

**MOTION NO. 11 -2008, PROCEDURAL
RESOLUTION DESIGNATING TWO (2)
ALTERNATING NEWSPAPERS AS ONE OF
THE OFFICIAL NEWSPAPERS OF THE
COUNTY OF SUFFOLK**

1st **RESOLVED**, that, pursuant to Section 214, Subsection 2 of the County Law of the State of New York, the SMITHTOWN MESSENGER, of 127 East Main Street, Smithtown, New York, 11787, a messenger paper fairly representing the principles of the Republican Party and having a regular and general circulation in the County of Suffolk, be and hereby is designated as one of the official newspapers for the publication of all laws, notices, and other matters required by law to be published for the County of Suffolk from the effective date of this resolution through October 15, 2008, the eligibility for which shall be determined by the date that the request for the legal notice is formally and actually forwarded to the newspaper; and be it further

2nd **RESOLVED**, that, pursuant to Section 214, Subsection 2 of the County Law of the State of New York, the SOUTH SHORE PRESS, of 158 Montauk Highway, Moriches, New York, 11955, a messenger paper fairly representing the principles of the Republican Party and having a regular and general circulation in the County of Suffolk, be and hereby is designated as one of the official newspapers for the publication of all laws, notices, and other matters required by law to be published for the County of Suffolk for the period of October 16, 2008 through December 31, 2008, the eligibility for which shall be determined by the date that the request for the legal notice is formally and actually forwarded to the newspaper.

DATED:

EFFECTIVE PURSUANT TO SECTION 214 OF THE NEW YORK COUNTY LAW

Introduced by Presiding Officer Lindsay

Laid on Table 5/13/08

**MOTION NO. 12-2008, PROCEDURAL RESOLUTION
AUTHORIZING FUNDING FOR COMMUNITY SUPPORT
INITIATIVES (PHASE II)**

WHEREAS, funds are included in the 2008 Operating Budget (001-LEG-1012-4981) to supplement county services via non-profit organizations; and

WHEREAS, pursuant to Resolution No. 1054-2007, this Legislature is administering these "Community Support Initiatives"; now, therefore be it

1st RESOLVED, that the Presiding Officer is hereby authorized to enter into agreements with the following contract agencies for the amounts indicated:

| <u>Agency</u> | <u>Sponsor</u> | <u>Amount</u> |
|---|----------------|---------------|
| Bellport Chamber of Commerce | Browning | \$2,000 |
| Comsewogue Youth Club, Inc. | Losquadro | \$1,000 |
| Deepwells Farm Historical Society | Nowick | \$2,000 |
| East Islip Historical Society | Alden | \$1,000 |
| Family Counseling Services | Browning | \$1,000 |
| Friends of the Edgewood-Oak Brush Plains Preserve, Inc. | Stern | \$1,000 |
| Friends of the Retired and Senior Volunteer Program of Suffolk County | Losquadro | \$1,000 |
| Friends of the Retired and Senior Volunteer Program of Suffolk County | Alden | \$1,000 |
| Friends of the Retired and Senior Volunteer Program of Suffolk County | Nowick | \$2,000 |
| Friends of the Retired and Senior Volunteer Program of Suffolk County | Viloria-Fisher | \$1,000 |
| Great South Bay Power Squadron | Alden | \$1,000 |
| Greater Patchogue Foundation, Inc. | Eddington | \$1,000 |
| Greater Port Jefferson Arts Council, Inc. | Viloria-Fisher | \$2,000 |
| Greater Port Jefferson Arts Council, Inc. | Losquadro | \$2,000 |
| Historical Society of Greater Port Jefferson | Viloria-Fisher | \$1,000 |
| Interfaith Nutrition Network (Bread and More INN) | Romaine | \$2,000 |
| Interfaith Nutrition Network (Rocky Point Invited Inn) | Losquadro | \$2,000 |
| James Ely Miller Post 833 American Legion | Nowick | \$2,000 |
| Long Island Seaport and Eco Center, Inc. | Losquadro | \$1,000 |
| Long Island Senior Games | Viloria-Fisher | \$1,000 |
| Montauk Historical Society | Schneiderman | \$1,000 |

| | | | | |
|--|--|----------------|--|---------|
| M'Yad L'Yad - Helping Hands | | Stern | | \$1,000 |
| Patchogue Nursery School | | Eddington | | \$1,000 |
| Suffolk County United Veterans Halfway House Project, Inc. | | Beedenbender | | \$2,000 |
| Sunrise Little League | | Lindsay | | \$5,000 |
| The Bridgehampton Child Care and Recreational Center | | Schneiderman | | \$2,000 |
| The Ministry of Hope a/k/a Hope House Ministries | | Losquadro | | \$2,000 |
| The Right Start Foundation, Inc. | | Beedenbender | | \$2,000 |
| The Sunshine Center | | Viloria-Fisher | | \$1,000 |
| Three Village Garden Club | | Viloria-Fisher | | \$1,000 |
| Veterans of Foreign Wars of the US Tordik Diederich Duffield Post No. 4927 | | Beedenbender | | \$3,000 |
| Youth Directions and Alternatives Community and Youth Agency, Inc. | | Stern | | \$1,000 |

and be it further

2nd **RESOLVED**, that funding for this purpose shall be expended from Fund 001-LEG-1012-4981.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER

s:\procedural motions\CSI Motion Phase II

**MOTION NO. 13-2008, PROCEDURAL
RESOLUTION AMENDING RESOLUTION NO. 8-
2008, DESIGNATING DEPOSITORIES
PURSUANT TO SECTION 212 OF THE COUNTY
LAW**

WHEREAS, Resolution No. 8-2008 designated the official depositories to be used by the County of Suffolk; and

WHEREAS, the Suffolk County Treasurer has been approached by Signature Bank and Gold Coast Bank requesting to be included in the official depositories of the County of Suffolk; and

WHEREAS, by including these additional banking institutions, the County of Suffolk may take advantage of competitive interest rates in order to achieve the maximum interest earning for our public funds; now, therefore, be it

RESOLVED, that the 1st RESOLVED clause of Resolution No. 8-2008 is hereby amended as follows:

RESOLVED, that each of the following banks having and maintaining a principal or branch office or offices in the County of Suffolk, namely, Bank of New York, 1401 Franklin Avenue, Garden City, New York; JP Morgan Chase Bank, 395 North Service Road, Melville, New York; Citibank, 730 Veterans Memorial Highway, Hauppauge, New York; Commerce Bank, 45 Melville Park Road, Melville, New York; Bank of America, 300 Broad Hollow Road, Melville, New York; Capital One, 275 Broad Hollow Road, Melville, New York; State Bank of Long Island, 740 Veterans Memorial Highway, Hauppauge, New York; Suffolk County National Bank, 6 West Second Street, Riverhead, New York; New York Commercial Bank, 1601 Veterans Memorial Highway, Suite 120, Islandia, New York; HSBC Bank, 534 Broad Hollow Road, Melville, New York, Hamptons State Bank, North Sea Road and Windmill Lane, Box 5037, Southampton, New York, Wachovia Bank, 58 South Service Road, Melville, New York, Bridgehampton National Bank, 2200 Montauk Highway, Bridgehampton, New York, Bank of Smithtown, 1 East Main Street, Smithtown, NY 11787, [and] the Madison National Bank, 888 Veterans Memorial Highway, Suite 400, Hauppauge, NY, 11787, Gold Coast Bank, 2929 Expressway Drive North, Suite 101, Islandia, NY 11749, and Signature Bank, 58 South Service Road, Melville, NY 11747, or any successor entity thereto, be and the same are hereby designated and appointed a depository for the deposit of moneys received or under the control of the County Treasurer, pursuant to Section 212 of the NEW YORK COUNTY LAW, provided, however, that the maximum amount to be kept on deposit in any such bank or branches shall not exceed \$750,000,000.00 including interest bearing deposits in any one of said bank or branches, except that such limitation shall not apply

to those depositories in which regular county working accounts (checking accounts) are maintained in whatever amounts are required for the regular and necessary conduct of the County's business; and be it further

RESOLVED, that this change shall be effective immediately.

DATED:

Effective pursuant to Section 212 of the NEW YORK COUNTY LAW.

Introduced by Legislator Kennedy

Laid on Table 5/13/2008

**MOTION NO. 14 -2008, PROCEDURAL
RESOLUTION DESIGNATING OFFICIAL
NEWSPAPER OF THE COUNTY OF SUFFOLK**

RESOLVED, that, pursuant to Section 214, Subsection 2 of the County Law of the State of New York, the SMITHTOWN MESSENGER, of 127 East Main Street, Smithtown, New York, 11787, a messenger paper fairly representing the principles of the Republican Party and having a regular and general circulation in the County of Suffolk, be and hereby is designated as one of the official newspapers for the publication of all laws, notices, and other matters required by law to be published for the County of Suffolk from the effective date of this resolution through October 15, 2008, the eligibility for which shall be determined by the date that the request for the legal notice is formally and actually forwarded to the newspaper.

DATED:

EFFECTIVE PURSUANT TO SECTION 214 OF THE NEW YORK COUNTY LAW

1470
Intro. Res. No. -2008
Introduced by Legislator Lindsay

Laid on Table 5/13/08

**RESOLUTION NO. -2008, APPOINTING MEMBER
TO SUFFOLK COUNTY OFF-TRACK BETTING
CORPORATION BOARD OF DIRECTORS (EDDIE S.
WYNN)**

WHEREAS, members of the Suffolk County Regional Off-Track Betting Corporation Board of Directors serve at the pleasure of the County Legislature; and

WHEREAS, Patrick E. Byrne has tendered his resignation from the Board of Directors effective May 6, 2008; now, therefore, be it

1st RESOLVED, that Eddie S. Wynn of Amityville, New York, is hereby appointed as a member of the Suffolk County Regional Off-Track Betting Corporation Board of Directors, to replace Patrick E. Byrne and to serve at the pleasure of the Suffolk County Legislature pursuant to Section 502(1) of the NEW YORK RACING, PARIMUTUEL, WAGERING, AND BREEDING LAW.

DATED:

Effective Pursuant to Section 2-15(A) of the SUFFOLK COUNTY CHARTER

S:\res\tr-otb-wynn

Eddie S. Wynn

Home
631-842-7183

10 Sunshine Lane
Amityville, NY 11701

Cell Phone (631)258-4754

Objective: To obtain a challenging and responsible position with a progressive organization, in which prior experience and knowledge will be utilized to their full potential.

Experience: Expo Design Westbury, NY (7/95-present)

Trade Service Supervisor

Work with designers and builders from beginning to end, on small bathroom or galley kitchen to whole house and apartment building construction.

Customer Service Manager

Supervised a staff of 9 department heads, and 290 associates in promoting customer satisfaction and resolving customer problems.

Town of Babylon Linderhurst, NY (1995-present)

Planning Board Member

Public hearings and site plans from applicants requesting relief on many things from underground utilities, to subdivision of parcels for one family dwellings.

Industrial Development Agency/Chairmen

The IDA helps assist businesses facilitate millions of dollars in revenue bonds to expand or relocate to the Town of Babylon thus retaining and creating jobs within the town.

Harrows (1986-1995)

Customer Service Manager

Managed the customer service department of 7 stores which entailed resolving customer satisfaction in a retail environment. Earned a reputation for priority-setting, teamwork and on satisfying the customer.

Education: Farmingdale University Farmingdale, NY

Computer Skills: Microsoft Word, Excel

References: Available upon request.

**Patrick Byrne
5 Eliot Drive
Lake Grove, NY**

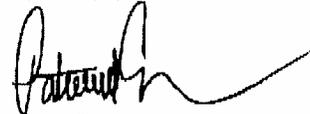
May 6, 2008

Tom Laube, Clerk
Suffolk County Legislature
Veterans Memorial Highway
Hauppauge, NY 11788

Dear Mr. Laube:

I do hereby resign my position as member of the Board of Directors of Off Track Betting effective immediately.

Very truly yours,



Patrick Byrne

cc: William Lindsay, Presiding Officer

05/06/08

05/06/08

05/06/08

1471

Intro. Res. No.
Introduced by Legislators Montano and Alden

Laid on Table 5/13/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 (ST. JOSEPH'S PROPERTY – TOWN OF ISLIP)

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

WHEREAS, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition as open space under the Drinking Water Protection Program; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land as open space; now, therefore be it

1st RESOLVED, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 47 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

2nd RESOLVED, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

3rd RESOLVED, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s); and be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

5th RESOLVED, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

6th RESOLVED, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may

be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

7th **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

8th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, 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:

EXHIBIT "A"

| <u>PARCEL</u> | <u>SUFFOLK COUNTY TAX MAP NUMBER</u> | <u>ACRES</u> | <u>REPUTED OWNER AND ADDRESS</u> |
|---------------|--|--------------|--|
| 1 | District: 0500 Section 160.00 Block 02.00 Lot 072.002 p/o | ±47 | Sisters of St. Joseph 1725 Brentwood Road Brentwood, NY 11717-5587 |

Intro. Res. No 1472 -2008
Introduced by Legislator Kennedy

Laid on Table 5/13/08

**RESOLUTION NO. -2008, AUTHORIZING THE
RECONVEYANCE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 215, NEW YORK STATE COUNTY
LAW TO FRED C. SMITH, III AND ANN M. SMITH**

WHEREAS, the County of Suffolk is the fee owner of 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 Nesconset, Town of Smithtown, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0800, Section 140.00, Block 01.00, Lot 018.000, and acquired by tax deed on March 29, 2006, from Angie M. Carpenter the County Treasurer of Suffolk County, New York, and recorded on March 30, 2006, in Liber 12442, at Page 992, and otherwise known as and by Town of Smithtown, County of Suffolk and State of New York, known and designated as Lot No. 36 on a certain map entitled "Map of King Arthur Estates situated at Nesconset" and filed in the Office of the Clerk of the County of Suffolk on October 23, 1969 as Map No. 5379.

and

WHEREAS, Fred C. Smith, III and Ann M. Smith were the former owner(s) of said real property; and

WHEREAS, the time for redemption of this real property under Local Law No. 16-1976 has expired; and

WHEREAS, an investigation by the office of Legislator Kennedy has determined that said non-payment of taxes on their part was not an intentional act but was due to circumstances beyond their control, more fully described in the documents attached hereto; and

WHEREAS, it would be in the best interest of the County of Suffolk to return said parcel to the tax rolls; and

WHEREAS, the above described parcel has been appraised by the County Department of Environment and Energy, Division of Real Property Acquisition and Management, at \$440,000.00; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of \$80,978.59 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Fred C. Smith, III and Ann M. Smith
19 Chivalry Lane
Nesconset, NY 11767

upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in the above-described real estate.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\word\215 redemption\Ann Smith-Kennedy Reso

COUNTY OF SUFFOLK



CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

May 8, 2008

George Nolan, Esq., Counsel
Suffolk County Legislature
Legislature Building
Hauppauge, NY 11788

Re: Tax Map No.: 0800-140.00-01.00-018.000
Name of Redemptor: Fred C. Smith, III and Ann M. Smith,
his wife

Dear Mr. Nolan:

We are forwarding herewith copy of a Section 215 County Law Computation together with a copy of the County Treasurer's Computation concerning the above property, as well as other pertinent information.

For your reference, we are also enclosing copy of letter sent this date to Legislator John Kennedy.

Please draw the Resolution to restore title to Fred C. Smith, III and Ann M. Smith, his wife, in line with the Title Report submitted and enclosed herewith.

Very truly yours,

Cathy O'Neal
Redemption Unit
(631) 853-5937

CO:sc
Enclosures

pc: Legislator: The Honorable John Kennedy

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COUNTY OF SUFFOLK



CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

May 8, 2008

Honorable John Kennedy
Suffolk County Legislator
111 Smithtown Bypass - Suite 120
Hauppauge, New York 11788

Re: Section 215 Redemption
Tax Map No.: 0800-140.00-01.00-018.000
Redemptor: Fred C. Smith, III and Ann M. Smith, his wife

Dear Legislator Kennedy:

With respect to your request regarding the procedure for redemption of the above property, we enclose the following:

1. "Treasurer's Computation" indicating unpaid taxes, assessments and penalties due.
2. "215 Computation" which shows the additional monies due the County, such as, the administration fee, appraisal and review of appraisal.

The total amount to be paid in order for the County to release its interest in this property is \$80,978.59. That amount will increase if payment is not made before the next tax due date.

Very truly yours

Cathy O'Neal
Redemption Unit
(631) 853-5937

CO:sc
Enclosures

pc: George Nolan, Esq., Counsel to the Legislature

57A

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT

Redemption Unit
215 COMPUTATION

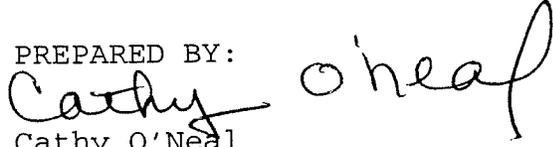
May 8, 2008

Tax Map No. 0800-140.00-01.00-018.000 IMPROVED

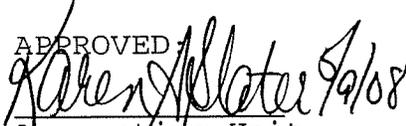
Date Acquired: March 29, 2006 Taken by: Tax Deed

Prior Fee Owner: Fred C. Smith, III and Ann M. Smith, his wife

| <u>STATEMENT OF EXPENDITURES</u> | <u>AMOUNT</u> |
|--|----------------|
| 1. Treasurer's Computation..... | \$72,676.92 |
| 2. Outstanding Tax Bills - not included in computation.....2007/2008..... | \$ 7,801.67 |
| 3. Recording Fees. | N/A |
| 4. Administration Expense..... | \$ 200.00-paid |
| 5. License Fee (as per License Fee statement) | OPEN |
| 6. Repairs..... | N/A |
| 7. Other County Expenditures..... | OPEN |
| 8. Appraisal and Review Fee..... | \$ 300.00-paid |
| | <hr/> |
| TOTAL..... | \$80,978.59 |

PREPARED BY:

Cathy O'Neal
Redemption Unit

Description: Town of Smithtown, County of Suffolk, State of New York, acquired by Tax Deed on March 29, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on March 30, 2006, in Liber 12442 at Page 992, and otherwise known as and by Town of Smithtown, County of Suffolk and State of New York, known and designated as Lot No. 36 on a certain map entitled, "Map of King Arthur Estates situated at Nesconsett" and filed in the Office of the Clerk of the County of Suffolk on October 23, 1969 as Map No. 5379.

APPROVED:

Accounting Unit

COMPUTATION BY SUFFOLK COUNTY TREASURER

| <u>DISTRICT</u> | <u>SECTION</u> | <u>BLOCK</u> | <u>LOT</u> |
|-----------------|----------------|--------------|------------|
| 0800 | 14000 | 0100 | 018000 |

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

| | |
|------|----------|
| 2002 | 10584.87 |
| 2003 | 10868.77 |
| 2004 | 10658.13 |
| 2005 | 10249.38 |
| 2006 | 8827.30 |
| 2007 | 9487.81 |

TOTAL: 60676.26

B. INTEREST DUE

8539.85

C. TOTAL

69216.11

D. 5% LINE C

3460.81

E. FEE

F. MISC

G. MISC

H. TOTAL DUE

\$72,676.92

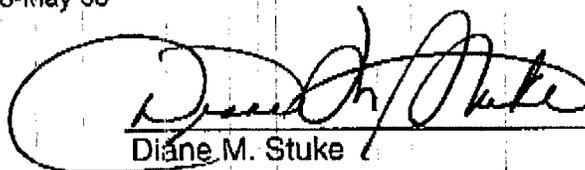
2007/08 PROPERTY TAXES \$7,801.67 NOT INCLUDED IN COMPUTATION.

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, 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.

08-May-08



Diane M. Stuke

Deputy County Treasurer

**Interest and penalty computed to and including 11/04/08

TS

MAKE FUNDS PAYABLE TO:
DEANNA VARRICCHIO
 RECEIVER OF TAXES
 99 WEST MAIN STREET
 SMITHTOWN, NY 11787

STATEMENT OF REAL PROPERTY TAXES

DECEMBER 1, 2007 - NOVEMBER 30, 2008 TAX LEVY
 WN OF SMITHTOWN, SUFFOLK COUNTY, NY
 TAXABLE STATUS DATE MARCH 1, 2007
 TAXES BECOME A LIEN DECEMBER 1, 2007
 ***SEE "IMPORTANT NOTICE" ON REVERSE SIDE

OFFICE PAYMENT HOURS
 MON-FRI - 9:00 AM TO 4:00 P.M.
 *(see reverse)
 PHONE: 631-360-7610

NOTE: TAXES ARE PAYABLE BY CHECK, CASH OR MONEY ORDER.
 CHECKS WILL BE ACCEPTED SUBJECT TO COLLECTION FOR WHICH
 THIS OFFICE ASSUMES NO RESPONSIBILITY. WINDOW PAYMENTS
 LIMITED TO 5 BILLS. PLEASE ISSUE A SEPARATE CHECK FOR EACH
 PARCEL. **NO CASH BY MAIL ACCEPTED.

IF PROPERTY HAS BEEN SOLD OR TRANSFERRED AFTER MARCH 1, 2007, PLEASE
 FORWARD BILL TO NEW OWNER OR RETURN TO THIS OFFICE WITH NEW NAME.

| | |
|---------------------|------------------|
| BILL NUMBER | 32214-9 |
| ESTIMATED STATE-AID | |
| COUNTY | \$311,084,310.00 |
| TOWN | \$9,731,400.00 |
| SCHOOL | \$34,541,924.00 |

DESCRIPTION OF PROPERTY
 140.-1-18
 *5379 LOT 36
 KING ARTHUR ESTS

IF THE WORD "ARREARS", IS PRINTED HERE
 SEE COUNTY TREASURER'S NOTICE ON REVERSE SIDE.

TAX BILLING ADDRESS
 SUFFOLK COUNTY TREASURER
 330 CENTER DR
 RIVERHEAD, NY 11901

PROPERTY LOCATION
 19 CHIVALRY LN

INDICATE OWNER'S PERMANENT ADDRESS
 CHANGE ON BACK OF STUB

OWNER AS OF TAXABLE STATUS DATE MARCH 1, 2007
 SUFFOLK COUNTY TREASURER
 330 CENTER DR
 RIVERHEAD, NY 11901

| DIST | SUFFOLK COUNTY TAX MAP NUMBER SECT | BLOCK | LOT | EXEMPTION DESCRIPTION | EXEMPTION CODE | TAXABLE VALUE | FULL VALUE OF EXEMPTION |
|-----------------|------------------------------------|-------------|--------------|-----------------------|--|---------------|-------------------------|
| 0800 | 140.000 | 0001 | 018.000 | CNY APP-CT | 33201 | 5860 | 496610 |
| TYPE | ACREAGE | TAX CODE | ROLL SECTION | | | | |
| 210 | 0.36 | 53 | 1 | | | | |
| TAX SRCH & BANK | SELF PAY | SCHOOL CODE | SWIS CODE | LAND ASSESSMENT | TOTAL ASSESSMENT - UNIFORM % OF VALUE = FULL VALUE OF PARCEL | | |
| MTG. NO. | | 473401 | 473489 | 375 | 5860 | = 1.18% | = 496610 |

| LEVY DESCRIPTION | TOTAL DISTRICT LEVY | % CHANGE OVER LAST YEAR | TAXABLE VALUE ADJUSTED BY EXEMPTIONS | TAX RATE PER \$1000 | AMOUNT SAVED BY EXEMPTION | TAX AMOUNT |
|---|---------------------|-------------------------|--------------------------------------|---------------------|---------------------------|------------|
| SMITHTOWN SCHOOL DISTRICT | 157,786,070 | 5.1% | 5860.00 | 1281.002 | | \$7506.67 |
| COUNTY GENERAL | 3,223,334 | 4.0% | | 12.775 | \$74.86 | |
| DISTRICT COURT | 889,287 | 1.6% | | 3.525 | \$20.66 | |
| COUNTY POLICE | 47,141,893 | 2.7% | | 197.863 | \$1159.48 | |
| TOWN WIDE | 20,818,033 | 0.3% | | 82.155 | \$481.43 | |
| TOWN (EXCLUDING VILLAGES) | 4,389,872 | 31.5% | | 18.777 | \$110.03 | |
| HIGHWAY I (EXCL. VILL) | 17,944,773 | 6.8% | | 76.756 | \$449.79 | |
| HIGHWAY II III IV | 5,471,401 | 12.1% | | 21.592 | \$126.53 | |
| NYS REAL PROP TAX | 6,155,370 | 109.9% | | 24.396 | \$142.96 | |
| NYS REAL PROP PD | 830,606 | 32.8% | | 3.480 | \$20.39 | |
| NESCONSET FIRE DISTRICT | 2,167,371 | 1.5% | | 55.606 | \$325.85 | |
| SMITHTOWN LIBRARY | 103,118,318 | 3.5% | | 39.473 | \$231.31 | |
| STREET LIGHTING DISTRICT | 985,162 | 14.9% | | 3.980 | \$23.32 | |
| ARTERIAL HWY LIGHTS | 1,070,142 | 4.7% | | 3.996 | \$23.42 | |
| WASTE MANAGEMENT 1 FAM* | | | | | | \$295.00 |
| TOTAL TOWN TAXES = | | | | | | |
| *ITEM NOT TAX DEDUCTIBLE | | | | | | |
| Savings from the New York School Tax Relief (STAR) program is | | | | | | |

| | | | | | |
|--|-----------|--|-----------|--|-----------|
| FIRST HALF TAX | \$3900.84 | SECOND HALF TAX | \$3900.83 | TOTAL TAX | \$7801.67 |
| DUE DEC. 1, 2007 PAYABLE WITHOUT PENALTY TO JAN. 10, 2008 SEE REVERSE SIDE FOR PENALTY SCHEDULE. | | PAYABLE WITHOUT PENALTY TO JUNE 2, 2008 SEE REVERSE SIDE FOR PENALTY SCHEDULE & COUNTY TREASURER'S NOTICE. | | THIS TOTAL TAX MAY BE PAID IN ONE OR TWO INSTALLMENTS. | |

DUPLICATE TAX BILL

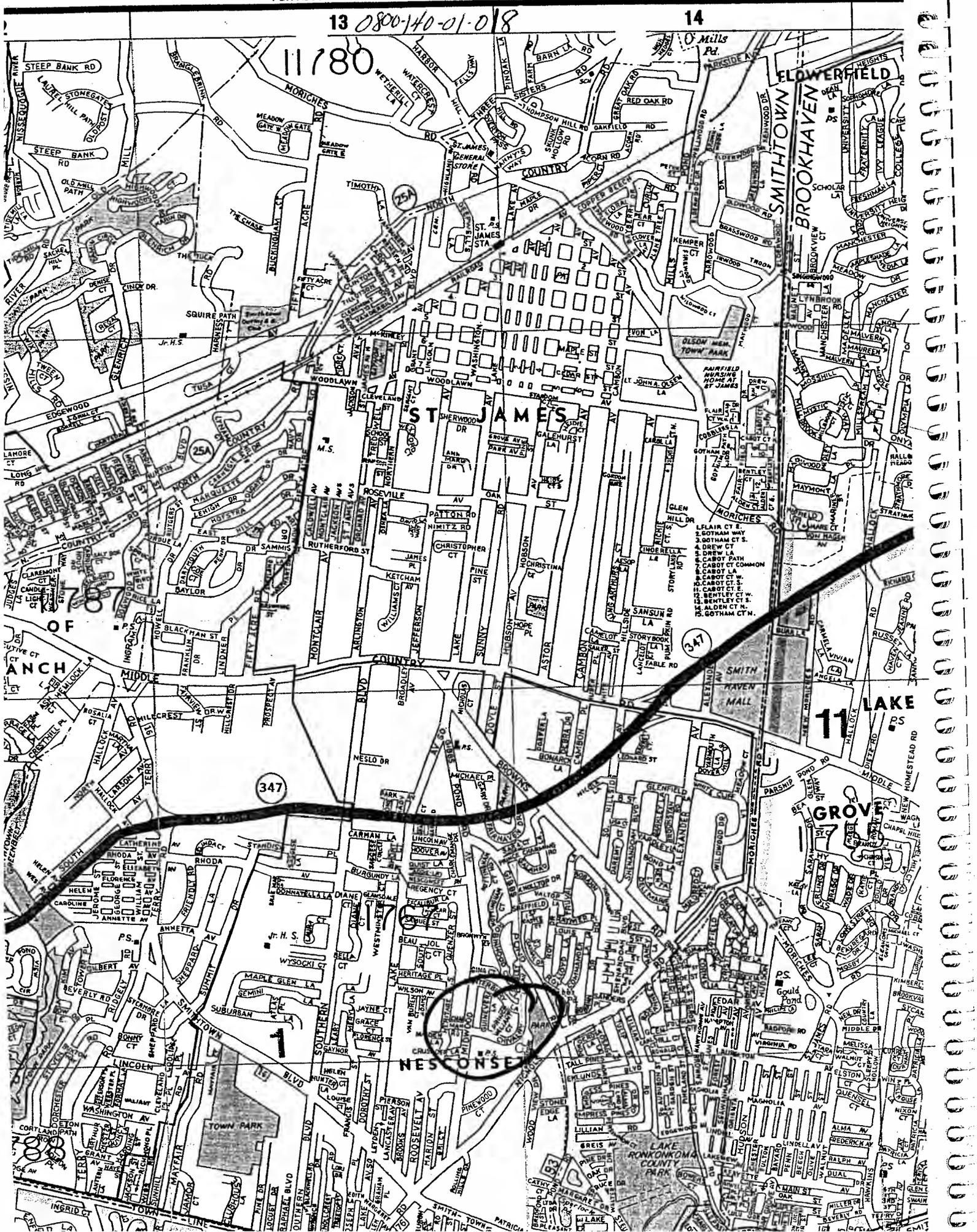
DUPLICATE TAX BILL

NOTE: Entire Bill must Accompany Payment if Receipt is Requested

13 0800-140-01-018

14

11780



- 1. LAIR CT. E.
- 2. GOTHAM WAY
- 3. GOTHAM CT. S.
- 4. DREW CT.
- 5. DREW LA.
- 6. CAROL PATH
- 7. CABOT CT. COMMON
- 8. CABOT CT. W.
- 9. CABOT CT. E.
- 10. CABOT CT. S.
- 11. CABOT CT. S.
- 12. BENTLEY CT. S.
- 13. BENTLEY CT. S.
- 14. DEN CT. N.
- 15. GOTHAM CT. N.

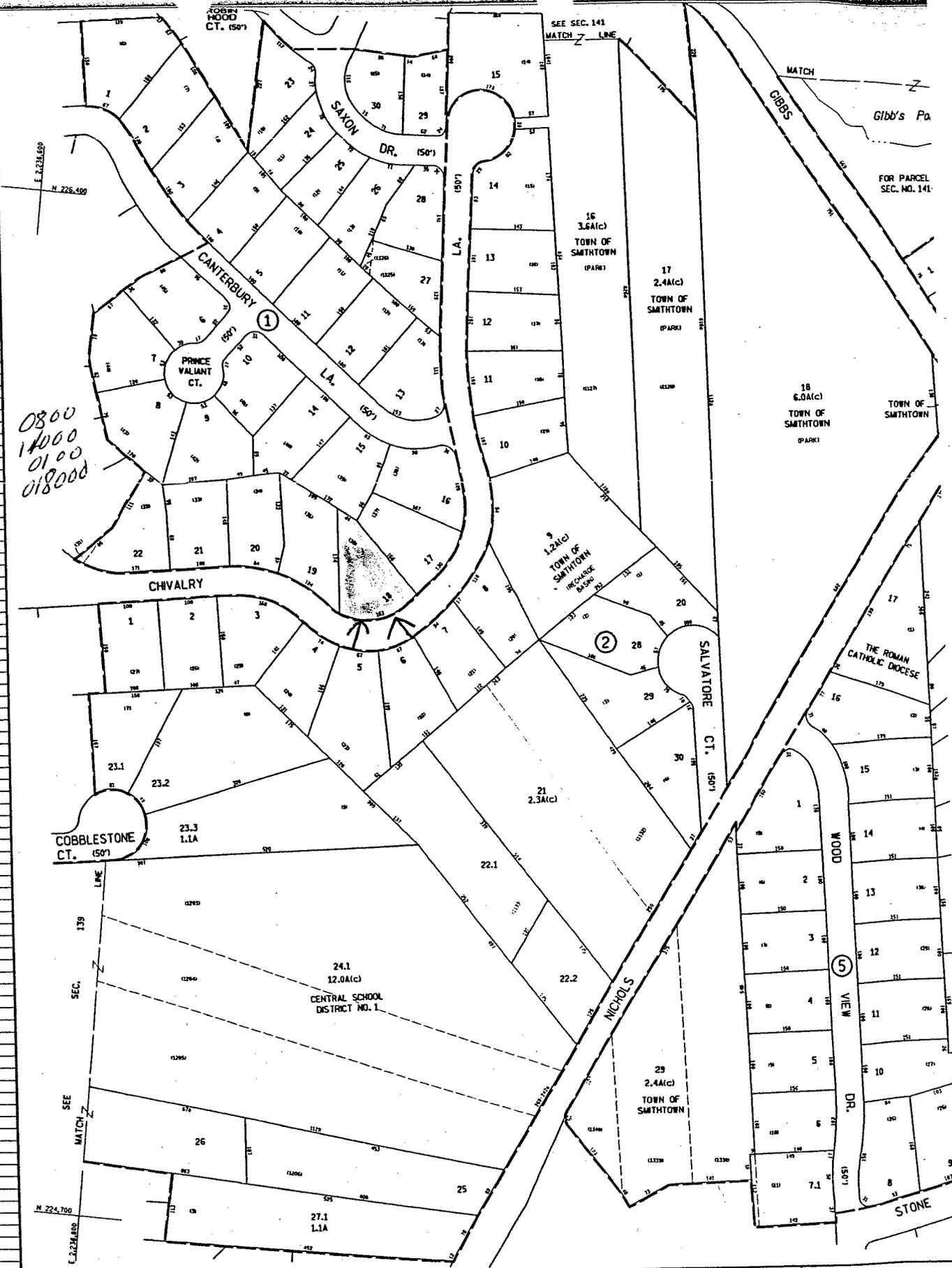
11 LAKE PS

LAKE GROVE

NE SONS

LAKE RONKONOMA COUNTY PARK

04-15-97
 09-19-97
 03-03-94
 07-31-94
 12-15-00
 06-06-03



| | | | | | | | | | | | |
|---------------|----------------------|-----------|---------------------------|--------------------|-------------|-------------|----------------------|-------------|--------------------------|-------------|--|
| LEGEND | Property or RI Line | --- Z --- | Subdivision Lot No. | (11) | Block List | --- (2) --- | School District Line | --- SCH --- | Hydrant District Line | --- H --- | UNLESS DRAWN OTHERWISE ARE WITHIN THE FOLLOW SCHOOL 1.15 SEWER FIRE 23 HYDRAN LIGHT WATER REFUSE PARK WATER REFUSE AMBULANCE WASTE |
| | Donor's Common Owner | --- Z --- | Subdivision Block/Map No. | (21) | Block No. | --- (2) --- | Park District Line | --- P --- | Refuse District Line | --- R --- | |
| | Subdivision Lot Line | --- Z --- | Bed Dimension | 62 | County Line | --- | Water District Line | --- W --- | Historical District Line | --- HST --- | |
| | Stream / Shore | --- Z --- | Scaled Dimension | 62 | Town Line | --- | Light District Line | --- L --- | Ambulance District Line | --- A --- | |
| | Parcel No. | 23 | Bed Area | 12.1 A(c) or 12.1A | | | Park District Line | --- P --- | Postmaster District Line | --- # --- | |

Ann M. Smith

19 Chivalry Lane
Nesconset, NY 11767-2034
631-656-0401
annsmitheastend@optonline.net

August 21, 2007

John M. Kennedy, Jr.
Legislator, 12th District
111 Smithtown Bypass
Suite 120
Hauppauge, NY 11788

Re: Tax Map # 0800-140-01-018

Dear Mr. Kennedy,

As per your request enclosed please find my notarized statement concerning the circumstances under which the above referenced real property went delinquent for property taxes.

If you require anything further, please let me know. Thank you for your continued assistance in this matter.

Sincerely,



Ann M. Smith

Enc .

**APPLICATION FOR RECOVERY OF REAL PROPERTY ACQUIRED BY SUFFOLK COUNTY
County of Suffolk**

1. Information Concerning Applicant(s)

| | | |
|---|--|--|
| Name of Applicant(s) Ann M. Smith | Address 19 CHIVALRY LANE NESCONSET, NY 11787 | Telephone Number (631) 379-7612 (CE) (631) 648-8567 (FRIEND'S HOUSE) |
|---|--|--|

2. Property for Which Recovery is Desired

| | | | | |
|--|--|-----------------------|-------------------|------------------|
| Location or Address 19 CHIVALRY Lane NESCONSET, NY 11787 | Date of Recording of Suffolk County's Tax Deed 3/30/2006 | | | |
| Suffolk County Tax Map Number | District 0800 | Section 140 | Block 1 | Lot 18 |

3. Description of Instrument from Which Applicant's Interest Derives

| | |
|---|--------------------|
| Liber 9333 | Page 416 |
| Other (If applicant is not the prior owner, specify nature of applicant's interest) | |

| | |
|--|--|
| Grantor Donald Wallace and Elizabeth Wallace | Grantee Fred C. Smith and Ann M. Smith |
| Date of Execution 3 May 1989 | Date of Recording 25 May 1989 |

4. Description of Extenuating Circumstances Which Led to Loss of Property

(See Governing Section of County Code §27-3)

See ATTACHED

(Attached additional pages, if necessary)

5. Acknowledgement

State of New York)ss:
County of Suffolk)

I/We **Ann M. Smith**, being duly sworn, depose and say that Deponent(s) is/are the applicant(s) in the within application; that Deponent(s) have read the foregoing application and know(s) the contents thereof; and that as to those matters Deponent(s) believe(s) them to be true.

Ann M. Smith
Signature of Applicant

Signature of Applicant

Sworn to before me this **30th** day
of **July**, ~~2006~~ **2007**

Lori A. McNeely
Notary Public of the State of New York

LORI A. McNEELY
Notary Public, State of New York
No. 01MC5065030
Qualified in Suffolk County
Commission Expires September 3, 2010

**SUFFOLK COUNTY LEGISLATURE
COUNTY OF SUFFOLK**

**JOHN M. KENNEDY, JR.
LEGISLATOR, 12TH DISTRICT**



**COMMITTEES:
CONSUMER PROTECTION
ENVIRONMENT, PLANNING &
AGRICULTURE
HEALTH & HUMAN SERVICES
LABOR, WORKFORCE &
AFFORDABLE HOUSING**

August 10, 2007

George Nolan, Counsel
Suffolk County Legislature
725 North Complex
Smithtown, N.Y. 11780

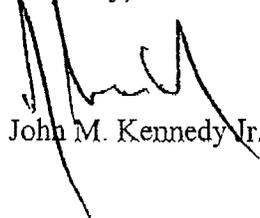
Re: Ann & Fred Smith
19 Chivalry Lane, Nesconset

Dear Mr. Nolan:

Please prepare the necessary resolution to accompany the 215 hardship application for redemption of the above referenced property. I have spoken with, and forwarded to you, correspondence from the treating physician of Mrs. Smith. Her internist has attested to Mrs. Smith's medical hardship, and hence, the difficulties associated with her ability to meet her responsibility for the payment of property tax.

Mrs. Smith has already tendered an application and the necessary application fee. Please move forward with this request. Thank you for your assistance.

Sincerely,



John M. Kennedy Jr.

Cc: Ann Smith

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



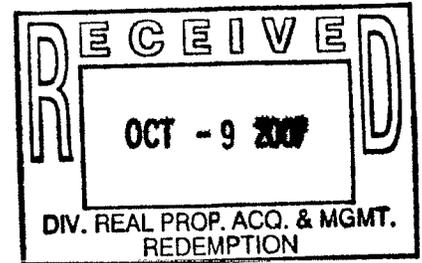
GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
email: george.nolan@suffolkcountyny.gov

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

IAN P. BARRY
ASSISTANT COUNSEL TO THE LEGISLATURE
email: ian.barry@suffolkcountyny.gov

October 3, 2007

Hon. John M. Kennedy, Jr.
County Legislator, 12th District
111 Smithtown Bypass, Suite 120
Hauppauge, New York 11788



Re: County Law, Section 215 Application for Redemption
Redemptor: Ann M. Smith
S.C.T.M. No. 0800-140.00-01.00-018.000

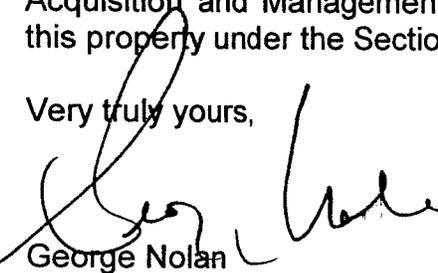
Dear Legislator Kennedy:

Please be advised that I have reviewed the application and other materials forwarded to me by your office and believe that the captioned matter qualifies for a Chapter 27 conveyance.

I am forwarding the application, backup and the check for \$500.00 to Cathy O'Neal in the County Division of Real Property Acquisition and Management so that they may process the necessary paperwork.

As soon as I receive the computation from the Division of Real Property Acquisition and Management, I will prepare a resolution for the redemption of this property under the Section 215 process.

Very truly yours,


George Nolan
Counsel to the Legislature

GN/tm

cc: Cathy O'Neal ✓
Division of Real Property Acquisition and Management

s:\word\215 Ann Smith approval letter

Ann M. Smith
19 Chivalry Lane
Nesconset, New York 11767-2034
(631) 656-0401
annsmitheastend@optonline.net

Re: Real Property Acquisition Acct – 004342, SCTM – 0800-140.00-01.00-018.000

September 28, 2007

To Whom It May Concern:

I, Ann M. Smith, currently residing at 19 Chivalry Lane, Nesconset, New York 11767, do hereby declare and say that:

Recently, I have been unable to fulfill certain obligations. My husband and I were delinquent on our payments of property taxes for the above referenced property. The reason for my delinquency is because I suffer from depression. At the age of 55, I am starting my life over from scratch. If I am granted the recovery of the aforementioned property, I intend to sell it and pay all delinquent taxes, and other debts from the proceeds.

Sincerely,


Ann M. Smith

The above statement is hereby subscribed based on the statements of the witness Kevin Casey, whom which is personally known to me.


John M. Kenely Jr.

Notary Public, County of Suffolk, State of N.Y.
02KE5045596

MARILENA MIRICA, MD
201 Portion Rd, Suite C
Lake Ronkonkoma, NY 11779
Tel: 631-585-5959
Fax: 631-585-7727

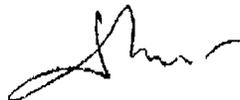
July 6, 2007

To Whom It May Concern:
Re: Ann Smith, DOB 07/26/1952

Mrs. Smith is a patient under my care since December 3, 2002. I have been treating her for depression with fairly large dose of antidepressant medication. Patient was diagnosed with depression long before she became my patient.

If you need more information please feel free to contact me.

Sincerely yours,



Marilena Mirica, MD

CC: John M. Kennedy, Jr, Suffolk County Legislator
Mrs. Ann Smith

WARNING:

NO REPRESENTATION IS MADE THAT THIS FORM OF CONTRACT FOR THE SALE AND PURCHASE OF REAL ESTATE COMPLIES WITH SECTION 5-702 OF THE GENERAL OBLIGATIONS LAW ("PLAIN ENGLISH"). CONSULT YOUR LAWYER BEFORE SIGNING IT.

NOTE: FIRE AND CASUALTY LOSSES:

This contract form does not provide for what happens in the event of fire or casualty loss before the title closing. Unless different provision is made in this contract, Section 5-1311 of the General Obligations Law will apply. One part of that law makes a purchaser responsible for fire and casualty loss upon loss of title to or possession of the premises.

DATE:

CONTRACT OF SALE made as of the 23rd day of April 2008

PARTIES:

BETWEEN
Fred C. Smith, III, and Ann M. Smith, his wife

Address: 19 Chivalry Lane, Nesconset, New York

hereinafter called "SELLER", who agrees to sell:

and

Michael Perrotta and Lori Perrotta, his wife

PREMISES:

Address: 8 Superior Street, Port Jefferson, New York

hereinafter called "PURCHASER" who agrees to buy the property, including all buildings and improvements thereon (the "PREMISES"), more fully described on a separate page marked "Schedule A," and also known as:

Street Address: 19 Chivalry Lane, Nesconsett, New York

Tax Map Designation: Dist.0800 Sect. 140.00 Blk. 01.00 Lot. 018.0

Together with SELLER'S interest, if any, in streets and unpaid awards as set forth in Paragraph 9.

PERSONAL PROPERTY:

The sale also includes all fixtures and articles of personal property attached to or used in connection with the PREMISES, unless specifically excluded below. SELLER states that they are paid for and owned by SELLER free and clear of any lien other than the EXISTING MORTGAGE(S). They include but are not limited to plumbing, heating, lighting and cooking fixtures, bathroom and kitchen cabinets, mantels, door mirrors, venetian blinds, shades, screens, awnings, storm windows, window boxes, storm doors, mail boxes, weather vanes, flagpoles, pumps, shrubbery, fencing, outdoor statuary, tool sheds, dishwashers, washing machines, clothes dryers, garbage disposal units, ranges, refrigerators, freezers, air conditioning equipment and installations, and wall to wall carpeting.

EXISTING MORTGAGE(S):

2. ~~The PREMISES will be conveyed subject to the continuing lien of "EXISTING MORTGAGE(S)" as follows:~~

~~Mortgage now in the unpaid principal amount of \$ _____ and interest at the rate of _____ per cent per year, presently payable _____ in installments of \$ _____, which include principal, interest, and with any balance of principal being due and payable on _____~~

SELLER hereby states that no EXISTING MORTGAGE contains any provision that permits the holder of the mortgage to require its immediate payment in full or to change any other term thereof by reason of the fact of CLOSING,

ACCEPTABLE FUNDS:

3. All money payable under this contract unless otherwise specified, shall be either:

- a. Cash, but not over one thousand (\$1,000.00) Dollars,
- b. Good certified check of PURCHASER, or official check of any bank, savings bank, trust company, or savings and loan association having a banking office in the State of New York, payable to the order of SELLER, ~~or to the order of PURCHASER and duly endorsed by PURCHASER (if an individual) to the order of SELLER in the presence of SELLER or SELLER'S attorney.~~
- c. Money other than the purchase price, payable to SELLER at CLOSING, may be by check of PURCHASER up to the amount of FIVE HUNDRED (\$ 500.00) dollars, or
- d. As otherwise agreed to in writing by SELLER or SELLER'S attorney.

SUBJECT TO PROVISIONS:

4. The PREMISES are to be transferred subject to:

- a. Laws and governmental regulations that affect the use and maintenance of the PREMISES, provided that they are not violated by the buildings and improvements erected on the PREMISES.
- b. Consents for the erection of any structures on, under or above any streets on which the PREMISES abut.
- c. Encroachments of stoops, areas, cellar steps, trim and cornices, if any, upon any street or highway.
- e. No third-party or double endorsed checks shall be accepted by Seller.

TITLE COMPANY APPROVAL:

5. SELLER shall give and PURCHASER shall accept such title as any reputable title insurance company, a member of The New York Board of Title Underwriters will be willing to approve and insure in accordance with their standard form of title policy, subject only to the matters provided for in this contract.

CLOSING DEFINED AND FORM OF DEED:

6. "CLOSING" means the settlement of the obligations of SELLER and PURCHASER to each other under this contract, including the payment of the purchase price to SELLER, and the delivery to PURCHASER of a Bargain and Sale w/ .covenants deed in proper statutory form for recording so as to transfer full ownership (fee simple title) to the PREMISES, free of all encumbrances except as herein stated. The deed will contain a covenant by SELLER as required by Section 13 of the Lien Law.

If SELLER is a corporation, it will deliver to PURCHASER at the time of CLOSING (a) a resolution of its Board of Directors authorizing the sale and delivery of the deed, and (b) a certificate by the Secretary or Assistant Secretary of the corporation certifying such resolution and setting forth facts showing that the transfer is in conformity with the requirements of Section 909 of the Business Corporation Law. The deed in such case shall contain a recital sufficient to establish compliance with that section.

CLOSING TIME AND

7. CLOSING will take place at the office of _____

~~insurance policies and renewals of those expiring prior to CLOSING.~~ (d) Taxes, water charges and sewer rents, on the basis of the fiscal period for which assessed. (e) Fuel, if any. (f) ~~Vault charges, if a~~

If CLOSING shall occur before a new tax rate is fixed, the apportionment of taxes shall be upon the basis of the old tax rate for the preceding period applied to the latest assessed valuation.

Any errors or omissions in computing apportionments at CLOSING shall be corrected. This provision shall survive CLOSING.

WATER
METER
READINGS:

14. If there be a water meter on the PREMISES, SELLER shall furnish a reading to a date not more than thirty days before CLOSING date and the unfixed meter charge and sewer rent, if any, shall be apportioned on the basis of such last reading.

ALLOWANCE
FOR UNPAID
TAXES, ETC.:

15. SELLER has the option to credit PURCHASER as an adjustment of the purchase price with the amount of any unpaid taxes, assessments, water charges and sewer rents, together with any interest and penalties thereon to a date not less than five business days after CLOSING, provided that official bills therefor computed to said date are produced at CLOSING.

USE OF
PURCHASE
PRICE TO PAY
ENCUM-
BRANCES:

16. If there is anything else affecting the sale which SELLER is obligated to pay and discharge at CLOSING, SELLER may use any portion of the balance of the purchase price to discharge it. As an alternative, SELLER may deposit money with the title insurance company employed by PURCHASER required by it to assure its discharge, but only if the title insurance company will insure PURCHASER'S title clear of the matter or insure against its enforcement out of the PREMISES. Upon request made within a reasonable time before CLOSING, PURCHASER agrees to provide separate certified checks as requested to assist in clearing up these matters.

AFFIDAVIT
AS TO
JUDGMENTS,
BANKRUPT-
CIES.:

17. If a title examination discloses judgments, bankruptcies or other returns against persons having names the same as or similar to that of SELLER, SELLER shall deliver a satisfactory detailed affidavit at CLOSING showing that they are not against SELLER.

DEED
TRANSFER
AND
RECORDING
TAXES:

18. At CLOSING, SELLER shall deliver a ~~certified~~ check payable to the order of the appropriate State, City or County officer in the amount of any applicable transfer and/or recording tax payable by reason of the delivery or recording of the deed, together with any required tax return. PURCHASER agrees to duly complete the tax return and to cause the check(s) and the tax return to be delivered to the appropriate officer promptly after CLOSING.

PURCHASER'S
LIEN:

19. All money paid on account of this contract, and the reasonable expenses of examination of the title to the PREMISES and of any survey and survey inspection charges are hereby made liens on the PREMISES and collectable out of the PREMISES. Such liens shall not continue after default in performance of the contract by PURCHASER.

SELLER'S
INABILITY
TO
CONVEY AND
LIMITATION
OF
LIABILITY:

20. If SELLER is unable to transfer title to PURCHASER in accordance with this contract, SELLER'S sole liability shall be to refund all money paid on account of this contract, plus all charges made for: (i) examining the title, (ii) any appropriate additional searches made in accordance with this contract, and (iii) survey and survey inspection charges. Upon such refund and payment this contract shall be considered cancelled, and neither SELLER nor PURCHASER shall have any further rights against the other.

CONDITION
OF
PROPERTY:

21. PURCHASER has inspected the buildings on the PREMISES and the personal property included in this sale and is thoroughly acquainted with their condition. PURCHASER agrees to purchase them "as is" and in their present condition subject to reasonable use, wear, tear, and natural deterioration between now and CLOSING. PURCHASER shall have the right, after reasonable notice to SELLER, to inspect them before CLOSING.

ENTIRE
AGREEMENT:

22. All prior understandings and agreements between SELLER and PURCHASER are merged in this contract. It completely expresses their full agreement. It has been entered into after full investigation, neither party relying upon any statements made by anyone else that are not set forth in this contract.

CHANGES

23. This contract may not be changed or cancelled except in writing. The contract shall also apply to and bind the

RIDER TO CONTRACT OF SALE

DATED: April 23rd, 2008

BETWEEN: FRED C. SMITH III and ANN M. SMITH, as Sellers and MICHAEL and LORI PERROTTA, as Purchasers

PREMISES: 19 Chivalry Lane Nesconset, New York

25. Purchasers hereby agree to accept title to the within premises:

(a) SUBJECT TO any state of facts which an accurate survey may show, provided same does not render title unmarketable;

(b) SUBJECT FURTHER TO zoning ordinances, reservations, building regulations, agreements, covenants, utility and other easements and restrictions of record, provided same do not prohibit the maintenance and/or use of existing structures. However, Purchasers shall not reject title or refuse to close title even though existing structures may violate such covenants, restrictions, agreements and easements, provided that such structures ~~any~~ remain so long as they shall stand. Minor variations of fences, hedges, walks or retaining walls located on or near the line of record shall not be deemed an objection to title, ~~provided they do not result in fines or penalties against Purchaser or the property or otherwise take the burden of the property~~ *provided they do not result in fines or penalties against Purchaser or the property or otherwise take the burden of the property*

26. (a) Premises are to be delivered vacant and broom clean on closing or on date of possession, whichever is later, in an "as is" condition without any representation on the part of the seller except that the plumbing, heating and electrical systems will be in working order at the time of closing or possession, whichever is later. *use and enjoyment of the property*

(b) The acceptance of the deed by the Purchasers shall be deemed full performance by the Seller of all terms, conditions, and agreements required to be performed under this contract and there shall be no further liability on the part of the Seller subsequent to the delivery of the deed.

27. The purchaser shall notify the seller of any objections of title, and the seller shall be entitled to a reasonable adjournment of the title closing date in which to cure such objections. Nothing herein contained, however, shall be deemed to cure title defects, and in the event, for any reason whatsoever, the seller shall be unable to deliver title to the premises herein specified, the sole remedy of the purchaser shall be to accept such title as the seller shall be able to deliver without abatement in the purchase price, or, in the alternative, to cancel this agreement, and receive a refund of Purchaser's down payment plus the actual costs associated with obtaining a survey and title report.

*bl f
extension
seller's
commitment
expiration
date,
seller will
give the
appropriate
extension
necessary to
secure a
mortgage.*

28. Purchaser is given the option to have the premises inspected for termite infestation at his own cost and expense. In the event a termite condition is found at the premises being purchased herein, upon due notice, seller shall have the option to repair the condition or refuse to repair said condition. In the event seller refuses to clear the condition and repair any damages caused thereby, purchaser shall have the option to either cancel this contract and receive a full refund of the down-payment paid hereunder, or, in the alternative, purchaser may accept the premises "as is". Notice with regard to any termite condition as mentioned in this paragraph must be forwarded to the attorney representing the seller within ten (10) days from the date of this contract. In the event notice is not received by said attorney within the aforesaid ten (10) day period, the contents of this paragraph shall be null and void and of no further force and effect.

a duly executed contract

29. If two or more persons are named as purchaser herein, either is authorized to act as agent and to bind the other person named in the contract in all matters of any kind or nature effecting the premises herein or this agreement.

30. This contract may not be assigned by either party without the written consent of the other party.

31. It is understood that no provision of this contract shall survive delivery of the deed unless specifically provided for herein.

as the result of Purchaser's conduct and not that of any financial institution,

32. In the event that any check delivered at the closing fails to clear upon deposit, the seller shall be entitled to reasonable attorney's fees in any legal proceeding brought in connection therewith.

33. Any notice required to be served pursuant to the terms of this contract shall be served by the attorney of either party upon the attorney for the other party by certified mail, return receipt requested *and regular mail and will be deemed received five (5) days after mailing.*

34. The sellers represent that they are citizens of the United States and will supply an affidavit to that effect at the time of the closing containing their social security numbers to satisfy Section 1445 of the Internal Revenue Code.

35. All sums deposited on this contract shall be held in escrow by the seller's attorney, HORN & HORN, ESQS. at The First National Bank of Long Island, 253 New York Avenue, Huntington, New York, Huntington, Branch, and shall be held in escrow until the earlier of the following: (a) the delivery of the deed herein, (b) such time as Purchaser(s) may be entitled to a refund thereof or (c) such time as the Seller(s) may become entitled thereto by reason of the default of the Purchaser(s). At the appropriate time, as per the foregoing, said escrowee shall remit such payments to the party then entitled thereto. In the event of refund to the Purchaser(s), or payment into court as provided below, any lien on the subject premises relating to monies paid on account of this contract shall be null and void. Said escrowee shall act with respect to such payments as a stakeholder only and without compensation and shall not be liable for the payment of any interest, court

costs or expenses in any action that may be brought to recover the monies held in escrow unless the escrowee shall fail or refuse to pay over any such monies pursuant to a judgment, order or decree that shall be final beyond possibility of an appeal. In the event of a threatened or actual dispute, the escrow holder may be relieved of responsibility for the disputed amount by paying it into court.

36. Upon the purchaser's ^{wilful} failure to take title as herein provided and default under the terms, conditions and/or provisions of this contract, then and in that event, the moneys paid upon the signing of this contract shall be retained by the seller as liquidated damages (not as penalty) and there shall be no further or additional liability on the part of the purchaser.

37. Purchasers warrant that there are no outstanding judgments against them.

38. The seller represents the premises to be a one (1) family dwelling and seller agrees to deliver a certificate of occupancy for the original structure and any alterations thereto requiring issuance of a building permit in the municipality where the premises are located. *If seller cannot provide such COs at their sole cost and expense, the Purchasers at their sole expense may, upon bank permission, agree to close paying a fixed sum in escrow until such CO is obtained.*

39. At closing, Seller shall provide an affidavit showing compliance with Executive Law Section 378 relating to the installation of an operable, single station, smoke detecting alarm device and carbon monoxide detector. *cancel the contract and receive a refund of their down payment.*

40. The Seller represents that the premises is served by a public water system.

41. Seller agrees to close title at the offices of Purchasers' lending institution or its attorneys, as per paragraph "7" of the printed form of Contract. However, in the event that closing shall not take place within Nassau or Suffolk Counties, then, and in any such event, the Purchasers shall pay Seller the additional sum of \$350.00 to defray Seller's additional attorneys' fees.

42. In the event any portion of this rider is in conflict with any printed portion of the contract or any other clause added thereto or incorporated therein, then the terms of this rider shall control.

Fred C. Smith III by Ann M. Smith as his attorney in fact

FRED C. SMITH, III, By Ann M. Smith, his attorney in fact
Social Security no. ~~XXXXXXXXXX~~

Ann M. Smith
ANN M. SMITH
Social Security no. ~~XXXXXXXXXX~~

Michael Perrotta

4-8-08

MICHAEL PERROTTA

Social Security no. [REDACTED]

Linda Perrotta

LORI LINDA PERROTTA

Social Security no. [REDACTED]

43. Post closing possession:

Sellers are

43. Property Disclosure Statement. In consideration for the waiver of the right to receive a Property Condition Disclosure Act Statement from Seller (2001, NY LAWS 5339-A), Seller will credit purchaser \$500 against the purchaser price at closing.

Initials:

MP
LP

MORTGAGE CONTINGENCY RIDER TO CONTRACT OF SALE

DATED: April 8, 2008

BETWEEN: FRED C. SMITH, III., and ANN M. SMITH, as Sellers and MICHAEL PERROTTA and LORI PERROTTA, as purchasers

PREMISES: 19 Chivalry Lane, Nesconset, New York

This contract is subject to, and conditioned upon, the purchasers obtaining, at their own cost and expense, a conventional first mortgage in the amount of \$155,000.00, repayable over a period of 30 years, with interest at the prevailing rate per annum. The purchasers warrant and represent that they will, diligently and in good faith, apply for said mortgage and will promptly furnish all reports, documents, verifications and/or fees required in connection therewith. Purchasers represent that they currently have sufficient assets to complete the payment of this purchase for the premises including customary costs incidental to title closing, and that they know of no reason why their credit standing is impaired and/or should not be considered favorably by the lending institution. Purchasers represent their combined income to be \$_____ for the past twelve (12) months.

receipt of a duly executed contract

buyers or sellers
Sellers do not take such extension of time buyer may cancel contract and receive their down payment.

Sellers In the event the Purchasers do not obtain such mortgage commitment within forty-five (45) days of the signing of the Contract of Sale, after the exercise of good faith, then the Sellers shall have the option of cancelling this contract or, in the alternative, of granting an extension or extensions of time to the Purchasers within which to obtain a mortgage commitment. If at the expiration of the time set forth herein, provided an extension or extensions of time has or have not been granted by the Sellers, or upon the expiration of any extension or extensions of time granted by the seller herein, the Purchasers have not obtained a mortgage commitment as provided herein, after the exercise of good faith, then this contract shall be deemed null and void, and the Seller's sole liability hereunder shall be to return all money paid pursuant to this contract.

provided that the conditions are reasonably satisfied with the terms (contract) and are able to be reasonably satisfied

A mortgage commitment shall otherwise be considered firm and unconditional even though it contains a condition requiring the sale of Purchaser's assets including, but not limited to, the Purchaser's present home prior to closing and/or upon the Purchasers satisfying debts or financial obligations. The Purchasers waive any such condition as an inducement to Sellers to enter into this contract. In addition, Purchasers acknowledge that it is their sole obligation to extend, at their sole expense, the mortgage commitment until the date of closing as set forth herein, including any reasonable adjournments requested by the Sellers not to exceed 30 days. *provided Purchaser's do not lose their mortgage. or be required to pay additional fees*

reasonably satisfied
the party

Upon making the mortgage application, the Purchasers shall notify the

Seller's attorney, in writing, of the name and address of the lender to whom the mortgage application has been submitted. The Purchasers shall send to the Seller's attorney a copy of the written mortgage commitment upon Purchasers' receipt of same.

*Fred C. Smith III by
Ann M. Smith as his atty in fact*

FRED C. SMITH, III., by Ann M. Smith as
His attorney in fact

Ann M. Smith

ANN M. SMITH

Michael Perrotta 4-6-08

MICHAEL PERROTTA

L Perrotta

LINDA PERROTTA

LORI

LIMITED SCOPE RESTRICTED APPRAISAL REPORT
(FOR FAIR MARKET VALUE)

Date: May 6, 2008

Redemption Unit
Division of Real Estate
H. Lee Dennison Building
100 Veterans Memorial Hwy.
Hauppauge, New York 11788

Attention: Catherine O'Neal, Redemption Unit

Re: Fair market value estimate; 19 Chivalry Lane, Nesconset, N.Y.,
Suffolk County Tax Map #800-140-1-18

Dear Ms. O'Neal,

Pursuant to your request, I have prepared an appraisal of the above referenced property.

After an inspection of the subject property area, analysis of comparable sales and evaluation of other factors, I estimate the fair market value of the subject as of May 6, 2008 to be \$440,000.

Respectfully,

Joseph Grossmann
NYS Certified Residential
Real Estate Appraiser
(License #4600000928)

FOR JOHN E. GROSSMANN ASSOCIATES, INC.

CERTIFICATION OF APPRAISER

SUBJECT: 19 Chivalry Lane Nesconset New York
(S.C.T.M. #800-140-1-18)

I certify that, to the best of my knowledge and belief:

~The statements of fact contained in this report are true and correct.

~The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

~I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.

~I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

~My engagement in this assignment was not contingent upon developing or reporting predetermined results.

~My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

~My analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

~I have made a personal inspection of the area within which the subject property is located. I have also made a personal inspection of the comparable sales utilized in this report. These sales have been verified with either the grantor, grantee, or a third party who was directly involved in the transaction. The subject and the comparable sales relied upon in this appraisal are as represented by the statements in this report.

~I have not revealed the findings and conclusions of this appraisal to anyone other than the proper officials of the Division of Real Estate. I will not do so until authorized by County officials, or until I am required by due process of the law, or until I am released from this obligation by having publicly testified as to such findings.

~Based upon the research conducted and the exercise of my professional judgment, I have formed the opinion that the fair market value of the subject as of May 6, 2008 is: \$440,000.

Date: May 6, 2008

Signature:

PURPOSE OF THE APPRAISAL

This appraisal is made for the purpose of estimating the market value of the subject property as of May 6, 2008. Market value is defined as "the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1) Buyer and seller are typically motivated;
- 2) Both parties are well informed or well advised and each acting in what he considers his own best interest;
- 3) A reasonable time is allowed for exposure in the open market;
- 4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- 5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

*The Dictionary of Real Estate Appraisal, Fourth Addition, Appraisal Institute

Reasonable exposure time for a property of this type and within this value range is considered to be approximately 1-6 months, if the property was properly marketed.

PROPERTY RIGHTS APPRAISED

The property rights appraised are ownership in fee simple.

FUNCTION & SCOPE OF THE APPRAISAL

The function of this appraisal report is to deliver a well reasoned market value estimate of the subject property as of the effective value date. It is also intended to function as a source of market data and other information to assist the Suffolk County Department of Planning Division of Real Estate in its decision-making process in connection with various matters pertaining to the subject property. This report is not intended for any other use.

This is a limited scope restricted appraisal report.

Our analysis includes an inspection of the subject area. Both internal and external influences on the subject are considered. The subject's neighborhood is analyzed in terms of existing economic conditions as well as possible future trends. An opinion of the property's highest and best use is determined and described.

During our research of the subject property's market area, recorded sales data is obtained from published property information services, town and county offices, and local real estate agents. Current offerings of similar properties are also considered. The data found during this search is verified, described, analyzed and then compared to the subject. A value estimate is then made based on the analysis of the data presented.

SUBJECT PROPERTY DESCRIPTION

TOWNSHIP: Smithtown
S.C.T.M.: District 800 Section 140 Block 1 Lot 18

LOCATION:

The subject property is located at 19 Chivalry Lane in the unincorporated community of Nesconset, Town of Smithtown, Suffolk County, New York.

DESCRIPTION OF PROPERTY:

The subject property is an improved parcel of land located at 19 Chivalry Lane. The site contains a total area .36 acres. The subject property is improved with a Ranch style dwelling with 7 rooms, 3 bedrooms and 2 bathrooms. The subjects gross living area is 1,552 SF. Amenities include CAC, a part unfinished basement, patio and fireplace. The improvements are maintained in average condition. The subject was listed for sale for \$449,000 and per realtor is currently under contract for \$445,000 after 119 days on the market

UTILITIES:

Public electric, gas and water are available to this site. Cesspools are used for sanitary waste disposal which is common in this market area.

AREA TRENDS:

The national economy has been showing signs of weakness after a period of strong growth. The national and local economies are also showing signs of weakness. The real estate market is stable but oversupplied with listings, after several years of increased activity and value appreciation.

NEIGHBORHOOD:

The immediate neighborhood is dominated with single family residences of various types and sizes. Supporting shopping and services are found predominantly along the commercial districts along the areas main roadways. This neighborhood is convenient to all supporting shopping, services and recreational facilities.

ZONING & CLASSIFICATION:

The subject property is zoned R20 Residence District by the Town of Smithtown. This zoning category requires a minimum lot area of 20,000 square feet.

HIGHEST AND BEST USE:

The subject property's site meets the current zoning requirements. The highest and best use of this parcel to be a continuation of its current use..

| | SUBJECT PROPERTY | SALE #1 | SALE #2 | SALE #3 |
|---|--|---|--|--|
| TAX MAP NUMBER | 800-143-1-18 | 800-138-6-14 | 800-139-4-37 | 300-139-4-3-1 |
| DATE OF SALE | N/A | 01/23/2003 | 01/02/2008 | 12/3/2007 |
| LOCATION/ADDRESS | 13 Chivary Lane Nesconset | 9 Beau Jol Ct. Nesconset | 16 Canterbury Ln Nesconset | 80 Midwood Ave Nesconset |
| ZONING | R20 Residence | R20 Residence | R20 Residence | R20 Residence |
| SPECIFY LANDLOCKED, PAVED, DIRT, PAPER, ETC. | Paved | Paved | Paved | Paved |
| SITE DIMENSIONS, SQ.FT./ACRE | .36 Acre | .46 Acre | .35 Acre | .27 Acre |
| DESCRIPTION OF IMPROVEMENTS | Ranch Style Residence Rm Ct 7-3-2; 1552 SF Avg cond, 2 Car Garage Patio, FP, Pt. Bsmt | Ranch Style Residence Rm Ct. 7-3-2 1,500 SF Similar cond.; 2-car garage Deck, FP, Bsmt | Ranch Style Residence Rm. Ct. 7-4-3; 1850 SF Super cond, 2-car garage Patio/Dck, FP, GP. Bsmt | Ranch Style Residence Rm. Ct 7-4-2.5 1600 SF Similar cond.; 2-car garage Patio, FP, Bsmt W Bath |
| SALE PRICE | N/A | \$430,000 | \$531,000 | \$463,000 |
| LIBER/PAGE/CERT.#/MLS# | N/A | MLS#1378676/12543-235 | MLS 1990571/12536-261 | MLS #1941235/12541-668 |
| VERIFIED BY: | N/A | G. Nightingale | R Scerito | T Flering |
| VERIFICATION DATE: | | 05/03/2003 | 05/07/2008 | 05/08/2008 |
| ADJUSTMENTS | | | | |
| TIME | 05/6/2008 | \$0 | \$0 | \$0 |
| LOCATION | Average | \$0 | \$0 | \$0 |
| LOT SIZE/SHAPE | .36 Acre | (\$4,000) | \$0 | \$4,000 |
| ZONING | R20 Residence | \$0 | \$0 | \$0 |
| IMPROVEMENTS | Avg Condition | \$0 | (\$30,000) | \$0 |
| | Rm Ct 7-3-2; 1552 SF | \$7,000 | (\$22,000) | (\$7,000) |
| | Pt Bsmt, 2 Car Garage | \$0 | (\$20,000) | (\$5,000) |
| | Patio, FP | \$0 | (\$20,000) | \$0 |
| MARKETABILITY | Average | \$0 | \$0 | \$0 |
| NET ADJUSTMENTS | N/A | \$3,000 | (\$92,000) | (\$8,000) |
| INDICATED VALUE | \$440,000 | \$433,000 | \$439,000 | \$452,000 |

EXPLANATION OF VALUE:

The sales comparison analysis resulted an indicated value of \$440,000 is considered to be a reasonable figure for the subject.

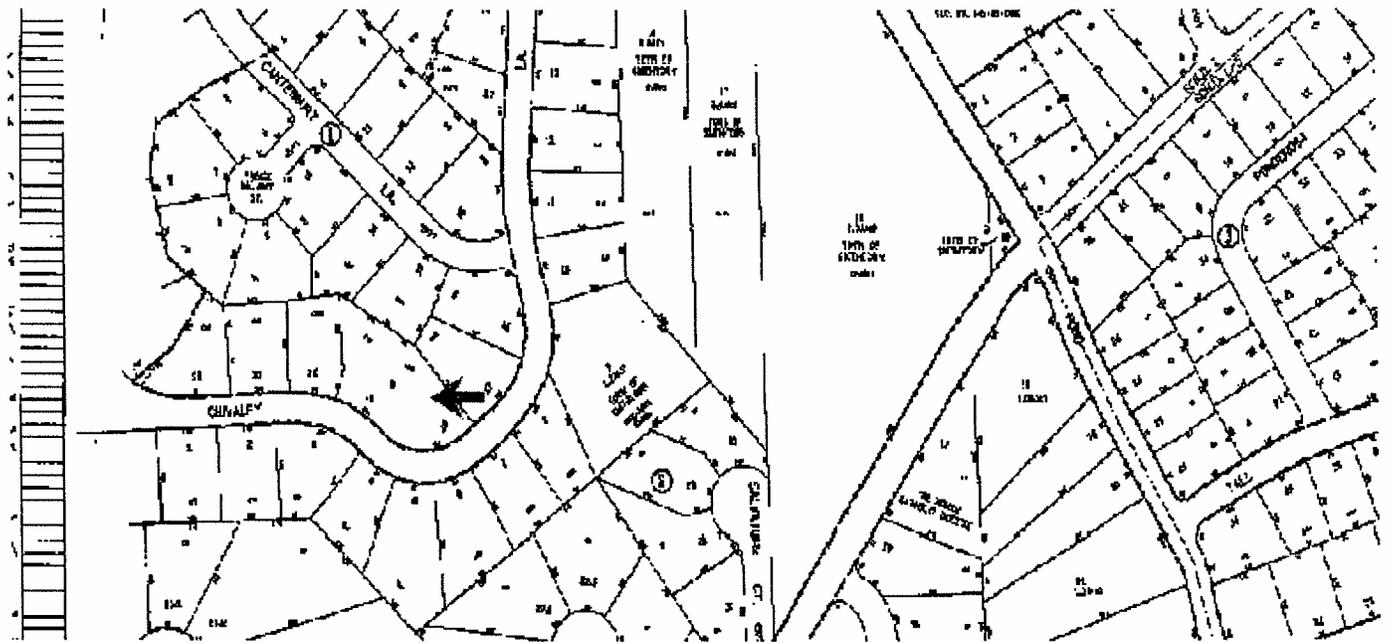
RECONCILIATION AND FINAL VALUE ESTIMATE:

No reconciliation is necessary as the sales comparison approach is the only approach applied. The final value estimate of \$440,000 is equal to the result of that approach.

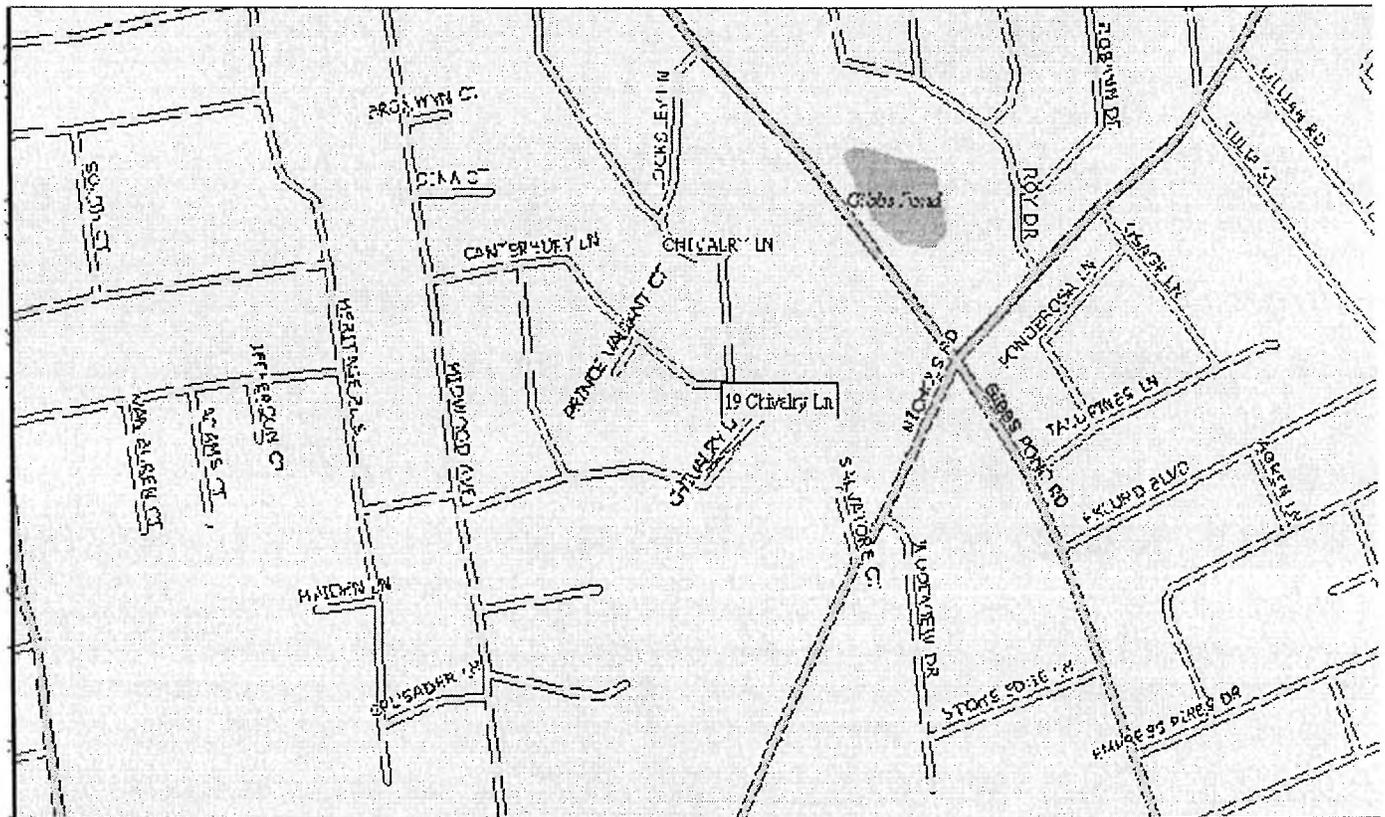
PHOTOGRAPH OF THE SUBJECT



TAX MAP

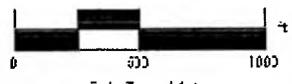


LOCATION MAP



DELORME

Data use subject to license
 © 2006 DeLorme, Street Atlas JS&E 2007
 www.delorme.com



Data Zoom 14 /



410 New York Avenue, Huntington, NY 11743
Phone: 631.424.6100 | Fax: 631.930.7045
Online at www.advantagetitle.com

March 14, 2008

Horn & Horn
780 New York Avenue
Suite Four
Huntington, NY 11743

Attn: Lori McNeely, Esq.

Re: Smith

Dear Ms. McNeely:

Pursuant to your request, searches have been made in the Office of the Clerk of the County of Suffolk for the chain of title from January 1, 1996 to date for premises known as 19 Chivalry Lane, Nesconset, New York (being further known and designated as District 0800, Section 140.00, Block 01.00 and Lot 018.000 on the Suffolk County Tax Assessment Map) with the results set forth on the annexed schedule.

Liability is limited to fees paid.

If you have any questions, please feel free to contact this office.

Very truly yours,

Donna M. Bolton

Donna M. Bolton
For the Company

Re: Title No.: SSA-21392-08
Date Effective: February 22, 2008 at 9 a.m.
Your Reference No.: Smith

Chain of Title
District 0800, Section 140.00, Block 01.00 and Lot 018.000

DEED

Donald Wallace
and Elizabeth Wallace, his wife

Dated: May 3, 1989

Recorded: May 25, 1989

to

Liber: 10863

Fred C. Smith III and
Ann M. Smith, his wife

Page: 529

LAST DEED OF RECORD

Angie M. Carpenter,
as the County Treasurer

Dated: March 29, 2006

Recorded: March 30, 2006

to

Liber: 12442

County of Suffolk

Page: 992

NOTE: Covers premises and more.

NOTE: Property was sold to the County for nonpayment of 2001/2002 real estate taxes in the amount of \$10,584.87. Assessed to Fred Smith III.

See copies annexed hereto.

10863/529

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

35356

THIS INDENTURE, made the 3rd day of May, nineteen hundred and eighty-nine BETWEEN DONALD WALLACE and ELIZABETH WALLACE, his wife, both residing at 19 Chivalry Lane, Newconnett, New York,

party of the first part, and FRED C. SMITH III and ANN M. SMITH, his wife, 27 Smith Dr., Lake Grove, NY

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Newconnett, in the Town of Smithtown, County of Suffolk and State of New York, known and designated as Lot No. 36 on a certain map entitled, "Map of King Arthur Estates situated at Newconnett" and filed in the Office of the Clerk of the County of Suffolk on October 21st, 1969 as Map No. 5379, which said lot is more particularly bounded and described as follows: - 5379 CD

BEGINNING at a point on the northerly side of Chivalry Lane, distant 258.92 feet southerly and southwesterly, when measured along the westerly and northwesterly side of Chivalry Lane, from the southerly end of the arc of a curve which connects the southerly side of Canterbury Lane with the westerly side of Chivalry Lane; RUNNING THENCE in a general westerly direction along the northerly side of Chivalry Lane the following two (2) courses and distances:

- 1) South 42 degrees 26 minutes 40 seconds West, 24.29 feet;
- 2) along the arc of a curve bearing to the right, having a radius of 100 feet, a distance of 128.97 feet;

THENCE North 4 degrees 01 minutes 20 seconds West, 174.41 feet; THENCE South 62 degrees 00 minutes 00 seconds East, 44.80 feet; THENCE South 43 degrees 31 minutes 50 seconds East, 155.71 feet to the northerly side of Chivalry Lane at the point or place of BEGINNING.

Said premises being known as and by the street number 19 Chivalry Lane, Newconnett, New York.

Premises are the same as those conveyed in Liber 9333 op 416.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof, TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a lien for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Donald Wallace
Donald Wallace
DONALD WALLACE

Elizabeth Wallace
ELIZABETH WALLACE

RECEIVED
S. 882
REAL ESTATE
MAY 25 1989
161

35356

Dist 0800
Sec 140.00
Dik 01.00
Lef 019.00
518199
3-27-77

17

10863P530

STATE OF NEW YORK, COUNTY OF NASSAU ss: On the 3rd day of May 19 89, before me personally came

STATE OF NEW YORK, COUNTY OF ss: On the day of 19, before me personally came

DONALD WALLACE and ELIZABETH to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that they executed the same.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

Bonnyea M. Conley

BONNIEAN M. CONLEY
NOTARY PUBLIC, State of New York
No. 10651812
Qualified in Nassau County
Commission Expires April 30, 1990

STATE OF NEW YORK, COUNTY OF ss: On the day of 19, before me personally came

STATE OF NEW YORK, COUNTY OF ss: On the day of 19, before me personally came

in me knows, who, being by me duly sworn, did depose and say that he resides at No.

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

that he knows

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS
Title No. T. 10863 10974

SECTION
BLOCK
LOT
COUNTY OR TOWN

DONALD WALLACE and ELIZABETH WALLACE

Recorded at Request of COMMONWEALTH LAND
TITLE INSURANCE COMPANY

TO
FRED C. SMITH III and ANN M. SMITH

RETURN BY MAIL TO:



THOMAS A. BUCARIA, ESQ.
350 East Old Country Road
Garden City, New York 11530
Zip No.

RECORDED
MAY 25 12 02 PM '89
JUDITH P. ANSELLA
COUNTY CLERK
NASSAU COUNTY
2091

8-30-80
RECORD THIS DEED AND USE OF RECORDING OFFICE



SUFFOLK COUNTY CLERK
RECORDS OFFICE
RECORDING PAGE

Type of Instrument: DEEDS/DDD
Number of Pages: 7
Receipt Number : 06-0032000
TRANSFER TAX NUMBER: 05-32954

Recorded: 03/30/2006
At: 12:50:54 PM
LIBER: D00012442
PAGE: 992

District: 0800 Section: 177.00 Block: 02.00 Lot: 007.000

EXAMINED AND CHARGED AS FOLLOWS

Deed Amount: \$0.00

Received the Following Fees For Above Instrument

| | | Exempt | | | Exempt |
|--------------|--------|--------|-------------|--------|--------|
| Page/Filing | \$0.00 | YES | Handling | \$0.00 | YES |
| COE | \$0.00 | YES | NYS SRCHG | \$0.00 | YES |
| EA-CTY | \$0.00 | YES | EA-STATE | \$0.00 | YES |
| TP-584 | \$0.00 | YES | Cert.Copies | \$0.00 | YES |
| RPT | \$0.00 | YES | SCTM | \$0.00 | YES |
| Transfer tax | \$0.00 | YES | | | |
| | | | Fees Paid | \$0.00 | |

TRANSFER TAX NUMBER: 05-32954

THIS PAGE IS A PART OF THE INSTRUMENT
THIS IS NOT A BILL

Judith A. Pascale
County Clerk, Suffolk County

1 2

Number of pages 7
TORRENS
Serial # _____
Certificate # _____
Prior Ctf. # _____

RECORDED
2006 Mar 30 12:50:54 PM
Judith R. Pascale
CLERK OF
SUFFOLK COUNTY
L D00012442
P 992
OT# 05-32954

Deed / Mortgage Instrument Deed / Mortgage Tax Stamp Recording / Filing Stamps

| 3 FEES | |
|--|---|
| Page / Filing Fee _____ | Mortgage Aml. _____ |
| Handling <u>5.00</u> | 1. Basic Tax _____ |
| TP-584 _____ | 2. Additional Tax _____ |
| Notation _____ | Sub Total _____ |
| EA-52 17 (County) _____ Sub Total _____ | Spec./Assit. _____ |
| EA-5217 (State) _____ | or _____ |
| R.P.T.S.A. <u>MC</u> | Spec. /Add. _____ |
| Comm. of Ed. <u>5.00</u> | TOT. MTG. TAX _____ |
| Affidavit _____ | Dual Town _____ Dual County _____ |
| Certified Copy _____ | Held for Appointment <input checked="" type="checkbox"/> |
| NYS Surcharge <u>15.00</u> Sub Total _____ | Transfer Tax _____ |
| Other _____ Grand Total <u>0</u> <i>abstract</i> | Mansion Tax _____ |
| | The property covered by this mortgage is or will be improved by a one or two family dwelling only. YES _____ or NO _____ |
| | If NO, see appropriate tax clause on page # _____ of this instrument. |



4 Dist. Section Block Lot

Real Property Tax Service Agency Verification 0800-140-01-018
 3/30/06 (See Attached)

5 Community Preservation Fund

Consideration Amount \$ _____
CPF Tax Due \$ _____
Improved _____
Vacant Land _____
TD _____
TD _____
TD _____

6 Satisfaction/Discharges/Releases List Property Owners Mailing Address
RECORD & RETURN TO:

Suffolk County Treasurer
330 Center Street
Riverhead, N.Y. 11901

7 Title Company Information

Co. Name _____
Title # _____

8 Suffolk County Recording & Endorsement Page

This page forms part of the attached Tax Deed made by: _____
(SPECIFY TYPE OF INSTRUMENT)

Angie M. Carpenter

The premises herein is situated in SUFFOLK COUNTY, NEW YORK.

Suffolk County

In the Township of Smithdown
In the VILLAGE _____
or HAMLET of _____

BOXES 6 THRU 8 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.

(over)

IMPORTANT NOTICE

If the document you've just recorded is your SATISFACTION OF MORTGAGE, please be aware of the following:

If a portion of your monthly mortgage payment included your property taxes, *you will now need to contact your local Town Tax Receiver so that you may be billed directly for all future property tax statements.

Local property taxes are payable twice a year: on or before January 10th and on or before May 31st. Failure to make payments in a timely fashion could result in a penalty.

Please contact your local Town Tax Receiver with any questions regarding property tax payment.

Babylon Town Receiver of Taxes
200 East Sunrise Highway
North Lindenhurst, N.Y. 11757
(631) 957-3004

Brookhaven Town Receiver of Taxes
250 East Main Street
Port Jefferson, N.Y. 11777
(631) 473-0236

East Hampton Town Receiver of Taxes
300 Pantigo Place
East Hampton, N.Y. 11937
(631) 324-2770

Huntington Town Receiver of Taxes
100 Main Street
Huntington, N.Y. 11743
(631) 351-3217

Islip Town Receiver of Taxes
40 Nassau Avenue
Islip, N.Y. 11751
(631) 224-5580

Riverhead Town Receiver of Taxes
200 Howell Avenue
Riverhead, N.Y. 11901
(631) 727-3200

Shelter Island Town Receiver of Taxes
Shelter Island Town Hall
Shelter Island, N.Y. 11964
(631) 748-3338

Smithtown Town Receiver of Taxes
99 West Main Street
Smithtown, N.Y. 11787
(631) 360-7610

Southampton Town Receiver of Taxes
116 Hampton Road
Southampton, N.Y. 11968
(631) 283-6514

Southold Town Receiver of Taxes
53095 Main Street
Southold, N.Y. 11971
(631) 765-1803

Sincerely,



Edward P. Romaine
Suffolk County Clerk

dw
2/99

This Indenture

Made this 29TH day of MARCH in the year of our Lord,
TWO THOUSAND SIX

BETWEEN ANGIE M. CARPENTER as the County Treasurer
330 Center Drive Riverhead, N.Y. 11901
of the County of Suffolk, State of New York, party of the first part, and the COUNTY OF
SUFFOLK, party of the second part. 330 Center Drive Riverhead, N.Y. 11901

WITNESSETH, that WHEREAS by an act of the Legislature of the State of New York, Chapter 62, Laws of 1909, entitled "An Act in Relation to Taxation, Constituting Chapter Sixty of the Consolidated Laws" and the several acts amending the same, and the special tax statutes applicable to Suffolk County, it was among other things enacted that whenever any tax charged on real estate in a county not including a portion of the forest preserve is returned to the County Treasurer, he shall not return the same to the Comptroller, but if such tax with interest thereon at the rate of ten per centum per annum, computed from the first day of February after the same is levied, shall remain unpaid for six months from that date such County Treasurer shall advertise and sell such real estate pursuant to said acts:

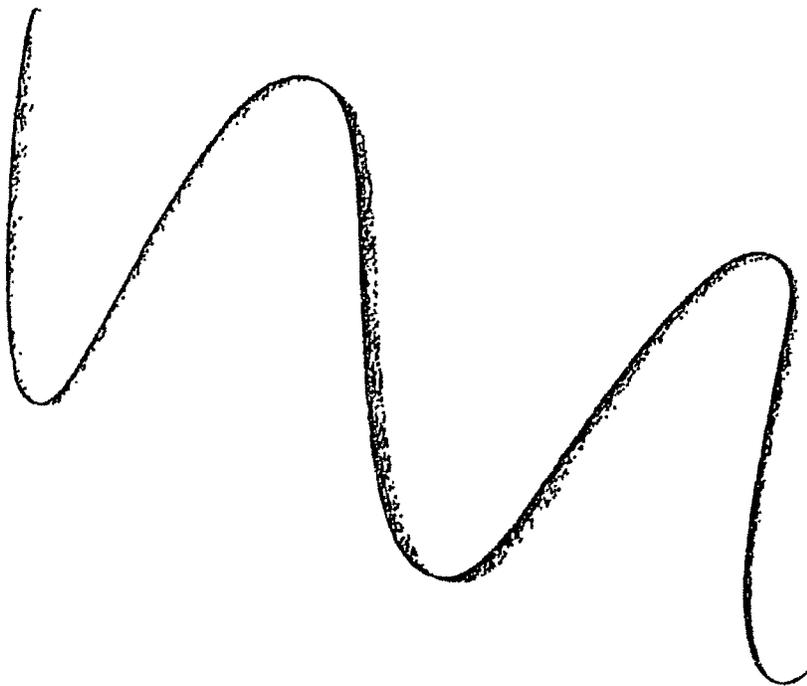
AND WHEREAS, default was made in the payment of taxes levied in the year 2001/02 so as foresaid duly charged on sundry parcels of land within the County of Suffolk, with interest thereon, and the said taxes remaining unpaid for six months from the first day of February after the same was levied:

AND WHEREAS, the County Treasurer of the County of Suffolk for the time being, by virtue of the power in her vested, and after due notices for that purpose published and given according to law, and after a compliance with all provisions of law of him required, did sell at public auction, at the Court House in Riverhead, in the County of Suffolk, in the month of DECEMBER in the year TWO THOUSAND TWO the parcels of land so as aforesaid charged with taxes remaining unpaid to satisfy and discharge the said taxes, and the interest and charges due thereon respectively at the time of the sale:

AND WHEREAS, at said sale the premises hereinafter described were purchased by the County of Suffolk to whom the certificate of the County Treasurer of said sale was thereupon issued and delivered:

AND WHEREAS, the numerical designations used to describe parcels of property within this deed are a reference to the Suffolk County Tax Map Identifier assigned to each parcel so described on the Suffolk County Tax Map. The Suffolk County Tax Map Identifier consists of the Suffolk County District number, Section number, Block number, Lot number and Sublot Suffix number listed in such sequence and which has been assigned to each parcel so described. The Suffolk County Tax Map Identifiers recited in this deed are prefixed by the abbreviation 'S.C.T.M.'.

AND WHEREAS, the said party of the second part thereby became entitled to the following tracts, pieces or parcels of land situated in the following named townships in the said County of Suffolk, viz:

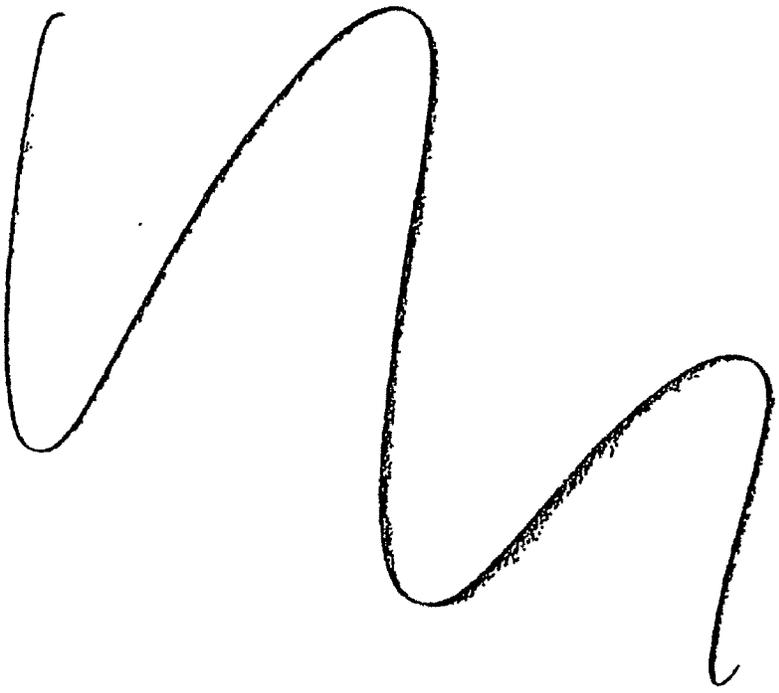
A large, stylized, wavy signature or scribble, possibly representing a signature, is drawn across the lower half of the page. It consists of a single, continuous, thick black line that forms a series of three distinct peaks and valleys, resembling a sine wave or a calligraphic flourish.

TOWN OF: SMITHTOWN NY 2001/2002

S.C.T.N.: 0800.14800.0100.018000.0000
CITY: 478 IMP
ASSESSED TO: SMITH FRED III
TAX DEED TAKEN FOR: \$10,544.87

S.C.T.N.: 0800.17700.0200.007000.0000
CITY: 590 IMP
ASSESSED TO: COURMETTES JEANNE
TAX DEED TAKEN FOR: \$5,328.87

S.C.T.N.: 0801.00700.0300.005000.0000
CITY: 619 IMP
ASSESSED TO: RICH WILLISTON JR
TAX DEED TAKEN FOR: \$17,617.04

A large, stylized handwritten signature or scribble, possibly reading 'N', is written in the center of the page. It consists of a single continuous line forming a large, loopy shape.

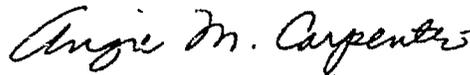
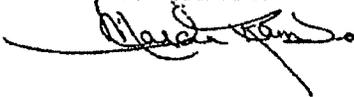
and to the title and interest therein of the persons named herein to whom said premises were assessed and appear heretofore to have belonged and of all other persons except the claims, if any, which the County or State have thereon for taxes or liens or incumbrances which said pieces or parcels of land above described were sold by the said County Treasurer at the tax sale, under and by virtue of said Act and the amendments thereto: .

AND WHEREAS, The said pieces or parcels of land so as aforesaid sold and hereby intended to be conveyed have not been redeemed with the time prescribed by law for the redemption thereof, and due notice of the redemption having been duly published as required by law:

NOW THEREFORE, This Indenture Witnesses that the said party of the first part, as County Treasurer of Suffolk County, by virtue of the authority vested in her by law, for and in consideration of the amounts charged against such said parcels for taxes, including interest and penalties, and charges for advertising notice to redeem as above set forth, the receipt whereof is hereby acknowledged, hath granted, bargained sold, conveyed and released, and by these presents doth grant, bargain, sell, convey and release to the said party of the second part, and to its assigns forever, the said pieces and parcels of land above described, with the hereditaments and appurtenances to the same belonging to be located and laid out and possession acquired, however, by and at the expense of the party of the second part: TO HAVE AND TO HOLD the same to the party of the second part its assigns forever, subject to the claims, if any, of the County of Suffolk and the State of New York for taxes or liens or encumbrances.

IN WITNESS WHEREOF, The County Treasurer of the County of Suffolk, party of the first part, in pursuance of the authority vested in him by law, hath hereunto set his hand and affixed the seal of his office, the day and year first above written.

Signed, sealed
And delivered
In Presence of



As COUNTY TREASURER of the County
of Suffolk, State of New York.

STATE OF NEW YORK
COUNTY OF SUFFOLK ss:

On this 29TH day of MARCH In the year 2006 before me, the
undersigned, personally appeared ANGIE M. CARPENTER

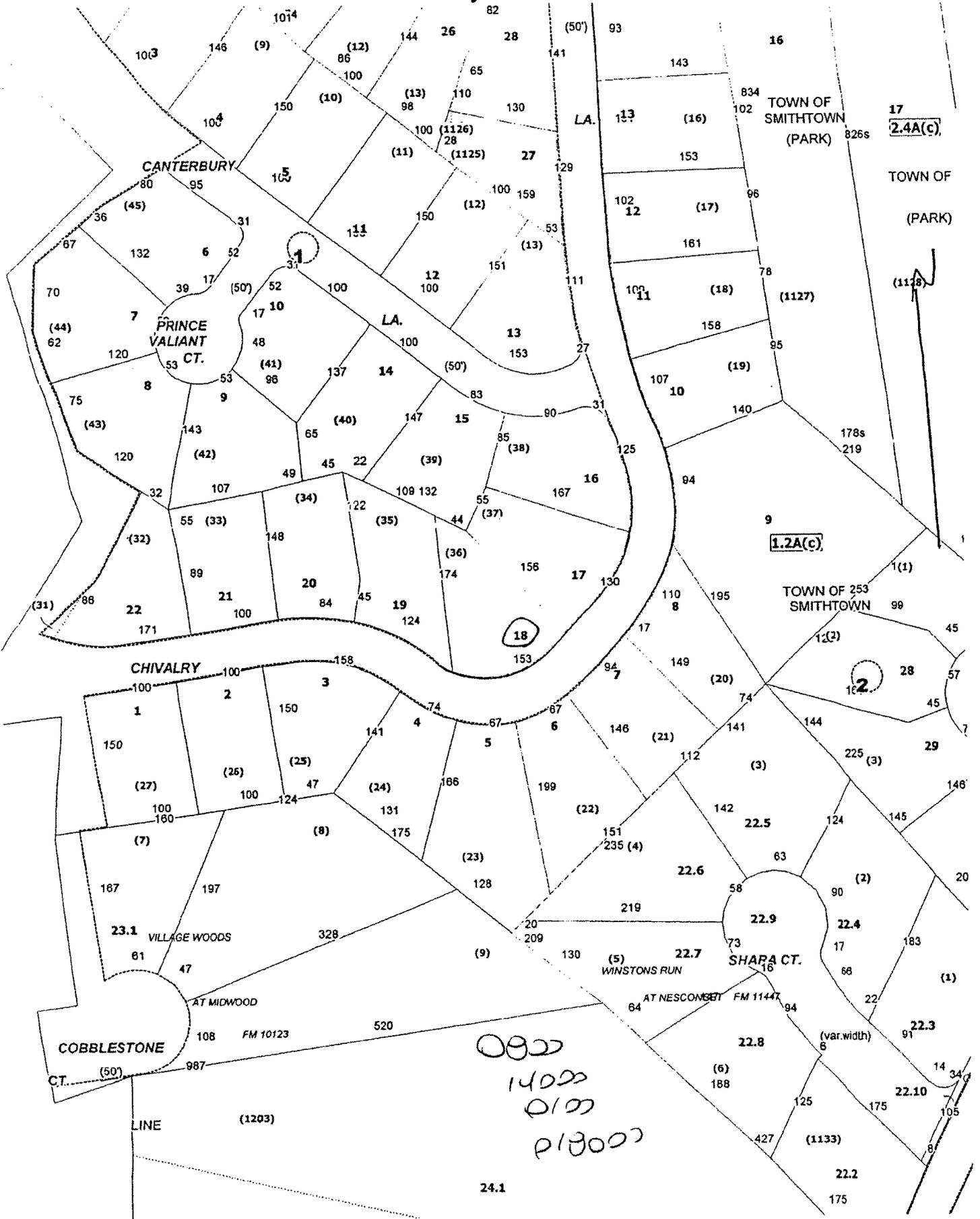
County Treasurer of Suffolk County, New York, personally known to me or
proved to me on the basis of satisfactory evidence to be the individual whose name is
subscribed to the within instrument and acknowledged to me that he/she executed the same
in his/her capacity as County Treasurer of Suffolk County and that by his/her signature on the
instrument, executed the instrument.



Notary Public

DEBORAH ZIRANSKI
Notary Public, State of New York
No. 01-215058836-Suffolk County
Commission Expires, April 15, 2010

0800-140.00
Suffolk County Clerks Office



0800
14000
0100
P13000

24.1

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES
DIRECTOR OF PLANNING

File #06-1.07
June 1, 2006

Ann Daniele-Gladstone
Suffolk County Division of Real Estate
Department of Planning
H. Lee Dennison Building 2nd Floor
100 Veterans Memorial Highway
Hauppauge, New York 11788-0099

Dear Ms. Daniele-Gladstone:

I am writing in response to your letter dated June 1, 2006 regarding the disposition of tax lien parcels. We have reviewed the following parcel and there is no objection, for environmental and/or floodplain management reasons, to its(their) redemption in accordance with Local Law 16-1976:

0800-140.00-01.00-018.000 - Improved

Sincerely,

Laretta R. Fischer
Principal Environmental Analyst

File #06-1.07
cc: W. Thompson

LRF:ce

Intro. Res. No 1473 -2008
Introduced by Legislator Schneiderman

Laid on Table 5/13/08

**RESOLUTION NO. -2008, AUTHORIZING THE
RECONVEYANCE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 215, NEW YORK STATE COUNTY
LAW TO CAROL HAAS, AS SURVIVING TENANT BY THE
ENTIRETY**

WHEREAS, the County of Suffolk is the fee owner of 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 Remsenburg, Town of Southampton, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0900, Section 368.00, Block 04.00, Lot 050.000, and acquired by tax deed on February 19, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 27, 2003, in Liber 12237, at Page 537, and otherwise known as and by Town of Southampton, County of Suffolk and State of New York, known and designated as Lot No. 13 on a certain map entitled, "Map of Remsenburg Farms", filed in the Office of the Clerk of the County of Suffolk on January 7, 1972, as Map No. 5657.

and

WHEREAS, Carol Haas was the former owner of said real property; and

WHEREAS, the time for redemption of this real property under Local Law No. 16-1976 has expired; and

WHEREAS, an investigation by the office of Legislator Schneiderman has determined that said non-payment of taxes on her part was not an intentional act but was due to circumstances beyond her control, more fully described in the documents attached hereto; and

WHEREAS, it would be in the best interest of the County of Suffolk to return said parcel to the tax rolls; and

WHEREAS, the above described parcel has been appraised by the County Department of Environment and Energy, Division of Real Property Acquisition and Management, at \$900,000.00; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of \$98,255.97 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Carol Haas, as Surviving Tenant by the Entirety
23 Bridle Path
Remsenburg, NY 11960

upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in the above-described real estate.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\word\215 redemption\Carol Haas Reso\Schneiderman

COUNTY OF SUFFOLK



CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

May 8, 2008

George Nolan, Esq., Counsel
Suffolk County Legislature
Legislature Building
Hauppauge, NY 11788

Re: Tax Map No.: 0900-368.00-04.00-050.000
Name of Redemptor: Carol Haas, as Surviving Tenant by
the Entirety

Dear Mr. Nolan:

We are forwarding herewith copy of a Section 215 County Law Computation together with a copy of the County Treasurer's Computation concerning the above property, as well as other pertinent information.

For your reference, we are also enclosing copy of letter sent this date to Legislator Jay Schneiderman.

Please draw the Resolution to restore title to Carol Haas in line with the Title Report submitted and enclosed herewith.

Very truly yours,

Cathy O'Neal
Redemption Unit
(631) 853-5937

CO:sc
Enclosures

pc: Legislator: The Honorable Jay Schneiderman

57

COUNTY OF SUFFOLK



CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

May 8, 2008

Honorable Jay Schneiderman
Suffolk County Legislator
75 Washington Street
P.O. Box 1827
Sag Harbor, New York 11963

Re: Section 215 Redemption
Tax Map No.: 0900-368.00-04.00-050.000
Redemptor: Carol Haas, as Surviving Tenant by the Entirety

Dear Legislator Schneiderman:

With respect to your request regarding the procedure for redemption of the above property, we enclose the following:

1. "Treasurer's Computation" indicating unpaid taxes, assessments and penalties due.
2. "215 Computation" which shows the additional monies due the County, such as, the administration fee, appraisal and review of appraisal.

The total amount to be paid in order for the County to release its interest in this property is \$98,255.97. That amount will increase if payment is not made before the next tax due date.

Very truly yours

Cathy O'Neal
Redemption Unit
(631) 853-5937

CO:sc
Enclosures

pc: George Nolan, Esq., Counsel to the Legislature

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT

Redemption Unit
215 COMPUTATION

May 8, 2008

Tax Map No. 0900-368.00-04.00-050.000 IMPROVED

Date Acquired: February 19, 2003 Taken by: Tax Deed

Prior Fee Owner: Carol Haas, as Surviving Tenant by the Entirety

| <u>STATEMENT OF EXPENDITURES</u> | <u>AMOUNT</u> |
|--|------------------|
| 1. Treasurer's Computation..... | \$90,937.63 |
| 2. Outstanding Tax Bills - not included in computation.....2007/2008..... | \$ 6,818.34 |
| 3. Recording Fees. | N/A |
| 4. Administration Expense..... | \$ 200.00 - paid |
| 5. License Fee (as per License Fee statement) | OPEN |
| 6. Repairs..... | N/A |
| 7. Other County Expenditures..... | N/A |
| 8. Appraisal and Review Fee..... | \$ 300.00 - paid |
| | <hr/> |
| TOTAL..... | \$98,255.97 |

PREPARED BY:

Cathy O'Neal
Cathy O'Neal
Redemption Unit

Description: Town of Southampton, County of Suffolk, State of New York, acquired by Tax Deed on February 19, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 27, 2003, in Liber 12237 at Page 537, and otherwise known as and by Town of Southampton, County of Suffolk and State of New York, known and designated as Lot No. 13 on a certain map entitled, "Map of Remsenburg Farms", filed in the Office of the Clerk of the County of Suffolk on January 7, 1972, as Map No. 5657.

APPROVED:

Karen A. Slater 7/9/08
Karen A. Slater
Accounting Unit

COMPUTATION BY SUFFOLK COUNTY TREASURER

| <u>DISTRICT</u> | <u>SECTION</u> | <u>BLOCK</u> | <u>LOT</u> |
|-----------------|----------------|--------------|------------|
| 0900 | 368.00 | 04.00 | 050.000 |

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

| | |
|---------|----------|
| 1997/98 | 2469.56 |
| 1998/99 | 14138.76 |
| 1999/00 | 9024.06 |
| 2000/01 | 8869.83 |
| 2001/02 | 8215.83 |
| 2002/03 | 6633.66 |
| 2003/04 | 4363.12 |
| 2004/05 | 3694.02 |
| 2005/06 | 4204.12 |
| 2006/07 | 6563.58 |

2007/08 PROPERTY TAXES \$6818.34, NOT INCLUDED IN COMPUTATION

TOTAL: 68176.54

| | |
|-----------------|----------|
| B. INTEREST DUE | 18430.73 |
| C. TOTAL | 86607.27 |
| D. 5% LINE C | 4330.36 |
| E. FEE | |
| F. MISC | |
| G. MISC | |

H. TOTAL DUE

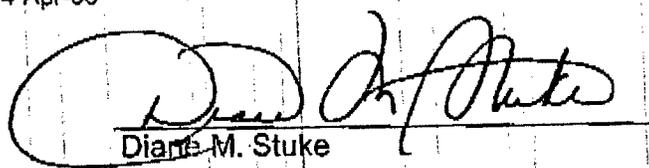
\$90,937.63

6818.34 2007/08
\$ 97755.97
4/11/08
ef

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, 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. 14-Apr-08



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 10/11/08

| SWISS CODE | SUFFOLK COUNTY TAX MAP NUMBER | SECTION | BLOCK | LOT | SUFFIX | IF THE WORD "APPEARS" IS PRINTED HERE SEE COUNTY TREASURER'S NOTICE ON REVERSE SIDE | ITEM NUMBER | BILL NUMBER |
|------------|-------------------------------|---------|-------|--------|--------|---|-------------|-------------|
| 73689 | 473601 | 368000 | 0004 | 050000 | | | 448369.00 | 2007 435692 |

| PROPERTY DESCRIPTION | EXEMPTION DESCRIPTION | TAX RATE | TOTAL TAX VALUE | TOTAL TAX AMOUNT |
|---|-----------------------|----------|-----------------|------------------|
| Wamsburg Farms Map 5657 Section Blk Lot 13 | Non Exempt | 6.3675 | 1,070,800 | 6,818.34 |

| PROPERTY LOCATION | PROPERTY SIZE | PROPERTY CODE | R.S. | PROPERTY TYPE | TOWN AID | SCHOOL AID | SCHOOL CODE | LAND ASSESSMENT | TOTAL ASSESSMENT |
|-------------------|---------------|---------------|------|---------------------------|------------|------------|-------------|-----------------|------------------|
| 13 Bridle Path | 1.230a | 110 | 1 | One Family Res (No Water) | 11,714,223 | 482,987 | 529 | 620,000 | 1,070,800 |


 Suffolk County
 330 Center Dr
 Riverhead, NY 11901-3311

| TAX SERVICE CODE | TAX PAYER CODE | MORTGAGE NUMBER |
|--|----------------|-----------------|
| | 008000002 | |
| OWNER AS OF TAXABLE STATUS DATE ON MARCH 1, 2007 | | |
| Suffolk County County Treasurer | | |

2006-2007 TAX PAYMENT INFORMATION **NOTICE OF ASSESSED VALUE**

| | | |
|------------------------|-----------------------|------------|
| Paid To Suffolk County | ASSESSED VALUE | FULL VALUE |
| | 1,070,800 | 1,070,800 |
| | WHICH IS 100% OF ITS: | |

| LEVY DESCRIPTION | LEVY % | EXEMPTION CODE | TAXABLE VALUE | TAX RATE PER \$1000 | RATE CHANGE FROM PRIOR YEAR | TAX AMOUNT | TOTAL TAX AMOUNT |
|---------------------------|--------|----------------|---------------|---------------------|-----------------------------|-----------------|------------------|
| TAX LEVIED | | | 68.79% | FOR SCHOOL | | 4,690.22 | |
| Wamsburg-speonk Sch (529) | 67.33 | | 1,070,800 | 4.2870 | %4.01 | 4,590.53 | |
| Wamsburg-Speonk Library | 1.46 | | 1,070,800 | 0.0931 | %3.67 | 99.69 | |

School Budgets are prepared and adopted locally in the respective school districts by an independently elected Board of Education over which the Town of Southampton has no control. The local school tax levied by this bill is collected solely for the benefit of your local School District. To obtain further information concerning your local school tax, please consult your local school authorities at (631) 325-0203

| | | | | | | | |
|-----------------------|------|--|--------------|-------------------|-------|---------------|--|
| TAX LEVIED | | | 3.85% | FOR COUNTY | | 262.56 | |
| County - General Fund | 3.85 | | 1,070,800 | 0.2452 | %8.78 | 262.56 | |

| | | | | | | | |
|----------------------------|------|--|---------------|-----------------|---------|-----------------|--|
| TAX LEVIED | | | 19.70% | FOR TOWN | | 1,343.87 | |
| Southampton Town - General | 6.00 | | 1,070,800 | 0.3823 | %1.47- | 409.37 | |
| Highway #1-#3-#4 | 3.67 | | 1,070,800 | 0.2339 | %0.47- | 250.46 | |
| Highway Road Repair 2008 | 0.44 | | 1,070,800 | 0.0281 | %23.85- | 30.09 | |
| Police | 8.44 | | 1,070,800 | 0.5375 | %2.34 | 575.56 | |
| Emergency Dispatching-e911 | 1.01 | | 1,070,800 | 0.0642 | %3.22 | 68.75 | |
| Garaging | 0.14 | | 1,070,800 | 0.0090 | %13.92 | 9.64 | |

| | | | | | | | |
|-----------------------------|------|--|--------------|------------------|--------|---------------|--|
| TAX LEVIED | | | 7.65% | FOR OTHER | | 521.69 | |
| New York State Real Propert | 0.81 | | 1,070,800 | 0.0518 | %4.23 | 55.47 | |
| Eastport Fire District | 5.79 | | 1,070,800 | 0.3684 | %6.41 | 394.48 | |
| Southampton Ambulance Distr | 1.05 | | 1,070,800 | 0.0670 | %61.84 | 71.74 | |

| | | | | | |
|-----------------------|-----------------|------------------------|-----------------|----------------------------|-----------------|
| FIRST HALF TAX | 3,409.17 | SECOND HALF TAX | 3,409.17 | TOTAL TAX LEVY > | 6,818.34 |
|-----------------------|-----------------|------------------------|-----------------|----------------------------|-----------------|

DUE DEC. 1, 2007 PAYABLE WITHOUT PENALTY TO JAN. 10, 2008. SEE REVERSE SIDE FOR PENALTY SCHEDULE
 DUE DEC. 1, 2007 PAYABLE WITHOUT PENALTY TO MAY 31, 2008. SEE REVERSE SIDE FOR PENALTY SCHEDULE AND COUNTY TREASURER'S NOTICE.
 THIS TAX MAY BE PAID IN ONE OR TWO INSTALLMENTS

Confirmation



VENTURE TITLE AGENCY, INC.

501 West Main Street

Patchogue, NY 11772

Tel (631) 758-1180

Fax (631) 758-1147

Title Number **VA-007724**

Application Date **12/08/2006**

Representing

Applicant

✓ **Division of Real Estate / Redemption Unit** 1st CC
Attn: Betty Schmidt
P.O. Box 6100
Hauppauge, New York 11788
Tel (631) 853-5932 Fax (631) 853-5905

Ms. Carol Haas
P.O. Box 23
Remsenberg, New York 11960
Tel (631) 325-2762

Premises **23 BRIDLE PATH, REMSENBERG, NEW YORK 11960**
Town of Southampton
County **Suffolk**
S/B/L **368.00 / 04.00 / 050.000**
District **0900**
Grid

Borrower **10 Year Redemption Search**
Owner **Carol Haas**

| Premium Information | (Amt.) | (Prem.) | Premium Type |
|---------------------|--------|---------|--------------|
| Fee Policy | (Amt.) | (Prem.) | |

Thank you for your application for the examination of title to the above described premises. Our charges, on the basis of our filed rate schedule are noted, subject to any revision due to any desired change in liability, the addition of any requested or necessary disbursements, or changes in our filed rate schedule after this date.

Venture Title Agency, Inc.
501 West Main Street
Patchogue, New York 11772
Tel (631) 758-1180 * Fax (631) 758-1147

TITLE NUMBER: VA-007724

CERTIFICATE FOR REDEMPTION

Venture Title Agency, hereby certifies to the Town of Southampton, County of Suffolk that it has searched the records in the Suffolk County Clerk's Office for a period of 10 years last past for title to the premises known and designated on the Suffolk County Tax Map as follows and more particularly described in Schedule A annexed:

District: 0900 / Section: 368.00 / Block: 04.00 / Lot: 050.000

The liability of the Company under this search is limited to \$1,000.00 for any reason.

Dated: December 20, 2006

VENTURE TITLE AGENCY


NANCY C. FARRELL
TITLE OFFICER

NCF/rmg

**Venture Title Agency, Inc.
501 West Main Street
Patchogue, New York 11772
Tel (631) 758-1180 * Fax (631) 758-1147**

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Remsenburg, in the Town of Southampton, County of Suffolk and State of New York, known and designated as Lot No. 13 on a certain map entitled, "Map of Remsenburg Farms", filed in the Office of the Clerk of Suffolk on January 7, 1972, as Map No. 5657.

DATE FILED
VITAL RECORDS
DEPARTMENT OF HEALTH
BOROUGH OF MANHATTAN

CERTIFICATE OF DEATH

Certificate No. 156-88-108220

1. NAME OF DECEASED William Haas
(Type or Print) (First Name) (Middle Name) (Last Name)

MAY 14 9 46 PM '88

MEDICAL CERTIFICATE OF DEATH (To be filled in by the Physician)

2. PLACE OF DEATH
2a. BOROUGH Manhattan
2b. Name of hospital or other facility if not facility, street address Memorial Hospital
2c. If in Hospital or Other Facility (Check)
1 DOA 3 Outpatient
2 Emerg. 4 Inpatient
2d. If Inpatient, date of current admission
Month 04 Day 17 Year 88
3a. Date and Hour (Month) (Day) (Year) of Death MAY 13 88
3b. HOUR 4:45
4. SEX AM PM
5. APPROXIMATE AGE 53 years

6. I HEREBY CERTIFY THAT: (Check One)
 I attended the deceased
 A staff physician of this institution attended the deceased
 Dr. _____ attended the deceased
from April 17 1988 to May 13 1988 and last saw him alive at 4:45 A
on MAY 13 1988. I further certify that traumatic injury or poisoning DID NOT play any part in causing death, and that death did not occur in any unusual manner and was due entirely to NATURAL CAUSES.
Witness my hand this 13th day of MAY 19 88 Signature [Signature] D.O. M.D.
Name of Physician Hanson Address 1275 York Ave. NY NY 10021
(Type or Print)

PERSONAL PARTICULARS (To be filled in by Funeral Director)

7. Usual Residence a. State NEW YORK 7b. County NY 7c. City, Town, or Location NEW YORK 7d. Street & House No. 170 WEST END AVE. Zip 10023 7e. Inside City Limits of 7c Yes No
8. Served in U.S. Armed Forces No Yes Specify years _____
9. Marital Status (Check One)
1 Never Married 2 Widowed
3 Married or separated 4 Divorced
10. Name of Surviving Spouse (If wife, give maiden name) CAROL MEADE
11. Date of birth (Month) (Day) (Year) of Decedent MARCH 14, 1935 12. Age at last birthday 53
If under 1 Year: mos. days If less than 1 Day: hours min.
13. Social Security No. 056-28-6030
14a. Usual Occupation (Kind of work done during most of working lifetime, do not enter retired) STOCKBROKER
14b. Kind of Business STOCK EXCHANGE
15. Birthplace (City & State or Foreign Country) LONG BEACH, NY 16. Education (Check only one)
0-11 12 13-15 16 17+
1 2 3 4 5
17. Other name(s) by which decedent was known WILLIAM G. HAAS
18. NAME OF FATHER OF DECEASED RAYMOND HAAS 19. MAIDEN NAME OF MOTHER OF DECEASED FRANCES GORDON
20a. NAME OF INFORMANT CAROL HAAS 20b. RELATIONSHIP TO DECEASED WIFE 20c. ADDRESS (City) (State) (Zip) 170 WEST END AVE NYC 10023
21a. NAME OF CEMETERY OR CREMATOR MT. ARARAT CEM. 21b. LOCATION (City, Town, State and Country) FARMINGDALE, NY 21c. DATE OF BURIAL OR CREMATION MAY 15, 1988
22a. FUNERAL DIRECTOR GRAMERCY CHAPELS INC. 22b. ADDRESS 152 - 2nd Ave., New York City

BUREAU OF VITAL RECORDS DEPARTMENT OF HEALTH THE CITY OF NEW YORK
VR 15 (1/88)

This is to certify that the foregoing is a true copy of a record on file in the Department of Health. The Department of Health does not certify to the truth of the statements made thereon, as no inquiry as to the facts has been provided by law.

[Signature]
STEVEN P. SCHWARTZ
CITY REGISTRAR



Do Not accept this transcript unless it bears the raised seal of the Department of Health. The reproduction or alteration of this transcript is prohibited by Section 3.21 of the New York City Health Code.

VITAL RECORDS DEPARTMENT OF HEALTH THE CITY OF NEW YORK

DATE ISSUED

SFP 25 1996

DOCUMENT NO. D024097

Venture Title Agency, Inc.
501 West Main Street
Patchogue, New York 11772
Tel (631) 758-1180 * Fax (631) 758-1147

CHAIN OF TITLE

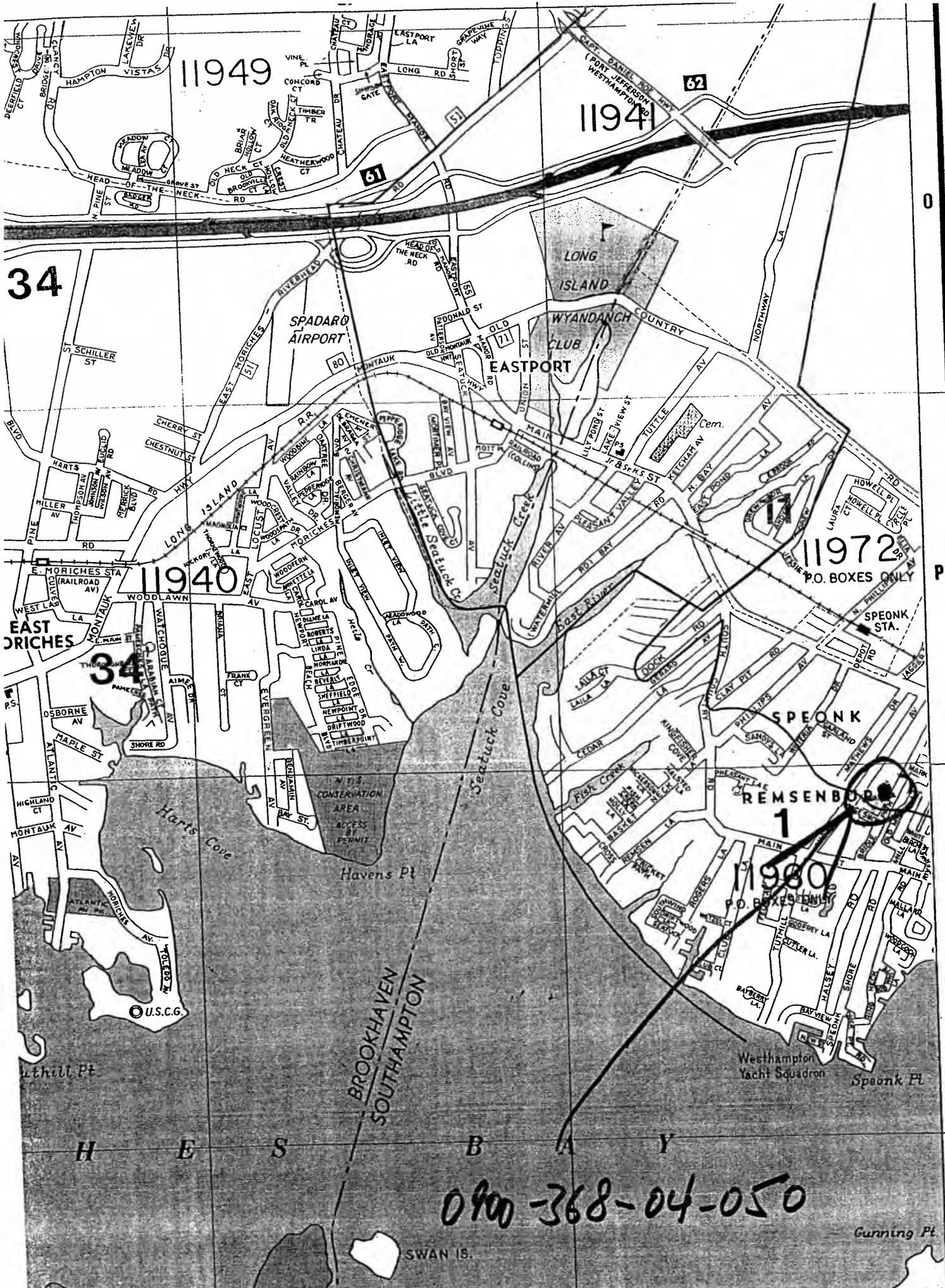
1. Deene Sanders
(Grantor)
William G. Haas and
Carol Haas, his wife
(Grantee)
Deed
Dated: 09/20/1978
Recorded: 10/17/1978
Liber: 8242 Cp: 313

2. John C. Cochrane, as County
Treasurer of the County of Suffolk
(Grantor)
County of Suffolk
(Grantee)
Deed
Dated: 03/29/1996
Recorded: 04/02/1996
Liber: 11768 Cp: 304

3. County of Suffolk
(Grantor)
Carol Haas
(Grantee)
Deed
Dated: 05/14/1997
**Deed referenced above has NOT BEEN RECORDED in the Suffolk County
Clerk's Office.**

4. John C. Cochrane, as County
Treasurer of the County of Suffolk
(Grantor)
County of Suffolk
(Grantee)
Deed
Dated: 02/19/2003
Recorded: 02/27/2003
Liber: 12237 Cp: 537

Carol Haas, a surviving Tenant By
The Entirety



11949

11940

34

11940

11972

34

11980

0900-368-04-050

1

FOR ADJOINING AREA SEE MAP NO. 23 | SEE MAP NO. 24

0

P

0

R

H E S B A Y

BROOKHAVEN SOUTHAMPTON

Lthill Pt

SWAN IS.

Gunning Pt

Westhampton Yacht Squadron

Speonk Pt

REMSENBURG

SPEONK

EASTPORT

WYANDANCH CLUB

LONG ISLAND

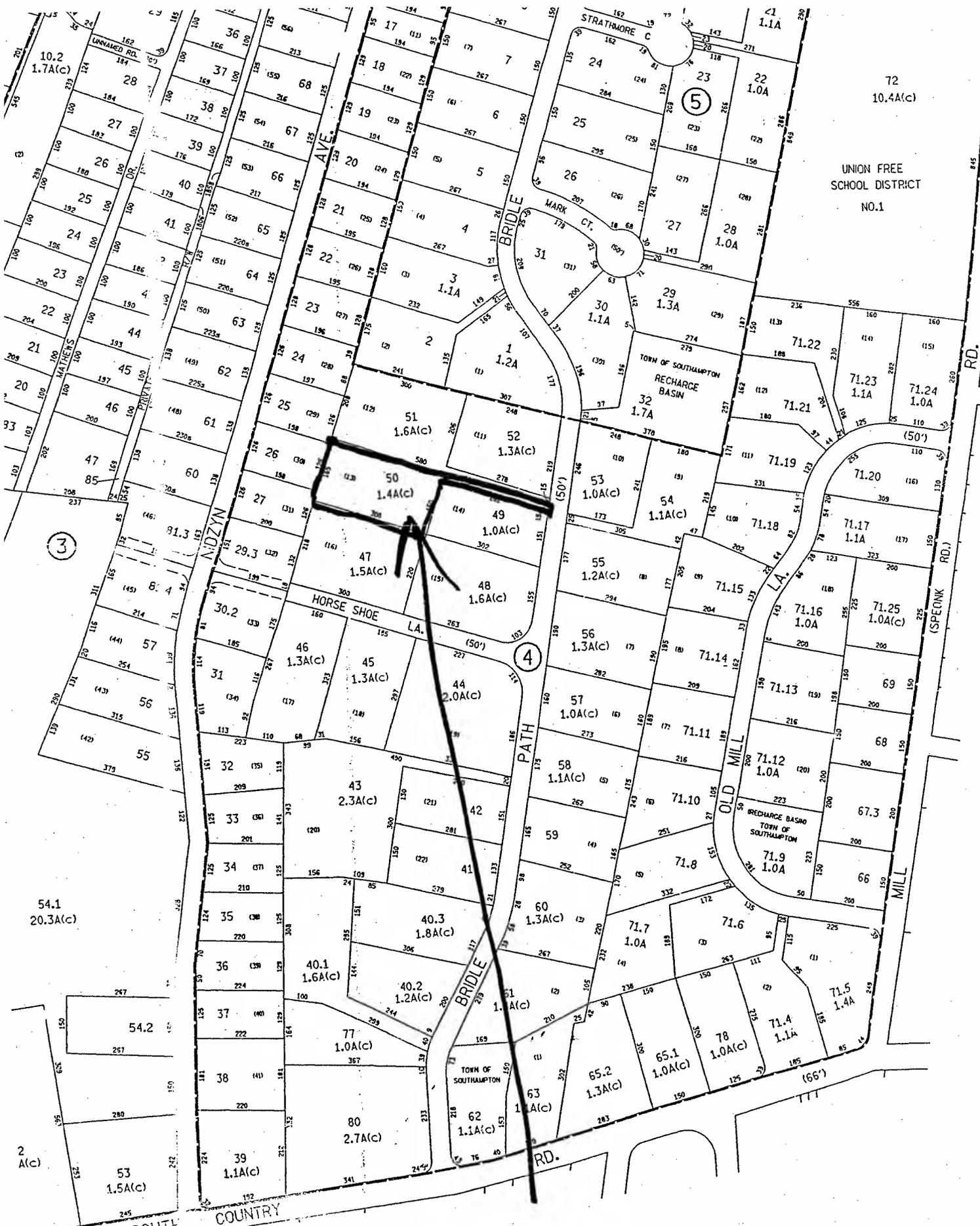
SPADARO AIRPORT

EAST ORICHES

34

34

H E S B A Y



72
10.4A(c)

UNION FREE
SCHOOL DISTRICT
NO. 1

54.1
20.3A(c)

2
A(c)

SOUTH COUNTRY

0900-368-04-050

SPADA, ARDAM & SIBENER, PLLC

ATTORNEYS AT LAW

64 SMITHTOWN BOULEVARD
SMITHTOWN, NEW YORK 11787-5115

LAWRENCE J. SPADA
DAVID M. ARDAM
PAUL S. SIBENER*
*Also Admitted in FL

GERALD ESSIG
Of Counsel

TEL (631) 360-7800
FAX (631) 360-8835

www.SpadaArdam.com
EMAIL:
TheFirm@SpadaArdam.com

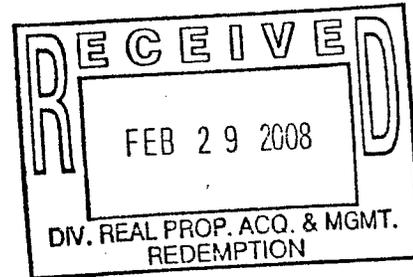
WRITER'S DIRECT E-MAIL:

February 27, 2008

Suffolk County Department of Real Property
H. Lee Dennison Building, 2nd Fl
PO Box 6100
Hauppauge, NY 11788-0099

Attention: Cathy O'Neal

Re: Haas to Caputo
Premises: 23 Bridle Path, Remsenberg, NY 11960

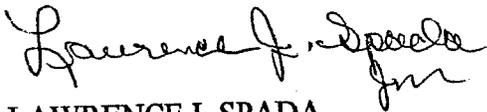


Dear Ms. O'Neal:

Enclosed please find a fully executed copy of the above-referenced Contract of Sale, which we understand will be presented to the Suffolk County Legislature for approval at their next meeting. If you require anything further, please do not hesitate to call my office.

Thank you for your assistance and look forward to hearing from you in the near future.

Very truly yours,


LAWRENCE J. SPADA

jm
Enclosure

RIDER TO THE CONTRACT OF SALE

DATED: FEBRUARY 18, 2008
SELLER: CAROL HAAS, as Surviving Tenant by the Entirety of William G. Haas,
Deceased
PURCHASER: RAYMOND CAPUTO
PREMISES: 23 BRIDLE PATH, REMSENBURG, NY 11960

29. In the event premises are not delivered vacant at the time of the closing, sellers agree to place with their attorney the sum of \$1,500.00 in escrow to guarantee that the premises will be vacant within 5 days following the closing. If the premises are not so vacated within said 5 days, liquidated damages shall be paid by the sellers to the purchasers at \$150.00 per day for each and every day thereafter. Adjustments provided for under this contract shall be made as of the date of possession, and shall include purchaser's per diem mortgage interest, if sellers stay in possession after the closing date.

30. At, or prior to closing, seller will deliver a Certificate of Occupancy, or a photocopy thereof, covering all present structures requiring same or a Certificate of Existing Use, provided that same were erected prior to the date that such Certificates were required by the municipality in which the premises lie, or a letter from the Building Department (if the municipality issues same) to the effect that the existing structures were erected prior to the effective date of the zoning ordinance and no certificate is required; provided however, that seller shall not be obligated to deliver a Certificate of Occupancy, Certificate of Compliance or Existing Use or such letter with respect to any shed, porch, awning, deck, patio, pool, dormer or accessory structure unless the purchaser provides to the seller a new survey locating such structure, at which time the seller shall apply for such certificate and provide same at the closing.

31. It is expressly agreed that the contract may not be assigned by the purchasers without the prior written consent of the sellers.

32. In the event that this contract is subject to the purchasers' obtaining an F.H.A. mortgage, it is understood and agreed that sellers shall not be obligated to perform or pay any compliance work, repairs or alterations required by the F.H.A. or any other lending institution.

33. The parties hereto appoint their respective attorneys as their attorney-in-fact to grant extensions of time to the other party to perform any acts required of such other party under this contract and agree to be bound by their respective attorneys.

34. Any notice given under this contract shall be given to the respective attorneys in writing by certified mail, return receipt requested.

35. Purchasers agree to indemnify and save harmless the sellers of and from any and all liability (including reasonable attorney's fees), expenses, loss, costs or damages, that may arise by reason of any other brokerage claims or demands by reason of purchaser's acts and make this covenant as an express inducement to the sellers, intending that the sellers shall rely thereon in making this sale. This covenant and representation is irrevocable and shall survive the delivery of the deed.

36. If it should appear at the time for the delivery of the deed, as herein provided, that the premises are affected by any question of title, as to which the purchasers are not obligated to take subject to in accordance with the terms of this agreement and which renders the title of the sellers unmarketable, or if a variance is required for any necessary Certificate of Occupancy or Compliance, then, and in such event, sellers shall not be obligated to take any steps or incur any expense to exceed \$1,000.00 with respect to the removal thereof, or the issuance of a variance, whether administrative, quasi administrative or judicial, but the seller shall have the right, on notice thereof to the purchasers or the purchasers' attorney, to cancel this agreement, and in such event, this agreement shall be of no further force or effect upon the return by the sellers to the purchasers of the sums paid by the purchasers on account of this agreement and the net cost of examining title and new survey, if necessary, which costs are not to exceed the charges fixed by the New York Board of Title Underwriters and upon such refund of payment being made, all further liability on the part of the sellers hereunder shall cease and terminate, and this contract shall become and be canceled and of no further force and effect, and the sellers are not to be liable for any other costs or damages whatsoever, and neither party shall have any further rights as against the other.

37. Purchasers agree to deliver to the seller's attorney at least 10 days prior to the date set for closing, a list of any objections, exceptions or violations which may appear on any title examination which the purchasers may obtain. If any objections, exceptions or violations appear which cannot be cleared by the sellers by the time set forth for the closing of title herein, and if same are an impediment to insurable title, then the sellers shall be entitled to a reasonable adjournment for the purpose of removing such objections or violations. Delivery of the title report from buyer's title insurance or abstract company shall constitute notice of any objections, violations or exceptions which may appear in such report.

38. For purposes of this contract, a mortgage commitment shall otherwise be considered firm and unconditional even though it may be subject to the sale of the purchasers' home or other real or personal property prior to the closing herein, or the satisfaction of any other outstanding indebtedness.

39. The purchasers have inspected the premises and agree to accept the same in an "as is" condition, reasonable wear and tear to the date of delivery of the Deed excepted, the sellers having made no representations in connection therewith except that sellers represent that plumbing, heating, appliances and electrical systems will be in working order, and the roof free of leaks, on the date of delivery of the Deed. This representation shall not survive delivery of the Deed. In the event that the sellers remain in possession of the premises after delivery of the Deed, then these representations shall survive until possession of the premises is delivered pursuant to the provisions of the Contract. If any appliance is not in working order at the time of closing or possession if given thereafter,

sellers' liability to purchasers shall not exceed the cost of repair of the appliance or \$100.00 per appliance, whichever is less.

40. Possession of the premises shall be delivered vacant and broom clean at the closing of title, and free from all tenancies unless otherwise provided for in this Contract.

41. Said premises are sold subject to any state of facts that an accurate survey would show, provided same would not render title unmarketable, and to restrictive covenants, utility easements and reservations, if any, of record, not violated by the existing structures or present use thereof.

42. If there be a mortgage on the premises, said mortgage may be paid by the sellers at the closing of title, from the proceeds of the sale, by delivery to the title company representative of the amount necessary to discharge and satisfy same in accordance with a statement thereof to be received from the holder of said mortgage, together with the title company charges for obtaining and recording the satisfaction of said mortgage and recording fees therefor; and, in such case, the existence of said mortgage of record as of the date of closing of title shall not constitute an objection to the title.

43. It is agreed and understood that in the event of cancellation of this Contract as indicated elsewhere herein and refund of the moneys paid on account of this Contract, this Contract shall become null and void and the lien created relating to moneys paid on account of the Contract shall also be null and void, and the purchasers will then no longer have any lien whatsoever on the property heretofore mentioned.

44. In the event of purchasers' willful default, the parties agree that the amount paid on account of the purchase price, as indicated above as the down payment, shall be considered liquidated damages and may be retained by the sellers. This in no way shall be construed as a penalty clause.

45. Purchasers represent that purchasers' gross yearly income is in an amount equal to such yearly income as is generally required by lending institutions for the mortgage being requested herein and that, to the best of their knowledge, there are no judgments or liens outstanding against the purchasers. Purchasers represent that purchasers have never taken advantage of any act of Bankruptcy herein or ever sought from the Courts of the United States of State of New York protection from creditors. These representations are material inducements to sellers to enter into this Contract.

46. The acceptance of a Deed by the purchasers shall be deemed to be full performance and discharge of any agreement and obligation on the part of the sellers to be performed pursuant to the provisions of this contract except those, in any, which are specifically stated herein to survive the delivery of the Deed.

47. It is agreed that the purchasers, at their own cost and expense, may have cesspool certification performed if required.

48. Closing shall take place in Nassau or Suffolk County, New York. If purchasers' lending institution requires that closing be held outside the Counties of Nassau or Suffolk, New York, purchasers shall pay a fee to sellers' attorney in an amount as follows: If closing takes place in the City of New York, \$500.00; if closing takes place outside the Counties of Nassau or Suffolk and outside the City of New York, as the parties shall later agree depending on the distance involved, but in no event less than \$650.00.

49. The purchasers may, at their own cost and expense, within fourteen (14) days of receipt by their attorneys of a copy of this contract executed by the sellers for the subject premises, inspect the subject premises for evidence of termites (or other wood-destroying insects) or damage from same. In the event that any termite infestation, or other wood-destroying insect infestation, or damage is found, the purchasers shall notify sellers' attorney within five (5) days. Thereafter, sellers shall repair all of such damage and cause the termite infestation or damage to be treated in such manner, and to such extent, if any, as may be permitted by applicable federal, state or other governmental laws and regulations, and obtain a one-year guarantee, if available, that the premises shall remain free thereof; or in the event that sellers shall decline to do so, purchasers shall have the option to cancel this contract and receive a full refund of all moneys paid hereunder.

50. The parties acknowledge that they have read this contract in its entirety and that they fully understand same. The parties further acknowledge that they have been represented in connection with this contract by an attorney of their choice and have fully discussed all of the terms and conditions of this contract with their attorney and, thus, hereby waive any rights they may have under General Obligations Law Section 5-702, more commonly known as "The Plain Language Law".

51. The purchasers acknowledge that they have a right to a summary of the heating and cooling bills or a complete set of such bills, types and areas of insulation installed by the sellers in the premises during their ownership or by any previous owners known to the sellers under Section 17.103, Chapter 555 of the 1980 Laws of the State of New York, commonly known as the "Truth in Heating Law". The purchasers waive their right to copies or a summary of such bills, and further waive their right to a statement of the types and areas of insulation and acknowledge that they have not requested such documents or information in connection with this transaction.

52. The purchasers shall not record this contract nor any memorandum thereof. If the purchasers violate this provision, such violation shall be considered a willful default by the purchasers and shall render this contract immediately null and void, and all of the rights and privileges of the purchasers hereunder shall thereupon cease and terminate.

53. Sellers represent that the house has at least one smoke detector and one carbon monoxide detector which shall be included in the sale. Sellers represent that at closing or possession the smoke detector and carbon monoxide detector shall be in working order. Notwithstanding the provisions of Executive Law Section 378, the parties agree that sellers' obligation regarding the smoke detector and carbon monoxide detector shall be limited to ensuring that the smoke detector and carbon monoxide detector are in working order at the time of closing or possession. Sellers make no other

representations nor assume any responsibility regarding the smoke detector and carbon monoxide detector after closing or possession. Purchasers hereby waive any rights they may have under Executive Law Section 378 as against the sellers and accepts the representations made in this paragraph as consideration for such waiver.

54(a). If the subject house was constructed after 1978, the notification and disclosure rule (40 C.F.R. Part 745, 40 C.F.R. Part 35) promulgated pursuant to Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. 4852d, does not apply.

54(b)i. If the subject house was constructed prior to 1978, pursuant to 40 C.F.R. Part 745 and 40 C.F.R. Part 35 promulgated pursuant to Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. 4852d, this contract is contingent upon a risk assessment or inspection of the premises for the presence of lead-based paint and/or lead-based paint hazards at Purchaser's expense until 9 p.m. on the tenth (10th) calendar day after purchaser's attorney's receipt of a fully executed copy of this contract. (Intact lead-based paint that is in good condition is not necessarily a hazard. See the EPA pamphlet *Protect Your Family From Lead In Your Home*, a copy of which is attached to this contract, for more information.) This contingency will terminate at the above predetermined deadline unless purchaser's attorney delivers to seller's attorney a written contract addendum listing the specific existing deficiencies and corrections needed, together with a copy of the inspection and /or risk assessment report. Seller may, at seller's option, within ten (10) days after delivery of the addendum, elect in writing whether to correct the condition prior to closing. If seller will correct the deficiencies, seller shall furnish purchaser with certification from a risk assessor or inspector demonstrating that the deficiencies have been remedied before the date of closing. If the seller does not elect to correct the deficiencies, or if the seller makes a counteroffer, purchaser shall have ten (10) days to respond to the counteroffer or remove this contingency and take the premises in "as is" condition or this contract shall become void. The purchaser may remove this contingency at any time without cause.

54(b)ii. Attached to this contract is a copy of the form entitled *Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards*, setting forth the seller's disclosure of and purchaser's acknowledgment of disclosure of known lead-based paint and/or lead-based paint hazards, receipt of copies of all information listed in the aforesaid form, and a copy of the EPA pamphlet, that purchaser has received a ten (10) day opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards, or has waived said opportunity.

55. This contract shall not be considered fully executed and in full force and effect until the termination of the ten (10) day contingency period for the risk assessment or inspection for lead-based paint and/or lead-based paint hazards, unless said period have been specifically waived by the purchaser by so indicating on the form entitled *Disclosure of Information on Lead-Based Paint Hazards*, attached hereto.

56. The Purchaser shall pay the Peconic Bay Transfer Tax, if applicable.

57. In the event at the closing, Purchaser obtains any financing other than the first mortgage (i.e., a second mortgage or a home equity line of credit, etc.), Purchaser agrees to pay Seller's attorney the sum of \$150.00 to compensate for the additional time at the closing.

58. The parties acknowledge compliance with the Property Condition Disclosure Act (PCDA) as more specifically set forth at Article 14 in the New York Real Property Law as follows:

Seller has not delivered to the Purchaser the Disclosure Statement required under the PCDA and does hereby grant to the Purchaser a credit of \$500.00 against the purchase price set forth in this contract at closing of title. Purchaser agrees to accept the aforesaid credit in lieu of the property condition disclosure statement.

Carol Haas

Carol Haas, as Surviving Seller
Tenant by the Entirety of
William G. Haas, Dec.

Social Security Number

Raymond Caputo

Raymond Caputo Purchaser

Social Security Number

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) [] Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

(ii) [] Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check (i) or (ii) below):

(i) [] Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

(ii) [] Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgment (initial)

(c) [] Purchaser has received copies of all information listed above.

(d) [] Purchaser has received the pamphlet Protect Your Family from Lead in Your Home.

(e) Purchaser has (check (i) or (ii) below):

(i) [] received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

(ii) [] waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

(f) [] Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Signature and date lines for Seller, Purchaser, and Agent, including handwritten signatures and dates like 'Carmel Huas 2/18/08' and 'Raymond Caputo 2/15/08'.

Venture Title Agency, Inc.
501 West Main Street
Patchogue, New York 11772
Tel (631) 758-1180 * Fax (631) 758-1147

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Remsenburg, in the Town of Southampton, County of Suffolk and State of New York, known and designated as Lot No. 13 on a certain map entitled, "Map of Remsenburg Farms", filed in the Office of the Clerk of Suffolk on January 7, 1972, as Map No. 5657.

TAX MAP 0900, 368, 4, 50.

TOWN OF SOUTHAMPTON
BUILDING DEPARTMENT

Certificate of Occupancy

BUILDING ZONE ORDINANCE—ARTICLE XXIV, SECTION 1

No. C 6669

Date April 8, 1981
N 497813

Permit No. 008757

William G. Haas

170 West End Ave. N.Y.C.

This is to certify that the

New (X) Altered () Addition () Pre-Existing () Building

Located W/S Bridle Path, Map No. 5657, Remsenburg Farms
Lot 13, Remsenburg, Town of Southampton, NY

has been COMPLETED substantially according to the approved plans, and the requirements of the above ordinances have been met and permission is hereby granted for the OCCUPANCY of building for the following purposes:

This certificate supersedes all previously issued certificates.

USE

One family dwelling with deck

No. of Buildings One (1)

Work Completed April 1981



G. Harold Williams
Building & Zoning Admin.

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
HAUPPALIGE, NY 11786-0099
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

May 6, 2008

Hon. Jay Schneiderman
County Legislator, Second District
75 Washington Street
P.O. Box 1827
Sag Harbor, NY 11963

Re: County Law, Section 215 Application for Redemption
Redemptor: Carol Haas
S.C.T.M. No. 0900-368.00-04.00-060.000
050.00

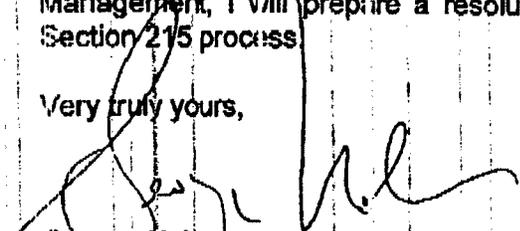
Dear Legislator Schneiderman:

Please be advised that I have reviewed the new materials forwarded to me by your office and believe that the captioned matter qualifies for a Chapter 27 conveyance.

If you have not already done so, please ensure that the County Division of Real Property Acquisition and Management has all the necessary paperwork needed to process this application.

As soon as I receive the computation from the Division of Real Property Acquisition and Management, I will prepare a resolution for the redemption of this property under the Section 215 process.

Very truly yours,


George Nolan
Counsel to the Legislature

GN/tm

cc: Cathy O'Neal, Division of Real Property Acquisition and Management

s:\word\215 approval letter Haas

COUNTY OF SUFFOLK



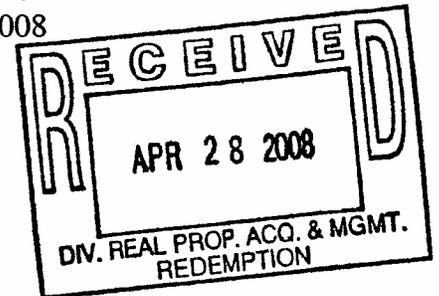
STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES
DIRECTOR OF PLANNING

File #08-1.26
April 24, 2008

Ms. Cathy O'Neal
Suffolk County Department of Environment & Energy
Division of Real Property Acquisition & Management
H. Lee Dennison Building 2nd Floor
100 Veterans Memorial Highway
Hauppauge, New York 11788-0099



Dear Ms. O'Neal:

I am writing in response to your letter dated April 14, 2008 regarding the disposition of tax lien parcels. We have reviewed the following parcel and there is no objection, for environmental and/or floodplain management reasons, to its redemption in accordance with Local Law 16-1976:

0900-368.00-04.00-050.000 - Improved

Sincerely,

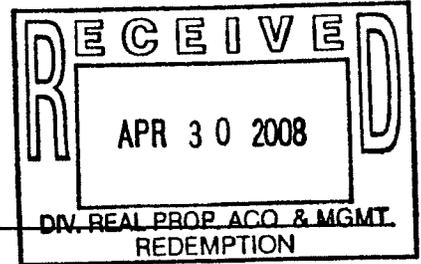
Laretta R. Fischer
Principal Environmental Analyst

File #08-1.26
cc: W. Thompson

LRF:bd

J. Grossmann

ASSOCIATES, INC.



Real Estate Appraisers and Consultants

LIMITED SCOPE RESTRICTED APPRAISAL REPORT
(FOR FAIR MARKET VALUE)

Date: April 21, 2008

Redemption Unit
Division of Real Estate
H. Lee Dennison Building
100 Veterans Memorial Hwy.
Hauppauge, New York 11788

Attention: Catherine O'Neal, Redemption Unit

Re: *Fair market value estimate; 23 Bridle Path, Remsenburg, N.Y.,
Suffolk County Tax Map #900-368-4-50*

Dear Ms. O'Neal,

Pursuant to your request, I have prepared an appraisal of the above referenced property.

After an inspection of the subject property area, analysis of comparable sales and evaluation of other factors, I estimate the fair market value of the subject as of April 21, 2008 to be \$900,000.

Respectfully,

A handwritten signature in cursive script, appearing to read "Joseph Grossmann".

Joseph Grossmann
NYS Certified Residential
Real Estate Appraiser
(License #4600000928)

FOR JOHN E. GROSSMANN ASSOCIATES, INC.

CERTIFICATION OF APPRAISER

SUBJECT: 23 Bridle Path Remsenburg New York
(S.C.T.M. #900-368-4-50)

I certify that, to the best of my knowledge and belief:

~The statements of fact contained in this report are true and correct.

~The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

~I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.

~I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

~My engagement in this assignment was not contingent upon developing or reporting predetermined results.

~My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

~My analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

~I have made a personal inspection of the area within which the subject property is located. I have also made a personal inspection of the comparable sales utilized in this report. These sales have been verified with either the grantor, grantee, or a third party who was directly involved in the transaction. The subject and the comparable sales relied upon in this appraisal are as represented by the statements in this report.

~I have not revealed the findings and conclusions of this appraisal to anyone other than the proper officials of the Division of Real Estate. I will not do so until authorized by County officials, or until I am required by due process of the law, or until I am released from this obligation by having publicly testified as to such findings.

~Based upon the research conducted and the exercise of my professional judgment, I have formed the opinion that the fair market value of the subject as of April 21, 2008 is: \$900,000.

Date: April 21, 2008


Signature:

J. Grossmann
ASSOCIATES, INC.

PURPOSE OF THE APPRAISAL

This appraisal is made for the purpose of estimating the market value of the subject property as of April 21, 2008. Market value is defined as "the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1) Buyer and seller are typically motivated;
- 2) Both parties are well informed or well advised and each acting in what he considers his own best interest;
- 3) A reasonable time is allowed for exposure in the open market;
- 4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- 5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

*The Dictionary of Real Estate Appraisal, Fourth Addition, Appraisal Institute

Reasonable exposure time for a property of this type and within this value range is considered to be approximately 1-6 months, if the property was properly marketed.

PROPERTY RIGHTS APPRAISED

The property rights appraised are ownership in fee simple.

FUNCTION & SCOPE OF THE APPRAISAL

The function of this appraisal report is to deliver a well reasoned market value estimate of the subject property as of the effective value date. It is also intended to function as a source of market data and other information to assist the Suffolk County Department of Planning Division of Real Estate in its decision-making process in connection with various matters pertaining to the subject property. This report is not intended for any other use.

This is a limited scope restricted appraisal report.

Our analysis includes an inspection of the subject area. Both internal and external influences on the subject are considered. The subject's neighborhood is analyzed in terms of existing economic conditions as well as possible future trends. An opinion of the property's highest and best use is determined and described.

During our research of the subject property's market area, recorded sales data is obtained from published property information services, town and county offices, and local real estate agents. Current offerings of similar properties are also considered. The data found during this search is verified, described, analyzed and then compared to the subject. A value estimate is then made based on the analysis of the data presented.

J. Grossmann

ASSOCIATES, INC.

SUBJECT PROPERTY DESCRIPTION

TOWNSHIP: Southampton
S.C.T.M.: District 900 SECTION 368 Block 4 Lot 50

LOCATION:

The subject property is located at 23 Bridle Path in the unincorporated community of Remsenburg, Town of Southampton, Suffolk County, New York.

DESCRIPTION OF PROPERTY:

The subject property is an improved parcel of land located at 23 Bridle Path. The site contains a total area 53,579 sq.ft. The subject property is improved with a Contemporary style dwelling with 7 rooms, 4 bedrooms and 3 bathrooms. The subject's gross living area is 2,898 SF. Amenities include CAC, a full finished basement, porch, patio, deck, fireplace and an auxiliary kitchen. The improvements are maintained in fair condition. Roof leaks, black mold in the laundry room, dampness in the basement and damaged windows as well as deferred general maintenance and excessive pet hair and odors were noted at the time of the inspection.

UTILITIES:

Public electric, gas and water are available to this site. Cesspools are used for sanitary waste disposal which is common in this market area.

AREA TRENDS:

The national economy has been showing signs of weakness after a period of strong growth. The national and local economies are also showing signs of weakness. The real estate market is stable but oversupplied with listings, after several years of increased activity and value appreciation.

NEIGHBORHOOD:

The immediate neighborhood is dominated with single family residences of various types and sizes. Supporting shopping and services are found predominantly along the commercial districts along the area's main roadways. This neighborhood is convenient to all supporting shopping, services and recreational facilities.

ZONING & CLASSIFICATION:

The subject property is zoned R40 Residence District by the Town of Southampton. This zoning category requires a minimum lot area of 40,000 square feet.

HIGHEST AND BEST USE:

The subject property's site does meet the current zoning requirements. The highest and best use of this parcel to be a continuation of its current use..

J. Grossmann
ASSOCIATES, INC.

| | <u>SUBJECT PROPERTY</u> | <u>SALE #1</u> | <u>SALE #2</u> | <u>SALE #3</u> |
|---|---|---|---|---|
| TAX MAP NUMBER | 900-368-4-50 | 200-368-5-6 | 900-368-5-10 | 900-368-2-63 |
| DATE OF SALE | N/A | 11/15/2007 | 09/14/2007 | 02/01/2008 |
| LOCATION/ADDRESS | 23 Bridel Path Remsenburg | 39 Bridel Path Remsenburg | 47 Bridel Path Remsenburg | 12 Pheasant Lane Remsenburg |
| ZONING | R40 Residence | R40 Residence | R40 Residence | R40 Residence |
| SPECIFY LANDLOCKED, PAVED, DIRT, PAPER, ETC. | Paved | Paved | Paved | Paved |
| SITE DIMENSIONS, SQ.FT./ACRE | 53,579 Sq.Ft. | 40,075 Sq.Ft. | 40,075 Sq.Ft. | 40,075 Sq.Ft. |
| DESCRIPTION OF IMPROVEMENTS | Contemp Style Residence Rm Ct 7-4-3; 2898 SF Fair cond.No Garage Porch,Deck,Patia,FP | Contemp Style Residence Rm. Ct. 8-4-3.5 3,500 SF Superior cond.; 2-car garage Porch, Decks,FP,Pool | Ranch Style Residence Rm. Ct. 7-4-3; 1854 SF Super cond.;2-car garage Porch, Decks, FP, Pool | Cape Style Residence Rm. Ct 9-4-3; 2,900 SF Super cond.; 2-car garage Patia, 2 FP. |
| SALE PRICE | N/A | \$1,295,000 | \$955,000 | \$985,000 |
| LIBER-PAGE/CERT.#/MLS# | N/A | MLS#1887089/12532-012 | 12522-847 | MLS #1974743/12541-668 |
| VERIFIED BY: | N/A | L. Babbitt | H Levine | T Biondi |
| VERIFICATION DATE: | | 04/24/2007 | 04/23/2007 | 04/24/2007 |
| ADJUSTMENTS | <hr/> | | | |
| TIME | 04/21/2008 | \$0 | \$0 | \$0 |
| LOCATION | Average | \$0 | \$0 | \$0 |
| LOT SIZE/SHAPE | 53,579 Sq.Ft. | \$20,000 | \$20,500 | \$20,500 |
| ZONING | R40 Residence | \$0 | \$0 | \$0 |
| IMPROVEMENTS | Contemp/Fair Condition Rm Ct 7-4-3; 2898 SF Fin Bsmt,No Garage Porch,Deck,Patia,FP | (\$250,000) (\$60,000) (\$20,000) (\$20,000) | (\$125,000) \$78,500 (\$20,000) (\$15,000) | (\$125,000) \$0 (\$5,000) \$5,000 |
| MARKETABILITY | Average | \$0 | \$0 | \$0 |
| NET ADJUSTMENTS | N/A | (\$330,000) | (\$61,000) | (\$104,500) |
| INDICATED VALUE | \$900,000 | \$965,000 | \$894,000 | \$880,500 |

EXPLANATION OF VALUE:

The sales comparison analysis resulted an indicated value of \$900,000 is considered to be a reasonable figure for the subject.

RECONCILIATION AND FINAL VALUE ESTIMATE:

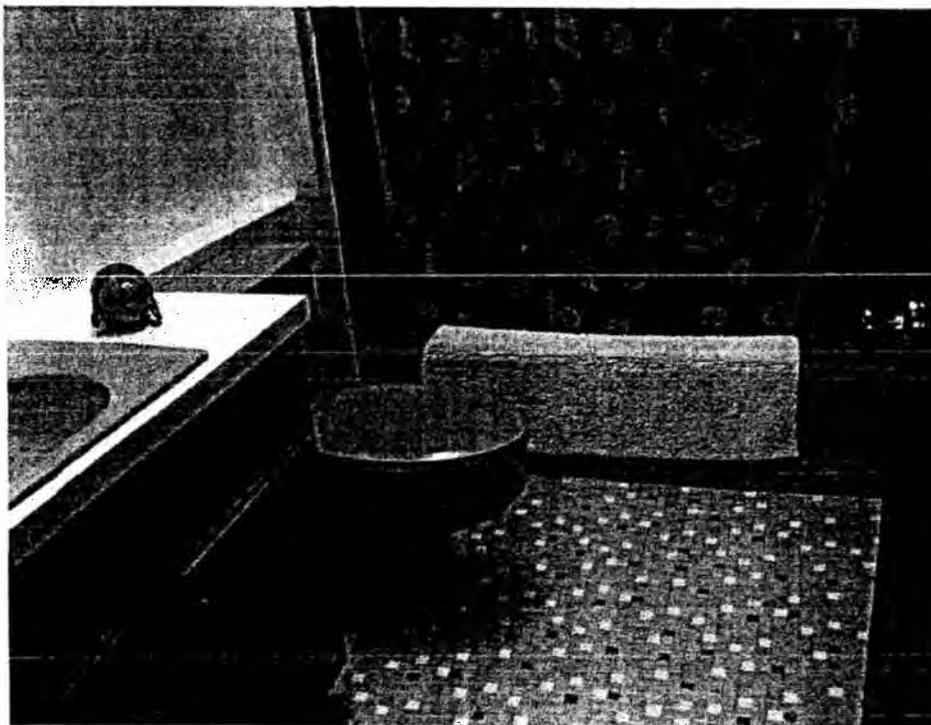
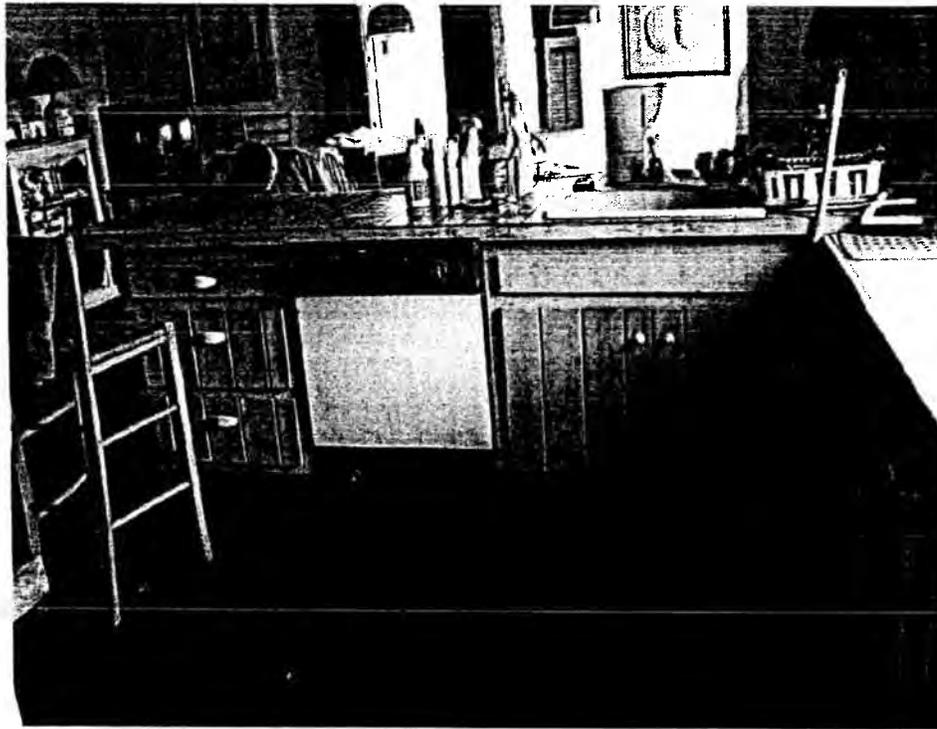
No reconciliation is necessary as the sales comparison approach is the only approach applied. The final value estimate of \$900,000 is equal to the result of that approach.

J. Grossmann
ASSOCIATES, INC.

PHOTOGRAPH OF THE SUBJECT



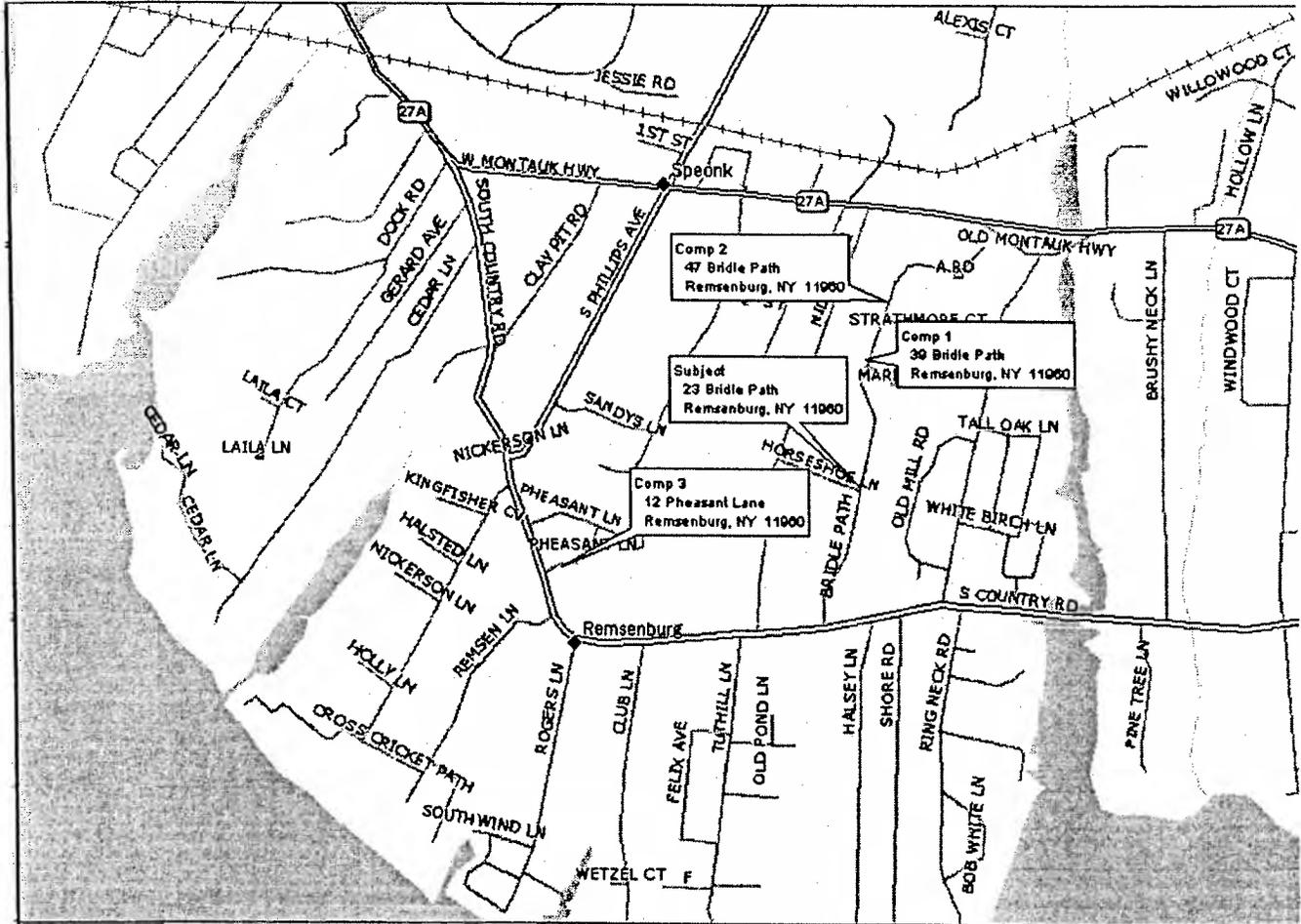
PHOTOGRAPH OF THE SUBJECT



LOCATION MAP

J. Grossmann
ASSOCIATES, INC.

LOCATION MAP



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www.delorme.com



Data Zoom 13-2

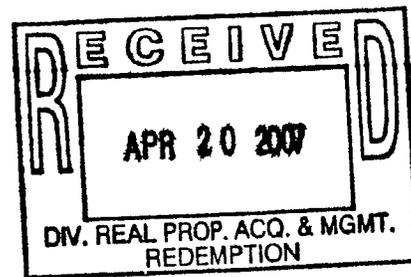
Carol Haas
23 Bridle Path
P.O. Box 23
Remsenburg, New York 11960

April 18, 2007

County of Suffolk
Division of Real Property Acquisition & Management
H. Lee Dennison—2nd Floor
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York 11788-0099

Attention: Cathy O'Neal

Dear Cathy:



Medical Back-Up

I have located appointment cards (enclosed) of the doctors I saw in 1998 for treatment of depression. It has taken some time to locate these doctors as they are no longer on the staff of New York Hospital. I saw Dr. Clougherty for psycho-therapy and Dr. Piazza, who monitored my medication which was Zoloft. I am getting one or both to send a letter of confirmation to back up this treatment.

Before then, I also saw Dr. Joan Tolchin for treatment of depression from 1988 to 1994. I have asked Dr. Tolchin to send a letter confirming that I saw her over those years. I understand that these years are not pertinent to my file, but at least it provides a more meaningful time-line.

As for my son, Mitchell's treatment for delusional disorder you will have to rely on the court documents I provided as it is virtually impossible for me to get anyone of his doctors to provide any confidential information....and virtually anything is considered "confidential."

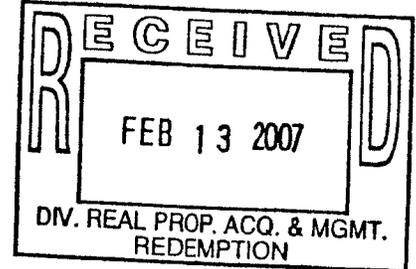
\$500 Fee

Chase Bank was unable to reissue me another check without the original check number which was not on my receipt. I have enclosed a money order for that amount. However, if my file has the original check number I would appreciate it if you could provide that to me as the bank can then credit my account.

Carol Haas
23 Bridle Path
P.O. Box 23
Remsenburg, New York 11960
Telephone: 631-325-2762)

February 12, 2007

County of Suffolk
Division of Real Property Acquisition and Management
H. Lee Dennison Building - 2nd Floor
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York



Attention: Betty Schmitt, Cathy O'Neal

Re: Postscript to Letter Dated February 8, 2007

Dear Betty:

I tried calling the number you gave me for Cathy O'Neal (853-5937) several times this morning but there was no answer and no voice/mail on this line. I wanted to clarify two or three things.

*office
closed
holiday*

First: With respect to the "money."

You mentioned the check I had originally sent was never cashed. It was a bank check for \$500 (receipt enclosed) and that money has been debited .my account.. According to my bank, Chase, that check is still valid. However, if the county wants Chase to reissue a new check they will cancel the original and send a new one for the same amount.

Second: Dr. Tolchin

It occurred to me that you might wonder why it took me so long to locate Dr. Tolchin. In all the years I had seen this doctor, I never called her by her first name and so, many years later, I mistakenly believed her first name was "Judy" not "Joan." I recognized the error later and was able to find her.

Third: Mitchell's Condition

I believe there is some misperception that the seriousness of Mitchell's mental state is something that just recently happened. That is not the case. Mitchell was first diagnosed in 2003, but obviously the symptoms of his illness began many years earlier. They have not abated despite treatment.

I have enclosed a letter I sent to the American Embassy in Rome in September 2005 (and their response) to demonstrate that I have been trying every means possible to provide the necessary care and support for Mitchell. Fortunately, he is home with me now and under the care of a good psychiatrist.

Sincerely yours,

A handwritten signature in cursive script that reads "Carol Haas".

Carol Haas

Job Termination

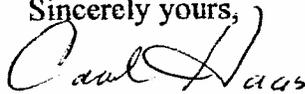
As I recall someone asked me to provide documentation as to when I lost my position at McCann Erickson and I found such a letter that substantiates that my last day of employment was February 5th, 1988.

House Status

I believe that I have two buyers currently interested in purchasing the house.

I hope this information provides necessary documentation. Please let me know as to how I should proceed.

Sincerely yours,



Carol Haas

KATHLEEN F. CLOUGHERTY, ACSW
PSYCHOTHERAPIST

585 WEST END AVENUE, SUITE 1E
NEW YORK, NY 10024
PHONE: (212) 721-2569 FAX: (212) 721-8507

YOUR NEXT APPOINTMENT IS:

MON. TUES. WED. THURS. FRI. SAT.

DATE 1/6/14 AT 10:00 AM PM



751-2866
155 E 76 St
APT 4c
Wed 10Am

Lisa A. Piazza, M.D.

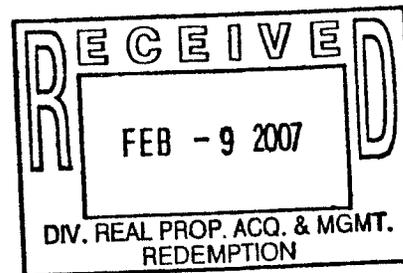
(212) 821-0740
(212) 821-0700
(212) 821-0792 (Fax)
lpiazza%pw@nyh.med.cornell.edu

THE NEW YORK HOSPITAL
CORNELL MEDICAL CENTER
425 E. 61st ST., PH FLOOR
NY, NY 10021

Carol Haas
23 Bridle Path
P.O. Box 23
Rensselaer, New York

February 8, 2007

Suffolk County
Division of Real Property Acquisition & Management
H. Lee Dennison – 2nd Floor
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York 11788-0099



Attention: Betty Schmitt, Cathy O'Neal

Dear Betty:

I received your letter yesterday and wish to respond as best I can,

My Medical Background

I located Dr. Joan Tolchin, the psychiatrist who treated me for clinical depression and anxiety from the summer of 1988, shortly after my husband died, until I lost my job at McCann Erickson in December 1997. In addition to therapy, Dr. Tolchin prescribed Prozac and later Zoloft. When I lost my job at McCann, I could no longer afford to continue seeing Dr. Tolchin. However, I later participated in a six month trial for major depression at New York Hospital in Manhattan.

I requested that Dr. Tolchin send you a letter regarding my diagnosis and treatment.

(Dr. Tolchin's background is enclosed.)

Mitchell's Medical Background

Beginning in 2003, my son, Mitchell Haas was diagnosed by Dr. Robert Grossman as suffering from Delusional Disorder. Mitchell saw Dr. Grossman (his psychiatrist) and Dr. Andrea Goodman (his psychologist) from 2003 until May 2005. During most of that time Dr. Grossman prescribed Risperdal, an anti-psychotic drug, for Mitchell.

However, in May of 2005, Mitchell decided to run away and seek asylum in Canada. The following September Mitchell took off for Europe. After countless unsuccessful attempts to persuade Mitchell to seek proper medical treatment, I was granted a court order in September 2006 to have Mitchell hospitalized on his next visit to New York. Unfortunately, Mitchell was for-warned by his landlord that I was outside his building with the police and he took flight to Europe once again. (Mitchell had received some money from the sale of a co-op he had owned with his former wife.)

Finally, in January 2007, Mitchell e-mailed me from Germany to send money and arrange for his flight home where he agreed he would undergo treatment and hospitalization, if necessary.

Mitchell is currently living with me and under the care of Dr. Howard E. Millman.

(Mitchell's profile from 2003 through 2006 is attached to the warrant I received from the Brooklyn Supreme Court, also enclosed with this letter.)

Income Taxes

I am sending you Income Tax returns from 1997 through 2000. From 2000 to the present, there was no income of any kind to report with the exception of a small inheritance (\$22,000) received last year from a friend, Laura Smith.

I have basically been living off the sale of Fidelity Funds in 2000 and occasional financial support from my brother-in-law, Richard Haas.

(Statements are enclosed)

Household Readiness For Sale

The brickwork outside the house has been completed.

The plumbing has been fixed.

The floors on the main floor have been sanded and stained. The upstairs floors will be finished this Friday, I hope. The problem is the "drying time" between coats. Currently my furniture is either sitting out on the deck or piled high in the hallways. Fortunately, it hasn't rained.

There are two "interested" buyers for the house who saw my "For Sale" sign outside. I have also placed an ad in the New York Times for next week. It is impossible to show the house before then as all the floors have not yet dried.

Betty, I am sorry I didn't keep you posted with this progress and provide you with the information you requested but with my mother's death in December and the added emotional stress of bringing Mitchell home and getting him treatment, I haven't been thinking clearly.

Please accept my sympathy for the recent death of your stepmother and my best wishes for a very long and happy retirement.

Sincerely yours,

A handwritten signature in cursive script that reads "Carol Haas". The signature is written in black ink and is positioned below the typed name.

Carol Haas

Application for Mental Hygiene Warrant for Mitchell Haas

Mitchell Haas

743 Decatur Street, Brooklyn, New York (Tel: 347-413-5804; 347-907-5691)

Social Security Number: 058-62-5512

Passport Number: 156914271

Born January 6, 1978 (New York City)

Applicant: Carol Haas (Mitchell Haas' Mother)

23 Bridle Path, P.O. Box 23, Remsenburg, New York 11960

(Tel: 631-325-2762)

Mitchell Haas Background

Education:

Graduated from Horace Mann High School (June 1996)

Graduated Kenyon College, Major Philosophy (June 2000)

Graduated Queens College, Paralegal Degree 2002

Completed first year law school, New York Law School (2004-2005)

Work:

Levy Phillips, and Keniesburg Law Firm, New York City (June 2002-November 2004)

Lanier Law Firm, New York City (November 2004-April 2005)

Marital Status:

Married Karen Danis December, 30, 2003; Divorced August, 2006

Medical Treatment (2003-2005)

Mitchell Haas believed he was being watched/spied on; that his associates at work were conspiring against him, that helicopters were possibly tracking him on his way to work. He hired lawyers and a private investigator to determine why his work associates were conspiring against him. (*See Attachment 1*)

Mitchell Haas voluntarily sought psychological help and was diagnosed with **Delusional Disorder** in 2003

Supervising Psychiatrist: Dr. Robert Grossman (Tel: 212-659-8824; 212-828-9858)

Psychologist: Dr. Andrea Goodman (Tel. 212-874-7431; 212-496-0683)

(Both doctors are on the staff at Mount Sinai Hospital New York City)

Prescribed Risperdal (anti-psychotic drug) plus an, anti-depressant, an anti-anxiety drug, Ritalin, and cholesterol lowering medication.

Stopped taking medications December 2004 but continued with psychiatric therapy until May, 2005 at which time he sought asylum in Montreal Canada.

Mitchell was also rushed by ambulance to **St. Luke's Hospital** suffering from a Panic Attack in the spring of 2005. By that time he had been off his meds six months.

Canadian Immigration Detention Center (May 19, 2005 – Sept. 12, 2005)

On May 19th, 2005, Mitchell left Dr. Andrea Goodman's office and took a flight to Montreal Canada where he approached Immigration officers and told them he wanted to seek asylum in Canada. He was taken to the Immigration Detention Center in Laval Canada. He stayed there for approximately four months of hearings.

Lawyers representing Mitchell Haas were:

Mr. Fogarty: (Tel. 524-726-4516)

Mr. Friedman (Tel. 514-289-9877)

Social Worker representing Mitchell Haas:

Robert Naylor (Tel: 514-731-1386)

Representative at American Embassy, Montreal

Kathy Cote (Tel: 514-908-3703)

Mitchell Haas was evaluated by court appointed psychiatrist, Dr. Levy (Tel: 514-797-5486). **Dr. Levy recommended that Mitchell be hospitalized and medicated immediately with an antipsychotic drug.** Unfortunately, the judge decided against that recommendation as he believed Mitchell was "stable."

In August, 2005, Dr. Robert Grossman wrote a letter to Dr. Robert Millman at New York Payne Whitney Hospital stating that Mitchell was a danger to himself. That is where the family had planned to have Mitchell treated on his release from the Detention Center in Canada.

On Sept. 12, 2005, Mitchell was released from the Immigration Detention Center and put on a bus to New York City. No one in the family was notified of his release until I heard from the American Embassy in Montreal (after Mitchell's release).

European Travels

The following day Mitchell Haas took a flight to Rome Italy and then shortly after traveled to Berlin, Germany where he stayed most of the next year with occasional travel to Eastern and Western Europe. During this time he stayed in hostels while writing a book "THE SOCIETY" (a Kafka-like book) which he published on the internet (and subsequently removed).

In February, 2006 Mitchell applied for asylum in Marseilles, France but later withdrew his petition.

Return to New York

Mitchell briefly returned to New York to sign divorce papers February 26, 2006. I met Mitchell on his arrival in New York but he would not get in my car. After signing the divorce papers Mitchell returned to Berlin.

On August 8th, 2006 Mitchell Haas returned to New York to settle sale of coop apartment he jointly owned with Karen Danis.

Most Recent Activities In Support of Mental Hygiene Warrant

I was notified by FBI agent, Jason Randazoo (Tel. 212-384-1000 Ext. 4093) that Mitchell was trying to extort money from a former fellow student of his at Horance Mann. (Adam Shopcorn) Mitchell wanted Adam to send money to his Deutsche Bank account in Berlin and threatened Adam's life if he did not do so. Mr. Randazoo has copies of the emails Mitchell sent to Adam Shopcorn.

June, 2006 I received an email from my son stating that he wanted to kill me and take all my money. This email was clearly written when Mitchell was in a state of great psychological distress. (See Attachment 2)

In August, 2006 Mitchell started filing frivolous law suits in the New York Supreme Court claiming that:

- \$5000 was missing from his account at Morgan Stanley in November of 2005. He is suing Morgan Stanley and his broker, Dan Holzer for millions of dollars. (Tel. 212-725-4538)
- He is also suing his best friend, Tom Klein, for defamation of character due to a wedding toast Tom made, as Mitchell's best man, nearly three years ago. Tom Klein is a medical student at Stony Brook University and can be reached at 917-691-2512.

I have pursued all avenues to persuade Mitchell to seek psychiatric help voluntarily to no avail. Mitchell believes that he suffers from psychological fatigue and not a mental illness.

Mitchell has already succumbed to staying at homeless shelters on Ward's Island when returning to New York. I have been told that Mitchell's hygiene has often been remiss—dirty hair, body odor.

I am requesting this warrant in the hope that my son will receive treatment at St. Luke's Hospital, 113 St. between Amsterdam Avenue and Broadway, under the care of Dr. Howard E. Millman (Tel: 212-722-8896).

It is imperative that Mitchell not be alerted to this warrant application before being transferred to a hospital as he will simply take flight, disappear into the crowd whether here or in Europe, and place himself at increasing risk.

Without treatment, it is my strongly-held fear that Mitchell's "state of mind" will deteriorate beyond any chance of recovery.

Schneiderman, Jay

From: Schneiderman, Jay
Sent: Friday, January 12, 2007 11:34 AM
To: Schmitt, Betty
Cc: Malone, Theresa; Nolan, George
Subject: Letter of Sponsorship for Carol Haas

January 12th, 2006

Dear Ms. Schmitt;

As Suffolk County Legislator of the 2nd Legislative District, it is my intention to sponsor a resolution before the full Legislature approving the redemption request of Carol Haas, 23 Bridle Path, Remsenberg, NY 11960. Thank you for your consideration in this regard and I look forward to working with the Division of Real Estate to accomplish this redemption.

Sincerely,

Jay H. Schneiderman
Suffolk County Legislator, 2nd District

APPLICATION FOR RECOVERY OF REAL PROPERTY ACQUIRED BY SUFFOLK COUNTY
County of Suffolk

1. Information Concerning Applicant(s)

| | | |
|---|--|---|
| Name of Applicant(s) CAROL HAAS | Address 23 BRIDLE PATH P.O. BOX 23, REMSENBURG, NY 11960 | Telephone Number (631) 325-2762 |
|---|--|---|

2. Property for Which Recovery is Desired

| | | | | |
|--|--|--------------------------|----------------------|----------------------|
| Location or Address 23 BRIDLE PATH, Remsenburg, N.Y. 11960 (P.O. Box 23) | Date of Recording of Suffolk County's Tax Deed 1977-79 | | | |
| Suffolk County Tax Map Number 473689 | District 473601 | Section 368000 | Block 0004 | Lot 050000 |

3. Description of Instrument from Which Applicant's Interest Derives

| | |
|-------|------|
| Liber | Page |
|-------|------|

Other (If applicant is not the prior owner, specify nature of applicant's interest)

| | |
|-------------------|-------------------|
| Grantor | Grantee |
| Date of Execution | Date of Recording |

4. Description of Extenuating Circumstances Which Led to Loss of Property

(See Governing Section of County Code §27-3)

I lost my position with Mc CANN-ERIKSON ADVERTISING, New York, New York, December, 1997. In the interim, my son, Mitchell, was diagnosed with schizophrenia which has caused emotional & physical and financial hardship.

(Attached additional pages, if necessary)

5. Acknowledgement

State of New York)ss:
County of Suffolk)

I, CAROL HAAS, being duly sworn, depose and say that Deponent(s) is/are the applicant(s) in the within application; that Deponent(s) have read the foregoing application and know(s) the contents thereof; and that as to those matters Deponent(s) believe(s) them to be true.

Carol Haas

Signature of Applicant

Sworn to before me this 19th day
of Aug, 2005

Signature of Applicant

Joann E. Schna

JOANN E. SCHNA, Notary Public of the State of New York
Notary Public, State of New York
No. 01SC5001241
Qualified in Suffolk County
Commission Expires June 30, 2007

Carol Haas
P.O. Box 23
Remsenburg, New York 11960

August 19, 2005

Mr. Jay Schneiderman
P.O. Box 1827
Sag Harbor, New York 11963

Dear Mr. Schneiderman:

In December of 1993 I was dismissed from FCB/Leber Katz Advertising three years short of receiving retirement and health care benefits. I shortly took on another position with McCann Erickson Advertising New York City (646-865-2000) in March of 1994 where I worked until my job was eliminated when we lost the AT&T business in December 1997. I have not been able to get a formal letter from Human Resources confirming my dismissal but they will confirm that on the telephone or you can talk to Suresh Nair who currently heads the Strategic Planning Department where I worked. I have not been successful in landing another position since that time.

In the last three years my son has been suffering from Delusional Disorder/Schizophrenia. Since last Thanksgiving my son, Mitchell Haas, stopped taking his medication, Risperdal, and his condition deteriorated so much that he escaped to Montreal, Canada for asylum. (He thought he was being spied on in this country.) Since then there have been four hearings to review Mitchell's case, and with the testimony of a psychiatrist in Canada, Dr. Levy, he is about to be transferred back home. Mitchell's doctors will not share with you Mitchell's diagnosis due to patient/doctor confidentiality but should anyone need confirmation of Mitchell's condition and whereabouts I can share these numbers.

Montreal, Canada

| | |
|---|---------------------------|
| Immigration Detention Center, Laval, Canada: | 450-661-2001 |
| U.S. Consulate, Montreal (Kathy Cote) | 514-398-9695 ext. 3833 |
| Mr. Fogarty (Immigration Lawyer for Mitchell) | 514-726-4516 |

New York City

| | |
|---|--------------|
| Dr. Robert Grossman (Mitchell's psychiatrist) | 212-828-9858 |
| Dr. Andrea Greenman (Mitchell's psychologist) | 212-874-7431 |

Back in 1997 I was diagnosed with Clinical Depression (Dr. Judy Tolchin, New York City) and received treatment for three years with her. As I have no health insurance now, I have not pursued treatment despite these desperate times.

I hope that this will give you reason to approve my petition so that I can help get my affairs in order.

Sincerely Yours,


Carol Haas

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH ENERGY CONSERVATION AND SAFETY IMPROVEMENTS TO H. LEE DENNISON BUILDING (CAPITAL PROJECT NUMBER 1659)

WHEREAS, the Commissioner of Public Works has requested funds for the continued modernization of the H. Lee Dennison Building (C-0140); and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised 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 \$1,060,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act (SEQRA), Environmental Conservation Law Article 8, Resolution No. 1134-2000 classified the action contemplated by this as Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-one (51) 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, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of \$1,060,000 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-1659.114 (Fund 001 Debt Service) | 20 | Energy Conservation and Safety Improvements to H. Lee Dennison Building | \$60,000 |
| 525-CAP-1659.318 (Fund 001 Debt Service) | 20 | Energy Conservation and Safety Improvements to H. Lee Dennison Building | \$1,000,000 |

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

| | | |
|---|--|------------------|
| 1. Type of Legislation | | |
| Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u> | | |
| 2. Title of Proposed Legislation | | |
| RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH ENERGY CONSERVATION AND SAFETY IMPROVEMENTS TO H. LEE DENNISON BUILDING (CAPITAL PROJECT NUMBER 1659) | | |
| 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 | | |
| SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS. | | |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. | | |
| SEE ATTACHED DEBT SERVICE SCHEDULE | | |
| 8. Proposed Source of Funding | | |
| SERIAL BONDS | | |
| 9. Timing of Impact | | |
| 2009 | | |
| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
| Nicholas Paglia Executive Technician |  | May 8th , 2008 |

SCIN FORM 175b (10/95)

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

GENERAL FUND

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER \$100 | 2009 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$96,173 | \$0.18 | | \$0.000 |

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER \$100 | 2009 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$96,173 | \$0.18 | | \$0.000 |

NOTES:

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

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

Term of Bonds: 15
 Amount to Bond: \$1,060,000

| Date | Coupon | Principal | Interest | Total Debt Service | Fiscal Debt Service |
|-----------|--------|----------------|--------------|--------------------|---------------------|
| 11/1/2007 | | | | | |
| 5/1/2008 | | | | | |
| 11/1/2008 | 4.125% | \$52,447.74 | \$43,725.00 | \$96,172.74 | \$96,172.74 |
| | | | \$20,780.77 | \$20,780.77 | |
| 11/1/2009 | 4.125% | \$54,611.21 | \$20,780.77 | \$75,391.97 | \$96,172.74 |
| | | | \$19,654.41 | \$19,654.41 | |
| 11/1/2010 | 4.125% | \$56,863.92 | \$19,654.41 | \$76,518.33 | \$96,172.74 |
| | | | \$18,481.59 | \$18,481.59 | |
| 11/1/2011 | 4.125% | \$59,209.56 | \$18,481.59 | \$77,691.15 | \$96,172.74 |
| | | | \$17,260.39 | \$17,260.39 | |
| 11/1/2012 | 4.125% | \$61,651.95 | \$17,260.39 | \$78,912.34 | \$96,172.74 |
| | | | \$15,988.82 | \$15,988.82 | |
| 11/1/2013 | 4.125% | \$64,195.09 | \$15,988.82 | \$80,183.92 | \$96,172.74 |
| | | | \$14,664.80 | \$14,664.80 | |
| 11/1/2014 | 4.125% | \$66,843.14 | \$14,664.80 | \$81,507.94 | \$96,172.74 |
| | | | \$13,286.16 | \$13,286.16 | |
| 11/1/2015 | 4.125% | \$69,600.42 | \$13,286.16 | \$82,886.58 | \$96,172.74 |
| | | | \$11,850.65 | \$11,850.65 | |
| 11/1/2016 | 4.125% | \$72,471.44 | \$11,850.65 | \$84,322.09 | \$96,172.74 |
| | | | \$10,355.93 | \$10,355.93 | |
| 11/1/2017 | 4.125% | \$75,460.89 | \$10,355.93 | \$85,816.81 | \$96,172.74 |
| | | | \$8,799.55 | \$8,799.55 | |
| 11/1/2018 | 4.125% | \$78,573.65 | \$8,799.55 | \$87,373.19 | \$96,172.74 |
| | | | \$7,178.96 | \$7,178.96 | |
| 11/1/2019 | 4.125% | \$81,814.81 | \$7,178.96 | \$88,993.77 | \$96,172.74 |
| | | | \$5,491.53 | \$5,491.53 | |
| 11/1/2020 | 4.125% | \$85,189.67 | \$5,491.53 | \$90,681.20 | \$96,172.74 |
| | | | \$3,734.50 | \$3,734.50 | |
| 11/1/2021 | 4.125% | \$88,703.74 | \$3,734.50 | \$92,438.24 | \$96,172.74 |
| | | | \$1,904.98 | \$1,904.98 | |
| 11/1/2022 | 4.125% | \$92,362.77 | \$1,904.98 | \$94,267.76 | \$96,172.74 |
| | | | | | |
| | | \$1,060,000.00 | \$382,591.08 | \$1,442,591.08 | \$1,442,591.08 |

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: April 14, 2008
RE: CP 1659 – Energy Conservation and Safety Improvements to H. Lee
Dennison Building

Attached for your review is a draft resolution appropriating the sum of \$1,060,000 for the replacement of boilers and waterproofing at the above referenced facility.

This action is considered a Type II action under SEQRA in accordance with Resolution No. 1134-00.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1659 Energy Conserv & Safety Imp HLD Bldg.doc.

TL/TG/dk
attachments

cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Principal Mechanical Engineer
Laura Conway, CPA, Chief Accountant
Read Vail, Chief Budget Examiner
CE RESO Review (e-mail)

Intro. Res. No. 2087-2000
Introduced by the Presiding Officer

Laid on the Table 11/21/2000

RESOLUTION NO. 1134 -2000, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED REPAIRS AND RESTORATION OF THE EXISTING EXTERIOR PLAZA AT THE DENNISON BUILDING, HAUPPAUGE, TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Repairs and Restoration of the Existing Exterior Plaza at the Dennison Building, Hauppauge, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves repairing and resetting concrete blocks, patching existing concrete and caulking in areas at the east and south entrances to the plaza of the Dennison Building; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its October 18, 2000 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (2) because it involves no substantial changes to existing facilities; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 19, 2000 of said recommendations;

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

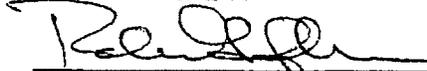
RESOLVED, that this Legislature hereby determines that the Proposed Repairs and Restoration of the Existing Exterior Plaza at the Dennison Building, Hauppauge, Town of Islip constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (2) because it involves no substantial changes to existing facilities; and be it further

RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

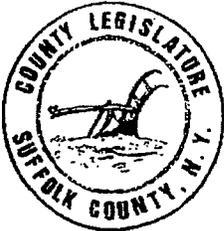
DATED: DEC 05 2000

APPROVED BY:


County Executive of Suffolk County

Date of Approval: 12/14/00

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to certify that I, HENRY L. BARTON, JR., Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on December 5, 2000, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk


Clerk of the County Legislature

**REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE**

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

Submitting Department
(Department Name and Location):

Public Works, Yaphank, New York

Department Contact Person:
(Name and Phone Number):

Tedd Godek, R.A.
852-4220

Suggestion Involves:

Technical Amendment X

New Program _____

Grant Award _____

Contract (New _____ Rev. _____)

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

**APPROPRIATING FUNDS IN CONNECTION WITH ENERGY
CONSERVATION AND SAFETY IMPROVEMENTS TO H. LEE DENNISON
BUILDING (CAPITAL PROJECT NUMBER 1659)**

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

Intro. Res. No 1475-08 - 2008

Laid on the Table 5/13/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS
IN CONNECTION WITH THE ELEVATOR CONTROLS &
SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES
(CAPITAL PROGRAM NUMBER 1760)**

WHEREAS, the Commissioner of Public Works has requested funds for Elevator Controls and Safety Upgrading at Various County Facilities; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, 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 \$200,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 996-1997 classified the action contemplated by this as a Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-one (51) 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, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and hereby appropriated as follows:

| <u>Project No.</u> | <u>J.C.</u> | <u>Project Title</u> | <u>Amount</u> |
|---|-------------|---|---------------|
| 525-CAP-1760.314 (Fund 001 Debt Service) | 20 | Elevator Controls & Safety Upgrading at Various County Facilities | \$200,000 |

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

| | | |
|---|---|------------------|
| 1. Type of Legislation | | |
| Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u> | | |
| 2. Title of Proposed Legislation | | |
| RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE ELEVATOR CONTROLS & SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 1760) | | |
| 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 | | |
| SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS. | | |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. | | |
| SEE ATTACHED DEBT SERVICE SCHEDULE | | |
| 8. Proposed Source of Funding | | |
| SERIAL BONDS | | |
| 9. Timing of Impact | | |
| 2009 | | |
| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
| Nicholas Paglia Executive Technician |  | May 8th , 2008 |

SCIN FORM 175b (10/95)

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

GENERAL FUND

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER \$100 | 2009 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$24,812 | \$0.05 | | \$0.000 |

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER \$100 | 2009 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$24,812 | \$0.05 | | \$0.000 |

NOTES:

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

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

Term of Bonds: 10
 Amount to Bond: \$250,000

| Date | Coupon | Principal | Interest | Total Debt Service | Fiscal Debt Service |
|-----------|--------|--------------|-------------|--------------------|---------------------|
| 11/1/2007 | | | | | |
| 5/1/2008 | | | | | |
| 11/1/2008 | 4.125% | \$16,561.87 | \$8,250.00 | \$24,811.87 | \$24,811.87 |
| | | | \$3,783.41 | \$3,783.41 | |
| 11/1/2009 | 4.125% | \$17,245.04 | \$3,783.41 | \$21,028.46 | \$24,811.87 |
| | | | \$3,427.73 | \$3,427.73 | |
| 11/1/2010 | 4.125% | \$17,956.40 | \$3,427.73 | \$21,384.14 | \$24,811.87 |
| | | | \$3,057.38 | \$3,057.38 | |
| 11/1/2011 | 4.125% | \$18,697.10 | \$3,057.38 | \$21,754.49 | \$24,811.87 |
| | | | \$2,671.75 | \$2,671.75 | |
| 11/1/2012 | 4.125% | \$19,468.36 | \$2,671.75 | \$22,140.11 | \$24,811.87 |
| | | | \$2,270.22 | \$2,270.22 | |
| 11/1/2013 | 4.125% | \$20,271.43 | \$2,270.22 | \$22,541.65 | \$24,811.87 |
| | | | \$1,852.12 | \$1,852.12 | |
| 11/1/2014 | 4.125% | \$21,107.63 | \$1,852.12 | \$22,959.75 | \$24,811.87 |
| | | | \$1,416.78 | \$1,416.78 | |
| 11/1/2015 | 4.125% | \$21,978.32 | \$1,416.78 | \$23,395.09 | \$24,811.87 |
| | | | \$963.47 | \$963.47 | |
| 11/1/2016 | 4.125% | \$22,884.92 | \$963.47 | \$23,848.39 | \$24,811.87 |
| | | | \$491.47 | \$491.47 | |
| 11/1/2017 | 4.125% | \$23,828.92 | \$491.47 | \$24,320.40 | \$24,811.87 |
| | | | | | |
| | | \$200,000.00 | \$48,118.68 | \$248,118.68 | \$248,118.68 |

**REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE**

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

Submitting Department
(Department Name and Location):

Public Works, Yaphank, New York

Department Contact Person:
(Name and Phone Number):

Michael J. Monaghan, P.E.
631-852-4225

Suggestion Involves:

Technical Amendment X

New Program

Grant Award

Contract (New Rev.)

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

AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND
APPROPRIATING FUNDS IN CONNECTION WITH THE ELEVATOR
CONTROLS & SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES
(CAPITAL PROGRAM NUMBER 1760)

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

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

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

DATE: April 14, 2008

RE: CP 1760 – Elevator Controls & Safety Upgrading at Various County Facilities

Attached for your review is a draft resolution requesting that \$200,000 be appropriated into construction for elevator safety upgrades at various County facilities. The following projects are planned for 2008:

Upgrades and safety equipment at Cohalan Court Complex (C-0802).

This work is considered a Type II action under SEQRA in accordance with Resolution No. 996-1997.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1760 Resolution Elevators.doc.

TL/TG/dk

Attachments

cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Principal Mechanical Engineer
Laura Conway, CPA, Chief Accountant
Read Vail, Chief Budget Examiner
CE RESO Review (e-mail)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its September 17, 1997 meeting, the CEQ reviewed the EAF and information submitted by the Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1), since it is replacement of facilities in kind on the same site; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated September 24, 1997 of said recommendations;

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

RESOLVED, that this Legislature hereby determines that the Proposed Reconstruction of Shinnecock Canal Bulkhead, Town of Southampton (CP 5345) constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1), since it is replacement of facilities in kind on the same site; and be it further

RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: November 25, 1997

APPROVED BY:

/s/ Robert J. Gaffney
County Executive of Suffolk County

Date of Approval: December 4, 1997

Mr. Caracciolo offered the following resolution, seconded by Mr. Guldi and duly adopted with the following recorded vote: 16 Legislators in favor; 0 opposed; 2 absent, Mrs. Bredes and Mr. Caracappa.

Intro. Res. No. 2005-97
Introduced by the Presiding Officer

Laid on the Table 10/7/97

RESOLUTION NO. 996-1997, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ELEVATOR CONTROLS AND SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES (CP 1760)

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Elevator Controls and Safety Upgrading at Various County Buildings (CP 1760)", pursuant to Section 6 of Local Law No. 22-1985 which project involves upgrading elevators in County buildings by replacing controls, safety equipment, and providing A.D.A. requirements to meet current codes; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its September 17, 1997 meeting, the CEQ reviewed the EAF and information submitted by the Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (2), since it involves maintenance, repair and replacement of equipment in-kind to meet current energy, safety and fire codes; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated September 24, 1997 of said recommendations;

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

RESOLVED, that this Legislature hereby determines that the Proposed Elevator Controls and Safety Upgrading at Various County Buildings (CP 1760) constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (2), since it involves maintenance, repair and replacement of equipment in-kind to meet current energy, safety and fire codes; and be it further

RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: November 25, 1997

APPROVED BY:

/s/ Robert J. Gaffney
County Executive of Suffolk County

Date of Approval: December 4, 1997

Mr. Caracciolo offered the following resolution, seconded by Mr. Guldi and duly adopted with the following recorded vote: 16 Legislators in favor; 0 opposed; 2 absent, Mrs. Bredes and Mr. Caracappa.

Intro. Res. No. 2006-97
Introduced by the Presiding Officer

Laid on the Table 10/7/97

RESOLUTION NO. 997-1997, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED IMPROVEMENTS TO THE VECTOR CONTROL BUILDING, YAPHANK COUNTY CENTER (CP 5520)

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Improvements to the Vector Control Building, Yaphank County Center (CP 5520)", pursuant to Section 6 of Local Law No. 22-1985 which project involves replacement of the existing heating, ventilation and air conditioning system in the Vector Control Building at the Yaphank County Center; and

1476

Intro. Res. No. -2008
Introduced by Presiding Officer Lindsay

Laid on Table 5/13/08

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO AMEND THE QUALIFICATIONS FOR ELECTRICIANS AND PLUMBERS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008, a proposed local law entitled, "**A LOCAL LAW TO AMEND THE QUALIFICATIONS FOR ELECTRICIANS AND PLUMBERS**" now, therefore, be it

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

LOCAL LAW NO. -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO AMEND THE QUALIFICATIONS FOR ELECTRICIANS AND PLUMBERS

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 Suffolk County currently requires applicants for plumbers and electricians licenses to demonstrate at least five (5) years experience in the trade within the past ten (10) years.

This Legislature also finds that Suffolk County is the only licensing jurisdiction in the immediate area with a five (5) year experience requirement; neighboring municipalities require seven (7) years experience to obtain an occupational license of an electrician and plumber.

This Legislature hereby finds and determines that increasing the years of experience an applicant must demonstrate before being licensed as an electrician or plumber will insure that a higher quality of contractor is working in Suffolk County.

This Legislature determines that it is prudent to bring Suffolk's licensing requirements into conformity with neighboring jurisdictions.

Therefore, the purpose of this law is to increase the experience required by an applicant for an occupational license as an electrician or plumber from five (5) years to seven (7) years.

Section 2. Amendments.

Chapter 275 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 275. Electricians and Plumbers.

* * * *

§ 275-3. Application procedure; qualifications; examinations.

* * * *

B. Qualifications of applicant.

* * * *

(2) All applicants shall demonstrate at least ~~[five]~~ seven years' experience, within the past 10 years, in the trade for which the license is being sought before said applicant may take the examination for the trade for which he has applied for a license.

* * * *

E. Electrical Inspectors shall demonstrate a minimum of ~~[five]~~ seven years' experience within the past 10 years in the electrical field and certification from the International Association of Electrical Inspectors.

* * * *

Section 3. Applicability.

This law shall apply to all applications for licenses and certificates of competency under Chapter 275 of the Suffolk County Code on or after the effective date of this law. Certificates of competency and licenses issued prior to the effective date of this law shall not be affected by the terms of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

This law shall take effect on the one hundred twentieth (120th) day immediately subsequent to filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-elec-plumb-5-to-7

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: MAY 12, 2008
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2008

TITLE: A LOCAL LAW TO AMEND THE QUALIFICATIONS FOR ELECTRICIANS AND PLUMBERS

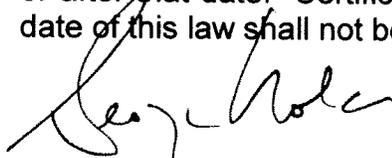
SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 5/12/08 PUBLIC HEARING: 6/10/08

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

This proposed local law would amend Chapter 275 of the SUFFOLK COUNTY CODE to require all applicants for an electrician and/or plumber's license to demonstrate at least seven (7) years of experience within the past ten (10) years in the trade for which the license is being sought. This requirement shall also apply to Electrical Inspectors.

This law shall take effect immediately upon its filing in the Office of the Secretary of State and shall apply to all applications for licenses and certificates of competency on or after that date. Certificates of competency and licenses issued prior to the effective date of this law shall not be affected by the terms of this law.


GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-elec-plumb-5-to-7

Intro. Res. No 1477-08
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 5/13/08

RESOLUTION NO -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RENOVATION/REHABILITATION OF WATER POLLUTION CONTROL PLANTS - COLLEGE WIDE (CP 2109)

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Comprehensive Master Plan - Phase IIA estimated at \$33,940,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State's share estimated at \$16,970,000; and

WHEREAS, the construction phase for the Renovation/Rehabilitation of the Ammerman Campus Water Pollution Control Plant was publicly bid on April 17, 2008; and

WHEREAS, the lowest bid exceeded the project budget and additional construction funds are needed to complete this project; and

WHEREAS, this Renovation/Rehabilitation of the Ammerman Campus Water Pollution Control Plant is necessary in order to ensure compliance with all applicable Federal, State and County environmental regulations; and

WHEREAS, there exist excess State Aid in Capital Project 2301 Installation of RPZ Valves that can be reallocated/reauthorized to this project; and

WHEREAS, sufficient funds have not been included within the 2008 Capital Budget and Program 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 and/or state aid; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, 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 \$187,500 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(1,2) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building codes. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it

3rd **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No. 2109
Project Title: Renovation/Rehabilitation of Water Pollution Control Plants – College Wide

| | <u>Total Est'd. Cost</u> | <u>Current 2008 Capital Budget & Program</u> | <u>Revised 2008 Capital Budget & Program</u> |
|-----------------|----------------------------------|--|--|
| 3. Construction | \$1,759,000 | -0- | \$187,500B |
| | | -0- | \$187,500S |
| 6. TOTAL | \$1,875,000 | -0- | \$375,000 |

and be it further

4th **RESOLVED**, that the proceeds of \$187,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| <u>Project No.</u> | <u>Project Title</u> | <u>JC</u> | <u>Amount</u> |
|--------------------|--|-----------|---------------|
| 525-CAP-2109.313 | Renovation/Rehabilitation of Water Pollution Control Plants – College Wide | 30 | \$187,500 |

and be it further

5th **RESOLVED**, that State Aid be and it hereby is appropriated as follows:

| <u>Project No.</u> | <u>Project Title</u> | <u>JC</u> | <u>Amount</u> |
|--------------------|--|-----------|---------------|
| 525-CAP-2109.313 | Renovation/Rehabilitation of Water Pollution Control Plants – College Wide | 30 | \$187,500 |

6th **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State aid in connection with this project.

Dated:

APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

| | | |
|---|--|------------------|
| 1. Type of Legislation | | |
| Resolution <u> X </u> Local Law _____ Charter Law _____ | | |
| 2. Title of Proposed Legislation | | |
| RESOLUTION NO -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RENOVATION/REHABILITATION OF WATER POLLUTION CONTROL PLANTS – COLLEGE WIDE (CP 2109) | | |
| 3. Purpose of Proposed Legislation | | |
| SEE NO. 2 ABOVE | | |
| 4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____ | | |
| 5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category) | | |
| <u>County</u> | Town | Economic Impact |
| Village | School District | Other (Specify): |
| Library District | Fire District | |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact | | |
| SERIAL BONDS AND STATE AID WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS. | | |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. | | |
| SEE ATTACHED DEBT SERVICE SCHEDULE | | |
| 8. Proposed Source of Funding | | |
| 50% SERIAL BONDS 50% STATE AID | | |
| 9. Timing of Impact | | |
| 2009 | | |
| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
| Carmine Chiusano, Assistant Budget Director |  | May 12, 2008 |

SCIN FORM 175b (10/95)

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

GENERAL FUND

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER \$100 | 2009 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$13,889 | \$0.03 | | \$0.000 |

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER \$100 | 2009 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$13,889 | \$0.03 | | \$0.000 |

NOTES:

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

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

Term of Bonds: 20
 Amount to Bond: \$187,500

| Date | Coupon | Principal | Interest | Total Debt Service | Fiscal Debt Service |
|------------|--------|--------------|-------------|--------------------|---------------------|
| 5/20/2008 | | | | | |
| 11/20/2008 | | | | | |
| 5/20/2009 | 4.000% | \$6,247.73 | \$7,640.63 | \$13,888.36 | \$13,888.36 |
| | | | \$3,693.01 | \$3,693.01 | |
| 5/20/2010 | 4.000% | \$6,502.33 | \$3,693.01 | \$10,195.34 | \$13,888.36 |
| | | | \$3,560.53 | \$3,560.53 | |
| 5/20/2011 | 4.000% | \$6,767.30 | \$3,560.53 | \$10,327.83 | \$13,888.36 |
| | | | \$3,422.65 | \$3,422.65 | |
| 5/19/2012 | 4.000% | \$7,043.07 | \$3,422.65 | \$10,465.71 | \$13,888.36 |
| | | | \$3,279.14 | \$3,279.14 | |
| 5/20/2013 | 4.000% | \$7,330.07 | \$3,279.14 | \$10,609.22 | \$13,888.36 |
| | | | \$3,129.79 | \$3,129.79 | |
| 5/20/2014 | 4.000% | \$7,628.77 | \$3,129.79 | \$10,758.57 | \$13,888.36 |
| | | | \$2,974.36 | \$2,974.36 | |
| 5/20/2015 | 4.000% | \$7,939.64 | \$2,974.36 | \$10,914.00 | \$13,888.36 |
| | | | \$2,812.59 | \$2,812.59 | |
| 5/19/2016 | 4.000% | \$8,263.19 | \$2,812.59 | \$11,075.77 | \$13,888.36 |
| | | | \$2,644.22 | \$2,644.22 | |
| 5/20/2017 | 4.000% | \$8,599.91 | \$2,644.22 | \$11,244.13 | \$13,888.36 |
| | | | \$2,469.00 | \$2,469.00 | |
| 5/20/2018 | 4.000% | \$8,950.36 | \$2,469.00 | \$11,419.36 | \$13,888.36 |
| | | | \$2,286.64 | \$2,286.64 | |
| 5/20/2019 | 4.000% | \$9,315.08 | \$2,286.64 | \$11,601.72 | \$13,888.36 |
| | | | \$2,096.84 | \$2,096.84 | |
| 5/19/2020 | 4.000% | \$9,694.67 | \$2,096.84 | \$11,791.52 | \$13,888.36 |
| | | | \$1,899.31 | \$1,899.31 | |
| 5/20/2021 | 4.000% | \$10,089.73 | \$1,899.31 | \$11,989.05 | \$13,888.36 |
| | | | \$1,693.74 | \$1,693.74 | |
| 5/20/2022 | 4.000% | \$10,500.89 | \$1,693.74 | \$12,194.62 | \$13,888.36 |
| | | | \$1,479.78 | \$1,479.78 | |
| 5/20/2023 | 4.250% | \$10,928.80 | \$1,479.78 | \$12,408.58 | \$13,888.36 |
| | | | \$1,257.11 | \$1,257.11 | |
| 5/19/2024 | 4.250% | \$11,374.15 | \$1,257.11 | \$12,631.25 | \$13,888.36 |
| | | | \$1,025.36 | \$1,025.36 | |
| 5/20/2025 | 4.250% | \$11,837.64 | \$1,025.36 | \$12,863.00 | \$13,888.36 |
| | | | \$784.17 | \$784.17 | |
| 5/20/2026 | 4.250% | \$12,320.03 | \$784.17 | \$13,104.19 | \$13,888.36 |
| | | | \$533.15 | \$533.15 | |
| 5/20/2027 | 4.250% | \$12,822.07 | \$533.15 | \$13,355.21 | \$13,888.36 |
| | | | \$271.90 | \$271.90 | |
| 5/19/2028 | 4.250% | \$13,344.57 | \$271.90 | \$13,616.46 | \$13,888.36 |
| | | | | | |
| | | \$187,500.00 | \$90,267.19 | \$277,767.19 | \$277,767.19 |

Suffolk

COUNTY COMMUNITY COLLEGE

Central Administration - Capital Projects/Facilities Department

May 5, 2008

Ben Zwirn
Assistant Deputy County Executive
H. L. Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788

Re: Proposed Capital Project Transferring Resolutions

Dear Mr. Zwirn:

The College respectfully requests that the proposed resolutions enclosed herein be introduced at the next meeting of the Legislature. The resolutions are as follows:

- Amending Prior Capital Authorized Appropriations For Installation Of RPZ Valves (CP 2301.310)
- Appropriating Funds In Connection With The Renovation/Rehabilitation Of Water Pollution Control Plants – College Wide (CP 2109)

The first resolution reduces the budget for the Installation of RPZ Valves by \$375,000. The second resolution increases the budget for Renovation/Rehabilitation Of Water Pollution Control Plants – College Wide by \$375,000. Therefore, there is no funding increase to the College Capital Program as a result of these resolutions, however, both resolutions must be adopted in order to accomplish this zero impact.

Draft resolutions were e-mailed to the distribution list CE Reso Review saved under the title "Reso-SCCC-RPZ" and "Reso-SCCC-STP", respectively, on May 5, 2008.

Please feel free to call me at (451-4233) if any additional information is required.

Sincerely,



Jon DeMaio, P.E.
Administrative Director of Educational Facilities

Enclosure

Central Administration
533 College Road
Selden, NY 11784-2899

Ammerman Campus
533 College Road
Selden, NY 11784-2899

Grant Campus
Crooked Hill Road
Brentwood, NY 11717-1092

Eastern Campus
121 Speonk-Riverhead Road
Riverhead, NY 11901-3499

Cc: Charles K. Stein – Vice President of Business and Financial Affairs, SCCC
Paul Cooper, P.E. – Executive Director of Facilities/Technical Support, SCCC
Sara Gorton – Principal Auditor, SCCC

**Central
Administration**
533 College Road
Selden, NY 11784-2899

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

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

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

RESOLUTION NO. - 2008, AMENDING PRIOR CAPITAL AUTHORIZED APPROPRIATIONS FOR INSTALLATION OF RPZ VALVES (CP 2301.310)

WHEREAS, Bond Authorizing Resolution No. 1205-1998 and Appropriating Resolution No. 1206-1998 approved funding in connection with the Installation of RPZ Valves; and

WHEREAS, the construction costs associated with the Installation of RPZ Valves have been reduced by scheduling RPZ installations as a part of existing building renovation projects; and

WHEREAS, additional construction funds are needed to complete the renovations of the wastewater treatment facility at the Ammerman Campus (CP 2109.313); and

WHEREAS, it is necessary to amend Resolution No. 1206-1998 by reducing \$375,000 (\$187,500 serial bonds and \$187,500 state aid) from construction; now, therefore be it

1st RESOLVED, that the 5th Whereas clause of Resolution No. 1206-1998 is hereby amended as follows:

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$61,500 [\$249,000] in Suffolk County Serial Bonds; and

2nd RESOLVED, that the 2nd Resolved clause of Resolution No. 1206-1998 is hereby amended as follows:

Project No.: 2301
 Project Title: Installation of RPZ Valves College Wide

| | Total Est'd Cost | Current 1998 Capital Budget & Program | Revised 1998 Capital Budget & Program |
|-----------------|------------------------------|---|--|
| 1. Planning | \$-0- | \$37,500B \$37,500S | \$ -0- \$ -0- |
| 3. Construction | [750,000] <u>375,000</u> | -0- -0- | [249,000B] <u>\$61,500B</u> [249,000S] <u>\$61,500S</u> |
| 6. TOTAL | [\$750,000] <u>\$375,000</u> | \$75,000 | [\$498,000] <u>\$123,000</u> |

and be it further

3rd RESOLVED, that the 3rd Resolved clause of Resolution No. 1206-1998 is hereby amended by reducing the appropriation by \$187,500 as follows:

| <u>Project No.</u> | <u>Project Title</u> | <u>JC</u> | <u>Amount</u> |
|---------------------------------------|--|-----------|-----------------------------|
| 525-CAP-CAP-21065 Ref-525-2301.310 | Construction for the Installation of RPZ Valves, College Wide | 30 | [\$249,000] <u>\$61,500</u> |

and be it further

4th RESOLVED, that the 4th Resolved clause of Resolution No. 1206-1998 is hereby amended by reducing the appropriation by \$187,500 as follows:

| <u>Project No.</u> | <u>Project Title</u> | <u>JC</u> | <u>Amount</u> |
|---------------------------------------|--|-----------|-----------------------------|
| 525-CAP-CAP-21065 Ref-525-2301.310 | Construction for the Installation of RPZ Valves, College Wide | 30 | [\$249,000] <u>\$61,500</u> |

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, not including new programs or major reordering of priorities that may affect the environment; As a Type II action, the Legislature has no further responsibilities under SEQRA.

[] Brackets denote deletion of existing language.
___ Underlining denotes addition of new language.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

| | | |
|--|--|------------------|
| 1. Type of Legislation | | |
| Resolution <u> X </u> Local Law _____ Charter Law _____ | | |
| 2. Title of Proposed Legislation | | |
| RESOLUTION NO. – 2008, AMENDING PRIOR CAPITAL AUTHORIZED APPROPRIATIONS FOR INSTALLATION OF RPZ VALVES (CP 2301.310) | | |
| 3. Purpose of Proposed Legislation | | |
| SEE NO. 2 ABOVE | | |
| 4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____ | | |
| 5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category) | | |
| <u>County</u> | Town | Economic Impact |
| Village | School District | Other (Specify): |
| Library District | Fire District | |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact | | |
| AMENDMENT WILL REDUCE THE SERIAL BONDS AND STATE AID ISSUED TO FINANCE THIS PROJECT BY \$187,500. | | |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. | | |
| SEE ATTACHED DEBT SERVICE SCHEDULE | | |
| 8. Proposed Source of Funding | | |
| REDUCED SERIAL BONDS REDUCED STATE AID | | |
| 9. Timing of Impact | | |
| Immediately | | |
| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
| Carmine Chiusano, Assistant Budget Director |  | May 12, 2008 |

SCIN FORM 175b (10/95)

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

GENERAL FUND

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER \$100 | 2009 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | -\$42,118 | -\$0.08 | | \$0.000 |

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER \$100 | 2009 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | -\$42,118 | -\$0.08 | | \$0.000 |

NOTES:

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

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

Term of Bonds: **5**
 Amount to Bond: **(\$187,500)**

| Date | Coupon | Principal | Interest | Total Debt Service | Fiscal Debt Service |
|------------------|---------------|----------------|---------------|--------------------|---------------------|
| 5/20/2008 | | | | | |
| 11/20/2008 | | | | | |
| 5/20/2009 | 4.000% | (\$34,617.58) | (\$7,500.00) | (\$42,117.58) | (\$42,117.58) |
| | | | (\$3,057.65) | (\$3,057.65) | |
| 5/20/2010 | 4.000% | (\$36,002.29) | (\$3,057.65) | (\$39,059.94) | (\$42,117.58) |
| | | | (\$2,337.60) | (\$2,337.60) | |
| 5/20/2011 | 4.000% | (\$37,442.38) | (\$2,337.60) | (\$39,779.98) | (\$42,117.58) |
| | | | (\$1,588.76) | (\$1,588.76) | |
| 5/19/2012 | 4.000% | (\$38,940.07) | (\$1,588.76) | (\$40,528.83) | (\$42,117.58) |
| | | | (\$809.95) | (\$809.95) | |
| 5/20/2013 | 4.000% | (\$40,497.68) | (\$809.95) | (\$41,307.63) | (\$42,117.58) |
| | | | | | |
| | | (\$187,500.00) | (\$23,087.92) | (\$210,587.92) | (\$210,587.92) |

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

RESOLUTION NO. 1206 - 1998, AMENDING THE 1998 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE INSTALLATION OF RPZ VALVES, COLLEGE WIDE (CP2301)

*Borrowed
450,000
12/15/01
Term 12/15/11*

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Comprehensive Master Plan - Phase IIA estimated at \$33,940,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State's share estimated at \$16,970,000; and

WHEREAS, funds have not been included in the 1998 Capital Budget and Program to cover the County's cost of the projects and pursuant to Section C4-13 an offsetting authorization is not required because the project will receive 50% State Aid; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 547-1997 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 \$249,000 in Suffolk County Serial Bonds; and

WHEREAS, the College Board of Trustees, by Resolution No. 94.145 dated August 24, 1994, issued a negative SEQRA declaration for the Comprehensive Master Plan Phase II which include Capital Project 2301; and

WHEREAS, the power to make such a determination has been granted under the Plan C Agreement between the College and the County; now, therefore, be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of 62 is eligible for approval in accordance with the provisions of Resolution 471-1994 as revised by Resolution No. 547-1997; and be it further

RESOLVED, that the 1998 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 2301
Project Title: Installation of RPZ Valves College Wide

| | Total Est'd. Cost | Current 1998 Capital Budget & Program | Revised 1998 Capital Budget & Program |
|-----------------|-------------------------|---|---|
| 1. Planning | \$ -0- | \$37,500B 37,500S | \$ -0- -0- |
| 3. Construction | 750,000 | -0- -0- | 249,000B 249,000S |
| 6. TOTAL | \$750,000 | \$75,000 | \$498,000 |

and be it further

RESOLVED, that the proceeds of \$249,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| <u>Project No.</u> | <u>Project Title</u> | <u>JC</u> | <u>Amount</u> |
|---------------------------------------|--|-----------|---------------|
| 525-CAP-CAP-21065 Ref-525-2301.310 | Construction for the installation of RPZ Valves, College Wide | 30 | \$249,000 |

and be it further

RESOLVED, that matching State Aid be and it hereby is appropriated as follows:

| <u>Project No.</u> | <u>Project Title</u> | <u>JC</u> | <u>Amount</u> |
|---------------------------------------|--|-----------|---------------|
| 525-CAP-CAP-21065 Ref-525-2301.310 | Construction for the installation of RPZ Valves, College Wide | 30 | \$249,000 |

DATED: DEC 15 1998

APPROVED BY:



County Executive of Suffolk County

Date of Approval: 12/29/98

**BOND RESOLUTION NO. 1205 OF 1998, DATED
DECEMBER 15, 1998**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF
\$249,000 SERIAL BONDS OF THE COUNTY OF
SUFFOLK, NEW YORK, TO PAY PART OF THE COST OF
OF THE CONSTRUCTION FOR THE INSTALLATION OF
RPZ VALVES, COLLEGE WIDE, SUFFOLK COUNTY
COMMUNITY COLLEGE**

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the maximum estimated cost of such capital project, as hereinafter set forth in this resolution, is in conformity with such capital budget; and

WHEREAS, it is now desired to authorize the financing of such capital project; now therefore be it

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

Section 1. The class of objects or purposes to be financed pursuant to this resolution is to pay part of the cost of the construction for the installation of RPZ valves, college wide, Suffolk County Community College.

Section 2. It is hereby determined that the maximum estimated cost of such class of objects or purposes is \$498,000, and the plan for the financing thereof is as follows:

- a) By the issuance of \$249,000 serial bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; and
- b) By the expenditure of \$249,000 in State Aid monies heretofore appropriated therefor by the County Legislature.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 5. The faith and credit of said County of Suffolk, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. The validity of such bonds and any bond anticipation notes issued in anticipation thereof may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

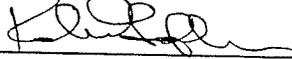
and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution, which takes effect immediately, shall be published in full in the official newspapers of said County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

DATED: December 15, 1998

APPROVED BY:



County Executive of Suffolk County

Date of Approval: 12/29/98



Central Administration - Capital Projects/Facilities Department

May 5, 2008

Ben Zwirn
Assistant Deputy County Executive
H. L. Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788

Re: Proposed Capital Project Transferring Resolutions

Dear Mr. Zwirn:

The College respectfully requests that the proposed resolutions enclosed herein be introduced at the next meeting of the Legislature. The resolutions are as follows:

- Amending Prior Capital Authorized Appropriations For Installation Of RPZ Valves (CP 2301.310)
- Appropriating Funds In Connection With The Renovation/Rehabilitation Of Water Pollution Control Plants – College Wide (CP 2109)

The first resolution reduces the budget for the Installation of RPZ Valves by \$375,000. The second resolution increases the budget for Renovation/Rehabilitation Of Water Pollution Control Plants – College Wide by \$375,000. Therefore, there is no funding increase to the College Capital Program as a result of these resolutions, however, both resolutions must be adopted in order to accomplish this zero impact.

Draft resolutions were e-mailed to the distribution list CE Reso Review saved under the title "Reso-SCCC-RPZ" and "Reso-SCCC-STP", respectively, on May 5, 2008.

Please feel free to call me at (451-4233) if any additional information is required.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon DeMaio".

Jon DeMaio, P.E.
Administrative Director of Educational Facilities

Enclosure

Cc: Charles K. Stein – Vice President of Business and Financial Affairs, SCCC
Paul Cooper, P.E. – Executive Director of Facilities/Technical Support, SCCC
Sara Gorton – Principal Auditor, SCCC

**Central
Administration**
533 College Road
Selden, NY 11784-2899

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

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

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

1479

Intro. Res. No. -2008
Introduced by Legislator Cooper

Laid on Table 5/13/08

**RESOLUTION NO. -2008, ESTABLISHING AN E-
VERIFY PILOT PROGRAM IN THE DEPARTMENT OF
PUBLIC WORKS**

WHEREAS, federal law requires businesses to verify that their employees are legally eligible to be employed in the United States, however, this law (known popularly as the "Simpson-Mazzoli" law) has never been effectively enforced and many employers continue to ignore its requirements; and

WHEREAS, employers who fail to comply with applicable federal, state and local laws gain an unfair financial advantage over employers who play by the rules and who necessarily incur additional costs when they properly hire employees; and

WHEREAS, the County of Suffolk adopted Local Law No. 52-2006 to require companies doing business with the County to certify their compliance with federal law with respect to the lawful hiring of employees; and

WHEREAS, the United States Department of Homeland Security and the Social Security Administration have established an electronic system called "E-Verify" to assist employers in verifying the employment eligibility of all their newly hired employees; and

WHEREAS, under this system employers can check form I-9 information to ensure that an employees name, Social Security number, date of birth and citizenship status match government records; and

WHEREAS, employers can use E-Verify at no charge; and

WHEREAS, this Legislature believes it would be prudent to institute a pilot program to determine if E-Verify can be utilized effectively to ensure a level playing field for businesses seeking to do business with the County of Suffolk; now, therefore be it

1st RESOLVED, that the Commissioner of the Department of Public Works is hereby authorized, empowered and directed to establish an E-Verify Pilot Program; and be it further

2nd RESOLVED, that as part of the pilot program, the Department shall incorporate into all its public works/construction contracts, a requirement that the contractor shall utilize the E-Verify Program to verify that all of its employees working on the subject public works construction contract are authorized to work in the United States; and be it further

3rd RESOLVED, that the Department shall also include in its public works/construction contracts, provisions requiring its contractors to maintain records or documents that establish their compliance with the contract's E-Verify requirements and allow the County of Suffolk to periodically review such records or documents upon request; and be it further

4th RESOLVED, that the Department of Public Works shall implement the Pilot Program described herein within ninety (90) days of the effective date of this resolution; and be it further

5th **RESOLVED**, that this E-Verify Pilot Program shall continue for eighteen (18) months; and be it further

6th **RESOLVED**, that at the end of the eighteen (18) month Pilot Program, the Department of Public Works shall provide a written report to the County Executive and all members of the Suffolk County Legislature, describing the results of the Pilot Program and making recommendations as to whether such program should be continued and/or expanded; and be it further

7th **RESOLVED**, that the Department of Law is hereby authorized, empowered and directed to assist the Department of Public Works in implementing the above described Pilot Program; and be it further

8th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, 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:

s:\reslr-e-verify

1480

5/13/08

Intro. Res. No. -2008

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, A RESOLUTION
AUTHORIZING THE COUNTY EXECUTIVE TO
EXECUTE AN AGREEMENT FOR THE SALE OF THE
SUFFOLK HEALTH PLAN**

WHEREAS, Resolution No. 893-1993 authorized the Suffolk County Department of Health Services to apply for a certificate of authority from the New York State Department of Health which would permit the Department of Health Services to operate a Prepaid Health Services Plan; and

WHEREAS, on March 1, 1995, pursuant to Article 44 of the New York Public Health Law, the New York State Department of Health granted the Suffolk County Department of Health Services such certificate of authority and, in April 1995, the Department, doing business as the Suffolk Health Plan, began to serve as a Prepaid Health Services Medicaid provider arranging for the delivery of healthcare services to persons eligible for Medicaid, and the Plan has expanded to provide other public health programs for low-income families and individuals, such as the provision of Child Health Plus and Family Health Plus products; and

WHEREAS, the Suffolk Health Plan currently serves approximately 15,600 members; with approximately 100 primary care providers in the ten Suffolk County operated Health Centers, as well as the Huntington Hospital owned Dolan Family Health Center, providing primary care services to these members; and with approximately 1,100 specialists providing specialized services to these members; and

WHEREAS, since its inception in 1995, the Suffolk Health Plan's administrative costs have continued to increase to the point that, in light of the Suffolk Health Plan's relatively small membership, the Plan's cost cannot be economically spread out over its membership base; and

WHEREAS, the New York State Department of Health frequently changes the regulatory standards for Article 44 Prepaid Health Service Plans resulting in increasingly stringent and difficult to meet standards which add to the already difficult administrative burden borne by the Suffolk Health Plan; and

WHEREAS, many medical specialist providers are deterred from contracting for the provision of services to the Suffolk Health Plan, inasmuch as the Plan is government-owned and sponsored and therefore requires a complex regulatory procurement procedure for each provider; and

WHEREAS, as a result of these factors, it has become increasingly difficult for the Department of Health Services to efficiently administer the Suffolk Health Plan in a manner consistent with State regulations and, most importantly, in a manner consistent with providing the best overall healthcare options and outcomes to the Suffolk Health Plan membership; and

WHEREAS, for these reasons, as part of the County Executive's proposed 2008 Operating Budget, the County Executive proposed the sale of the Suffolk Health Plan; and

WHEREAS, in furtherance of exploring the potential sale of the Suffolk Health Plan and reporting its findings to the County Executive and the Suffolk County Legislature, the Department of Health Services and the Board of the Suffolk Health Plan instituted a process pursuant to which they reviewed and analyzed indications of interest received from qualified potential purchasers for the purchase of the Suffolk Health Plan; and

WHEREAS, pursuant to this process, the Department of Health Services and the Board of the Suffolk Health Plan retained Shattuck Hammond Partners, an investment banking services consultant with expertise in the area of buying and selling corporate health plans, to act as their agent for the purpose of exploring the potential sale of the Suffolk Health Plan and to advise the County on matters relating to such potential sale; and

WHEREAS, after publication of notice seeking indications of interest regarding the potential sale of the Suffolk Health Plan, the Department of Health Services, with the advice of Shattuck Hammond, instituted a process for reviewing proposals pursuant to which potential purchasers engaged in a two round bidding process; and

WHEREAS, during this process, the Department of Health Services reviewed proposals to determine which potential purchaser would offer the best purchase price to the County, and, more importantly, which purchaser would provide the best service to the Suffolk Health Plan membership, particularly in light of the purchaser's 1) proven service record to Medicaid, Child Health Plus, and Family Health Plus members and 2) the ability to offer a seamless transition to Suffolk Health Plan membership; and

WHEREAS, based on a careful review of the proposals, the Department of Health Services and the Board of the Suffolk Health Plan have recommended that the Suffolk County Legislature approve the sale of the Suffolk Health Plan to Neighborhood Health Providers, LLC for a purchase price of \$6,500,000.00, which, when combined with the excess assets of the Suffolk Health Plan, will result in a sale value of approximately \$17,900,000.00 to the County; and

WHEREAS, in order to avoid any disruption in services to the membership of the Suffolk Health Plan, as a condition of this purchase Neighborhood Health Providers, LLC will agree to enter into a three year agreement, with two automatic one-year renewal options, pursuant to which the Suffolk County Health Centers will continue to serve as the Primary Care Providers for the Suffolk Health Plan and which, in turn, will result in over \$13,000,000.00 in additional revenue over the current budgeted projections to Suffolk County over the life of the agreement.

NOW, THEREFORE be it

1ST RESOLVED, the County Executive is hereby authorized and empowered to verify and execute an Asset Purchase Agreement with Neighborhood Health Providers, LLC for the sale of the Suffolk Health Plan at a purchase price of \$6,500,000.00 provided that such execution is conditioned upon Neighborhood Health Providers, LLC entering into an agreement with the County for a three-year period, with two automatic one-year renewal options, pursuant to which the Suffolk County Health Centers will continue to serve as the Primary Care Providers for the Suffolk Health Plan; and be it further

2nd **RESOLVED**, the Department of Health Services is hereby authorized to submit such Asset Purchase Agreement and any necessary accompanying documents to the New York State Department of Health for its approval of the sale transaction; and be it further

3rd **RESOLVED**, 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 (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: , 2008

APPROVED BY:

County Executive of Suffolk County

**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 | | |
| 3. Purpose of Proposed Legislation To authorize the sale of the Suffolk Health Plan | | |
| 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) | | |
| <input checked="" type="checkbox"/> County | <input type="checkbox"/> Town | <input type="checkbox"/> Economic Impact |
| <input type="checkbox"/> Village | <input type="checkbox"/> School District | <input type="checkbox"/> Other (Specify): |
| <input type="checkbox"/> Library District | <input type="checkbox"/> Fire District | |
| 6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: \$18,589,925 total benefit to be realized in 2008. Additional revenue will be realized as follows: 2009-\$2,692,800, 2010-\$3,122,634, 2011-\$3,375,072 and 2012-\$3,447,479. | | |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A | | |
| 8. Proposed Source of Funding Revenue to the County | | |
| 9. Timing of Impact Upon completion of sale. | | |
| 10. Typed Name & Title of Preparer Margaret B. Bermel Director of Health Administrative Services | 11. Signature of Preparer <i>M.B. Bermel MBA</i> <i>B.A. Reynolds</i> 5/13/08 | 12. Date 5/13/08 |

Beth A. Reynolds 5/13/08

Projected Fund Balance Transfer Calculation

| | |
|--|--------------------------|
| Total Assets @ 12/31/2007 | 21,304,080 |
| Less Capital Assets(net) | <u>(48,175)</u> |
| Net Assets | <u>21,255,905</u> |
| Less: | |
| Liabilities - Current | (9,357,819) |
| Sale Professional Fees Expense (Estimated) | <u>(500,000)</u> |
| Net Fund Balance Transfer | 11,398,086 |
| Cash from Sale | <u>6,500,000</u> |
| Projected Fund Balance Transfer | <u>17,898,086</u> |
| 2008 Operating Budgeted Fund Balance Transfer | 16,097,738 |
| <i>Excess Fund Balance Transfer over Budget</i> | <i>1,800,348</i> |

Note:

Plan projected to breakeven in 2008

Liabilities do not include long term OPEB of \$400,000

SUFFOLK HEALTH PLAN

Sale Summary

| | <u>2008</u> | <u>2009-2012</u> | <u>SALE BENEFIT</u> |
|--|--------------------------|--------------------------|--------------------------|
| Additional Revenue to Health Centers | 691,839 | 12,637,985 | 13,329,824 |
| Fund Balance Transfer to General Fund | <u>17,898,086</u> | <u></u> | <u>17,898,086</u> |
| Total Projected Benefit to County | <u><u>18,589,925</u></u> | <u><u>12,637,985</u></u> | <u><u>31,227,910</u></u> |
| | | | |
| Budgeted Benefit to County | 16,097,738 | | |
| Net additional non budgeted G/F Revenue | <u><u>2,492,187</u></u> | | |

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER \$100 | 2008 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0 | \$0.00 | | \$0.000 |

POLICE DISTRICT AND DISTRICT COURT

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER \$100 | 2008 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0 | \$0.00 | | \$0.000 |

COMBINED

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER \$100 | 2008 FEV TAX RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0 | \$0.00 | | \$0.000 |

NOTES:

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

1481

5/13/08

Intro. Res. No. -2008

Laid on Table

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

**RESOLUTION NO. -2008, ADOPTING LOCAL
LAW NO. -2008, A LOCAL LAW AMENDING
CHAPTER 270 OF THE SUFFOLK COUNTY CODE TO
EXPAND THE USE OF FORFEITURES TO THE
MISDEMEANOR CRIME OF RECKLESS DRIVING**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on _____, 2008 a proposed local law entitled "**A LOCAL LAW AMENDING CHAPTER 270 OF THE SUFFOLK COUNTY CODE TO EXPAND THE USE OF FORFEITURES TO THE MISDEMEANOR CRIME OF RECKLESS DRIVING**"; now, therefore be it

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

**LOCAL LAW NO. -2008, SUFFOLK COUNTY, NEW YORK
A LOCAL LAW AMENDING CHAPTER 270 OF THE
SUFFOLK COUNTY CODE TO EXPAND THE USE OF
FORFEITURES TO THE MISDEMEANOR CRIME OF
RECKLESS DRIVING.**

**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 pursuant to New York State Vehicle and Traffic Law Section 1212, a person driving or using a motor vehicle in a manner which unreasonable interferes with the free and proper use of the public highway, or unreasonably endangers uses of the public highway shall be guilty of a misdemeanor.

This Legislature further finds that in 2007 there were an alarming number of individuals arrested for reckless driving in Suffolk County resulting in the needless loss of life, injury, and property damage.

This Legislature also finds that such driving poses an immediate threat to the health and safety of the public, interferes with pedestrian and vehicular traffic, and creates a public nuisance.

This Legislature also finds that the County's seizure laws have proven to be a strong deterrent to misdemeanor criminal activity and a useful tool for law enforcement in combating such dangerous problems.

This Legislature finds it necessary and appropriate to expand the personal property forfeiture statutes to declare vehicles used in violation of Section 1212 of the Vehicle and Traffic Law a nuisance which may be forfeited.

Therefore, the purpose of this law is to amend Chapter 270 of the Suffolk County Code to provide for the forfeiture of vehicles used in violation of Section 1212 of the NYS Vehicle and Traffic Law.

Section 2. Amendments.

I. Chapter 270 of the SUFFOLK COUNTY CODE is hereby amended as follows:

ARTICLE IV, FORFEITURE OF PROPERTY USED IN OR OBTAINED THROUGH CRIME.

* * * *

§ 270-25. Definitions.

* * * *

OFFENSE -- A violation of New York Vehicle and Traffic Law § 1192, Operating a motor vehicle under the influence of alcohol or drugs, Subdivision 2, 2-a, 3, 4, or 4-a[;]; §1212, Reckless driving; or § 1192-a, Operating a motor vehicle after having consumed alcohol[;], under the age of 21[;], per se; or a violation of New York Navigation Law § 49-a, Operation of a vessel while under the influence of alcohol or drugs. [Amended 11-20-2007 by L.L. No. 32-2007].

* * * *

§ 270-27. Civil authority.

A. A civil action shall be commenced by the claiming authority, or its designees, against a defendant to forfeit seized property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense or to recover a money judgment in an amount equivalent in value to the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, if it can be demonstrated that the property was seized in connection with the acts of an individual who has been convicted at least once before of a violation of New York Vehicle and Traffic Law § 1192(2), (2-a), (3), (4) or (4-a) or § 49-a of the New York Navigation Law or having been found guilty of violating § 1192-a or § 1212 of the New York Vehicle and Traffic Law, except that:

* * * *

B. A civil action shall be commenced by the claiming authority, or its designee, against a defendant to seize and to forfeit property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, or to recover a money judgment in an amount equivalent in value to the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, if it can be demonstrated that the property is to be seized in connection with the action of an individual

who has been convicted at least once before of a violation of New York Vehicle and Traffic Law § 1192(2), (2-a), (3), (4) or (4-a) or § 49-a of the New York Navigation Law or having been found guilty of § 1192-a or § 1212 of the New York Vehicle and Traffic Law, except that:

* * * *

Section 3. Applicability.

This law shall apply to offenses committed on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes enactment of a local law which will not affect the environment pursuant to Section 617.2(b)(3) 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. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

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

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

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: MAY 13, 2008
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2008

TITLE: A LOCAL LAW AMENDING CHAPTER 270 OF THE SUFFOLK COUNTY CODE TO EXPAND THE USE OF FORFEITURES TO THE MISDEMEANOR CRIME OF RECKLESS DRIVING

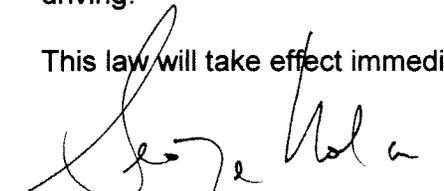
SPONSOR: PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 5/13/2008 PUBLIC HEARING: 6/10/2008

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

This proposed local law would authorize the County of Suffolk to seize and forfeit vehicles operated in violation of Section 1212 of the New York State Vehicle and Traffic Law - "reckless driving". Forfeiture of the vehicle will be predicated on at least one prior conviction of reckless driving.

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


GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-amend-reckless-driving