

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1501 - 2012**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1501 – 2012

RESOLUTION NO. -2012, AUTHORIZING EMPOWERING, AND DIRECTING THE SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING TO FILE A GRANT APPLICATION PURSUANT TO THE NEW YORK STATE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLANNING GRANT PROGRAM FOR MATCHING STATE FUNDS TO DEVELOP AN UPDATE TO THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN.

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. 1501 – 2012, BECAUSE NEW YORK STATE UNEXPECTEDLY IMPOSED A DEADLINE OF MAY 23RD, 2012 ON THIS APPLICATION AND THE SUFFOLK COUNTY LEGISLATURE IS NOT SCHEDULED TO MEET AGAIN UNTIL JUNE 5TH, 2012.

IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 8TH DAY OF MAY, 2012.



JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED
2012 MAY - 8 A 9 18
COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HALLPASSAGE

RESOLUTION NO. -2012, AUTHORIZING, EMPOWERING, AND DIRECTING THE SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING TO FILE A GRANT APPLICATION PURSUANT TO THE NEW YORK STATE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLANNING GRANT PROGRAM FOR MATCHING STATE FUNDS TO DEVELOP AN UPDATE TO THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

WHEREAS, Article 25-AAA of the New York State Agricultural and Markets Law directs the New York State Department of Agriculture and Markets Commissioner to initiate and maintain a state agricultural and farmland protection program to provide financial and technical assistance to municipalities; and

WHEREAS, Article 25-AAA of the New York State Agricultural and Markets Law authorizes the development of County agricultural and farmland protection plans which must include at least 1) the location of any lands or areas that are proposed to be protected; 2) an analysis of the value of such lands to the agricultural economy of the County, their open space value, the level of conversion pressure being experienced, and the consequences of possible conversion; and 3) a description of the activities, programs, and strategies intended to be used by the County to promote the maintenance of these lands in active agricultural uses; and

WHEREAS, this Legislature authorized, empowered, and directed the Suffolk County Planning Department to prepare an agricultural and farmland protection plan by Resolution No. 468-1994; and

WHEREAS, this Legislature adopted the Suffolk County Agricultural and Farmland Protection Plan by Resolution No. 861-1996; and

WHEREAS, this Legislature authorized, empowered and directed the Suffolk County Planning Department to file a grant application by Resolution No. 648-2009, and no such application was made and that resolution has expired; and

WHEREAS, the New York State Department of Agriculture and Markets has available matching funds to assist Counties in the development of agricultural and farmland protection plans; now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Economic Development and Planning is hereby authorized, empowered, and directed, pursuant to Section 14-8(a)(9) of the Suffolk County Charter, to apply to the New York State Department of Agriculture and Markets for matching State funds to assist in the development of an update to the Suffolk County Agricultural and Farmland Protection Plan; and be it further

2nd **RESOLVED**, that the Suffolk County Department of Economic Development and Planning is hereby authorized, empowered, and directed pursuant to Section 14-8(a)(9) of the Suffolk County Charter, to develop an update to Suffolk County Agricultural and Farmland Protection Plan, said plan to be reduced to writing for submission to the County Executive and

County Legislature no later than eighteen (18) months subsequent to the effective date of an award letter from the New York State Department of Agriculture and Markets Commissioner; and be it further

3rd **RESOLVED**, that the County of Suffolk hereby pledges and commits to match any State grant funds obtained pursuant to this program, in an amount not to exceed fifty thousand dollars (\$50,000), on a dollar-for-dollar basis with at least 20% of the match to be made in cash with non-County funds from project partners and with in-kind matches for personnel services, consultant services, travel, expendable supplies, printing, or communication; and the County may use as a match any private or other public (not State) funds obtained to develop the plan; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the 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, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

COUNTY OF SUFFOLK



1501

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT

SARAH LANSDALE, AICP
PLANNING DIRECTOR

JOANNE MINIERI
DEPARTMENT COMMISSIONER

April 24, 2012

Mr. Jon Schneider
Deputy County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Re: "Reso-ECODEVPLN-NYSAM County Ag Farmland Protection Plan Grant-2012.doc"

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would (1) authorize, empower, and direct the Suffolk County Department of Economic Development and Planning to apply to the New York State Department of Agriculture and Markets for State funds to assist in the development of an update to the Suffolk County Agricultural and Farmland Protection Plan and (2) authorize, empower, and direct the Suffolk County Department of Economic Development and Planning to develop an update to the Suffolk County Agricultural and Farmland Protection Plan.

The County must have an adopted county agricultural and farmland protection plan to apply for State funds to assist in farmland protection efforts (e.g., acquisition of development rights). The County adopted its first county agricultural and farmland protection plan in 1996 (See Resolution No. 861-1996). The State has since recommended that plans adopted more than ten years ago be updated. To facilitate such effort, the State has expressed its intent to make grant funds available to assist in the development of plan updates.

Please contact me if you require additional information.

Sincerely,

Sarah Lansdale, AICP
Director of Planning

SL:jl
Enclosures

Cc: Regina M. Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Thomas Vaughn, County Executive Assistant
Lauretta R. Fischer, Chief Environmental Analyst
CE RESO REVIEW (Email copy only)

1501

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 – AUTHORIZING, EMPOWERING, AND DIRECTING THE SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING TO FILE A GRANT APPLICATION PURSUANT TO THE NEW YORK STATE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLANNING GRANT PROGRAM FOR MATCHING STATE FUNDS TO DEVELOP AN UPDATE TO THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN		
3. Purpose of Proposed Legislation : Appointment to Suffolk County Planning Commission		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <u> X </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A.		
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 - n/a		
10. Typed Name & Title of Preparer: Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer 	12. Date: 5/1/12

SCIN FORM 175b (10/95)

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

1501

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

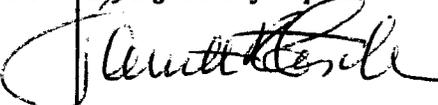
	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

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.

1501

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

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation AUTHORIZING, EMPOWERING, AND DIRECTING THE SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING TO FILE A GRANT APPLICATION PURSUANT TO THE NEW YORK STATE COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLANNING GRANT PROGRAM FOR MATCHING STATE FUNDS TO DEVELOP AN UPDATE TO THE SUFFOLK COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN											
3. Purpose of Proposed Legislation See No. 2 above											
4. Will the Proposed Legislation Have a Fiscal Impact? YES _____ NO <input checked="" type="checkbox"/>											
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
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: N/A											
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 N/A											
10. Typed Name & Title of Preparer Laurretta R. Fischer Chief Environmental Analyst	11. Signature of Preparer 	12. Date April 24, 2012									

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

1523
WHEREAS, INTRODUCTORY RESOLUTION NO. - 2012

RESOLUTION NO. -2012, AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH ACQUISITION OF LANDS FOR THE RECONSTRUCTION OF CR 16, PORTION ROAD FROM RONKONKOMA AVENUE TO CR 97, NICOLLS ROAD, TOWN OF BROOKHAVEN (CP 5511, PIN 075598)

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 A JUDGMENT HAS BEEN ENTERED IN TWO OF THE FOUR CONDEMNATION SETTLEMENT AGREEMENTS THAT ARE THE SUBJECT OF THIS RESOLUTION AND THE FORMER PROPERTY OWNERS HAVE THREATENED TO FILE A RESTRAINING NOTICE AGAINST THE COUNTY'S BANK ACCOUNTS IF THE JUDGMENT IS NOT PAID WITHIN TWO WEEKS. BOTH OF THE REMAINING TWO CONDEMNATION SETTLEMENTS ARE RELATED TO THE SAME CONDEMNATION PROJECT ALONG CR 16 AND ARE SETTLED AND ONE HAS RECEIVED A COURT ORDER AND THE OTHER WILL BE RECEIVING A COURT ORDER IN THE IMMEDIATE FUTURE.

IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 24th DAY OF APRIL, 2012.



JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE

2012 MAY - 8 A 9 18
RECEIVED
SUFFOLK COUNTY, N.Y.
CLERK'S OFFICE

1523

Intro. Res. No. - 2012

Laid on the Table

5/8/12

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2012 AMENDING THE 2012
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH ACQUISITION OF LANDS FOR
THE RECONSTRUCTION OF CR 16, PORTION ROAD FROM
RONKONKOMA AVENUE TO CR 97, NICOLLS ROAD, TOWN
OF BROOKHAVEN (CP 5511, PIN 075598)**

WHEREAS, the Commissioner of Public Works has requested funds for the acquisition of land and related expenses (title insurance policies, settlement of claims settled by the Department of Law with statutory interest thereon, court appraisals and court engineering fees, etc.) for the Reconstruction of CR 16, Portion Road from Ronkonkoma Avenue to CR 97, Nicolls Road, Town of Brookhaven; and

WHEREAS, CR 16, Portion Road from Ronkonkoma Avenue to CR 97, Nicolls Road is a residential and commercial corridor that has experienced high traffic accident rates, traffic congestion and deteriorating roadway inadequate for current vehicular capacity and insufficient provisions for pedestrians; these safety issues were addressed by acquiring property and reconstructing the subject roadway by reconstructing CR 16, Portion Road, creating turning lanes, installing sidewalks and reconfiguring intersections to enhance pedestrian safety; and

WHEREAS, as a part of this reconstruction, acquisition of lands from private property owners under the provisions of the New York State Eminent Domain Procedure Law was required; and

WHEREAS, the property owners have filed and settled claims and obtained Court Orders for additional compensation under the provisions of the New York State Eminent Domain Procedure Law above and beyond the amount of compensation initially offered by the County; and

WHEREAS, there are no funds included in the 2012 Capital Budget and Program to cover the cost of said request and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, Federal and/or State funds are anticipated from the Federal Highway Administration to cover the cost for these acquisitions, identified as PIN 075598, under the Federal Highway Administration (FHWA) funding, with a share allocation of sixty seven percent (67%) Federal funds and thirty three percent (33%) County funds; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, the County must, in the first instance, fund the entire cost of the project and will subsequently be reimbursed for the Federal and/or State Marchiselli portion; and

WHEREAS, Resolution No. 471-1994 and as amended by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$700,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that Resolution 67-2002, approved by the County Legislature, issued a SEQRA Negative Declaration for this project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-six (56) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Acquisition of Lands for the Reconstruction of CR 16, Portion from Ronkonkoma Avenue to CR 97, Nicolls Road, Town of Brookhaven; and be it further

4th RESOLVED, that the 2012 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5511
 Project Title: Acquisition of Lands for the Reconstruction of CR 16, Portion Road from Ronkonkoma Avenue to CR 97, Nicolls Road, Town of Brookhaven

	Total Est'd Cost	Current 2012 Capital Budget & <u>Program</u> \$0B	Revised 2012 Capital Budget & <u>Program</u> \$231,000B
2. Land Acquisition	\$9,770,000	\$0F	\$469,000F
TOTAL	\$32,700,000	\$0	\$700,000

and be it further

5th RESOLVED, that the proceeds of \$231,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5511.211 (Fund 001 Debt Service)	50	Acquisition of Lands for the Reconstruction of CR 16, Portion Road from Ronkonkoma Avenue to CR 97, Nicolls Road	\$231,000

and be it further

6th RESOLVED, that Federal Aid in the amount of \$469,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-5511.211	50	Acquisition of Lands for the Reconstruction of CR 16, Portion Road from Ronkonkoma Avenue to CR 97, Nicolls Road	\$469,000

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$231,000; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$469,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$469,000; and be it further

10th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

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		
<p>RESOLUTION NO. – 2012 AMENDING THE 2012 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH ACQUISITION OF LANDS FOR THE RECONSTRUCTION OF CR 16, PORTION ROAD FROM RONKONKOMA AVENUE TO CR 97, NICOLLS ROAD, TOWN OF BROOKHAVEN (CP 5511, PIN 075598)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Federal Highway Administration (FHWA) (67%) and Suffolk County (33%). Suffolk County is required to first instance the entire cost of the project and receives federal and eventual state portions based on actual expenditures.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Federal reimbursement (67%) \$469,000 County share (33 %) \$231,000 Suffolk County Serial Bonds Suffolk County Bond Anticipation Notes		
9. Timing of Impact		
This resolution will become effective upon receipt of the Federal Authorization		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		May 7 th , 2012

SCIN FORM 175b (10/95)

**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	\$20,057	\$0.04		\$0.000

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	\$20,057	\$0.04		\$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
General Obligation Serial Bonds
Level Debt

Term of Bonds 15
Amount to Bond: \$231,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2012					
11/1/2013	2.000%	\$11,971.59	\$8,085.00	\$20,056.59	\$20,056.59
			\$3,833.00	\$3,833.00	
11/1/2014	3.000%	\$12,390.60	\$3,833.00	\$16,223.59	\$20,056.59
			\$3,616.16	\$3,616.16	
11/1/2015	3.000%	\$12,824.27	\$3,616.16	\$16,440.43	\$20,056.59
			\$3,391.74	\$3,391.74	
11/1/2016	3.000%	\$13,273.12	\$3,391.74	\$16,664.85	\$20,056.59
			\$3,159.46	\$3,159.46	
11/1/2017	3.000%	\$13,737.68	\$3,159.46	\$16,897.13	\$20,056.59
			\$2,919.05	\$2,919.05	
11/1/2018	3.000%	\$14,218.49	\$2,919.05	\$17,137.54	\$20,056.59
			\$2,670.22	\$2,670.22	
11/1/2019	3.000%	\$14,716.14	\$2,670.22	\$17,386.37	\$20,056.59
			\$2,412.69	\$2,412.69	
11/1/2020	3.000%	\$15,231.21	\$2,412.69	\$17,643.90	\$20,056.59
			\$2,146.15	\$2,146.15	
11/1/2021	3.000%	\$15,764.30	\$2,146.15	\$17,910.45	\$20,056.59
			\$1,870.27	\$1,870.27	
11/1/2022	3.000%	\$16,316.05	\$1,870.27	\$18,186.32	\$20,056.59
			\$1,584.74	\$1,584.74	
11/1/2023	3.000%	\$16,887.11	\$1,584.74	\$18,471.85	\$20,056.59
			\$1,289.22	\$1,289.22	
11/1/2024	3.000%	\$17,478.16	\$1,289.22	\$18,767.38	\$20,056.59
			\$983.35	\$983.35	
11/1/2025	3.250%	\$18,089.90	\$983.35	\$19,073.24	\$20,056.59
			\$666.77	\$666.77	
11/1/2026	3.250%	\$18,723.04	\$666.77	\$19,389.82	\$20,056.59
			\$339.12	\$339.12	
11/1/2027	3.375%	\$19,378.35	\$339.12	\$19,717.47	\$20,056.59
11/1/2028		\$231,000.00	\$69,848.87	\$300,848.87	\$300,848.87
11/1/2029					
11/1/2030					

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E. Commissioner

FOR *with Hll*

DATE: May 4, 2012

RE: **Amending the 2012 Capital Budget and Program and Appropriating Funds for the Acquisition of Lands for the Reconstruction of CR 16, Portion Road from Ronkonkoma Avenue to CR 97, Nicolls Road, Town of Brookhaven (CP 5511, PIN 075598)**

Attached is a draft resolution and duplicate copy to appropriate the sum of \$700,000 for land acquisition in connection with the above referenced project. These funds are required pursuant to Court Orders following settlements between four (4) claimants and Suffolk County (approved by the Departments of Law and Public Works) to compensate private property owners who are entitled to additional compensation, above and beyond the amounts initially offered by the County Department of Public Works, under the provisions of the New York State Eminent Domain Procedure Law. There are no funds included in the 2012 Capital budget and program for this project. However, pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5511(CR16 ROW SettlementsCN).doc".

GA/WH/td
attach.

cc: Regina M. Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Nick Paglia, Assistant Executive Analyst
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Kathy LaGuardia, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

IR 1523A-12

BOND RESOLUTION NO. ____ - 2012

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$700,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 16, PORTION/HORESEBLOCK ROAD, TOWN OF BROOKHAVEN (CP 5511.211)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$700,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 16 Portion/Horseblock Road, Town of Brookhaven, as authorized in the 2012 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$38,080,000. The plan of financing includes (a) the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 740-2004 (apportioned to reflect \$800,000 Federal Aid, \$150,000 State Aid and \$50,000 County share pursuant to Resolution No. 1398-2004), (b) the issuance of \$9,280,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 317-2007 (with

\$7,424,000 expected to be paid from Federal Aid appropriated pursuant to Resolution No. 316-2007, (c) the issuance of \$1,600,000 bonds or bond anticipation notes authorized pursuant Bond Resolution No. 483-2007 (with \$800,000 expected to be paid from Federal Aid appropriated pursuant to Resolution No. 482-2007), (d) the issuance of \$25,500,000 bonds or bond anticipation notes authorized pursuant Bond Resolution No. 862-2008 (with \$20,400,000 expected to be paid from Federal Aid and \$2,000,000 expected to be paid from State Aid), (e) the issuance of 700,000 bonds or bond anticipation notes authorized pursuant to this resolution (with \$469,000 expected to be paid from Federal Aid) and (f) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. The principal amount of serial bonds to be issued shall be limited to \$231,000, the amount of the County share of the cost. The balance of the bonds authorized may be issued only in the form of bond anticipation notes to provide temporary financing for the portion to be paid from Federal and/or State Aid.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from May 15, 2005, the date of issuance of the first obligations issued for such purpose pursuant to Bond Resolution No. 740-2004.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

Dated: _____

APPROVED: _____
County Executive, Suffolk County

Date of Approval: _____, 2012

The adoption of the foregoing resolution was seconded by Legislator

_____ and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

CERTIFICATE

I, Tim Laube, Clerk of the Suffolk County Legislature, in the State of New York, HEREBY CERTIFY that Bond Resolution No. ____ - 2012 contained in the foregoing annexed extract from the minutes of a meeting of the County Legislature of the County of Suffolk duly called and held on May 8, 2012, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Bond Resolution, which was duly adopted by the County Legislature on May 8, 2012 and approved by the County Executive on _____, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Legislature on this ____ day of May, 2012.

(SEAL)

Tim Laube
Clerk of the Legislature

LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on May 8, 2012 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Suffolk, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

BY ORDER OF THE COUNTY LEGISLATURE
OF THE COUNTY OF SUFFOLK

DATED: May ____, 2012
Smithtown, New York

Tim Laube
Clerk of the Legislature

BOND RESOLUTION NO. ____ - 2012

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$700,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 16, PORTION/HORSEBLOCK ROAD, TOWN OF BROOKHAVEN (CP 5511.211)

The object or purpose for which the bonds are authorized is the reconstruction of CR 16 Portion/Horseblock Road, Town of Brookhaven, at the estimated maximum cost of \$38,080,000.

The amount of obligations to be issued is \$700,000, in addition to the \$37,380,000 bonds heretofore authorized.

The period of probable usefulness of the bonds is fifteen (15) years.

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Clerk of the Legislature, W.H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York.

The bond resolution was adopted on May 8, 2012.