fills the underlying office qualifications for the seat in question.

Section 5. **Conflict of Interest.** A Director who has a direct or indirect interest in any matter before the Land Bank shall disclose his/her interest prior to any discussion of the matter by the Land Bank, which disclosure shall become part of the record of the Land Bank's official proceedings. The interested Director shall further refrain from participation in the Land Bank's action relating to the matter. Upon taking office, each Director shall acknowledge in writing that he or she has read and agrees to abide by this section.

Section 6. **Meetings.** The Board shall meet in regular session according to a schedule adopted by the Board, and also shall meet in special session as convened by the Chairman or upon written notice signed by a majority of the Directors. The meetings of the Board shall be public, and the appropriate notice of such meetings shall be provided to the public. The Board shall establish rules and requirements relative to the attendance and participation of Directors in its meetings, regular or special. Such rules and regulations may prescribe a procedure whereby, should any Director fail to comply with such rules and regulations, such Director may be disqualified and removed automatically from office by no less than a two-thirds vote of the remaining Directors of the entire Board, and that Director's position shall be vacant as of the first day of the next calendar month. Any person removed under the provisions of this paragraph shall

be ineligible for reappointment to the Board, unless such reappointment is confirmed unanimously by the Board.

Section 7. **Notice.** Notice of any meetings shall be given in accordance with the Open Meetings Law (Public Officers Law, Article 7), as amended.

Section 8. **Powers.** Directors shall serve without compensation, shall have the power to organize and reorganize the executive, administrative, clerical, and other departments of the Land Bank and to fix the duties, powers, and compensation of all employees, agents, and consultants of the Land Bank. The Board may reimburse any member for expenses actually incurred in the performance of duties on behalf of the Land Bank.

Section 9. **Quorum and Board Action.** Two-thirds of the Directors shall constitute a quorum for the conduct of business, provided that a majority of the Board present may adjourn the meeting from time to time without further notice. The vote of two-thirds of all Directors, which must include the Director representing the County Executive and at least one of the Directors who is a member of the Legislature, constitutes the action of the Board, unless the vote of a larger number is required by statute or the by these by-laws. All actions of the Board shall be approved by the affirmative vote of such two-thirds of the total Board, which must include the Director who is the representative of the County Executive, and at least one of the Directors who is a member of the Legislature.

The foregoing provision notwithstanding, any vote of the Board to borrow or to issue bonds shall require the unanimous approval of the entire Board.

Vote by proxy shall not be permitted. Any member may request a recorded vote on any resolution or action of the Land Bank.

Section 10. **Liability.** Directors shall not be liable personally on the bonds or other obligations of the Land Bank, and the rights of creditors shall be solely against the Land Bank.

Each director, officer and employee shall be a state officer or employee for the purposes of §§ 73 and 74 of the Public Officers Law.

Section 11. **Committees.** The Board may, by resolution passed by vote of the Board, designate one or more committees, each committee to consist of one or more of the Directors of the Land Bank. The Board may designate one or more Directors as alternate members of a committee, who may replace an absent or disqualified member at a meeting of the committee. In the absence or disqualification of a member of a committee, the members

thereof present at a meeting and not disqualified from voting, whether or not they constitute a quorum, may unanimously appoint another member of the Board to act at the meeting in place of such an absent or disqualified member. A committee so designated by the Board, to the extent provided in the resolution by the Board, may exercise all power and authority of the Board in the management of the business and affairs of the Land Bank, provided that any such actions shall be subject to ratification or rejection by vote of the entire Board.

### **ARTICLE III: Officers and Staff**

Section 1. **Officers.** The officers of the Land Bank shall be elected annually by the Board from among its members, and shall consist of a Chairman, Vice Chairman, a Treasurer, and such other officers as the Board may determine, and shall establish their duties as may be regulated by rules adopted by the Board.

Section 3. **Vacancies.** A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board at any meeting of the Board, for the unexpired portion of the term of such office.

Section 4. **Chairperson and Vice Chairperson.** The Chairperson shall be the chief executive officer of the Land Bank, but he or she may, from time to time, delegate all or any part of his/her duties to the Vice-Chairperson. He or she, or in his/her absence, the Vice Chairperson, shall preside at all meetings of the Board, he or she shall have general and active management of the business of the Land Bank and shall perform all the duties of the office as provided by law or these by-laws. He or she shall be ex-officio a member of all standing committees, and shall have the general powers and duties of supervision and management of the Land Bank.

Section 5. **Treasurer.** The Treasurer shall insure that procedures are in place for custody of the Land Bank funds and securities. All monies and other valuable effects in the name and to the credit of the Land Bank shall be deposited in such depositories as may be designated by the Board pursuant to the adopted policies of the Land Bank. He/she shall authorize such disbursements of the funds of the Land Bank as may be ordered by the Board. The Treasurer shall report to the Board at its regular meetings the financial condition of the Land Bank. The office of the New York State Comptroller shall have the authority to audit the Land Bank.

Section 6. **Delegation of Duties of Offices.** In the absence of any officer of the Land Bank, or for any other reason that the Board may deem sufficient, the Board may delegate, from time to time and for such duration as it may

deem appropriate, the powers or duties or any of them, of such officer to any other officer, or to any Director.

Section 7. **Executive Committee.** The Chairman, Vice Chairman, and Treasurer shall comprise the Executive Committee. The Executive Committee may, upon a majority vote thereof, authorize the expenditure of up to \$2,500.00 for any expense listed as an eligible item for expenditure under the approved Land Bank funding guidelines. The Executive Committee must report any such expenditure to the Board at the next regularly scheduled Board meeting. Any expenditure in excess of \$2,500.00 shall only be authorized by a vote of the Board as provided in Article 2, Section 9 of these by-laws.

Section 8. **Staff.** The Land Bank may employ a secretary, an executive director, its own counsel and legal staff, and such technical experts, and such other agents and employees, permanent or temporary, as it may require, and may determine the qualifications and fix the compensation and benefits of such persons. Notwithstanding the foregoing, the Land Bank shall enter into contracts and agreements with Suffolk County for staffing and support services to be provided to the Land Bank by Suffolk County or agencies or departments thereof, unless Suffolk County shall be unwilling or unable to provide such services.

#### **ARTICLE IV: Contracts, Loans, Checks and Deposits**

Section 1. The Board may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Land Bank, and such authority may be general or confined to specific instances, including, but not limited to, intergovernmental agreements under Section 119-o of the General Municipal Law.

Section 2. **Loans/Grants.** The Land Bank may give guarantees and incur liabilities, issue bonds and borrow money at such rates of interest as the Board may determine. No grant or loan shall be contracted on behalf of the Land Bank and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board. Such contractual authority may be general or confined to specific instances. Except for financial arrangements made with Suffolk County, borrowing and/or issuance of bonds shall only be for capital purposes and not for expenses, and shall require unanimous approval of all Directors.

Section 3. **Checks, Drafts, etc.** All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Land Bank, shall be signed by two officers of the Land Bank and in such

manner as shall, from time to time, be determined by resolution of the Board.

Section 4. **Deposits.** All funds of the Land Bank shall be deposited from time to time to the credit of the Land Bank in such banks, trust companies or other depositories as the Board may select, consistent with policies and procedures of Suffolk County. The Board shall adopt an investment policy consistent with the Investment Policy of the Suffolk County.

Section 5. **Additional Powers.** The Board may authorize any and all lawful transactions permitted by Article 16 of the Not-For-Profit Corporation Law, by vote in accordance with such law and with these by-laws.

#### **ARTICLE V: Fiscal Year, Budgets, Audits**

Section 1. **Fiscal Year** The fiscal year of the Land Bank shall correspond at all times to the fiscal year of Suffolk County.

Section 2. **Budgets.** The Board shall annually adopt a general fund budget and budgets for all other funds that may be under its control.

Section 3. **Audits.** The Board shall undertake an annual audit of the funds of the Land Bank by a Certified Public Accountant, or by agreement with the Comptroller of Suffolk County. All financial records of the Land Bank shall be open to the public under the Freedom of Information Law (Public Officers Law, Article 6).

#### **ARTICLE VI: Miscellaneous**

Section 1. **Seal.** The Board shall adopt a corporate seal, which shall be the official seal of the Land Bank.

Section 2. **Waiver of Notice.** When the Board, or any committee thereof, may take action after notice to any person or after lapse of a prescribed period of time, the action may be taken without notice and without lapse of the period of time, if at any time the person entitled to notice or to participation in the action to be taken submits a signed waiver of such requirements.

Section 3. **Amendments.** These By-laws may be altered, amended or repealed by an affirmative vote of the Board then in office at any regular or special meeting called for that purpose. Any alteration, amendment or repeal of Article II, Section 9, Article IV Section 2 or Article VI Section 3 shall require the affirmative vote of all Directors.

I HEREBY CERTIFY that the above By-laws were adopted the      day of      2012.

\_\_\_\_\_

Secretary

1296

**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:** MARCH 12, 2012  
**TO:** CLERK OF THE COUNTY LEGISLATURE  
**RE:** MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

-----  
**PROPOSED LOCAL LAW YEAR 2012**

**TITLE:** I.R. NO. -2012; A LOCAL LAW TO CREATE THE SUFFOLK COUNTY LANDBANK CORPORATION

**SPONSOR:** PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

**DATE OF RECEIPT BY COUNSEL:** 3/8/12      **PUBLIC HEARING:** 3/13/12  
**DATE ADOPTED/NOT ADOPTED:** \_\_\_\_\_      **CERTIFIED COPY RECEIVED:** \_\_\_\_\_

A 2011 amendment to New York's Not-for-Profit Corporation Law authorized "foreclosing governmental units", like Suffolk County, to create land banks. This proposed law, which seeks to create the Suffolk Landbank Corporation, is subject to the approval of the Empire State Development Corporation.

This law would authorize the County Executive and his designees to take all steps necessary to create and cause the incorporation of the Suffolk County Landbank Corporation.

The land bank corporation would have all the powers set forth in Article 16 of New York Not-for-Profit Corporation Law. Pursuant to the state law, land banks can employ an executive director, a counsel, and other agents and employees it may require; acquire real property and interests in real property and accept transfers of real property from municipalities; receive funding through grants and loans from the foreclosing governmental unit which created the land bank, the federal and state government and other public and private sources; issue bonds; makes contracts; improve real property; and rent and sell its properties.

Under state law, the County can enter into a contract to sell its delinquent tax liens to the land bank for consideration that is less than the face amount of the tax liens and the land bank can foreclose on these tax liens. However, the sale of the tax liens to the land bank will not shorten the "applicable" redemption period for the properties.

The bonds issued by the land bank may be secured by a pledge of any of the land bank's revenues and shall not constitute an indebtedness or pledge of the general credit of the County.

The proposed local law establishes a seven member board of directors, which initially shall be composed of Legislators Gregory and Cilmi, Brookhaven Supervisor Mark Lesko, Adrienne Esposito, Health Services Commissioner James Tomarken; Planning Director Sarah Lansdale and Deputy County Executive Jon Schneider.

Pursuant to the local law, County properties and tax liens can only be transferred by the County to the land bank through legislative resolution. All actions of the land bank require a two-thirds vote of the Board and any bonding would require unanimous support of the Board.

Finally, the land bank will contract with the County for all of its operating expenses including for personnel, overhead, supplies and equipment and such contract will include the terms of repayment for these expenses.

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

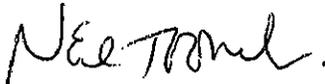
A handwritten signature in black ink, appearing to read "George Nolan", written in a cursive style.

**GEORGE NOLAN**  
**Counsel to the Legislature**

**GN:**

s:\rule28\28-land bank corporation

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 -- <b>ADOPTING LOCAL LAW NO. -2012, A LOCAL LAW TO CREATE THE SUFFOLK COUNTY LANDBANK CORPORATION</b>		
3. Purpose of Proposed Legislation : To allow the County to take control and redevelop properties that are currently not cost effective under existing laws.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Department of Planning expects \$50,000 in additional expenses in the first year. Long term the departments expects the changes to produce a positive economic impact, but projections are unavailable at this time. There are 83 target brownsfield properties amounting to 76.8 acres.		
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 - immediate.		
10. Typed Name & Title of Preparer:  Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer  	12. Date: 3/5/12

**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
<b>TOTAL</b>	\$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
<b>TOTAL</b>	\$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
<b>TOTAL</b>	\$0	\$0.00		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2011.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.