

1252

Intro. Res. No. -2009

Laid on Table 3/24/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, APPROPRIATING FUNDS IN CONNECTION WITH THE REMOVAL OF TOXIC AND HAZARDOUS MATERIALS IN COUNTY PARKS (CP 7185)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested construction funds for the removal of toxic and hazardous materials in County parks; 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, all conditions precedent to the financing of the Capital Project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

WHEREAS, removal of all toxic and hazardous materials discovered in county parks will be in accordance with all Federal and OSHA standards; 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, that the Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Part 617.5 (c):

(1) maintenance or repair involving no substantial changes in an existing structure or facility; and

(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in Section 617.4 of this Part; and

(21) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may effect the environment; and therefore SEQRA is complete; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-eight (68) 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 proceeds of \$200,000 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>
CAP 525-7185.312 (Fund 001–Debt Service)	26	Removal of Toxic and Hazardous Materials in County Parks	\$200,000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

1252

Term of Bonds: 5
 Amount to Bond: \$200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	\$36,558.33	\$9,000.00	\$45,558.33	\$45,558.33
			\$3,677.44	\$3,677.44	
5/1/2011	4.500%	\$38,203.45	\$3,677.44	\$41,880.89	\$45,558.33
			\$2,817.86	\$2,817.86	
5/1/2012	4.500%	\$39,922.61	\$2,817.86	\$42,740.47	\$45,558.33
			\$1,919.60	\$1,919.60	
5/1/2013	4.500%	\$41,719.13	\$1,919.60	\$43,638.73	\$45,558.33
			\$980.92	\$980.92	
5/1/2014	4.500%	\$43,596.49	\$980.92	\$44,577.41	\$45,558.33
		\$200,000.00	\$27,791.64	\$227,791.64	\$227,791.64

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

1252

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$45,559	\$0.09		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

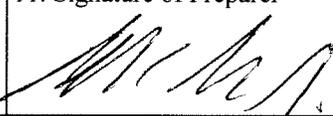
	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$45,559	\$0.09		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1252

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2009, APPROPRIATING FUNDS IN CONNECTION WITH THE REMOVAL OF TOXIC AND HAZARDOUS MATERIALS IN COUNTY PARKS (CP 7185)		
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 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		
2010		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		February 25th, 2009

SCIN FORM 175b (10/95)

COUNTY OF SUFFOLK



1252

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive

FROM: JOHN W. PAVACIC, Commissioner *JWP*

CC: JIM MORGO, Chief Deputy County Executive

DATE: February 11, 2009

RE: INTRODUCTORY RESOLUTION APPROPRIATING FUNDS IN
CONNECTION WITH THE REMOVAL OF TOXIC AND HAZARDOUS
MATERIALS IN COUNTY PARKS (CP 7185)

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS- Appropriating Funds for CP 7185 - Removal Toxic Materials.doc".

Frequently in the course of rehabilitating or restoring parks or historic structures, hazardous materials are discovered including lead, asbestos, and PCBs, among other substances. Special training and procedures must be followed in handling these materials, which increases the costs associated with their removal.

The funds appropriated under this resolution will go toward removal of underground storage tanks at Peconic Dunes County Park, Sears Bellows County Park and other parks; installing and upgrading leak detection systems to comply with State and Federal regulations; and other projects as needed.

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

Enclosures



STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law _____ Charter Law _____ 1252		
2. Title of Proposed Legislation INTRODUCTORY RESOLUTION APPROPRIATING FUNDS IN CONNECTION WITH THE REMOVAL OF TOXIC AND HAZARDOUS MATERIALS IN COUNTY PARKS (CP 7185)		
3. Purpose of Proposed Legislation See # 2.		
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)		
<input type="checkbox"/> County <input type="checkbox"/> Village <input type="checkbox"/> Library District	<input type="checkbox"/> Town <input type="checkbox"/> School District <input type="checkbox"/> Fire District	<input type="checkbox"/> Economic Impact <input type="checkbox"/> Other (Specify):
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing Impact		
10. Typed Name & Title of Preparer Tom Malanga Parks Foundation Director Dept. of Parks, Recreation & Conservation	11. Signature of Preparer	12. Date

Intro. Res. # 1253-09

Laid on Table 3/24/09

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____ 2009
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #807-2009)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

RESOLUTION NO.

CONTROL#807-2009

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

Key	Town	Year	Item No	S.C. Tax Map No	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	08/09		0200-291.00-02.00-008.000	16725.12	13568.23	3156.89
A	BROOKHAVEN	08/09		0200-975.30-02.00-010.000	12122.01	9594.76	2527.25
A	BROOKHAVEN	08/09		0200-979.50-01.00-007.000	9782.58	7249.81	2532.77
A	BROOKHAVEN	08/09		0203-015.00-02.00-020.002	31934.75	26928.94	5005.81
C	BROOKHAVEN	08/09		0200-290.00-01.00-005.003	18511.00	4514.91	13996.09
A	BROOKHAVEN	08/09		0204-008.00-04.00-020.000	12414.63	9191.60	3223.03
A	BROOKHAVEN	08/09		0206-001.00-02.00-008.000	24283.38	20479.69	3803.69
A	BROOKHAVEN	08/09		0206-004.00-01.00-037.000	15402.08	11410.00	3992.08
A	BROOKHAVEN	08/09		0206-004.00-02.00-001.000	16214.96	11819.19	4395.77
A	BROOKHAVEN	08/09		0206-004.00-02.00-007.000	15581.50	11544.56	4036.94
A	BROOKHAVEN	08/09		0206-005.00-03.00-023.000	12997.85	9606.80	3391.05
A	BROOKHAVEN	08/09		0206-006.00-01.00-001.008	13222.13	9956.69	3265.44
A	BROOKHAVEN	08/09		0206-014.00-05.00-018.002	14142.55	10468.03	3674.52
C	BROOKHAVEN	07/08		0200-290.00-01.00-005.003	17724.06	4322.97	13401.09
C	BROOKHAVEN	06/08		0200-290.00-01.00-005.003	16894.74	4120.69	12774.05
A	BROOKHAVEN	08/09		0208-001.00-01.00-019.000	18213.61	13742.62	4470.99
A	BROOKHAVEN	08/09		0208-004.00-04.00-007.113	15884.40	12511.06	3373.34
A	BROOKHAVEN	08/09		0208-017.00-01.00-047.000	8764.52	6120.61	2643.91
A	BROOKHAVEN	08/09		0203-009.00-01.00-004.000	37951.87	31290.07	6661.80
A	BROOKHAVEN	08/09		0203-015.00-01.00-004.000	34918.03	26928.94	7989.09
A	BROOKHAVEN	08/09		0203-015.00-02.00-020.010	41655.73	33565.52	8090.21
A	BROOKHAVEN	08/09		0204-005.00-02.00-007.000	11967.75	8758.23	3209.52
A	BROOKHAVEN	08/09		0208-016.00-05.00-006.000	16612.09	13336.46	3275.63
A	BROOKHAVEN	08/09		0208-013.00-03.00-005.003	12537.88	9475.90	3061.98
A	BROOKHAVEN	08/09		0208-004.00-04.00-007.072	19512.07	14813.50	4698.57

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

1. Type of Legislation

Resolution Local Law Charter Law

2. Title of Proposed Legislation

TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS

3. Purpose of Proposed Legislation Yes _____ No _____

SEE NO. 2 ABOVE

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

5. If the answer to item 4 is "yes," on what will it impact? (Circle appropriate category)

County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	

6. If the answer to item 5 is "yes," Provide Detailed Explanation of Impact

N/A

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

N/A

8. Proposed Source of Funding

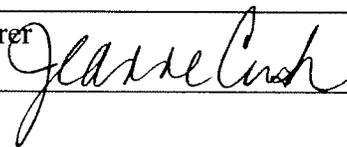
N/A

9. Timing of Impact

2009

10. Typed Name & Title of Preparer
Jeanne Cush, Appraiser Tech II

11. Signature of Preparer



12. 3/12/09

**Additional back-up material regarding I.R. 1253 is on file in
the Legislative Clerk's Office, Hauppauge.**

1254

3/24/09

Intro. Res. No. -2009

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, AUTHORIZING USE OF SOUTHAVEN COUNTY PARK BY CONTRACTORS FOR KIDS FOR THEIR PICNIC AND BARBECUE FUNDRAISER

WHEREAS, Contractors for Kids, Inc. is a not-for-profit organization; and

WHEREAS, Contractors for Kids would like to use Southaven County Park for the purpose of hosting their Picnic and Barbecue Fundraiser to raise money for the organization; and

WHEREAS, the fundraiser will be held on the grounds of Southaven County Park on Saturday, September 19, 2009; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured will be provided by the Contractors for Kids; now therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA, and be it further

2nd RESOLVED, that the use of Southaven County Park by Contractors for Kids, Inc. for the purpose of hosting a fundraiser on Saturday, September 19, 2009, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from the Contractors for Kids, Inc. and the payment of the Six Hundred Dollars (\$600.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at the Southaven County Park by Contractors for Kids, Inc.

DATED:

APPROVED BY:

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____ 1254		
2. Title of Proposed Legislation AUTHORIZING USE OF SOUTHAVEN COUNTY PARK BY CONTRACTORS FOR KIDS FOR THEIR PICNIC AND BARBECUE FUNDRAISER		
3. Purpose of Proposed Legislation Authorize use of County Parkland for fundraising event.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input 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 5 is "yes", Provide Detailed Explanation of Impact There is a fee of \$500.00 collected by the County for use of the Park.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding N/A		
9. Timing Impact N/A		
10. Typed Name & Title of Preparer Tom Malanga Parks Foundation Director Dept. of Parks, Recreation & Conservation	11. Signature of Preparer	12. Date



Suffolk County Department of Parks, Recreation & Conservation
 Mail Application to: P.O. Box 144, West Sayville, NY 11796
 Phone: 631-854-4951
 www.suffolkcountyny.gov/parks

1254

APPLICATION FOR PARKLAND GROUP PERMIT

Permit Requested (Check One)

YOUTH GROUP CAMPING _____ GROUP PICNIC _____ ADULT (FAMILY) CAMPING CLUB _____
 SPECIAL GROUP EVENT (Specify Below) GENERAL GROUP _____ (HIKE/FIELD TRIP)
Fundraiser Picnic
 (Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested

DATE(S) Requested

1st Choice Southaven Park Upper level
 2nd Choice _____

1st Choice Sept 10th 2009 - Not available
 2nd Choice Sept. 19th 2009

Name of Group/Organization Contractors for Kids

Address 1316 Water King Island NY Zip Code 11749

Applicant Name Deborah O'Rourke Phone 631 (125) 500 Cell # 631 220-2940

Address 258 Hawks Ave - South C Applicant Signature [Signature]

Town Poughkeepsie State NY Zip 11779 Today's Date 11/5/09

Arrival Time 7:00 a.m. Departure Time 7 pm (Parks Close at Dusk)

Estimated # Attending 1,500 # Cars/Vans 500 # Buses _____

ADULT (FAMILY) CAMPING CLUBS: Total # of Units _____ (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

SPECIAL EVENTS & PICNICS

Will Food/Beverages be provided? YES NO _____
 Is event open to the general public? YES NO _____

If event is open to public **AND** food/beverages are being provided a **SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT** must be filed. Non-compliance with Health Services regulations may result in event being shut down.

Is event being catered? YES NO _____ Name of Caterer Dobrows
 Will alcoholic beverages be provided? YES _____ NO (If YES the Hold Harmless Agreement attached must be Signed & notarized).

Will alcoholic beverages be sold? YES _____ NO (If YES a Special Event Permit must be filed with the NYS Liquor Authority to obtain a temporary liquor license).

Is this a Fundraiser? YES NO _____ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a **minimum of three months prior** to event for permission as Suffolk County Legislative approval is required.

TENTS - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

VENDORS? YES _____ NO List all _____

Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of **\$2,000,000** per occurrence Comprehensive General Liability.

SPECIAL REQUESTS/COMMENTS: _____

Office Use Only

DATE(S) APPROVED September 19th 2009 AREA ASSIGNED Large Upper level

Picnic
 Youth _____
 Adult _____

PARK APPROVED Contact Adam - Park Supervisor - 854-1415 County Park Southaven

Received of Deborah O'Rourke Amount \$ 500.00 Cash _____ MO _____ Credit _____
 Alcohol Permit Approved _____ (Staff Initials) Transaction # _____ Check 1721

SPECIAL INSTRUCTIONS please send new insurance in June at

PERMIT # **31812**

PARKS DEPT. APPROVAL _____

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

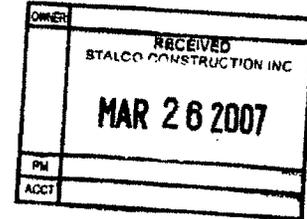
DEPARTMENT OF THE TREASURY

Date: MAR 01 2007

CONTRACTORS FOR KIDS INC
44 JEFYRN BLVD W
DEER PARK, NY 11729

Employer Identification Number:
20-1189521
DLN:
17053177049026
Contact Person:
DONNA ELLIOT-MOORE ID# 50304
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
June 14, 2006
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
December 31, 2010

1254



Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

CONTRACTORS FOR KIDS INC

Sincerely,

Lois G. Lerner

Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

1254

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)
Statute Extension

Letter 1045 (DO/CC)



New York State Department of Taxation and Finance

Exempt Organization Certificate

ST-119

(2002)

The organization named below is exempt from payment of the New York State and local sales and use tax.

The number shown on this certificate must be entered on any Form ST-119.1, *Exempt Organization Exempt Purchase Certificate*, presented to a vendor. If this certificate is lost or destroyed, you may obtain a replacement by notifying the Exempt Organizations Unit.

This certificate will remain in effect unless it is revoked or canceled. Misuse of the authority granted under this certificate will result in the revocation of exempt status and subject the organization to substantial civil and criminal penalties.

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CONTRACTORS FOR KIDS INC
44 W JEFFRY BLVD UNIT 11
DEER PARK, NY 11729

Certificate number	EX 242686
Date issued	Apr-11 25, 2007

This certificate may not be altered, changed, lent, or transferred to another organization or person.

1254

January 6, 2009

Suffolk County Parks
Attn: Permit Dept.
P. O. Box 144
West Sayville, NY 11796

To whom it may concern:

We are processing our application to hold a Family Fun Day and Picnic On September 19, 2009 at South Haven County Park, Upper Level, from 11:00am to 6:00pm. The event will include food, non-alcoholic beverages, games, raffles and door prizes. Anticipated number of attendees will be approximately 1,500.

All proceeds will go to Contractor's For Kids, an authorized 501c(3) organization which assists children and their families overcome obstacles that have unfortunately changed or impacted their lives through sickness, injury or death.

If you require any additional information, please do not hesitate to let me know. Thank you for your assistance.

Sincerely yours,

Debbie O'Rourke

DUPLICATE RECEIPT

1254

West Sayville Administration
Montauk Highway
West Sayville, NY
(631) 854-4949

SALES RECEIPT

Transaction #: 29479
Date: 1/12/2009 Time: 9:21:46 AM
Cashier: Felicia Register #: 3

sept 18th-southaven7am-7pm-contractors for kids-ck#

Item	Description	Amount
ComUse	Commercial Use Park	\$500.00
Sub Total		\$500.00
Total		\$500.00
Check Tendered		\$500.00
Change Due		\$0.00



* 2 3 4 7 9 *

Thank you.

We hope you'll come back soon!
West Sayville Administration
<http://www.suffolkcountyny.gov/parks>

DUPLICATE RECEIPT

1254

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/20/2007

PRODUCER (520)455-9252 FAX (520)455-9358
Patriot Insurance Agency, Inc.
PO Box 1298
Sonoita, AZ 85637-1298

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED The Care Center, Inc.
1930 Vets Memorial Highway
Suite 15
Islandia, NY 11749

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Spirit Mountain Ins Co RRG Inc	10754
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTD INSRRC	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	SMIC-LPP2007-NIN002	06/30/2007	06/30/2008	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 0 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS TOTAL \$ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	OTHER PROFESSIONAL LIABILITY	SMIC-LPP2007-NIN002	06/30/2007	06/30/2008	PER OCCUR: \$1,000,000 GEN AGGR: \$3,000,000 DED: \$2500

They always renew their insurance in June.
Felicia

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
EVENT: WALK FOR LIFE FUNDRAISER HELD ON MAY 17, 2008

CERTIFICATE HOLDER

SUFFOLK COUNTY DEPT. OF PARKS, RECREATION AND CONSERVATION
PO BOX 144
WEST SAYVILLE, NY 11796-0144

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Dwayne Leguire/EEH

IMPORTANT

1254

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

Additional Coverages and Factors

1254

06/26/2007

Line of Business Coverages for General Liability

Coverage	Limits	Ded/Ded Type	Rate	Premium	Factor
General Aggregate	3,000,000	2,500			
Products/Completed Ops	1,000,000	2,500			
Aggregate					
Personal & Advertising	1,000,000	2,500			
Injury					
Each Occurrence	1,000,000	2,500			
Fire Damage	100,000	2,500			
Medical Expense	0				

1255

Intro. Res. No. -2009

Laid on Table 3/24/09

Introduced by the Presiding Officer on request of County Executive

RESOLUTION NO. -2009, AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY ALMOST HOME ANIMAL RESCUE & ADOPTION FOR ITS DOG WALKATHON FUNDRAISER

WHEREAS, the Almost Home Animal Rescue & Adoption would like to hold its Dog Walkathon Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

WHEREAS, the Dog Walkathon Fundraiser, is scheduled to be held on May 17, 2009; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by Almost Home Animal Rescue & Adoption; now therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA, and be it further

2nd RESOLVED, that the use of Blydenburgh County Park by the Almost Home Animal Rescue & Adoption for the purpose of hosting a fundraiser on Sunday, May 17, 2009, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from Almost Home Animal Rescue & Adoption and the payment of the One Hundred Dollars (\$100.00) event, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Gardiner County Park by Almost Home Animal Rescue & Adoption.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1255

<p>1. Type of Legislation</p> <p>Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____</p>		
<p>2. Title of Proposed Legislation</p> <p>AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY ALMOST HOME ANIMAL RESCUE & ADOPTION FOR ITS DOG WALKATHON FUNDRAISER</p>		
<p>3. Purpose of Proposed Legislation</p> <p>Authorize use of County Parkland for fundraising event.</p>		
<p>4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____</p>		
<p>5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)</p> <p> <input 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 </p>		
<p>6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact</p> <p>There is a fee (\$100.00) collected by the County for use of the Park and Showmobile.</p>		
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p> <p>N/A</p>		
<p>8. Proposed Source of Funding</p> <p>N/A</p>		
<p>9. Timing Impact</p> <p>N/A</p>		
<p>10. Typed Name & Title of Preparer</p> <p>Tom Malanga Parks Foundation Director Dept. of Parks, Recreation & Conservation</p>	<p>11. Signature of Preparer</p>	<p>12. Date</p>



1255

Suffolk County Department of Parks, Recreation & Conservation
 Mail Application to: P.O. Box 144, West Sayville, NY 11796
 Phone: 631-854-4951
 www.suffolkcountyny.gov/parks

APPLICATION FOR PARKLAND GROUP PERMIT

Permit Requested (Check One)

YOUTH GROUP CAMPING _____ GROUP PICNIC _____ ADULT (FAMILY) CAMPING CLUB _____
 SPECIAL GROUP EVENT (Specify Below) GENERAL GROUP _____ (HIKE/FIELD TRIP)
Fundraisers - Walk
 (Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested

DATE(S) Requested

1st Choice Blydenburgh 1st Choice May 17th 2009
 2nd Choice _____ 2nd Choice _____

Name of Group/Organization Almost Home Animal Rescue

Address P O Box 350 Medford NY 11763 Zip Code _____

Applicant Name Cathy Parker Phone 631 859 9644 Cell # 631-748-4710

Address 40 Raymond St Applicant Signature Cathy Parker

Town Tsipp State NY Zip 11751 Today's Date 2/17/09

Arrival Time 11am a.m./p.m. Departure Time _____ (Parks Close at Dusk)

Estimated # Attending 100 # Cars/Vans _____ # Buses 0

ADULT (FAMILY) CAMPING CLUBS: Total # of Units 0 (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

SPECIAL EVENTS & PICNICS

Will Food/Beverages be provided? YES _____ NO prepackaged OK.
 Is event open to the general public? YES NO _____

If event is open to public **AND** food/beverages are being provided a **SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT** must be filed. Non-compliance with Health Services regulations may result in event being shut down.

Is event being catered? YES _____ NO Name of Caterer _____

Will alcoholic beverages be provided? YES _____ NO (If YES the Hold Harmless Agreement attached must be Signed & notarized).

Will alcoholic beverages be sold? YES _____ NO (If YES a *Special Event Permit* must be filed with the *NYS Liquor Authority* to obtain a temporary liquor license).

Is this a **Fundraiser**? YES NO _____ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a **minimum of three months prior** to event for permission as Suffolk County Legislative approval is required.

TENTS - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

VENDORS? YES _____ NO List all _____

Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of **\$2,000,000** per occurrence Comprehensive General Liability.

SPECIAL REQUESTS/COMMENTS: _____

.....
Office Use Only

DATE(S) APPROVED May 17th 2009 AREA ASSIGNED Dog Run Picnic _____
 Youth _____

PARK APPROVED Contact Park Supervisor Bill Goodner County Park Blydenburgh Adult _____

Received of _____ Amount \$ 50.00 Cash _____ MO _____ Credit _____
 Alcohol Permit Approved / (Staff Initials) Transaction # 24144 Check 303

SPECIAL INSTRUCTIONS _____

PERMIT # _____ PARKS DEPT. APPROVAL [Signature]

ACORD CERTIFICATE OF LIABILITY INSURANCE

1255

DATE (MM/DD/YYYY)
03/04/2009

PRODUCER (631)475-6363 FAX (631)475-6025
Bradford/Independent Insurance
 600 Waverly Avenue
 Patchogue, NY 11772-1598

INSURED Almost Home Animal Rescue & Adoption Inc
 PO Box 350
 Medford, NY 11763

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Lloyds of London	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	NA08G401	05/17/2009	05/17/2009	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ EXCLUDED
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 Certificate Holder as Additional Insured as respects Walk-a-Thon at Blydenburgh Park on 5/17/09

CERTIFICATE HOLDER

County of Suffolk
 Suffolk County Parks Department
 PO Box 144
 West Sayville, NY 11796

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 15 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE *[Signature]*

1255

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.



1255
**Almost Home Animal Rescue & Adoption,
Inc.**

P.O. Box 555 Medford, NY 11763 (631) 627 3665
almosthomeLI.org

To Whom It May Concern:

Almost Home Animal Rescue and Adoption, Inc. is hoping to raise donations by hosting a walkathon on May 16, 2009 at Blydenburgh Park. People will collect sponsorships to be a part of the walk and the money collected will be donated to Almost Home. There will be some small activities before the walk kicks off. These will include contests with prizes awarded for the smallest dog, biggest dog, cutest dog, etc. Almost Home will have a table set up with literature and animals for adoption for the people to view. All animals will be leashed and people will be expected to follow the rules and regulations of the park. The people will then walk down a marked path and back to the dog run area. This event will provide a great opportunity for our organization.

Thank you,

Ellen Pistritto
epist@optonline.net
Almost Home Animal Rescue and Adoption, Inc.

1255

West Sayville Administration
Montauk Highway
West Sayville, NY
(631) 854-4949

Sales Receipt

Transaction #: 24144
Date: 3/4/2009 Time: 11:48:19 AM
Cashier: Felicia Register #: 3

almost home fundraiser-5/17/09-Blyden.

Item	Description	Amount
SE_Fund	Fund Raisers	\$50.00
	Sub Total	\$50.00
	Total	\$50.00
	Check Tendered	\$50.00
	Change Due	\$0.00



* 2 4 1 4 4 *
Thank you.

We hope you'll come back soon!
West Sayville Administration
<http://www.suffolkcountyny.gov/parks>

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

LS4
MAR 18 2009

1255

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive
FROM: JOHN W. PAVACIC, Commissioner *John W. Pavacic*
CC: JIM MORGO, Chief Deputy County Executive
DATE: March 4, 2009
RE: INTRODUCTORY RESOLUTION AUTHORIZING USE OF BLYDENBURGH
COUNTY PARK BY ALMOST HOME ANIMAL RESCUE & ADOPTION FOR
ITS DOG WALKATHON FUNDRAISER

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Almost Home Animal Rescue Fundraiser.doc".

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

Enclosures



1256

Intro. Res. No. -2009

Laid on Table 3/24/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, AUTHORIZING USE OF
BLYDENBURGH COUNTY PARK BY THE CARE CENTER
FOR ITS ANNUAL WALKATHON FUNDRAISER**

WHEREAS, The Care Center is a 501(c)(3) private, nonprofit organization having its principal place of business at 1930 Veterans Memorial Highway, Suite 15, Islandia, New York; and

WHEREAS, The Care Center would like to hold its Annual Walkathon Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

WHEREAS, the Annual Walkathon Fundraiser is scheduled to be held on Saturday, May 16, 2009; and

WHEREAS, Blydenburgh County Park will be used as the beginning and ending point of the walk route; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by The Care Center; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that the use of Blydenburgh County Park by The Care Center for the purpose of hosting a fundraiser on Saturday, May 16, 2009, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from The Care Center and the payment of One Hundred Twenty Five Dollars (\$125.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4 (A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Blydenburgh County Park by The Care Center.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<p>1. Type of Legislation</p> <p>Resolution <u>X</u> Local Law _____ Charter Law _____</p> <p style="text-align: right; font-size: 1.2em;">1756</p>		
<p>2. Title of Proposed Legislation</p> <p>AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE CARE CENTER FOR ITS ANNUAL WALKATHON FUNDRAISER</p>		
<p>3. Purpose of Proposed Legislation</p> <p>Authorize use of County Parkland for fundraising event.</p>		
<p>4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>X</u> No _____</p>		
<p>5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)</p> <p> <input 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 </p>		
<p>6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact</p> <p>There is a nominal fee (\$125.00) collected by the County for use of the Park.</p>		
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p> <p>N/A</p>		
<p>8. Proposed Source of Funding</p> <p>N/A</p>		
<p>9. Timing Impact</p> <p>N/A</p>		
<p>10. Typed Name & Title of Preparer</p> <p>Tom Malanga Parks Foundation Director Dept. of Parks, Recreation & Conservation</p>	<p>11. Signature of Preparer</p>	<p>12. Date</p>



Suffolk County Department of Parks, Recreation & Conservation
 Mail Application to: P.O. Box 144, West Sayville, NY 11796
 Phone: 631-854-4951 **4964**
 www.suffolkcountyny.gov/parks

1256

APPLICATION FOR PARKLAND GROUP PERMIT

Permit Requested (Check One)

YOUTH GROUP CAMPING _____ GROUP PICNIC _____ ADULT (FAMILY) CAMPING CLUB _____
 SPECIAL GROUP EVENT (Specify Below) GENERAL GROUP _____ (HIKE/FIELD TRIP)
Walk fundraiser
 (Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested

DATE(S) Requested

1st Choice Blydenburgh 1st Choice May 16 2009
 2nd Choice _____ 2nd Choice _____

Name of Group/Organization The Care Center, Inc.
 Address 1930 Veterans Memorial Hwy Ste 15 Zip Code 11749
 Applicant Name Loretta Moses Phone 630 9779 Cell # 338-3638
 Address 43 Bunkerhill Drive Applicant Signature [Signature]
 Town Huntington State NY Zip 11743 Today's Date _____
 Arrival Time 8:00 (a.m./p.m.) Departure Time 12:00 (Parks Close at Dusk)
 Estimated # Attending 100 # Cars/Vans 40 # Buses _____

ADULT (FAMILY) CAMPING CLUBS: Total # of Units _____ (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

SPECIAL EVENTS & PICNICS

Will Food/Beverages be provided? YES _____ NO
 Is event open to the general public? YES _____ NO
 If event is open to public **AND** food/beverages are being provided a **SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT** must be filed. Non-compliance with Health Services regulations may result in event being shut down.
 Is event being catered? YES _____ NO Name of Caterer _____
 Will alcoholic beverages be provided? YES _____ NO (If YES the Hold Harmless Agreement attached must be Signed & notarized).
 Will alcoholic beverages be sold? YES _____ NO (If YES a *Special Event Permit* must be filed with the *NYS Liquor Authority* to obtain a temporary liquor license).
 Is this a **Fundraiser**? YES NO _____ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a **minimum of three months prior** to event for permission as Suffolk County Legislative approval is required.

TENTS - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

VENDORS? YES _____ NO List all _____
 Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of **\$2,000,000** per occurrence Comprehensive General Liability.

SPECIAL REQUESTS/COMMENTS: _____

Office Use Only

DATE(S) APPROVED May 16th 2009 AREA ASSIGNED As directed Picnic
 PARK APPROVED Bill Gardiner - Park Supervisor 854-3713 County Park Blydenburgh Youth
 Received of Laurie Moses Amount \$ 125.00 Cash MO Credit
 Alcohol Permit Approved _____ (Staff Initials) Transaction # 23450 Check
 SPECIAL INSTRUCTIONS _____
 PERMIT # _____ PARKS DEPT. APPROVAL [Signature]

1256

West Sayville Administration
Montauk Highway
West Sayville, NY
(631) 854-4949

Sales Receipt

Transaction #: 23450
Date: 1/9/2009 Time: 11:11:02 AM
Cashier: Felicia Register #: 3

fundraiser blyden 5/16/09-care center inc.-8am-12p

Item	Description	Amount
SE_Fund	Fund Raisers	\$125.00

=====
 Sub Total \$125.00
 Total \$125.00

=====
 Visa Tendered \$125.00
 Card: XXXXXXXXXXXX2647
 Auth: 30971C
 Change Due \$0.00



* 2 3 4 5 0 *

Thank you.

We hope you'll come back soon!
West Sayville Administration
www.suffolkcountyny.gov/parks

The Care Center

January 5, 2009

County of Suffolk

1256

Department of Parks,
Recreation and Conservation
PO Box 144
West Sayville, NY 11796-0144

To Whom It May Concern:

The Care Center will be having its annual fundraising Walkathon at Blydenburgh County Park on Saturday, May 16th, 2009 from 8:00 am-12:00pm. All proceeds to benefit The Care Center.

The Care Center is a not for profit organization that offers compassionate, confidential, caring assistance to women in unplanned pregnancies. Our services include pregnancy testing, counseling, material aid and referrals to resources. All our services are free to single or married women in need. We have served the Suffolk County area for over 19 years.

Thank you for your consideration.

Yours truly,



Loretta Moses
Fundraising manager

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
G.P.O. BOX 1680
BROOKLYN, NY 11202

DEPARTMENT OF THE TREASURY

Date: AUG 01 1991

THE NORTHPORT CARE CENTER INC
351 LARKFIELD ROAD
EAST NORTHPORT, NY 11731

Employer Identification Number:
11-3001793

Contact Person:
CESAR A SABANDO

Contact Telephone Number:
(718) 780-4533

Accounting Period Ending:
December 31

Form 990 Required:
Yes

Addendum Applies:
No

1256

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

Letter 947(DO/CG)

THE NORTHPORT CARE CENTER INC

1256

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$10 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

In accordance with section 508(a) of the Code, the effective date of this determination letter is January 11, 1990.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your

1256

THE NORTHPORT CARE CENTER INC

continued exemption, you should maintain records to show that funds are expended only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), there should be evidence that the funds will remain dedicated to the required purposes and that they will be used for those purposes by the recipient.

If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Eugene D. Alexander
District Director

1256

CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
THE NORTHPORT CARE CENTER, INC.

Under Section 803 of the Not-For-Profit Corporation Law.

IT IS HEREBY CERTIFIED THAT:

1. The name of the corporation is **THE NORTHPORT CARE CENTER, INC.**
2. The certificate of incorporation was filed by the Department of State on the 11th day of January, 1990 under the Not-For-Profit Corporation Law under the name of **THE NORTHPORT CARE CENTER, INC.**
3. The corporation is a corporation as defined in subparagraph (a) (5) of Section 102 (Definition^s) of the Not-For-Profit Corporation Law, as a Type B Not-for-Profit Corporation pursuant to Section 201 of the Not-For-Profit Corporation Law.
4. The certificate of incorporation of this corporation is hereby amended to change the name of the corporation and to change the entity's address for service of process. The paragraph of the certificate of incorporation which sets forth the name of the corporation is hereby amended to read:

The name of the corporation is **THE CARE CENTER, INC.**

1256

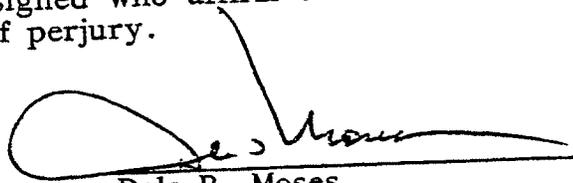
The paragraph of the certificate of incorporation which sets forth the entity's address service of process is hereby amended to read as follows:

The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is:

91 Maple Avenue
Smithtown, New York 11787

5. The amendment to the Certificate of Incorporation was authorized by a majority of members entitled to vote thereon as provided in paragraph (c) of Section 613 of the Not-for-Profit Corporation Law.

IN WITNESS WHEREOF, this certificate has been subscribed to this 2nd day of May, 2002 by the undersigned who affirm that the statements made herein are true under penalties of perjury.



Dale B. Moses
President

The Care Center

1254

January 5, 2009

Felicia Polizzi
Suffolk County Dept. of Parks
P.O. Box 144
West Sayville, NY 11796

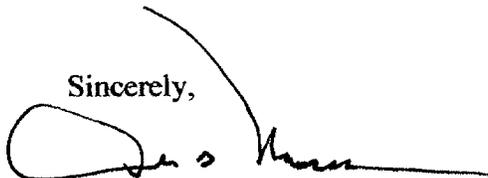
Dear Felicia,

The Care Center, Inc. in Islandia, NY is a 501C3 women's resource center. We have had our annual walk fundraiser in Blydenburg Park for a number of years. We have been informed that the requirements for insurance have been raised from \$1,000,000 to \$2,000,000 per occurrence. Our insurance company does not offer this coverage, and in order to obtain it, we would need to purchase an additional policy at further expense.

As a faith based organization we try very hard to use our financial resources wisely. We receive no government monies, and all our funding comes from churches and individuals that share our vision. This event provides a substantial part of our annual budget. Would it be possible for the additional insurance requirement be waived for us for this event? Any help that you could give us pertaining to this matter would be greatly appreciated.

To the extent permitted by law, we shall indemnify and hold harmless the County of Suffolk, its consultant (if any), employees, agents and other persons from and against all claims, costs, judgments, liens, encumbrances and expenses, including attorneys' fees, arising out of the acts or omissions or negligence of this organization, its officers, agents, servants or employees in connection with the services described or referred to The Care Center 2009 Event.

Sincerely,



Dale Moses
President

COUNTY OF SUFFOLK



1256
LS5

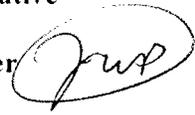
MAR 18 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive
FROM: JOHN W. PAVACIC, Commissioner 
CC: JIM MORGO, Chief Deputy County Executive
DATE: March 4, 2009
RE: **INTRODUCTORY RESOLUTION AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE CARE CENTER FOR ITS ANNUAL WALKATHON FUNDRAISER**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS-Care Center Fundraising Event.doc."

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

Enclosures



Intro. Reso. No. 1257-09

Laid on Table 3/24/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF GPS RECEIVERS AT VARIOUS 800 MHz TOWER SITE LOCATIONS FOR THE POLICE DEPARTMENT (CP 3017)

WHEREAS, the Police Commissioner has requested funds to replace GPS receivers at various tower site locations; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program under Capital Project No. 3017 to cover the replacement of GPS receivers; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2009 Adopted Capital Budget and Program, 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 \$425,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to CEQ Resolution No. 05-09, the above activities are a Type II action under SEQRA under the provisions of Title 6 NYCRR Part 617.5(c), (2), (25) and (27) and Chapter 279 of the Suffolk County Code, which project involves the replacement of equipment in kind, on the same site; and be it further

2nd RESOLVED, that it is determined that this program 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 further

3rd RESOLVED, that the proceeds of \$425,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3017.510 (Fund 115-Debt Service)	21	Replacement of GPS Receivers at various 800 MHz Tower Site Locations	\$425,000

DATED:

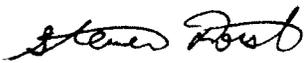
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1257

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2009, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF GPS RECEIVERS AT VARIOUS 800 MHZ TOWER SITE LOCATIONS FOR THE POLICE DEPARTMENT (CP 3017)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
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		
2010		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steven Forst Senior Accountant		March 18th, 2009

SCIN FORM 175b (10/95)

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

1257

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$96,811	\$0.21		\$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$96,811	\$0.21		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

1257

Term of Bonds: 5
 Amount to Bond: \$425,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	\$77,686.45	\$19,125.00	\$96,811.45	\$96,811.45
5/1/2011	4.500%	\$81,182.34	\$7,814.55	\$88,996.89	\$96,811.45
5/1/2012	4.500%	\$84,835.54	\$5,987.95	\$90,823.49	\$96,811.45
5/1/2013	4.500%	\$88,653.14	\$4,079.15	\$92,732.29	\$96,811.45
5/1/2014	4.500%	\$92,642.53	\$2,084.46	\$94,726.99	\$96,811.45
		\$425,000.00	\$59,057.23	\$484,057.23	\$484,057.23

COUNTY OF SUFFOLK



1257 MAR 09 2009

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive
Suffolk County Executive's Office

FROM: Richard Dormer, Police Commissioner 

DATE: March 2, 2009

SUBJECT: INTRODUCTORY RESOLUTION REQUEST

Per the 2009 Adopted Capital Budget, the Police Department requests the introduction of a resolution to appropriate funds in connection with the replacement GPS Receivers at various 800 MHz tower site locations under Capital Project No. 3017.

Copies of a draft resolution, impact statement and introduction form along with CEQ Resolution No. 05-09 are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-C.P.3017-2009"; "Backup-POL-C.P.3017-SCIN 175A"; and "Backup-POL-C.P.3017-SCIN 175B"; and "Back-up POL-C.P. 3017-cover letter-2009.

If you have any questions, please contact Edward Webber, Chief of Support Services Division, at 852-6230.

/ms
Att.

cc: Jim Morgo, Chief Deputy County Executive
Roger K. Shannon, Deputy Police Commissioner
Robert Anthony Moore, Chief of Department
Edward Webber, Chief, Support Services Division
Christopher Bergold, Captain, C.O, Communications & Records Bureau
Fisher Mark, Lieutenant, C.O., Communications Section
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau



ACCREDITED LAW ENFORCEMENT AGENCY

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



RECOMMENDATION CONCERNING SEQRA CLASSIFICATIONS AND DETERMINATION FOR THE PURPOSES OF CHAPTER 279 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED PURCHASE OF REPLACEMENT EQUIPMENT AT ESTABLISHED TOWER SITES, CAPITAL PROJECT 3 3017 – GPS SYSTEM

WHEREAS, at its February 18th, 2009 meeting; the Suffolk County Council on Environmental Quality reviewed the associated information submitted by the Suffolk County Police Department; and

WHEREAS, a presentation regarding the proposal was given at the meeting by Suffolk County Police Lieutenant Mark Fisher; and

WHEREAS, the action involves the replacement of equipment in kind at established tower sites; now

Be It Therefore

RESOLVED, that in the judgment of the CEQ, based on the information received and presented, the above activities are a Type II action under the provisions of Title 6 NYCRR Part 617.5(c), (2), (25) and (27) since it involves legislation for the replacement of equipment in kind, on the same site; and

Be it Therefore

RESOLVED, that based on the information received a quorum of the council recommends to the Suffolk County Legislature and County Executive and the Police Department pursuant to Chapter 279 of the Suffolk County Code, that the project is a Type II action, and that the Suffolk County Legislature and County Executive adopt a SEQRA determination to that effect.

Motion by: Mr. Machtay Seconded by: Mr. Kaufman

CEQ Vote: Appointed Members: 6 Ayes: 6
CAC Representatives: 0 Nays: None
Total Voting: 6 Abstentions: None
Presiding: Mr. Swanson

Further information may be obtained by contacting:

Council on Environmental Quality
P.O. Box 6100
Hauppauge, New York 11788
James F. Bagg, Chief Environmental Analyst
Tel: (631) 853-5203

JFB/cd

cc: Honorable Steve Levy, Suffolk County Executive
Honorable William J. Lindsay, Presiding Officer
All Suffolk County Legislators
Tim Laube, Clerk of Legislature
George Nolan, Attorney for the Legislature
Carrie Meek Gallagher, Commissioner, Dept of Environment & Energy
Christine Malafi, Suffolk County Attorney

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

1257

R. Lawrence Swanson
CHAIRPERSON

James Bagg
CHIEF ENVIRONMENTAL ANALYST

MEMORANDUM

TO: Honorable Steve Levy, Suffolk County Executive
Honorable William J. Lindsay, Presiding Officer

FROM: R. Lawrence Swanson, Chairperson

DATE: February 19, 2009

RE: CEQ Review of the Proposed Purchase of Replacement Equipment at Established Tower Sites, Capital Project # 3017 – GPS System.

At its February 18th, 2009 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 279 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Suffolk County Police Lieutenant Mark Fisher, the council recommends to the Suffolk County Legislature and County Executive in CEQ Resolution No. 05-09, a copy of which is attached, that the proposed action be considered as a Type II action under SEQRA. They recommend that the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the attached proposal is a Type II action under the provisions of NYCRR 617.5 as so noted.

The Resolution should be filed accordingly pursuant to Part 617 NYCRR with no further environmental review necessary.

Enclosed for your information is a copy of CEQ Resolution No. 05-09 setting forth the council's recommendations and the associated information submitted. If the council can be of further help in this matter, please let us know.

JFB/cd
Enc.

cc: All Suffolk County Legislators
Tim Laube, Clerk of Legislature
George Nolan, Attorney for the Legislature
Carrie Meek Gallagher, Commissioner, Dept of Environment & Energy
Christine Malafi, Suffolk County Attorney
(Dept. Head and/or Presenter)

PROJECT # SCPD-04-09

RESOLUTION #05-09

DATE February 18th, 2009

1257

RECORD OF CEQ RESOLUTION VOTES

<u>CEQ APPOINTED MEMBERS</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>RECUSED</u>
Harry Swanson	X				
Michael Kaufman	X				
Jay Schneiderman				X	
Eva Growney	X				
Thomas C. Gulbransen				X	
Richard Machtay	X				
Daniel Pichney				X	
Gloria G. Russo	X				
Mary Ann Spencer	X				

CAC REPRESENTATIVES

Recommendation: Type II Action

Motion: Mr. Machtay

Second: Mr. Kaufman

Intro. Res. No. 1258-09

Laid on Table 3/24/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH SECURITY NOTIFICATION - COLLEGE WIDE (CP 2140)

WHEREAS, the College is prepared to begin installing security notification equipment immediately; and

WHEREAS, the recommendations for improved security notification systems are documented in the SUNY Chancellor's Task Force on Critical Incident Management report; and

WHEREAS, the report recommendations regarding communication technology focuses on redundancy of mass notification systems which can rapidly disseminate alerts; and

WHEREAS, the ability to communicate mass notifications to building occupants is a critical component of the Active Broadcast category stipulated in the SUNY report; and

WHEREAS, this funding allows the College to begin installing public address systems for the hallways in academic buildings and for open indoor spaces (e.g. cafeterias, libraries and gyms); and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2009 Adopted Capital Budget and Program, 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 \$150,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being a State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(25) and (27), since it constitutes a local legislative decision in connection with the purchase of equipment. 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 fifty-seven (57) 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 2009 Capital Budget and Program be amended as follows:

Project No.: 2140
 Project Title: Security Notification – College Wide

	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget & Program</u>	<u>Modified 2009 Capital Budget & Program</u>
1. Planning	\$-0-	\$150,000B \$ 50,000S	\$-0-B \$-0-S
5. Equipment	\$2,600,000	\$-0-B \$-0-S	\$150,000B \$ 50,000S
6. TOTAL	\$2,600,000	\$200,000	\$200,000

and be it further

4th RESOLVED, that the proceeds of \$150,000 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-2140.510	Security Notification – College Wide	30	\$150,000

DATED:

APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

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

1258

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$34,169	\$0.06		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$34,169	\$0.06		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

1258

Term of Bonds 5
 Amount to Bond: \$150,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	\$27,418.75	\$6,750.00 \$2,758.08	\$34,168.75 \$2,758.08	\$34,168.75
5/1/2011	4.500%	\$28,652.59	\$2,758.08 \$2,113.39	\$31,410.67 \$2,113.39	\$34,168.75
5/1/2012	4.500%	\$29,941.96	\$2,113.39 \$1,439.70	\$32,055.35 \$1,439.70	\$34,168.75
5/1/2013	4.500%	\$31,289.34	\$1,439.70 \$735.69	\$32,729.04 \$735.69	\$34,168.75
5/1/2014	4.500%	\$32,697.36	\$735.69	\$33,433.06	\$34,168.75
		\$150,000.00	\$20,843.73	\$170,843.73	\$170,843.73

Tricia

MAR 09 2009



1258

Central Administration - Capital Projects/Facilities Department

February 27, 2009

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

Re: Proposed Capital Project Resolution

Dear Mr. Zwirin:

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

- Amending the 2009 Capital Budget and Program and Appropriating Funds in Connection with Security Notification – College Wide (CP 2140)

This draft resolution was e-mailed to the distribution list CE Reso Review saved under the title "Reso-SCCC-Security" on February 26, 2009.

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

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
 Carmine Chiusano – Assistant Budget Director, Suffolk County Executive's Budget Office

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

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

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

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

1259

Intro. Res. No. - 2009
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 3/24/09

RESOLUTION NO. 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORM WATER REMEDIATION AT VARIOUS COUNTY ROADS, CR 96, GREAT EAST NECK ROAD, AT EVERGREEN STREET (CAPITAL PROGRAM NUMBER 8240)

WHEREAS, the Commissioner of Public Works has requested funds for engineering/construction in connection with Storm Water Remediation at Various County Roads, CR 96, Great East Neck Road, at Evergreen Street; and

WHEREAS, sufficient funds are not included in the 2009 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of 50,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, Resolution No. 312-2005 approved by the County Legislature determined this constitutes a Type II action for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 65 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Storm Water Remediation at Various County Roads, CR 96, Great East Neck Road, at Evergreen Street, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5538
Project Title: Reconstruction of CR 13, Fifth Avenue From Montauk Highway to Spur Dr. North, Town of Islip

	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget & Program</u>	<u>Revised 2009 Capital Budget & Program</u>
2. Land Acquisition	\$ 250,000	\$ 50,000	\$ 0
TOTAL	\$2,000,000	\$ 50,000	\$ 0

Project No.: 8240
Project Title: Storm Water Remediation at Various County Roads

	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget & Program</u>	<u>Revised 2009 Capital Budget & Program</u>
2. Land Acquisition	\$ 50,000	\$ 0	\$ 50,000
TOTAL	\$8,407,500	\$ 0	\$ 50,000

and be it further

5th RESOLVED, that the proceeds of \$50,000 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- 8240.210 Fund 001 Debt Service	50	Storm Water Remediation at Various County Roads CR 96, Great East Neck Road at Evergreen Street	\$50,000

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1259

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORM WATER REMEDIATION AT VARIOUS COUNTY ROADS, CR 96, GREAT EAST NECK ROAD, AT EVERGREEN STREET (CAPITAL PROGRAM NUMBER 8240)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <p>County</p> </div>	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		
2010		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		February 26th, 2009

SCIN FORM 175b (10/95)

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

1259

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$11,390	\$0.02		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$11,390	\$0.02		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

1259

Term of Bonds: 5
 Amount to Bond: \$50,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	\$9,139.58	\$2,250.00	\$11,389.58	\$11,389.58
			\$919.36	\$919.36	
5/1/2011	4.500%	\$9,550.86	\$919.36	\$10,470.22	\$11,389.58
			\$704.46	\$704.46	
5/1/2012	4.500%	\$9,980.65	\$704.46	\$10,685.12	\$11,389.58
			\$479.90	\$479.90	
5/1/2013	4.500%	\$10,429.78	\$479.90	\$10,909.68	\$11,389.58
			\$245.23	\$245.23	
5/1/2014	4.500%	\$10,899.12	\$245.23	\$11,144.35	\$11,389.58
		\$50,000.00	\$6,947.91	\$56,947.91	\$56,947.91

FEB 17 2009

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

1259

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

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

DATE: February 5, 2009

RE: **AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORM WATER REMEDIATION AT VARIOUS COUNTY ROADS, CR 96, GREAT EAST NECK ROAD, AT EVERGREEN STREET (CAPITAL PROGRAM NUMBER 8240)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$50,000 for land acquisition in connection with the above referenced project.

There are no funds included in the 2009 Capital Budget and Program for this project and, as such, an offset must be provided. We intend to utilize \$50,000 of land acquisition funds from CP 5538, Reconstruction of CR 13. Land acquisition is no longer required for CP 5538, therefore the funding is available.

Stormwater runoff from C.R. 96, Great East Neck Road currently is collected by a positive drainage system that discharges directly into West Babylon Creek, a tributary to the western Great South Bay. The 2000 NYSDEC Priority Waterbody List identifies urban runoff and storm sewers as the primary source of pathogens that are causing shellfishing restrictions and fish consumption advisories.

This project proposes to modify the existing positive system to divert the existing untreated direct discharge from West Babylon Creek to a new retention basin. This retention basin will receive plantings that will aid in the biological uptake of pollutants commonly found in stormwater. The treated overflow from this basin will then be allowed to discharge to the creek.

Resolution No. 312-2005 approved by the County Legislature determined this constitutes a Type II action for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary.

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

RESOLUTION NO. 1261 - 2009, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE TOWNS OF RIVERHEAD, BABYLON AND SOUTHAMPTON FOR THE ADMINISTRATION OF THE SUFFOLK COUNTY EMPIRE ZONE

WHEREAS, in 1996, in response to military base closures and the loss of jobs at defense contractor facilities, Article 18-b of the New York General Municipal Law was amended to allow for the designation of Economic Development Zones (later renamed Empire Zones) in areas containing defense contractor facilities adversely affected by a reduction in government military spending, and;

WHEREAS, in 1998, Suffolk County's application for such a designation for lands in the area of the Naval Weapons Industrial Reserve Plant in Calverton was approved by the New York State Empire Zone Designation Board and the designation was formally accepted by Resolution 803-1997, and later confirmed by Local Law 14-2003; and

WHEREAS, subsequent to the aforementioned designation, as a result of changing needs and conditions in the County and changes in the Empire Zone program, the County made an application to New York State to revise the boundaries of the Empire Zone to include properties located in other areas, and the application was granted authorizing a Zone comprised of 1205 acres in the Town of Riverhead, 48 acres at Francis S. Gabreski Airport and 2 acres in Riverside, Town of Southampton and 25 acres in Wyandanch, Town of Babylon; and

WHEREAS, Local Law 14-2003 authorized the County Executive to enter into a Memorandum of Understanding (MOU) upon the consent of the State of New York with the Towns of Southampton, Babylon and Riverhead, which created a funding mechanism for the operation of the Zone and set forth the procedures for operation of the Zone; and

WHEREAS, as a result of an agreement to revise the financial structure of the Empire Zone, it is necessary to enter into a new MOU which reflects the respective rights and responsibilities of the County and the Towns of Riverhead, Babylon and Southampton; and

WHEREAS, the Towns of Riverhead, Babylon and Southampton have adopted resolutions authorizing the execution of this agreement; now therefore, be it

1st RESOLVED, that the County Executive or his designee, be and hereby is authorized to execute the MOU in substantially the form annexed hereto to provide for the efficient and equitable administration of the Suffolk County Empire Zone, and be it further

2nd RESOLVED, 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/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.

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:

1261

**RESOLUTION NO. 35 JANUARY 6, 2009
AUTHORIZING THE EXECUTION OF THE MEMORANDUM OF
UNDERSTANDING
REGARDING THE SUFFOLK COUNTY EMPIRE ZONE AT CALVERTON**

The following resolution was offered by Councilman Henry and seconded by Councilwoman McVeety:

BE IT RESOLVED, by the Town Board of the Town of Babylon that Supervisor be and he hereby is authorized to execute a Memorandum of Understanding between the County of Suffolk, the Town of Riverhead, the Town of Southampton and the the Town of Babylon regarding the Suffolk County Empire Zone at Calverton.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

State of New York }
Town of Babylon } ss:
County of Suffolk }

I, Carol Quirk, Town Clerk, DO HEREBY CERTIFY that I have compare the preceding with the original thereof and that the same is a true and correct copy.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Town

this 8 day of January 2009

Carol Quirk
Carol Quirk, Town Clerk

1261

EMPIRE ZONE
MEMORANDUM OF UNDERSTANDING

COUNTY OF SUFFOLK, TOWN OF BABYLON, TOWN OF RIVERHEAD,
TOWN OF SOUTHAMPTON

This Memorandum of Understanding ("MOU"), made the ___ day of _____, 2009 between the municipal corporations of the County of Suffolk, having its principal offices at the H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, New York 11788, Town of Babylon, having its principal offices at Montauk Highway, Babylon, NY, Town of Riverhead having its offices at 200 Howell Avenue, Riverhead, NY 11901 and Town of Southampton, having its offices at 16 Hampton Road, Southampton, NY 11968.

INTENT

It is the intent of the parties to this MOU to provide for the management of the Suffolk County/Town of Riverhead Empire Zone, where acreage within the Town of Riverhead, Town of Babylon and Town of Southampton has been designated to best implement the goals and objectives of the State of New York Empire Zone Program and the Empire Zone designated within Suffolk County. Further, the parties wish to clarify their respective obligations with respect to the management of the zone.

HISTORY

WHEREAS, on September 16, 1997, pursuant to General Municipal Law §958(c), et seq., and the regulations promulgated to implement same, the Suffolk County Legislature adopted Resolution 803-1997 setting forth Empire Zone (previously known as Economic Development Zone) boundaries and authorizing the Suffolk County Executive to submit an application for Economic Development Zone designation with the County of Suffolk as the primary applicant. The Town of Riverhead, as joint applicant, adopted Local Law 12-1997 on September 29, 1997 concurring with the boundaries set forth by the County as primary applicant, and,

WHEREAS, the Riverhead Town Attorney was designated the Zone Certifying Officer and the generic composition of the Empire Zone Administrative Board ("ZAB") was established pursuant to the application, aforementioned local laws and resolutions of the Town of Riverhead (747-98, 1098-98, 519-99), and

WHEREAS, pursuant to both aforementioned local laws Suffolk County and the Town of Riverhead adopted subsequent local laws that established the Chairperson of the Empire Zone Board as the County Executive's designee and the balance of the Empire Zone Administrative Board was to be designated by the Town of Riverhead, and

WHEREAS, the Town and County established the Empire Zone with the cooperation and consultation of the New York State Department of Economic Development, and

1261
WHEREAS, in 2003 the County of Suffolk, the Town of Riverhead, the Town of Babylon and the Town of Southampton agreed pursuant to the MOU dated June 3, 2003, to relocate Empire Zone acreage to locations within the Town of Southampton, the Town of Babylon and the downtown area of the Town of Riverhead, and

WHEREAS, the Suffolk County Legislature adopted Local Law 15-2003 amending the Empire Zone boundaries to reallocate said acreage as reflected in the June 3, 2003 MOU, and

WHEREAS, the June 3, 2003 MOU gave the Suffolk County Legislature the approval power for the appointment of two additional ZAB members representing the zone-designated areas within the Towns of Southampton and Babylon, and

WHEREAS, the June 3, 2003 MOU also provided that the Riverhead Town Attorney would continue to serve as the Zone Certifying Officer and that the Suffolk County Executive, or his designee, would continue to serve as Chairperson of the ZAB, and

WHEREAS, the parties agreed that neither Suffolk County nor the County Executive's designee to the ZAB shall take any action to reconstitute the ZAB other than its own appointees (Suffolk County, Wyandanch and Southampton), and

WHEREAS, the June 3, 2003 MOU also provided for financial contributions to be made by each party to the MOU, and

WHEREAS, a revised Empire Zones Boundary was submitted by the Empire Zones Board to the State Department of Economic Development, which approved the application, and

WHEREAS, 1,137 acres of Empire Zone has been designated at the Enterprise Park at Calverton ("EPCAL") in the Town of Riverhead; 48 acres at Suffolk County's Francis S. Gabreski Airport; 25 acres in Wyandanch within the Town of Babylon; 68 acres in downtown Riverhead; and 9 acres in Riverside (7 grandfathered and 2 applied to real property), Town of Southampton, and

WHEREAS, the parties wish to clarify their respective obligations with respect to Empire Zones management and finances,

NOW, THEREFORE, IT IS HEREBY AGREED

1. Term of Agreement

A. This agreement will be in effect from January 1, 2008 through December 31, 2011.

2. Purpose of Agreement

B. Effect on June 3, 2003 Empire Zone Memorandum of Agreement dated June 3, 2003.

1761

This agreement shall supersede the June 3, 2003 MOU entered into by the Town of Riverhead and the County of Suffolk and ratified by the Town of Southampton and the Town of Babylon relating to the operations of the Suffolk County/Town of Riverhead Empire Zone. The June 3, 2003 MOU shall have no force and effect and shall be deemed to have been terminated upon the execution of this agreement.

2. Administration of the Empire Zone.

A. Day-to-day operation of the Empire Zone

Subject to the budgetary limitations set forth herein, the Town of Riverhead will continue to administer the Empire Zone on behalf of all the parties to this agreement.

Administration of the Empire Zone shall include; provision of a full-time employee as Empire Zone Coordinator for all administrative purposes, marketing for the Empire Zone programs.

B. Empire Zone Certifying Officer

The Town Attorney for the Town of Riverhead shall act as the Zone Certifying Officer during the term of this agreement.

C. Empire Zone Board Composition

Consistent with the Suffolk County/Town of Riverhead Empire Zone local legislation, the County of Suffolk will retain the Chairmanship of the ZAB and the Suffolk County Legislature will appoint one representative each from the Towns of Babylon and Southampton, which shall be recommended by the Towns of Babylon and Southampton. The Riverhead Town Supervisor, or his designee, will now hold the position of Vice Chair of the ZAB. The Town of Riverhead shall appoint all remaining ZAB members in accordance with the original zone application and the June 3, 2003 MOU. The parties further agree that they shall not take any action to amend any local laws relating to the composition of the Empire Zone Board without first amending this agreement.

3. Contribution obligations for administration of the Empire Zone Program:

A. The annual Zone Administrative Budget will be determined by a vote of the ZAB.

B. (i.) The annual budget for 2008 totals \$113,500.00 and reflects contributions from each municipality as follows:

- a) \$29,000.00 in cash from Suffolk County
- b) \$10,000.00 in cash from Babylon Town
- c) \$ 1,000.00 in cash from Southampton Town
- d) \$34,500.00 annual NYS grant (July 1, 2007 to June 30, 2008)
- e) \$39,000.00 in cash from Town of Riverhead.

(ii) The annual payment asset forth in section (i) above are be based upon the 2008 calendar year and are due and payable upon the execution of this Agreement and for each subsequent year that this agreement remains in effect.

C. Financial Contributions of the parties to the Empire Zone Program from January 1, 2009 through December 31, 2011.

Nothing shall prevent the individual parties from voluntarily increasing their individual administrative contribution herein described for 2009, 2010, 2011 prior to adoption of the zone operating budget in a calendar year.

In the absence of any voluntary agreement to increase one or more of the administrative contributions to cover increases in the proposed operating budget, the rate of increase to spending proposed in the operating budget shall be a percentage determined prior to the adoption of the operating budget, based on the applicable Consumer Price Index for Urban Wage Earners and Clerical Works (CPI – W) at the time of adoption of the operating budget by the ZAB.

In the absence of voluntary agreement to increase one or more of the administrative contributions, the Town of Riverhead agrees to provide additional revenue to cover increases in the proposed operating budget as provided above, in an amount not to exceed the applicable Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI – W) at adoption of the operating budget by the ZAB.

D. Past due contributions from Town of Babylon

The Town of Babylon, in full satisfaction of its obligations for past payments due to the Empire Zone pursuant to the June 3, 2003 MOU between Town of Riverhead and County of Suffolk shall pay the sum of \$50,000.00. This payment shall be payable to the Town of Riverhead Community Development Agency to cover Babylon’s obligation through the end of 2007. This sum shall be paid simultaneously with all other amounts due under this agreement.

Dated:

Town of Riverhead
By:

County of Suffolk
By:



Town of Babylon
By:

Town of Southampton
By:

09/16/08

1261

Adopted

TOWN OF RIVERHEAD

Resolution # 805

AUTHORIZES THE SUPERVISOR TO EXECUTE AN INTERMUNICIPAL AGREEMENT RELATING TO THE ADMINISTRATION OF THE COUNTY OF SUFFOLK/TOWN OF RIVERHEAD EMPIRE ZONE

COUNCILMAN DUNLEAVY offered the following resolution, was seconded by COUNCILWOMAN BLASS :

WHEREAS, on September 16, 1997, pursuant to General Municipal Law §961, et seq., and the regulations promulgated to implement same, the Suffolk County Legislature adopted Resolution 803-1997 setting forth Empire Zone (previously known as Economic Development Zone) boundaries and authorizing the Suffolk County Executive to submit an application for Economic Development Zone designation as primary applicant. The Town of Riverhead, as joint applicant adopted Local Law 12-1997 on September 29, 1997 concurring with the boundaries set forth by the County as primary applicant, and.

WHEREAS, the Riverhead Town Attorney was designated the Zone Certifying Officer and the generic composition of the Empire Zone Administrative Board was established pursuant to the application, aforementioned local laws and resolutions of the Town of Riverhead (747-98, 1098-98, 519-99), and

WHEREAS, pursuant to both aforementioned local laws the Town and County adopted local laws that established the Chairperson of the Empire Zone Board as the County Executive's designee and the balance of the Empire Zone Administrative Board was to be designated by the Town of Riverhead, and

WHEREAS, the Town and County established the Empire Zone with the cooperation and consultation of the New York State Office of Economic Development, and

WHEREAS, in 2003 the County of Suffolk and the Town of Riverhead agreed pursuant to Memorandum of Understanding (MOU) dated June 3, 2003, to relocate some of the Empire Zone acreage to locations within the Town of Southampton, Town of Babylon and to the downtown area of the Town of Riverhead, and

WHEREAS, the Suffolk County Legislature adopted Local Law 15-2003 amending the Empire Zone boundaries to reallocate said acreage as reflected in the June 3, 2003 MOU, and

C:\Documents and Settings\Milestri\Local Settings\Temporary Internet Files\OLB... THE VOTE
Dunleavy yes no Wooten yes no
Blass yes no
Cardinale yes no
THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

WHEREAS, the June 3, 2003 MOU also provided for to Suffolk County Legislature the appointment of two additional Empire Zone Administrative Board members representing the Town of Southampton and Town of Babylon Empire Zone areas within those Towns, and

WHEREAS, the June 3, 2003 MOU also provided that the Riverhead Town Attorney would continue to serve as the Zone Certifying Officer, that the County Executive would continue to appoint the Chairperson of the Empire Zone Board as well as the members from Southampton and Babylon and that the Town of Riverhead would appoint the remaining members of the Empire Zone Board, and

WHEREAS, the parties agreed that neither the county nor the county executive's designee to the ZAB shall take any action to reconstitute the Zone Administrative Board other than its own appointees (Suffolk County, Wyandanch and Southampton), and

WHEREAS, the June 3, 2003 MOU also provided for financial contributions to be made by each municipality within which Empire Zone properties existed, and

WHEREAS, a revised Empire Zones Boundary was submitted by the Empire Zones Board to the State Office of Economic Development which application was approved, and

WHEREAS, the Town of Riverhead maintains 1137 acres of Empire Zone property at EPCAL, 48 acres at Suffolk County Gabreski Airport, 25 acres in Wyandanch within the Town of Babylon, 68 acres in downtown Riverhead and 9 acres in Riverside (7 grandfathered and 2 applied to real property), Town of Southampton, and

WHEREAS, the parties wish to enter into an agreement to clarify their respective obligations with respect to Empire Zones management and finances,

NOW, THEREFORE, it is hereby

RESOLVED, that the Supervisor is hereby authorized to execute the attached agreement, and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Town Attorney, County of Suffolk Office of Economic Development, Town of Babylon, Town of Southampton, Empire State Development, the Office of Accounting, CDA and the Empire Zone Coordinator.

1261

EMPIRE ZONE
INTERMUNICIPAL AGREEMENT

COUNTY OF SUFFOLK, TOWN OF BABYLON, TOWN OF RIVERHEAD,
TOWN OF SOUTHAMPTON

This Agreement, made the ___ day of _____, 2008 between the municipal corporations of the County of Suffolk, having its principal offices at the H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, New York 11788, Town of Babylon, having its principal offices at Montauk Highway, Babylon, NY, Town of Riverhead having its offices at 200 Howell Avenue, Riverhead, NY 11901 and Town of Southampton, having its offices at 16 Hampton Road, Southampton, NY 11968.

INTENT

It is the intent of the parties to this agreement to provide for the management of the New York State Empire Zones program which maintains acreage within the Town of Riverhead. Town of Babylon and Town of Southampton, to best implement the goals and objectives of the State of New York Empire Zones Program and the Empire Zones designated within Suffolk County. Further, the parties wish to clarify their respective obligations with respect to the management of the program within the townships.

HISTORY

WHEREAS, on September 16, 1997, pursuant to General Municipal Law §961, et seq., and the regulations promulgated to implement same, the Suffolk County Legislature adopted Resolution 803-1997 setting forth Empire Zone (previously known as Economic Development Zone) boundaries and authorizing the Suffolk County Executive to submit an application for Economic Development Zone designation as primary applicant. The Town of Riverhead, as joint applicant adopted Local Law 12-1997 on September 29, 1997 concurring with the boundaries set forth by the County as primary applicant, and,

WHEREAS, the Riverhead Town Attorney was designated the Zone Certifying Officer and the generic composition of the Empire Zone Administrative Board was established pursuant to the application, aforementioned local laws and resolutions of the Town of Riverhead (747-98, 1098-98, 519-99), and

WHEREAS, pursuant to both aforementioned local laws the Town and County adopted local laws that established the Chairperson of the Empire Zone Board as the County Executive's designee and the balance of the Empire Zone Administrative Board was to be designated by the Town of Riverhead, and

WHEREAS, the Town and County established the Empire Zone with the cooperation and consultation of the New York State Office of Economic Development, and

WHEREAS, in 2003 the County of Suffolk and the Town of Riverhead agreed pursuant to Memorandum of Understanding (MOU) dated June 3, 2003, to relocate some of the Empire Zone acreage to locations within the Town of Southampton, Town of Babylon and to the downtown area of the Town of Riverhead, and

WHEREAS, the Suffolk County Legislature adopted Local Law 15-2003 amending the Empire Zone boundaries to reallocate said acreage as reflected in the June 3, 2003 MOU, and

WHEREAS, the June 3, 2003 MOU also provided for to Suffolk County Legislature the appointment of two additional Empire Zone Administrative Board members representing the Town of Southampton and Town of Babylon Empire Zone areas within those Towns, and

WHEREAS, the June 3, 2003 MOU also provided that the Riverhead Town Attorney would continue to serve as the Zone Certifying Officer, that the County Executive would continue to appoint the Chairperson of the Empire Zone Board as well as the members from Southampton and Babylon and that the Town of Riverhead would appoint the remaining members of the Empire Zone Board, and

WHEREAS, the parties agreed that neither the county nor the county executive's designee to the ZAB shall take any action to reconstitute the Zone Administrative Board other than its own appointees (Suffolk County, Wyandanch and Southampton), and

WHEREAS, the June 3, 2003 MOU also provided for financial contributions to be made by each municipality within which Empire Zone properties existed, and

WHEREAS, a revised Empire Zones Boundary was submitted by the Empire Zones Board to the State Office of Economic Development which application was approved, and

WHEREAS, the Town of Riverhead maintains 1137 acres of Empire Zone property at EPCAL, 48 acres at Suffolk County Gabreski Airport, 25 acres in Wyandanch within the Town of Babylon, 68 acres in downtown Riverhead and 9 acres in Riverside (7 grandfathered and 2 applied to real property), Town of Southampton, and

WHEREAS, the parties wish to clarify their respective obligations with respect to Empire Zones management and finances,

NOW, THEREFORE, IT IS HEREBY AGREED

1. Term of Agreement

- A. This agreement will be in effect from January 1, 2008 through December 31, 2011.
- B. Effect on June 3, 2003 Empire Zone Memorandum of Agreement dated June 3, 2003.

1261

This agreement shall supercede the prior agreement entered into by the Town of Riverhead and the County of Suffolk and ratified by the Town of Southampton and the Town of Babylon relating to the operations of the Town of Riverhead / County of Suffolk Empire Zones Program. The June 3, 2003 agreement shall have no force and effect and shall be deemed to have been terminated upon the execution of this agreement.

2. Administration of the Empire Zone.

A. Day to day operations of the Empire Zone

Subject to the budgetary limitations set forth herein, the Town of Riverhead will continue to administer the Empire Zones program on behalf of all the parties to this agreement. Administration of the Empire Zone shall include; provision of a full time employee (Empire Zone Coordinator) for all administrative purposes, marketing for the Empire Zones programs.

B. Empire Zone Certifying Officer

The Town Attorney for the Town of Riverhead shall act as the Zone Certifying Officer during the term of this agreement.

C. Empire Zone Board Composition

The parties agree that, consistent with their present Empire Zones local legislation, the County of Suffolk will appoint the Chairperson of the Empire Zone Board together with one representative each from the Towns of Babylon and Southampton (which shall be recommended by the Towns of Babylon and Southampton) and the Town of Riverhead shall appoint all remaining Empire Zone Board members as well as the Vice Chairperson of the Empire Zone Board. The parties further agree that they shall not take any action to amend any local laws relating to the composition of the Empire Zone Board without first amending this agreement.

3. Contribution obligations for administration of the Empire Zone Program:

A. The annual Zone Administrative Budget will be determined by a vote of the Zone Administrative Board.

B. (i.) The annual budget for 2008 totals \$113,500.00 and reflects contributions from each municipality as follows:

- a) \$29,000.00 in cash from Suffolk County
- b) \$10,000.00 in cash from Babylon Town
- c) \$ 1,000.00 in cash from Southampton Town
- d) \$34,500.00 annual NYS grant (July 1, 2007 to June 30, 2008)
- e) \$39,000.00 in cash from Town of Riverhead.

1261

(ii) The annual payment asset forth in section (i) above are be based upon the 2008 calendar year and are due and payable upon the execution of this Agreement and for each subsequent year that this agreement remains in effect.

C. Past due contributions from Town of Babylon

The Town of Babylon, in full satisfaction of its obligations for past payments due to the Empire Zone Program pursuant to Memorandum of Agreement between Town of Riverhead and County of Suffolk Empire Zone dated June 3, 2003, shall pay the sum of \$50,000.00. This payment shall be made payable to the Town of Riverhead as reimbursement in part for sums paid by the Town to the Empire Zone to cover Babylon's obligation through the end of 2007. This sum shall be paid simultaneously with all other amounts due under this agreement.

D. Financial Contributions of the parties to the Empire Zone Program from January 1, 2009 through December 31, 2011.

Nothing shall prevent the individual parties from voluntarily increasing their individual administrative contribution herein described for 2009, 2010, 2011 prior to adoption of the zone operating budget in a calendar year.

In the absence of any voluntary agreement to increase one or more of the administrative contributions to cover increases in the proposed operating budget, the rate of increase to spending proposed in the operating budget shall be a percentage determined prior to the adoption of the operating budget, based on the applicable Consumer Price Index for Urban Wage Earners and Clerical Works (CPI - W) at the time of adoption of the operating budget by the zone administration board (ZAB).

In the absence of voluntary agreement to increase one or more of the administrative contributions, the Town of Riverhead agrees to provide additional revenue to cover increases in the proposed operating budget as provided above, in an amount not to exceed the applicable Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI - W) at adoption of the operating budget by the zone administration board (ZAB).

Dated:

Town of Riverhead

By:

County of Suffolk

By:

Town of Babylon

By:

Town of Southampton

By:



RESOLUTION 2008-1400

ADOPTED

1261

Item #

DOC ID: 8766

Authorize Supervisor to Sign Intermunicipal Agreement as it Relates to the Administration of the County of Suffolk/Town of Riverhead Empire Zone

WHEREAS, in or about September of 1997, and pursuant to General Municipal Law §961, et seq., the County of Suffolk and the Town of Riverhead established the Empire Zone with the cooperation and consultation of the New York State Office of Economic Development; and

WHEREAS, in 2003, the County of Suffolk and the Town of Riverhead agreed, pursuant to a Memorandum of Understanding (MOU) dated June 3, 2003, to relocate some of the Empire Zone acreage to locations within the Town of Southampton, the Town of Babylon, and to the downtown area of the Town of Riverhead; and

WHEREAS, the June 3, 2003 MOU also provided for the appointment of two additional Empire Zone Administrative Board members representing the Town of Southampton and the Town of Babylon as it related to the Empire Zone area within each town; and

WHEREAS, the June 3, 2003 MOU further provided for financial contributions to be made by each municipality within which Empire Zone properties existed; and

WHEREAS, thereafter, a revised Empire Zones Boundary was submitted by the Empire Zones Board to the State Office of Economic Development, which application was approved; and

WHEREAS, the Town of Riverhead maintains 1,137 acres of Empire Zone property at EPCAL, 48 acres at Suffolk County Gabreski Airport, 25 acres in Wyandanch (within the Town of Babylon), 68 acres in downtown Riverhead, and 9 acres in Riverside (7 grandfathered and 2 applied to real property) within the Town of Southampton; and

WHEREAS, the parties now wish to further clarify their respective obligations with respect to Empire Zones management and finances through an Empire Zone Intermunicipal Agreement (IMA); and

WHEREAS, said IMA will be in effect from January 1, 2008, through December 31, 2011, and shall supersede the earlier June 3, 2003 MOU; and

WHEREAS, the Town of Riverhead will continue to administer the Empire Zones program on behalf of all the parties to said IMA; and

WHEREAS, The Town Attorney for the Town of Riverhead shall act as the Zone Certifying Officer during the term of said IMA; and

WHEREAS, pursuant to said IMA, the Town of Southampton's financial contribution for 2008 shall be \$1,000; and

WHEREAS, thereafter, the Town, as well as other parties to the IMA, may voluntarily

increase their contributions for 2009, 2010, and 2011 prior to the adoption of the zone operating budget in a calendar year; and

WHEREAS, in the absence of any voluntary agreement to increase one or more of the contributions to cover increases in the proposed operating budget, the rate of increase to spending proposed in the operating budget shall be a percentage determined prior to the adoption of the operating budget, based on the applicable Consumer Price Index for Urban Wage Earners and Clerical Works (CPI-W) at the time of the adoption of the operating budget by the zone administration board; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute an Intermunicipal Agreement with the County of Suffolk, Town of Riverhead, and Town of Babylon as it relates to the administration of the County of Suffolk/Town of Riverhead Empire Zone; and be it further

RESOLVED, that the Town Clerk shall forward a copy of this resolution to the Riverhead Town Attorney, County of Suffolk Office of Economic Development, Town of Babylon, Empire State Development, and the Empire Zone Coordinator.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Linda Kabot, Supervisor
SECONDER: Nancy Graboski, Councilwoman
AYES: Kabot, Russo, Graboski, Throne-Holst, Nuzzi



LS10

1261

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
 Connie Corso, Budget Director

FROM: Carolyn E. Fahey, Intergovernmental Relations Coordinator
 Department of Economic Development & Workforce Housing

DATE: February 20, 2009

SUBJECT: **AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO
 A MEMORANDUM OF UNDERSTANDING WITH THE TOWNS
 OF RIVERHEAD, BABYLON AND SOUTHAMPTON FOR THE
 ADMINISTRATION OF THE SUFFOLK COUNTY EMPIRE ZONE**

The County has a Memorandum of Understanding with the Towns of Riverhead, Babylon and Southampton for the administration of the Suffolk County Empire Zone. Due to changes in the state program and to reflect the needs of the zone with regards to consistent funding and oversight it is necessary to amend the existing MOU. The attached resolution authorizes the County Executive to sign this revised agreement. The Towns of Riverhead, Babylon and Southampton have adopted resolutions authorizing their respective Supervisors to execute this agreement. Copies of those resolutions are included as backup.

Attached please find the draft resolution and required backup. Electronic copies have been filed as required.

CEF/kmb

Attachments

cc: Jim Morgo, Chief Deputy County Executive
 Patrick A. Heaney, Commissioner
 Nick Anastasi, Assistant to the Commissioner
 ✓ Brendan Chamberlain, County Executive Assistant



Steve Levy
 Suffolk County Executive

Patrick Heaney
 Commissioner

BETTER FOR BUSINESS... BETTER FOR LIFE

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION ¹²⁶¹

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE TOWNS OF RIVERHEAD, BABYLON AND SOUTHAMPTON FOR THE ADMINISTRATION OF THE SUFFOLK COUNTY EMPIRE ZONE		
3. Purpose of Proposed Legislation		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County <u> X </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District <input type="checkbox"/>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing of Impact		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date

SCIN FORM 175b (10/95)

Intro. Res. No

1264

- 2009

Laid on the Table

3/24/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2009, APPROPRIATING FUNDS
IN CONNECTION WITH REPLACEMENT/CLEANUP OF FOSSIL
FUEL, TOXIC AND HAZARDOUS MATERIAL STORAGE
TANKS (CAPITAL PROGRAM NUMBER 1706)**

WHEREAS, the Commissioner of Public Works has requested funds for the Replacement/Cleanup of Fossil Fuel, Toxic and Hazardous Material Storage Tanks; and

WHEREAS, there are sufficient funds within the 2009 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 \$350,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that as the upgrading and replacement of tanks are mandated by Article 12 of the Suffolk County Sanitary Code and Title 40 of the Code of Federal Regulations that the Legislature being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby determines that this action constitutes a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR"), and 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-two (62) 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 \$350,000 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-1706.328 (Fund 001 Debt Service)	20	Replacement/Cleanup of Fossil Fuel, Toxic and Hazardous Material Storage Tanks	\$350,000

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1264

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT/CLEANUP OF FOSSIL FUEL, TOXIC AND HAZARDOUS MATERIAL STORAGE TANKS (CAPITAL PROGRAM NUMBER 1706)		
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		
2010		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		March 19th, 2009

SCIN FORM 175b (10/95)

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

1264

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$33,191	\$0.06		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$33,191	\$0.06		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
Project Name
 General Obligation Serial Bonds
 Level Debt

1264

Term of Bonds: 15
 Amount to Bond: \$350,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	\$16,506.74	\$16,683.33	\$33,190.07	\$33,190.07
			\$7,948.26	\$7,948.26	
5/1/2011	4.500%	\$17,293.56	\$7,948.26	\$25,241.82	\$33,190.07
			\$7,536.09	\$7,536.09	
5/1/2012	4.500%	\$18,117.89	\$7,536.09	\$25,653.98	\$33,190.07
			\$7,104.28	\$7,104.28	
5/1/2013	4.500%	\$18,981.51	\$7,104.28	\$26,085.79	\$33,190.07
			\$6,651.89	\$6,651.89	
5/1/2014	4.500%	\$19,886.29	\$6,651.89	\$26,538.18	\$33,190.07
			\$6,177.93	\$6,177.93	
5/1/2015	4.500%	\$20,834.21	\$6,177.93	\$27,012.14	\$33,190.07
			\$5,681.39	\$5,681.39	
	4.500%	\$21,827.30	\$5,681.39	\$27,508.69	\$33,190.07
			\$5,161.17	\$5,161.17	
5/1/2017	5.000%	\$22,867.74	\$5,161.17	\$28,028.91	\$33,190.07
			\$4,616.15	\$4,616.15	
5/1/2018	5.000%	\$23,957.77	\$4,616.15	\$28,573.92	\$33,190.07
			\$4,045.16	\$4,045.16	
5/1/2019	5.000%	\$25,099.75	\$4,045.16	\$29,144.91	\$33,190.07
			\$3,446.95	\$3,446.95	
	5.000%	\$26,296.18	\$3,446.95	\$29,743.12	\$33,190.07
			\$2,820.22	\$2,820.22	
5/1/2021	5.000%	\$27,549.63	\$2,820.22	\$30,369.85	\$33,190.07
			\$2,163.62	\$2,163.62	
5/1/2022	5.000%	\$28,862.83	\$2,163.62	\$31,026.45	\$33,190.07
			\$1,475.73	\$1,475.73	
5/1/2023	5.000%	\$30,238.62	\$1,475.73	\$31,714.35	\$33,190.07
			\$755.04	\$755.04	
	5.000%	\$31,679.99	\$755.04	\$32,435.03	\$33,190.07
		\$350,000.00	\$147,851.11	\$497,851.11	\$497,851.11

COUNTY OF SUFFOLK



1264

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

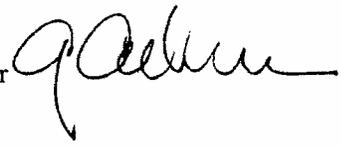
THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

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: March 11, 2009

RE: **CP 1706 – Replacement/Cleanup of Fossil Fuel, Toxic and Hazardous Material Storage Tanks**

Attached for your review is a draft resolution requesting that \$350,000 be appropriated for continuing with our program to bring all of our storage tanks and facilities in compliance with Article 12 of the Suffolk County Health Code.

With a few exceptions, which will be addressed as part of larger building renovation projects, we have completed the original program as outlined by the Suffolk County Tank Committee. Nevertheless, we continue to have various Departments identify tanks that were not included on the original list, and need to be upgraded or replaced.

As the upgrading and replacement of tanks are mandated by Article 12 of the Suffolk County Sanitary Code and Title 40 of the Code of Federal Regulations, the Legislature has determined that under the State Environmental Quality Review Act (SEQRA), Environmental Conservation Law Article 8, that this action constitutes a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations (NYCRR).

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1706 – Resolution Tank Removal.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., Acting Chief Engineer
Kathy LaGuardia, Chief Auditor
Laura Conway, CPA, Chief Accountant
CE RESO Review (e-mail)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1265

Intro. Res. No. - 2009
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 3/24/09

RESOLUTION NO. - 2009, RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK RESCINDING RESOLUTION NO. 1231 - 2008 ADOPTED DECEMBER 16, 2008 WHICH APPROPRIATED \$141,000 IN CONNECTION WITH PLANNING FOR RESTORATION OF WETLANDS (CP 8730.111)

WHEREAS, the County Legislature of the County of Suffolk, New York, has heretofore Adopted Resolution Number 1231-2008 dated December 16, 2008 appropriating \$141,000 to finance the cost of Improvements to County Campgrounds; and

WHEREAS, the companion authorizing Bond Resolution IR No. 2158A-2008 was not adopted and there is no source of financing for this project; and

WHEREAS, the County has determined that Resolution No. 1231-2008 should therefore be rescinded and reissued as part of the Water Quality Protection Program Fund 477 under a separate resolution; now, therefore be it

RESOLVED, the resolution of the County of Suffolk, New York, entitled:

RESOLUTION NO. 1231-2008 APPROPRIATING FUNDS IN CONNECTION WITH PLANNING FOR RESTORATION OF WETLANDS (CP 8730.111)

is hereby rescinded, no obligations of the County have been used or issued pursuant to such resolution; and be it further

RESOLVED, This resolution shall take effect immediately upon adoption.

DATED:

APPROVED BY:

County Executive of Suffolk County

DATE OF APPROVAL:

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

1265

GENERAL FUND

	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

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	\$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.

Intro. Res. No. 1266-09
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 3/24/09

**RESOLUTION NO. -2009 , AMENDING THE ADOPTED
2009 OPERATING BUDGET TO TRANSFER FUNDS
FROM FUND 477, AMENDING THE 2009 CAPITAL
BUDGET AND PROGRAM, AND APPROPRIATING
FUNDS IN CONNECTION WITH PLANNING FOR
RESTORATION OF WETLANDS (CP 8730.111)**

WHEREAS, the Commissioner of Environment and Energy has requested funds in connection with the restoration of wetlands; and

WHEREAS, Suffolk County is committed to preserving and restoring its 17,000 acres of tidal wetlands, which have been dramatically altered by an extensive vector control grid ditch network which was substantially created in the 1930s; and

WHEREAS, the Suffolk County Vector Control and Wetlands Management Long-Term Plan (hereinafter "Long-Term Plan") developed strategies for addressing vector control and wetlands management, primarily with respect to the 4,000 acres of tidal wetlands of vector control concern; and

WHEREAS, the Long-Term plan acknowledged the need for a strategy to address the management needs of the County's 17,000 acres of tidal wetlands, not just the 4,000 acres of tidal wetlands of greatest concern to Vector Control; and

WHEREAS, the Legislature supports the Long-Term Plan's Wetlands Stewardship Committee approach, as a means of coordinating and overseeing future marsh management projects, as well as overseeing development of a Wetlands Stewardship Strategy to address the management needs of the County's 17,000 acres of tidal wetlands; and

WHEREAS, the Suffolk County Department of Environment and Energy will serve as Chair of the Wetlands Stewardship Committee, and will oversee the development of the Wetlands Stewardship Strategy, in cooperation with the Departments of Public Works and Health Services; and

WHEREAS, a consultant has been selected through an RFP process to assist the County in developing a Wetlands Stewardship Strategy ; and

WHEREAS, contracted services are essential to conduct the intensive efforts called for to develop a comprehensive scientifically based Wetlands Stewardship Strategy; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the 2009 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project; now therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and 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 fifty-six (56) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th RESOLVED, that the Adopted 2009 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E 525	Transfer to Capital Fund	\$141,000

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Code</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R 477	Transfer from Water Quality Protection and Restoration Program	\$141,000

(Ref. 525-CAP-IFTR-R477)

and be it further

6th RESOLVED, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No: 8730
 Project Title: Restoration of Wetlands

	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget & Program</u>	<u>Revised 2009 Capital Budget & Program</u>
1. Planning	\$141,000	- 0 -	\$141,000
TOTAL	\$141,000	- 0 -	\$141,000

and be it further

7th RESOLVED, that the transfer in the amount of \$141,000 be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8730.111	Restoration of Wetlands	\$141,000

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

1766

GENERAL FUND

	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

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	\$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.

COUNTY OF SUFFOLK



1266

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT AND ENERGY

CARRIE MEEK GALLAGHER
COMMISSIONER

March 9, 2009

Ben Zwirn
Deputy County Executive
H. Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

At the March 3, 2009 General Meeting, the Suffolk County Legislature determined the use of Fund 477 for the purpose of Water Quality Protection and Restoration a more appropriate source of funding for the Restoration of Wetlands.

As such, enclosed for your approval are the original and one (1) copy of the proposed resolution with documentation pursuant to:

AMENDING THE ADOPTED 2009 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH PLANNING FOR RESTORATION OF WETLANDS (CP 8730.111)

Also enclosed for your approval are the original and one (1) copy of the proposed resolution to rescind Resolution No. 1231-2008 (adopted on December 23, 2008) which authorized issuance of \$141,000 in Suffolk County Serial Bonds for wetlands restoration planning:

RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK
RESCINDING RESOLUTION NO. 1231 – 2008 ADOPTED DECEMBER
23, 2008 WHICH APPROPRIATED \$141,000 IN CONNECTION WITH
PLANNING FOR RESTORATION OF WETLANDS (CP 8730.111)

1766

I would appreciate your placing this on the legislative agenda as soon as possible after your examination as this resolution is my number one priority to be laid on the table at the March 24, 2009 General Meeting. Feel free to contact me if you require any additional information.

Sincerely,



Carrie Meek Gallagher, Commissioner

Enc.

CMG:gkr

cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, CE Reso Review

Introductory Resolution No. 1267-09 Laid on Table 3/24/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
MICHAEL TOSCANO and KAREN TOSCANO
0200-962.00-01.00-003.004

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 962.00, Block 01.00, Lot 003.004, and acquired by tax deed on October 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008, in Liber 12569, at Page 171, and otherwise known as and by Town of Brookhaven, known as and by Suffolk County Tax Map Number: District 0200, Section 962.00, Block 01.00, Lot 003.004; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008 in Liber 12569 at Page 171.

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

WHEREAS, MICHAEL TOSCANO and KAREN TOSCANO, by BNC Mortgage Inc., as Mortgagee, by Westerman Ball, Ederer, Miller & Sharfstein, LLP, Counsel to America's Servicing Company, have made application of said above described parcel and MICHAEL TOSCANO and KAREN TOSCANO, by BNC Mortgage Inc., as Mortgagee, by Westerman Ball, Ederer, Miller & Sharfstein, LLP, Counsel to America's Servicing Company, have paid the application fee and \$3,333.60, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2009; and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MICHAEL TOSCANO and KAREN TOSCANO, 37 Andiron Lane, Brookhaven, New York 11719, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.1

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1267

1. Type of Legislation

Resolution

Tax Map Number 0200-962.00-01.00-003.004

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

4. Will the Proposed Legislation have a fiscal impact? Yes No

5. If the answer to Item 4 is "yes", on what will it impact?
(circle appropriate category)

- | | | |
|---|--|---------------------------------------|
| <input checked="" type="radio"/> County | <input type="radio"/> Town | <input type="radio"/> Economic Impact |
| <input type="radio"/> Village | <input type="radio"/> School District Other (Specify): | |
| <input type="radio"/> Library District | <input type="radio"/> Fire District | |

6. If the answer to item 4 is "yes", provide detailed explanation of Impact

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

7. Total Financial Cost of Funding over 5 years on each affected Political or other subdivision

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2009

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

Diane Bishop *Diane Bishop* 3/19/09

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1267

March 18, 2009

Tax Map No.: 0200-962.00-01.00-003.004

Name of Last Legal Fee Owner: MICHAEL TOSCANO and KAREN TOSCANO

TREASURER'S COMPUTATION..... \$2,631.04

Taxes.....2008/2009..... \$ 702.56

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$3,333.60

Monies Received..... \$3,333.60

RESOLUTION AMOUNT..... \$3,333.60

APPROVED:

Karen Ablater 3/19/09
Accounting
DB:sc

PREPARED BY:

Diane Bishop
Diane Bishop
Redemption Unit
(631) 853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	962.00	01.00	003.004

1267

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	818.19
2006/07	882.82
2007/08	684.13

2008/09 PROPERTY TAXES \$702.56 NOT INCLUDED IN COMPUTATION

TOTAL: 2385.14

B. INTEREST DUE	120.61
C. TOTAL	2505.75
D. 5% LINE C	125.29
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$2,631.04

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. 24-Feb-09



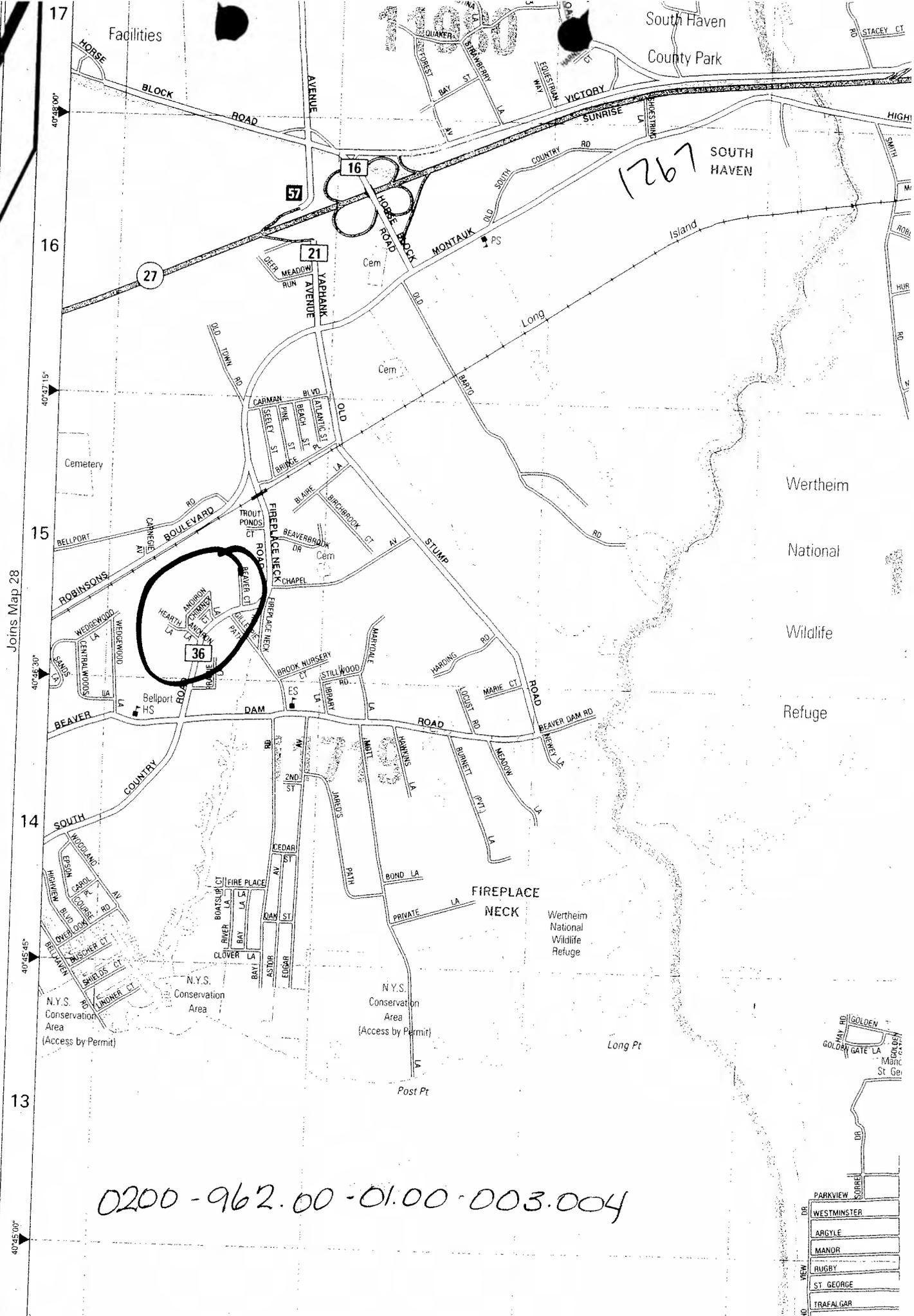
Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 08/23/09

- Revisions
- 05-04-97
 - 06-27-97
 - 11-26-97
 - 01-23-99
 - 11-09-99
 - 02-29-00
 - 04-11-00
 - 02-09-01
 - 05-01-01
 - 05-24-01
 - 01-10-03
 - 10-21-03
 - 12-10-03
 - 07-29-04
 - 12-11-04
 - 04-12-05
 - 06-29-05



Property or All Line Districts Contain Border Subdivision Lot Line Stream / Shore Match Line	 	Subdivision Lot No. Subdivision Block/Sec. No. (21) School District School Section Section Number Section Area 32.3 Acre 32.3 Acre	 	School District Line Fire District Line Water District Line Light District Line Park District Line	 	Unless ARE WITHIN SCHOOL FPL LCH PLS MHA/ANCL	OTHERWISE THE FOLLO SEBE HTP REFL PALS



Joins Map 28

17
40°45'00"
40°43'15"
40°41'30"
40°39'45"
40°38'00"

0200-962.00-01.00-003.004

Werthem
National
Wildlife
Refuge

AND NEW	TRAFFALGAR
	ST. GEORGE
	RUGBY
	MANOR
	ARGYLE
	WESTMINSTER
	PARKVIEW
	GOLDEN
	MAY RD
	GOLDEN GATE LA
	MARIC ST
	ST. GEORGE
	DR
	SCORE

1268

Intro. Res. No. - 2009

Laid on the Table

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009, AMENDING AND APPROPRIATING FUNDS IN CONNECTION WITH THE CONSTRUCTION OF C.R. 67, MOTOR PARKWAY REHABILITATION AND RESURFACING, VICINITY OF LONG ISLAND EXPRESSWAY (LIE) SOUTH SERVICE ROAD TO THE VICINITY OF CR 17, WHEELER ROAD UNDER THE FEDERAL FFY 2009 AMERICAN RECOVERY AND REINVESTMENT ACT (NEW CP 5131)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with CR 67, Motor Parkway Rehabilitation and Resurfacing: vicinity of Long Island Expressway (LIE) South Service Road to the vicinity of CR 17, Wheeler Road; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 075943, under the Federal Highway Administration (FHWA) funding, authorized under the Federal FFY 2009 American Recovery and Reinvestment Act with a share allocation of one-hundred (100%) percent Federal funds and zero (0%) percent County funds; and

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

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

WHEREAS, no funds are included in the 2009 Capital Budget and Program to cover the cost of said request under Capital Project 5131 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$4,000,000 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. 1171-1995 classified the action contemplated by this as a Type II Action, which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 54 (fifty-four) 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 (A) of the Suffolk County Charter to complete the construction in connection with CR 67, Motor

Parkway Rehabilitation and Resurfacing: vicinity of Long Island Expressway (LIE) South Service Road to the vicinity of CR 17, Wheeler Road; and be it further

4th RESOLVED, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5131
 Project Title: CR 67, Motor Parkway Rehabilitation and Resurfacing: vicinity of Long Island Expressway (LIE) South Service Road to the vicinity of CR 17, Wheeler Road

	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget & Program</u>	<u>Revised 2009 Capital Budget & Program</u>
3. Construction	<u>\$4,000,000</u>	\$0	<u>\$4,000,000F</u>
TOTAL	\$4,000,000	\$0	\$4,000,000

; and be it further

5th RESOLVED, that Federal Aid in the amount of \$4,000,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5131.310	50	CR 67, Motor Parkway Rehabilitation and Resurfacing: vicinity of Long Island Expressway (LIE) South Service Road to the vicinity of CR 17, Wheeler Road	\$4,000,000

; and be it further

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$4,000,000; and be it further

7th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$4,000,000; and be it further

8th RESOLVED, that the appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for construction of the project; and be it further

9th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1768

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2009, AMENDING AND APPROPRIATING FUNDS IN CONNECTION WITH THE CONSTRUCTION OF C.R. 67, MOTOR PARKWAY REHABILITATION AND RESURFACING, VICINITY OF LONG ISLAND EXPRESSWAY (LIE) SOUTH SERVICE ROAD TO THE VICINITY OF CR 17, WHEELER ROAD UNDER THE FEDERAL FFY 2009 AMERICAN RECOVERY AND REINVESTMENT ACT (NEW CP 5131)		
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)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> County </div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Suffolk County must "first instance" the entire cost of the project. The share allocation for the project is 100% Federal and 0% County. County Comptroller is authorized to issue bond anticipation notes. If short term notes are issued, the county would incur minimal interest costs.		
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		
Federal Highway Administration PIN 075943—100% allocation		
0% allocation for County. County must first instance funds.		
9. Timing of Impact		
The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for construction of the project.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		March 19th, 2009

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

1768

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 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 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



1768

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

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

DATE: March 16, 2009

RE: **AMENDING AND APPROPRIATING FUNDS IN CONNECTION WITH THE CONSTRUCTION OF C.R. 67, MOTOR PARKWAY REHABILITATION AND RESURFACING, VICINITY OF LONG ISLAND EXPRESSWAY (LIE) SOUTH SERVICE ROAD TO THE VICINITY OF CR 17, WHEELER ROAD UNDER THE FEDERAL FFY 2009 AMERICAN RECOVERY AND REINVESTMENT ACT (C.P. 5131)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$4,000,000 for construction in connection with the above referenced project. There are no funds included in the 2009 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifth percent (50%) by Federal or State aid.

This is a Federally funded project. Mandated milestones must be met to insure the Federal funds are obtained.

Recent changes to the procedures for obtaining final Federal authorization require that the County pass a resolution and have local and State contracts in place prior to final authorization.

Resolution No. 1171-1995 classified the action contemplated by this as a Type II Action, which will not have a significant effect on the environment; and be it further

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5131.doc".

TL:WH:sk
attach.

cc Jim Morgo, Chief Deputy County Executive

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE

YAPHANK, N.Y. 11980

(631) 852-4010
FAX (631) 852-4150

1268

From

SUFFOLK 075943 RECON -Exempt-	CR 67, MOTOR PARKWAY REHAB AND RESURFACING, FROM VICINITY OF LIE SERVICE ROAD TO CR17.											
AQC A10Z	SUFFOLK	TOTAL PROJECT COST > 0.000	TOTAL FYR COST >	6.000		0.000	0.000	0.000	0.000	0.000	0.000	0.000

To

SUFFOLK 075943 RECON -Exempt-	CR 67, MOTOR PARKWAY REHAB AND RESURFACING, FROM VICINITY OF LIE SERVICE ROAD TO CR17.	09 ECON STIM 04-2009 09 ECON STIM 04-2009	0.400 3.600	CONTRSP CONST			0.400 3.600					
AQC A10Z	SUFFOLK	TOTAL PROJECT COST > 4.000	TOTAL FYR COST >	4.000		0.000	0.000	4.000	0.000	0.000	0.000	0.000

Rollot Comment: NEW PROJECT

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009, AMENDING AND APPROPRIATING FUNDS IN CONNECTION WITH REHABILITATION OF CR 4, COMMACK ROAD, VICINITY OF NICOLLS ROAD TO VICINITY OF POLO STREET UNDER THE FEDERAL FFY 2009 AMERICAN RECOVERY AND REINVESTMENT ACT (NEW CP 5567)

WHEREAS, the Commissioner of Public Works has requested funds for construction and construction inspection in connection with Rehabilitation of CR 4, Commack Road: vicinity of Nicolls Road to vicinity of Polo Street; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, and identified as PIN 075942, authorized under the Federal FFY 2009 American Recovery and Reinvestment Act with a share allocation of one-hundred (100%) percent Federal funds and zero (0%) percent County funds; and

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

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

WHEREAS, no funds are included in the 2009 Capital Budget and Program to cover the cost of said request under Capital Project 5567 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$3,500,000 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. 1171-1995 classified the action contemplated by this as a Type II Action, which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 38 (thirty-eight) 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 (A) of the Suffolk County Charter to complete the Rehabilitation of CR 4, Commack Road: vicinity of Nicolls Road to vicinity of Polo Street; and be it further

4th RESOLVED, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5567
 Project Title: Rehabilitation of CR 4, Commack Road: vicinity of Nicolls Road to vicinity of Polo Street

	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget & Program</u>	<u>Revised 2009 Capital Budget & Program</u>
3. Construction	\$3,500,000	\$ 0	\$3,500,000F
TOTAL	\$3,500,000	\$ 0	\$3,500,000

; and be it further

5th RESOLVED, that Federal Aid in the amount of \$3,500,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5567.310	50	Rehabilitation of CR 4, Commack Road: vicinity of Nicolls Road to vicinity of Polo Street	\$3,500,000

; and be it further

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$3,500,000; and be it further

7th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$3,500,000; and be it further

8th RESOLVED, that the appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for construction of the project; and be it further

9th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1269

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. _____ - 2009, AMENDING AND APPROPRIATING FUNDS IN CONNECTION WITH REHABILITATION OF CR 4, COMMACK ROAD, VICINITY OF NICOLLS ROAD TO VICINITY OF POLO STREET UNDER THE FEDERAL FFY 2009 AMERICAN RECOVERY AND REINVESTMENT ACT (NEW CP 5567)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify):
<input type="radio"/> Library District	<input type="radio"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Suffolk County must "first instance" the entire cost of the project. The share allocation for the project is 100% Federal and 0% County. County Comptroller is authorized to issue bond anticipation notes. If short term notes are issued, the county would incur minimal interest costs.		
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		
Federal Highway Administration PIN 075942—100% allocation		
0% allocation for County. County must first instance funds.		
9. Timing of Impact		
The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for construction of the project.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		March 19th, 2009

SCIN FORM 175b (10/95)

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

1269

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 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 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



1269

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

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

DATE: March 16, 2009

RE: **AMENDING AND APPROPRIATING FUNDS IN CONNECTION WITH REHABILITATION OF CR 4, COMMACK ROAD, VICINITY OF NICOLLS ROAD TO VICINITY OF POLO STREET UNDER THE FEDERAL FFY 2009 AMERICAN RECOVERY AND REINVESTMENT ACT (CAPITAL PROGRAM NUMBER 5567)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$3,500,000 for construction and construction inspection in connection with the above referenced project.

There are no funds included in the 2009 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifth percent (50%) by Federal or State aid.

Recent changes to the procedures for obtaining final Federal Authorization require that the County pass a resolution and have local and State contracts in place prior to final authorization.

Funding for this project is 100% Federally funded under the National Economic Recovery Act and mandated milestones must be met to insure program compliance.

Resolution No. 1171-1995 classified the action contemplated by this as a Type II Action, which will not have a significant effect on the environment; and be it further

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5567.doc".

TL:WH:sk
attach.

cc Jim Morgo, Chief Deputy County Executive

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE

YAPHANK, N.Y. 11980

(631) 852-4010
FAX (631) 852-4150

1769

Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk (Cover memo only)
James Bagg, Chief Environmental Analyst

1269

**** NEW YORK METROPOLITAN TRANSPORTATION COUNCIL ****
TIP AMENDMENT: NS08-11

Wednesday, March 4, 20

Page 6 of 16

AGENCY FIN WORKTYPE <AQ STATUS>	PROJECT DESCRIPTION	FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in million of dollars	PHASE	5-YEAR PROGRAM (FFY) Starting October 01, 2007						
					PRE FFY 2008	FFY 2008	FFY 2009	FFY 2010	FFY 2011	FFY 2012	POST FFY 2012
AQ CODE	COUNTY										

From

SUFFOLK #75942 RECON <Exempt>	REHABILITATION OF COMBACKE ROAD (CR-4) FROM NICOLLS ROAD TO POLO ROAD											
AQCA3Z	SUFFOLK	TOTAL PROJECT COST > 0.000	TOTAL 5YR COST >	0.000		0.000	0.000	0.000	0.000	0.000	0.000	0.000

To

SUFFOLK #75942 RECON <Exempt>	REHABILITATION OF COMBACKE ROAD (CR-4) FROM NICOLLS ROAD TO POLO ROAD	09 ECON STIM 05 2009 09 ECON STIM 05 2009	0.350 3.150	CONSP CONST			0.350 3.150					
AQCA3Z	SUFFOLK	TOTAL PROJECT COST > 3.500	TOTAL 5YR COST >	3.500		0.000	0.000	3.500	0.000	0.000	0.000	0.000

Ballot Comment: NEW PROJECT

**RESOLUTION NO. - 2009 AUTHORIZING USE OF PROPERTY AT
GABRESKI AIRPORT BY THE UNITED STATES ARMY**

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

WHEREAS, the agreement allows the use of the civilian portion of Gabreski Airport along Taxiway A and Taxiway E as designated by Airport Management for May 2009 and May 2010; and

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

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

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

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:

LICENSE (LAND) #

DEPARTMENT OF THE ARMY LICENSE

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

1. Revocable License. Licensor grants to the Government a revocable license to enter into and upon the lands and premises described in paragraph 7 below at any time, upon written approval and coordination with Airport Management for May 2009 and May 2010, in order to conduct military training.

2. Compensation. Licensor provides this license for a fee of \$0.00.

3. Hold Harmless. The Government acknowledges that this property may contain hazardous conditions. In consideration for the use of this property, the Government will hold harmless the Licensor in the event of any claim for personal injury or property damage by Government personnel in connection with the Government's use of the land under this license.

4. Claims by Non-Government Personnel. In the event the Government's use of the property generates any claim for personal injury or property damage by a third party, such claims may be redressable under the Federal Tort Claims Act (FTCA), codified at 28 U.S.C. §§ 1346(b), 2671-2680; or the Military Claims Act, codified at 10 U.S.C. § 2733. These acts provide a means of recovery for negligent acts by government personnel as well as incident to noncombat activities of Army units.

5. Damages. Licensor agrees to notify the Government of any damage to the property, beyond that discussed by the parties, within five (5) days of the expiration of the period outlined in paragraph 1, supra. Failure to notify the Government within the five (5) day period constitutes a waiver of such damage claim. The Government agrees to negotiate an acceptable settlement within fifteen (15) days of notification of damage. Any payments by the Government under this license are subject to the availability of funds for such purpose.

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

7. Property Description. The lands affected by this license are located in the State of New York, County of Suffolk, and are further described as follows:

Francis S. Gabreski Airport, Westhampton Beach, New York. Taxiway E and other areas as specifically approved in writing by Airport Management.

8. Licensor agrees to allow use of land for:

- (a) Day and night Rotary Wing Operations.
- (b) Day and night Fixed Wing Operations.
- (c) Day and night Airborne Operations.

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

Printed Name of Licensor

UNITED STATES OF AMERICA

Signature of Licensor

By

Preston L. Funkhouser IV

Capacity

Government Representative

Phone:

Phone: (910) 643-0947

FAX:

FAX: (910) 643-0686

Address for notice:

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

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Office of the County Executive

FROM: Carolyn E. Fahey, Intergovernmental Relations Coordinator
Department of Economic Development & Workforce Housing

DATE: March 23, 2009

SUBJECT: **Resolution Authorizing the Use of Airport Property by
the United States Department of the Army**

The Department of Economic Development and Workforce Housing requests the submittal of the attached resolution authorizing the use of property at Francis S. Gabreski Airport by the United States Department of the Army for the purposes of military training. The Army has expressed an interest in utilizing the property for several weeks in May of 2009 and again in May of 2010. The use is short term and therefore allows the County to utilize a License Agreement.

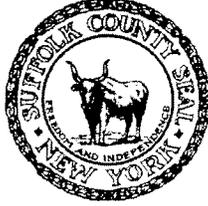
Attached please find the draft resolution, the License Agreement, and the required SCIN 175a and 175b. Electronic copies have been filed.

Thank you.

CEF/kmb
Attachments

cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Tony Ceglie, Francis S. Gabreski Airport Manager

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

H. Lee Dennison Building
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, New York 11788-0099
(631) 853-4000

Steve Levy
SUFFOLK COUNTY EXECUTIVE
MEMORANDUM

TO: Mr. Timothy Laube
Clerk of the Legislature

FROM: Ben Zwirn
Deputy County Executive

DATE: March 23, 2009

RE: Resolutions to be Laid on the Table at the March 24, 2009
General Meeting

RECEIVED
2009 MAR 23 P 4:13
COUNTY LEGISLATURE
SUFFOLK COUNTY
HAUPPAUGE

Late Starters

18. Resolution Authorizing the Use of Airport Property by the United States Department of the Army.

09-228

RECEIVED BY A. Pastore DATE 3/23/09 TIME 4:13

BZ:gg
Attachment

1273

Intro. Res. No. -2009
Introduced by Legislator Browning

Laid on Table 3/24/09

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW
NO. -2009, A CHARTER LAW TO CLARIFY POWERS
AND DUTIES OF BOARD OF TRUSTEES OF PARKS,
RECREATION AND CONSERVATION**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2009 a proposed local law entitled, "**A CHARTER LAW TO CLARIFY POWERS AND DUTIES OF BOARD OF TRUSTEES OF PARKS, RECREATION AND CONSERVATION**"; now, therefore, be it

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

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO CLARIFY POWERS AND DUTIES OF
BOARD OF TRUSTEES OF PARKS, RECREATION AND
CONSERVATION**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the SUFFOLK COUNTY CHARTER authorizes the Board of Trustees of Parks, Recreation and Conservation to make policy recommendations with respect to the County's parks, recreation and conservation programs.

This Legislature further finds that in certain critical policy areas, the role of the Park Trustees is more than advisory. All matters "having to do with the regulation, use, fees and charges with respect to parks and recreation facilities" must be referred to the Park Trustees and may only become effective upon their approval.

This Legislature further determines that pursuant to the SUFFOLK COUNTY CHARTER, the County Legislature is the ultimate policy making arm of Suffolk County government.

This Legislature also finds that the policy determinations of the County Legislature, which is accountable to the people through direct elections, must take precedence over those promulgated by an appointed Board.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CHARTER to reaffirm the County Legislature's preeminent policy making role in the area of parks and recreation and to clarify that the Park Trustees role in this area shall be advisory.

Section 2. Amendment.

Article XXVIII of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

**ARTICLE XXVIII,
Department of Parks, Recreation and Conservation**

* * * *

§ C28-3. Powers and duties of Board.

A. The Board shall have the following powers and duties:

* * * *

(4) To [approve] make recommendations on all matters having to do with the regulation, use, fees and charges with respect to parks and recreation facilities, which matters shall be referred to the Board by the Commissioner for its review [and shall become effective only upon its approval. Fees and charges shall be approved by the County Legislature before they become effective].

* * * *

Section 3. Applicability.

This law shall apply to actions occurring 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 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 immediately upon its 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\cl-trustees-parks

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



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

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

DATE: MARCH 24, 2009

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; CHARTER LAW, TO CLARIFY POWERS AND DUTIES OF THE BOARD OF TRUSTEES OF PARKS, RECREATION AND CONSERVATION

SPONSOR: LEGISLATOR BROWNING

DATE OF RECEIPT BY COUNSEL: 3/24/09 **PUBLIC HEARING:** 4/28/09

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

This proposed local law seeks to amend Article 28 of the SUFFOLK COUNTY CHARTER with regard to the powers and duties of the Board of Trustees of Parks, Recreation and Conservation.

Presently, all matters having to do with the regulation, use, fees and charges at parks and recreation facilities need to be approved by the Parks Trustees. The proposed law would make the Trustees' role in these matters advisory.

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-CL Board of Trustees duties

1274

Intro. Res. No. -2009
Introduced by Legislator Montano

Laid on Table 3/24/09

**RESOLUTION NO. -2009, AUTHORIZING
USE OF BRENTWOOD TRAIN STATION PROPERTY BY
THE HAITIAN AMERICAN UNITED FOR CHANGE FOR
THEIR HAITIAN FLAG DAY FESTIVAL**

WHEREAS, the Haitian American United For Change would like to use the Brentwood Train Station for the purpose of hosting a Haitian Flag Day Festival; and

WHEREAS, the Haitian Flag Day Festival would be held on Sunday, May 17, 2009; now, therefore be it

1st RESOLVED, that the use of the Brentwood Train Station for the purpose of hosting a Haitian Flag Day Festival on Sunday, May 17, 2009 between the hours of 10:00 a.m. and 6:00 p.m. and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd RESOLVED, that the Commissioner of the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the Haitian Flag Day Festival at the Brentwood Train Station by the Haitian American United For Change and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1275

Introductory Resolution No. -2009

Laid on the Table

3/24/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009 ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD EXTENSION FROM THE SUFFOLK COMMUNITY COLLEGE FOUNDATION, INC. FOR A RAYTHEON/GENERAL MOTORS TRAINING PROGRAM 100% REIMBURSED BY PRIVATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College accepted a grant award from the Suffolk Community College Foundation, Inc., in the amount of \$188,600, for a 2008 calendar year Raytheon/General Motors Training Program, for the period of January 1, 2008 through December 31, 2008; and

WHEREAS, the Foundation has received a grant award extension from the Raytheon Company D/B/A Raytheon Professional Services, in the amount of \$25,830, for the continuation of the Raytheon/General Motors Training Program for the period of January 1, 2009 through March 31, 2009 and

WHEREAS, The Foundation has awarded the College the sum of \$25,830, for the Raytheon/General Motors Training Program, for the period of January 1, 2008 and extended through March 31, 2009; and

WHEREAS, it is necessary to amend the 2008-2009 College budget to provide for an additional \$25,830, bringing the total amount of the award to \$214,430, for the period of January 1, 2008 and extended through March 31, 2009; and

WHEREAS, the program will provide the required training needed to meet General Motors standards on a yearly basis; and

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

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant award extension from the Suffolk Community College Foundation, Inc., in the amount of \$25,830, on March 12, 2009 by Resolution No. 2009. ; and

WHEREAS, the College anticipates spending the increase reflected in the grant award in the amount of \$25,830, in accordance with the terms of said grant before March 31, 2009; now, therefore, be it

1st RESOLVED, that said grant award extension, in the amount of \$25,830, from the Suffolk Community College Foundation, Inc., for a Raytheon/General Motors Training Program be accepted; and be it further

2nd RESOLVED, that said 2008-2009 College operating budget be amended in the amount of \$25,830, and said amount be appropriated for the operation of the program as follows:

REVENUES:
Private Aid: Raytheon/GM 818-GRT-2497-08

AMOUNT:
\$ 25,830

APPROPRIATIONS:
Raytheon/GM: 818-GRT-GA24-08

AMOUNT:
\$ 25,830

Suffolk County Community College
Raytheon/General Motors Service Training Program
818-GRT-GA24-08

<u>1000-Personal Services</u>	<u>\$ 18,570</u>
1100-Permanent Salaries	18,570
<u>8000-Employee Benefits</u>	<u>\$ 7,260</u>
8160-TIAA-CREF Retirement	1,486
8300-Workers' Compensation	83
8330-Social Security	1,421
8350-Unemployment Insurance	51
8360-Health Insurance	3,798
8380-Benefit Fund	421

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>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD EXTENSION FROM THE SUFFOLK COMMUNITY COLLEGE FOUNDATION, INC. FOR A RAYTHEON/GENERAL MOTORS TRAINING PROGRAM 100% REIMBURSED BY PRIVATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes XX No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify):
<input type="radio"/> Library District	<input type="radio"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact No impact. Additional grant funds totaling \$25,830 have been awarded for a Raytheon General Motors Training Program		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Funding must be expended between January 1, 2009 and March 31, 2009.		
8. Proposed Source of Funding Suffolk Community Foundation, Inc.		
9. Timing of Impact THE RESOLUTION IS EFFECTIVE UPON ADOPTION.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		3/23/09

**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		\$0.00		\$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		\$0.00		\$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	\$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.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Accepting and Appropriating an Amendment to the College Budget for a Grant Award Extension from the Suffolk Community College Foundation, Inc. for a Raytheon/General Motors Training Program 100% Reimbursed by Private Funds at Suffolk County Community College

3. Purpose of Proposed Legislation

To accept a grant award extension in the amount of \$25,830, from the Suffolk Community College Foundation, Inc. for a Raytheon/General Motors Training Program at Suffolk County Community College during the 2008-2009 academic year.

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

5. If the answer to item 4 is "yes," on what will it impact? (Circle appropriate category)

County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	

6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact

The amendment to the 2008-2009 College budget will provide \$25,830, from the Suffolk Community College Foundation, Inc., for operating costs for the Raytheon/General Motors Training Program during the 2008-2009 academic year. No matching funds are required.

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

8. Proposed Source of Funding: Raytheon Company D/B/A Raytheon Professional Services, through the Suffolk Community College Foundation, Inc.

9. Timing of Impact: January 1, 2008 and extended through March 31, 2009

10. Typed Name & Title of Preparer
Deborah E. Lesser, M.S.
Senior Accountant

11. Signature of Preparer

Deborah E. Lesser

12. Date
February 23, 2009

SCIN FORM 175A (10/95)

Camm Chuseau
Asst Budget Director

3/18/09

Suffolk

COUNTY COMMUNITY COLLEGE

MAR 09 2009

To: Ben Zwiirn, Deputy County Executive
✓ Brendan Chamberlain, Director, Intergovernmental

From: Charles K. Stein, V. P. for Business & Financial Affairs



Date: March 4, 2009

Subject: Request for a Resolution Accepting and Appropriating an Amendment to the College budget for a Grant Award

Enclosed are the application and requisite forms to request acceptance and appropriation of an amendment to the College budget for an increase in a grant award amount at Suffolk County Community College.

Proposal _____ Grant Award

Project Name: Raytheon/GM Training Program

Funding Source:

Raytheon Company D/B/A Raytheon Professional Services through the Suffolk Community College Foundation, Inc.

Amount of Amendment: \$ 25,830

Total Amount of Grant Award: \$214,430

Full Time Positions: One Corporate Trainer

Please call me if there are questions regarding this request.
An e-mail version of the resolution was sent to CE RESO REVIEW:
File name: **Reso-SCCC-Raytheon 2008 Amend 2.doc**

cc: J. Imperial, Director of Automotive Technology
J. Bullard, Jr., Associate Dean for Financial Affairs
M. L. Araneo, Vice President for Institutional Advancement
J. Canniff, Vice President for Academic and Campus Affairs

RESOLUTION NO. 2009. ACCEPTING A GRANT AWARD EXTENSION FROM THE SUFFOLK COMMUNITY COLLEGE FOUNDATION, INC. TO CONDUCT THE RAYTHEON/GENERAL MOTORS SERVICE TECHNICAL COLLEGE TRAINING PROGRAM

WHEREAS, Suffolk County Community College accepted a grant award from the Suffolk Community College Foundation, Inc., in the amount of \$188,600, for a 2008 calendar year Raytheon/General Motors Training Program, for the period of January 1, 2008 through December 31, 2008, and

WHEREAS, the Foundation has received a grant award extension from the Raytheon Company D/B/A Raytheon Professional Services, in the amount of \$25,830, for the continuation of the Raytheon/General Motors Training Program for the period of January 1, 2009 through March 31, 2009, and

WHEREAS, the Foundation has awarded the College the sum of \$25,830, bringing the total amount of the award to \$214,430 for the Raytheon/General Motors Training Program, for the period of January 1, 2008 and extended through March 31, 2009, to reimburse the College for the salaries and fringe benefits of the faculty necessary to conduct the training program, and

WHEREAS, matching funds are not required, be it therefore

RESOLVED, that a grant award extension, in the amount of \$25,830, from the Suffolk Community College Foundation, Inc. for the Raytheon/General Motors Training Program, for the period of January 1, 2008 and extended through March 31, 2009, is hereby accepted and the College president or his designee is authorized to execute a contract with the administering agency.

Project Director: Joseph Imperial

* * * * *

Board of Trustees Meeting
Date: March 12, 2009

ABSTRACT

Grant Proposal Grant Award

Funding Source: Raytheon Company D/B/A Raytheon Professional Services
Through the Suffolk Community College Foundation, Inc.

Project Title: Raytheon/General Motors Training Program

Project Director: Joseph Imperial, Director, Automotive Technology

Project Period: January 1, 2008 and extended through March 31, 2009

Campus: Ammerman

Amount of Award: \$188,600

Amount of Amendment: \$ 25,830

Match/In-kind Contribution/Fees: none

Total Program Budget: \$214,430

Full-Time Positions/Reassigned Time: One Corporate Trainer

No. of Students to be Served: Approximately 530 students

Type of Student to be Served:

General Motors technicians employed at General Motors dealerships, management and engineering employees, emergency medical personnel, state emissions technicians, military personnel, secondary and post-secondary faculty, and General Motors automotive service education program (A. S. E. P.) students.

Description of Project:

The Raytheon/General Motors Service Technical College Training Program provides the required training needed to meet standards on a yearly basis.



SUFFOLK COMM. COLLEGE
GENERAL BUSINESS OFFICE
2009 FEB 23 AM 9:05

**SUFFOLK COMMUNITY COLLEGE FOUNDATION
BOARD OF DIRECTORS
JANUARY 27, 2009**

**AUTHORIZING EXTENDING THE TECHNICAL SERVICES AGREEMENT
BETWEEN RAYTHEON PROFESSIONAL SERVICES AND SUFFOLK
COMMUNITY COLLEGE FOUNDATION FROM JANUARY 1, 2009 THROUGH
MARCH 31, 2009.**

RESOLUTION 2009.F1

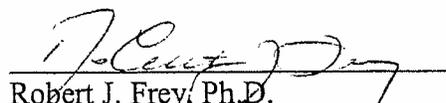
WHEREAS, Suffolk Community College Foundation, Inc. has received a grant award extension from Raytheon Company D/B/A Raytheon Professional Services, in the amount of \$ 25,830.00 for continuation of the Raytheon/GM Training Program for the three (3) month period from January 1, 2009 through March 31, 2009.

WHEREAS, the project provides for the costs associated with training for General Motors technicians, and

WHEREAS, Suffolk County Community College has the personnel and process in place for carrying out the requirements of the grant, be it therefore

RESOLVED, that the grant award extension, in the amount of \$ 25,830.00, from the Raytheon Company, for the Raytheon/GM Training Program, for the period January 1, 2009 through March 31, 2009, is hereby accepted, and the Executive Director is authorized to execute an agreement with the administering agency, and be it further

RESOLVED, that the Foundation hereby awards to Suffolk County Community College the amount of \$ 25,830.00 of the Raytheon grant award for the salaries and benefits of the personnel assigned to carry out the training program, and the Executive Director is authorized to execute an agreement with the College providing for the payment of such costs upon receipt of funds from Raytheon.


Robert J. Frey, Ph.D.
Secretary

Raytheon Professional Services LLC

PURCHASE ORDER

SUPPLIER

Suffolk County Community College
533 College Road
Selden NY 11784

SHIP TO

Raytheon Professional Services
1919 Technology Drive
Troy MI 48083-4245

BILL TO

Accounts Payable
Raytheon Professional Services
1919 Technology Drive
Troy MI 48083-4245
RPS_vendor_invoices@raytheon.com

Purchase Order No

6032

Purchase Order Date

21-DEC-2007

Contact: Joseph Imperial
Phone: 631-451-4905
Fax:
Email:

TERMS
Net 45

SHIP VIA

FOB

Due

COMMENTS

This Purchase Order issued 12/21/07 hereby incorporate the Terms and Conditions of the Technical Services Agreement dated 12/12/06 between Raytheon Professional Services and Suffolk County Community College.

~SD 12/21/07

Change Notice 1 to add Line 5 to (i) extend the PO effective January 1, 2009 through March 31, 2009 (ii) increase the quantity ordered and (iii) add funds in the amount of \$25,830 for the STC Program. PO increased from \$192,600 to \$218,430. ~SD 01/05/09

ITEM	ORDER QTY	UOM	DESCRIPTION	UNIT PRICE	DATE DUE	EXTENDED PRICE
1	230	DAY	GMSTC Instructor	410.00		94,300.00
2	230	DAY	GMSTC Instructor #2	410.00		94,300.00
3	2000	EACH	Travel Funds for GMSTC Instructor	1.00		2,000.00
4	2000	EACH	Travel Funds for GMSTC Instructor #2	1.00		2,000.00
5	63	DAY	GMSTC Instructor Expenses for Suffolk County C. C.	410.00		25,830.00
ORDER TOTAL						218,430.00

Handwritten notes:
Not rep...
M...
for...

Raytheon Professional Services LLC

PURCHASE ORDER

Purchase Order No 6032
Purchase Order Date 21-DEC-2007

"As acknowledgement, Seller must sign this PO and fax it to the Buyer within 7 business days after the date of issue. Failure to fax the signed PO automatically signifies acceptance of the PO and all terms and conditions as incorporated into the PO or by reference."

Invoicing Instructions:

Valid invoices submitted within (30) thirty days of performance and must contain the following:

- Vendor Name
- Payee Information, including Remit Address
- Unique Invoice Number or an Account Number
- Invoice Date
- Reference Correct Purchase Order
- Reference each Line number and description as set out on the Purchase Order
- Packing Slips, if applicable
- Total amount of invoice

Non-valid invoices will be returned with a notice of rejection stating what needs to be corrected. Payment terms begin from the date of receipt of the corrected invoice.

Sandra J Davis 972-205-5183

BUYER _____ Supplier Acknowledgement _____ Supplier Representative

(return to buyer)



Office of the President

BOARD OF TRUSTEES

March 12, 2009

RESOLUTION NO. 2009.17 ACCEPTING A GRANT AWARD EXTENSION FROM SUFFOLK COMMUNITY COLLEGE FOUNDATION, INC. TO CONDUCT THE RAYTHEON/GENERAL MOTORS SERVICE TECHNICAL COLLEGE TRAINING PROGRAM

WHEREAS, Suffolk County Community College accepted a grant award from the Suffolk Community College Foundation, Inc., in the amount of \$188,600, for a 2008 calendar year Raytheon/General Motors Training Program, for the period of January 1, 2008 through December 31, 2008, and

WHEREAS, the Foundation has received a grant award extension from the Raytheon Company D/B/A Raytheon Professional Services, in the amount of \$25,830, for the continuation of the Raytheon/General Motors Training Program for the period of January 1, 2009 through March 31, 2009, and

WHEREAS, the Foundation has awarded the College the sum of \$25,830, bringing the total amount of the award to \$214,430 for the Raytheon/General Motors Training Program, for the period of January 1, 2008 and extended through March 31, 2009, to reimburse the College for the salaries and fringe benefits of the faculty necessary to conduct the training program, and

WHEREAS, matching funds are not required, be it therefore

RESOLVED, that a grant award extension, in the amount of \$25,830, from the Suffolk Community College Foundation, Inc. for the Raytheon/General Motors Training Program, for the period of January 1, 2008 and extended through March 31, 2009, is hereby accepted and the College President or his designee is authorized to execute a contract with the administering agency.

Project Director: Joseph Imperial


William D. Moore
Chair

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

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

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

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

1276

3/24/09

Introductory Resolution No. -2009 Laid on the Table
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009 ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF EDUCATION FOR A STUDENT SUPPORT SERVICES (TRIO) PROGRAM 96% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, the 2008-2009 College operating budget provides \$254,653, including indirect costs, from the United States Department of Education for a Student Support Services (TRIO) Program, for the period of September 1, 2008 through August 31, 2009; and

WHEREAS, the grant award has been increased by \$14,069, including indirect costs, bringing the grant award to \$268,722, including indirect costs; and

WHEREAS, an additional \$13,333 will be administered external to the grant appropriation budget as grant aid to students, bringing the total amount of the grant award to \$282,055, including indirect costs; and

WHEREAS, it is necessary to amend the College budget in the amount of \$14,069, including indirect costs, to provide for the increase in the grant award; and

WHEREAS, matching funds in the amount of \$12,167 are required, which will be used to provide grant aid to students, and additional supplies and equipment for student support; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the amendment to the 2008-2009 College budget for the increase in the grant award in the amount of \$14,069, including indirect costs, on March 12, 2009 by Resolution No. 2009. ; and

WHEREAS, the College anticipates spending the increase in the grant award in the amount of \$14,069, including indirect costs in the amount of \$820, in accordance with the terms of said grant before August 31, 2009; now, therefore, be it

1st RESOLVED, that a grant award in the amount of \$282,055, from the United States Department of Education for a Student Support Services (TRIO) Program be accepted for the 2008-2009 fiscal year; and be it further

2nd RESOLVED, that \$13,333 for grant aid for students be accepted and will be administered external to the grant appropriation budget during the 2008-2009 fiscal year; and be it further

3rd RESOLVED, that said 2008-2009 College budget be amended to reflect the increase in the grant award from the United States Department of Education, for a Student Support Services (TRIO) Program, in the amount of \$14,069, including indirect costs in the amount of \$820, and said amount be accepted and appropriated for the operation of the program as follows:

<u>REVENUES:</u>	<u>AMOUNT:</u>
Federal Aid: 818-GRT-4220-09: TRIO: Student Support Services	\$14,069

APPROPRIATIONS: AMOUNT:
TRIO: Student Support Services: 818-GRT-GC20-09 \$13,249

Suffolk County Community College
TRIO: Student Support Services
818-GRT-GC20-09

<u>1000-Personal Services</u>	<u>\$ 7,314</u>
1130-Temporary Salaries	7,314
<u>3000-Supplies and Materials</u>	<u>\$ 2,783</u>
3500-Other, Unclassified	2,783
<u>4300-Travel</u>	<u>\$ 3,000</u>
4340-Travel, Other	3,000
<u>8000-Employee Benefits</u>	<u>\$ 152</u>
8330-Social Security	142
8350-Unemployment Insurance	10

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>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF EDUCATION FOR A STUDENT SUPPORT SERVICES (TRIO) PROGRAM 96% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes XX 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 No impact. Additional grant funds totaling \$14,069 have been awarded for a Student Support Services (TRIO) Program. Matching funds totaling \$12,167 are already included in the budget.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Funding must be expended between September 1, 2008 and August 31, 2009.		
8. Proposed Source of Funding US Department of Education		
9. Timing of Impact THE RESOLUTION IS EFFECTIVE UPON ADOPTION.		
10. Typed Name & Title of Preparer Tricia Saunders, Assistant Executive Analyst	11. Signature of Preparer 	12. Date 3/23/09

**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		\$0.00		\$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		\$0.00		\$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	\$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.



Office of the President

BOARD OF TRUSTEES

March 12, 2009

RESOLUTION NO. 2009.16 AMENDING THE COLLEGE BUDGET FOR A STUDENT SUPPORT SERVICES (TRIO) PROGRAM GRANT

WHEREAS, the 2008-2009 College operating budget provides \$254,653, including indirect costs, from the United States Department of Education for a Student Support Services (TRIO) Program grant, and

WHEREAS, the grant award has been increased by \$14,069, including indirect costs, bringing the grant award to \$268,722, including indirect costs, and

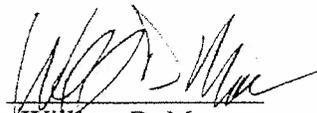
WHEREAS, an additional \$13,333 will be administered external to the grant appropriation budget as grant aid to students, bringing the total amount of the grant award to \$282,055, including indirect costs, and

WHEREAS, matching funds in the amount of \$12,167, provided for in the College operating budget, will be used to provide grant aid to students, and additional supplies and equipment for student support, be it therefore

RESOLVED, that a grant award in the amount of \$282,055 from the United States Department of Education for a Student Support Services (TRIO) Program for the 2008-2009 fiscal year, is hereby accepted, and be it further

RESOLVED, that the 2008-2009 College budget be amended to reflect an increase in the amount of \$14,069, including indirect costs, and the College President or his designee is authorized to execute a contract with the administering agency.

Project Director: Lorianne Lueders-Yanotti



William D. Moore
Chair

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

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

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

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Accepting and Appropriating an Amendment to the College Budget for a Grant Award from the United States Department of Education, for a Student Support Services (TRIO) Program 96% Reimbursed by Federal Funds at Suffolk County Community College

3. Purpose of Proposed Legislation

To accept and appropriate an amendment to a grant award in the amount of \$14,069, including indirect costs, from the United States Department of Education, for a Student Support Services (TRIO) Program at Suffolk County Community College during the 2008-2009 fiscal year.

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

5. If the answer to item 4 is "yes," on what will it impact? (Circle appropriate category)

County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	

6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact

The amendment to the grant award will provide \$14,069, including \$820 in indirect costs, from the United States Department of Education, for operating costs for the Student Support Services (TRIO) Program during the 2008-2009 fiscal year. Matching funds are required.

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

8. Proposed Source of Funding: United States Department of Education

9. Timing of Impact: September 1, 2008 through August 31, 2009

10. Name & Title of Preparer
Deborah E. Lesser, M.S.
Senior Accountant

11. Signature of Preparer
Deborah E. Lesser

12. Date
February 17, 2009

Suffolk

COUNTY COMMUNITY COLLEGE

MAR 09 2009

To: ✓ Ben Zwirn, Deputy County Executive
Brendan Chamberlain, Director, Intergovernmental

From: John Bullard, Jr., Assoc. Dean of Financial Affairs 

Date: February 25, 2009

Subject: Request for a Resolution Accepting and Appropriating an Amendment to the 2008-2009 College budget for a Grant Award

Enclosed are the application and requisite forms to request acceptance and appropriation of an amendment to the 2008-2009 College budget for an increase in a grant award at Suffolk County Community College.

Grant Proposal Grant Award

Project Name: Student Support Services (TRIO) Program
Funding Source: United States Department of Education

Total Amount of Grant Award: \$282,055

Amount of Amendment: \$ 14,069

Full Time Positions: One Director of Special Services
Two 12 mo 50% FTE Professional Assistants 1

Please call me if there are questions regarding this request.
An e-mail version of the resolution was sent to CE RESO REVIEW:
File name: Reso-SCCC-Student Support Services Amend 09.doc

cc: L. Lueders-Yanotti, Director of Student Support Services
Dr. M. Bright, Associate Vice President for Student Affairs
J. Canniff, Vice President for Academic and Campus Affairs
C. Stein, Vice President for Business & Financial Affairs

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

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

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

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

Board of Trustees Meeting
Date: March 12, 2009

ABSTRACT

Subcontract _____ Grant X Proposal _____

Funding Source: United States Department of Education

Project Title: Student Support Services (TRIO) Program

Project Director: Lorianne Lueders-Yanotti

Project Period: September 1, 2008 through August 31, 2009

Campus: College-wide

Amount of Award: \$282,055 (\$249,039 direct, \$19,683 indirect, \$13,333 grant aid to students)

Match/In-kind Contribution/Fees: \$ 12,167 cash match

Total Program Budget: \$294,222

Full-Time Positions/Reassigned Time:
One College Coordinator of Special Services
Two 12 mo 50% FTE Professional Assistants 1

No. of Students to be Served: 210

Type of Student to be Served: Full-time students who must meet one of the following criteria: first-generation college students, low-income, and/or have a documented disability.

Description of Project:
The Student Support Services (TRIO) grant will provide opportunities for students to successfully complete their post-secondary education. The goal is to increase the retention and graduation rates of participants and ease the process of transition from one level of higher education to the next.

RESOLUTION NO. 2009. AMENDING THE COLLEGE BUDGET FOR A STUDENT SUPPORT SERVICES (TRIO) PROGRAM GRANT

WHEREAS, the 2008-2009 College operating budget provides \$254,653, including indirect costs, from the United States Department of Education for a Student Support Services (TRIO) Program grant, and

WHEREAS, the grant award has been increased by \$14,069, including indirect costs, bringing the grant award to \$268,722, including indirect costs, and

WHEREAS, an additional \$13,333 will be administered external to the grant appropriation budget as grant aid to students, bringing the total amount of the grant award to \$282,055, including indirect costs, and

WHEREAS, matching funds in the amount of \$12,167, provided for in the College operating budget, will be used to provide grant aid to students, and additional supplies and equipment for student support, be it therefore

RESOLVED, that a grant award in the amount of \$282,055 from the United States Department of Education for a Student Support Services (TRIO) Program for the 2008-2009 fiscal year, is hereby accepted, and be it further

RESOLVED, that the 2008-2009 College budget be amended to reflect an increase in the amount of \$14,069, including indirect costs, and the College president or his designee is authorized to execute a contract with the administering agency.

Project Director: Lorianne Lueders-Yanotti

* * * * *



**U.S. Department of Education
Washington, D.C. 20202**

GRANT AWARD NOTIFICATION

1 RECIPIENT NAME: Suffolk County Community College 533 College Rd. Selden, NY 11784 - 2899	5 AWARD INFORMATION PR/AWARD NUMBER P042A051221-08 ACTION NUMBER 04 ACTION TYPE Continuation AWARD TYPE Discretionary																				
2 PROJECT TITLE 84.042A STUDENT SUPPORT SERVICES PROGRAM	6 AWARD PERIODS BUDGET PERIOD 09/01/2008 - 08/31/2009 PERFORMANCE PERIOD 09/01/2005 - 08/31/2009																				
3 PROJECT STAFF RECIPIENT PROJECT DIRECTOR Lorianne Lueders-Yanotti (631) 451 - 4370 EDUCATION PROGRAM CONTACT Maxine Gibson (202) 502 - 7702 EDUCATION PAYMENT CONTACT GAPS PAYEE HOTLINE (888) 336 - 8930	7 AUTHORIZED FUNDING <table style="width:100%; margin-left: 20px;"> <tr> <td style="text-align: right;">THIS ACTION</td> <td style="text-align: right;">\$282,055.00</td> </tr> <tr> <td style="text-align: right;">BUDGET PERIOD</td> <td style="text-align: right;">\$282,055.00</td> </tr> <tr> <td style="text-align: right;">PERFORMANCE PERIOD</td> <td style="text-align: right;">\$1,086,013.00</td> </tr> <tr> <td style="text-align: right;">RECIPIENT COST-SHARE</td> <td style="text-align: right;">37.48%</td> </tr> <tr> <td style="text-align: right;">RECIPIENT NON-FEDERAL AMOUNT</td> <td style="text-align: right;">\$105,714.00</td> </tr> </table>	THIS ACTION	\$282,055.00	BUDGET PERIOD	\$282,055.00	PERFORMANCE PERIOD	\$1,086,013.00	RECIPIENT COST-SHARE	37.48%	RECIPIENT NON-FEDERAL AMOUNT	\$105,714.00										
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4 KEY PERSONNEL <table style="width:100%; margin-left: 20px;"> <thead> <tr> <th style="text-align: left;"><u>NAME</u></th> <th style="text-align: left;"><u>TITLE</u></th> <th style="text-align: left;"><u>LEVEL OF EFFORT</u></th> </tr> </thead> <tbody> <tr> <td>Lorianne Lueders-Yanotti</td> <td>Project Director</td> <td>100%</td> </tr> </tbody> </table>	<u>NAME</u>	<u>TITLE</u>	<u>LEVEL OF EFFORT</u>	Lorianne Lueders-Yanotti	Project Director	100%	8 ADMINISTRATIVE INFORMATION DUNS/SSN 068017615 REGULATIONS CFR PART 646 EDGAR AS APPLICABLE ATTACHMENTS A, B OPE-3, C, E1, E2, E3, F, S														
<u>NAME</u>	<u>TITLE</u>	<u>LEVEL OF EFFORT</u>																			
Lorianne Lueders-Yanotti	Project Director	100%																			
9 LEGISLATIVE AND FISCAL DATA AUTHORITY: PL 102-325 HIGHER EDUCATION ACT OF 1965, P.L. 102-325, AMENDED PROGRAM TITLE: TRIO - STUDENT SUPPORT SERVICES CFDA/SUBPROGRAM NO: 84.042A <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">FUND CODE</th> <th style="text-align: left;">FUNDING YEAR</th> <th style="text-align: left;">AWARD YEAR</th> <th style="text-align: left;">ORG. CODE</th> <th style="text-align: left;">CATEGORY</th> <th style="text-align: left;">LIMITATION</th> <th style="text-align: left;">ACTIVITY</th> <th style="text-align: left;">CFDA</th> <th style="text-align: left;">OBJECT CLASS</th> <th style="text-align: left;">AMOUNT</th> </tr> </thead> <tbody> <tr> <td>0201A</td> <td>2008</td> <td>2008</td> <td>EP000000</td> <td>B</td> <td>J06</td> <td>000</td> <td>042</td> <td>41010</td> <td>\$282,055.00</td> </tr> </tbody> </table>		FUND CODE	FUNDING YEAR	AWARD YEAR	ORG. CODE	CATEGORY	LIMITATION	ACTIVITY	CFDA	OBJECT CLASS	AMOUNT	0201A	2008	2008	EP000000	B	J06	000	042	41010	\$282,055.00
FUND CODE	FUNDING YEAR	AWARD YEAR	ORG. CODE	CATEGORY	LIMITATION	ACTIVITY	CFDA	OBJECT CLASS	AMOUNT												
0201A	2008	2008	EP000000	B	J06	000	042	41010	\$282,055.00												

1277

Intro. Res. No. -2009

Laid on Table 3/24/09

Introduced by the Presiding Officer on request of County Executive Steve Levy

**RESOLUTION NO. -2009, DONATING
DECOMMISSIONED BODY ARMOR VESTS TO THE
UNITED STATES DEPARTMENT OF
DEFENSE TO PROTECT OUR CITIZEN-
SOLDIERS**

WHEREAS, the County Police Department decommissions body armor which has exceeded manufacturer wear-out specifications; and

WHEREAS, vests no longer recommended for use as personal body armor still retain properties which make them suitable for use on vehicles as a protective measure against improvised explosive devices; now, therefore be it

1st RESOLVED, that the decommissioned body armor vests may be donated to the United States Department of Defense for use on vehicles as a protective measure against improvised explosive devices, be it further

2nd RESOLVED, that the Suffolk County Police Department is hereby authorized, empowered, and directed to take such action as shall be necessary to effectuate this donation. This resolution shall take effect immediately.

3rd 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) and (25) 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

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		
DONATING DECOMMISSIONED BODY ARMOR VESTS TO THE UNITED STATES DEPARTMENT OF DEFENSE TO PROTECT OUR CITIZEN-SOLDIERS		
3. Purpose of Proposed Legislation		
Provide added protection for our nation's Armed Forces.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
The current scrap value of each vest is \$2.75. SCPD presently has 660 body armor vests which have been decommissioned and anticipate an addition 200 vests to be decommissioned in the near future. The current value for the 660 vests is \$1,815.00		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing of Impact		
No impact.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Harold R. Armet, Lt.		March 23, 2009

**FIXED ASSET/INVENTORY
CHANGE FORM**

DEPARTMENT POLICE
 LOCATION OF INVENTORY POLICE QUARTERS BLDG # 34 Yaphank Ave

TYPE OF CHANGE OR TRANSFER

ADDITIONS:

ITEM #	DESCRIPTION OF ITEM	Federal Aid <input type="checkbox"/>	State Aid <input type="checkbox"/>	P.O. NUMBER (PURCHASE)	RESOLUTION # (GIFT)
MANUFACTURER'S SERIAL #	CONTROL STICKER #	Current Appropriations <input type="checkbox"/>		# OF ITEMS PURCHASED	ACQUISITION DATE
01					
				\$	
02					
				\$	
03					
				\$	

DELETIONS:

ITEM #	DESCRIPTION OF ITEM	SURPLUS/AUCTION <input type="checkbox"/>	CONDEMNATION <input checked="" type="checkbox"/>
DISPOSITION D		DESTROYED/MYSTERIOUS DISAPPEARANCE <input type="checkbox"/>	
MANUFACTURER'S SERIAL #	CONTROL STIC #	ESTIMATED ORIGINAL COST OF ITEM	NUMBER OF ITEMS DISPO OF
1	660 Used Body Armor Vests	\$375,000	660
01			
		\$	
02			
		\$	
03			
		\$	

TRANSFERS:

INTER-DEPARTMENT: RECEIVING DEPT. _____ LOCATION _____
 INTRA-DEPARTMENT: NEW LOCATION _____ BLDG # _____

AUTHORIZED SIGNATURES

TRANSFERRING OR INITIATING DEPARTMENT HEAD <i>Victoria Kellewell</i>	RECEIVING DEPARTMENT HEAD <i>[Signature]</i>
---	---

1-27-09

1278

Intro. Res. No. - 2009

Laid on the Table 3/24/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2009, AMENDING THE 2009
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH STRENGTHENING AND
IMPROVING L.I.E. NORTH/SOUTH SERVICE ROADS FROM
WASHINGTON AVENUE/WICKS ROAD TO OCEAN AVENUE,
EXIT 59, , UNDER THE FEDERAL FFY 2009 AMERICAN
RECOVERY AND REINVESTMENT ACT (CP 5127)**

WHEREAS, the Commissioner of Public Works has requested funds for construction and construction inspection in connection with Strengthening and Improving L.I.E. Service Roads under Federal FFY 2009 American Recovery and Reinvestment Act; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, and identified as PIN 075945, authorized under the Federal FFY 2009 American Recovery and Reinvestment Act with a share allocation of 100 (100%) percent Federal funds and zero (0%) percent County funds; and

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

WHEREAS, sufficient funds are not included in the 2009 Capital Budget and Program to cover the cost of said request under Capital Project 5127 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$10,000,000 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. 1171-1995 classified the action contemplated by this as a Type II Action, which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-five (45) 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 (A) of the Suffolk County Charter to complete the Strengthening and Improving L.I.E. Service Roads; and be it further

4th RESOLVED, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5127
 Project Title: Strengthening and Improving L.I.E. Service Roads under the Federal FFY 2009 American Recovery and Reinvestment Act

	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget & Program</u>	<u>Revised 2009 Capital Budget & Program</u>
3. Construction	\$10,000,000	0	\$10,000,000F
TOTAL	\$10,000,000	0	\$10,000,000

5th RESOLVED, that Federal Aid in the amount of \$10,000,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5127.311	50	Strengthening and Improving L.I.E. N/S Service Roads Washington Ave/Wicks Road to Exit 59	\$10,000,000

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$10,000,000; and be it further

7th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of 10,000,000; and be it further

8th RESOLVED, that the appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for construction of the project; and be it further

9th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

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

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 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 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

From

SUFFOLK	075944 RECON <Example>	LIE N'S SERVICE ROADS FROM OCEAN AVENUE EXIT 59 TO NORTH OCEAN AVENUE (EXIT 65)										
AQC.A10Z	SUFFOLK	TOTAL PROJECT COST > 0.000	TOTAL FYR COST >	0.000		0.000	0.000	0.000	0.000	0.000	0.000	0.000

To

SUFFOLK	075944 RECON <Example>	LIE N'S SERVICE ROADS FROM OCEAN AVENUE EXIT 59 TO NORTH OCEAN AVENUE (EXIT 65)	09 ECON STIM 04/2009 09 ECON STIM 04/2009	1.000 9.000	CONNSP CONST			1.000 9.000				
AQC.A10Z	SUFFOLK	TOTAL PROJECT COST > 10.000	TOTAL FYR COST >	10.000		0.000	0.000	10.000	0.000	0.000	0.000	0.000

Ballot Comment:

From

SUFFOLK	075945 RECON <Example>	2009 PAVEMENT RESURFACING LIE NORTH SOUTH SERVICE ROADS FROM WASHINGTON AVENUE / WICKS ROAD TO OCEAN AVENUE (EXIT 59)										
AQC.A10Z	SUFFOLK	TOTAL PROJECT COST > 0.000	TOTAL FYR COST >	0.000		0.000	0.000	0.000	0.000	0.000	0.000	0.000

To

SUFFOLK	075945 RECON <Example>	2009 PAVEMENT RESURFACING LIE NORTH SOUTH SERVICE ROADS FROM WASHINGTON AVENUE / WICKS ROAD TO OCEAN AVENUE (EXIT 59)	09 ECON STIM 04/2009 09 ECON STIM 04/2009	1.000 9.000	CONNSP CONST			1.000 9.000				
AQC.A10Z	SUFFOLK	TOTAL PROJECT COST > 10.000	TOTAL FYR COST >	10.000		0.000	0.000	10.000	0.000	0.000	0.000	0.000

Ballot Comment:

1279

Intro. Res. No. -2009

Laid on Table 3/24/2009

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009 INSTITUTING A LAG PAYROLL IN FISCAL YEAR 2009 FOR BARGAINING UNITS 21, 30 AND 24 (MANAGEMENT, CONFIDENTIAL, AND BOARD OF ELECTIONS EMPLOYEES, RESPECTIVELY AND EXCLUSIVE OF SUFFOLK COUNTY COMMUNITY COLLEGE EMPLOYEES), TO ADDRESS REVENUE SHORTFALLS AND AVOID A REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL

WHEREAS, Legislative Resolution 283-2008 (10th Resolved) imposed a wage freeze on exempt employees via the abolishment of step increases in fiscal year 2009; and

WHEREAS, a reduction in the workforce of County employees, may be avoided, at least in part, by the institution of a "lag payroll" or other personnel savings initiatives to help balance the shortfall in revenues projected in the 2009 Operating Budget; and

WHEREAS, the institution of a two week "lag payroll" for Bargaining Units 21, 30 and 24 (Management, Confidential, and Board of Elections employees, respectively and exclusive of Suffolk County Community College employees), is a job savings measure, and will help mitigate unanticipated loss of revenue in the 2009 Adopted Budget; and

WHEREAS, the voluntary institution of a lag payroll by all elected officials would show leadership and solidarity with those County employees being asked to help address revenue shortfalls and prevent a reduction in the workforce of County employees; now, therefore be it

1st RESOLVED, that a two week "lag payroll" for Bargaining Units 21, 30 and 24 (Management, Confidential, and Board of Elections employees, respectively and exclusive of Suffolk County Community College employees), is hereby authorized; and be it further

2nd RESOLVED, that the Department of Audit and Control is hereby authorized, directed and empowered to take all necessary steps to institute a two week "lag payroll" for Bargaining Units 21, 30 and 24 (Management, Confidential, and Board of Elections employees, respectively and exclusive of Suffolk County Community College employees), consistent with this resolution commencing with the first full payroll week following final approval hereof; and

3rd RESOLVED, that those employees who sustain a reduction in salary due to participation in the two week "lag payroll" as specified herein, shall be entitled to receive reimbursement of such salary reduction upon separation from employment with the County; and

4th RESOLVED, that the reimbursement rate shall be at the rate of pay being received by the employee at the time of his or her separation from the County; and be it further

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), (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.

DATED:

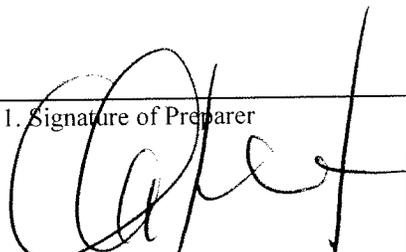
APPROVED BY:

Steve Levy
County Executive of Suffolk County

Date

1279

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. -2009 INSTITUTING A LAG PAYROLL IN FISCAL YEAR 2009 FOR BARGAINING UNITS 21, 30 AND 24 (MANAGEMENT, CONFIDENTIAL, AND BOARD OF ELECTIONS EMPLOYEES, RESPECTIVELY AND EXCLUSIVE OF SUFFOLK COUNTY COMMUNITY COLLEGE EMPLOYEES), TO ADDRESS REVENUE SHORTFALLS AND AVOID A REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL		
3. Purpose of Proposed Legislation		
SAME AS 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)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:		
. SAVES IN THE RANGE OF \$1,950,000 IN 2009		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
.N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Upon approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		March 24 , 2009

OFFICE OF THE COUNTY EXECUTIVE
COUNTY OF SUFFOLK

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

Submitting Department Department Contact Person
(Dept. Name & Location)(Name & Telephone No.)

SUFFOLK COUNTY EXECUTIVE OFFICE

Suggestion Involves:

Technical Amendment New Program

Grant Award Contract (New Rev.)

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

RESOLUTION NO. -2009 INSTITUTING A LAG PAYROLL IN FISCAL YEAR 2009 FOR BARGAINING UNITS 21, 30 AND 24 (MANAGEMENT, CONFIDENTIAL, AND BOARD OF ELECTIONS EMPLOYEES, RESPECTIVELY AND EXCLUSIVE OF SUFFOLK COUNTY COMMUNITY COLLEGE EMPLOYEES), TO ADDRESS REVENUE SHORTFALLS AND AVOID A REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL

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

PLEASE FILL IN REVERSE SIDE OF FORM

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

BOND RESOLUTION NO. -2009

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$4,000,000 BONDS TO FINANCE THE COST OF CONSTRUCTION OF IMPROVEMENTS TO SEWER DISTRICT NO. 21 (SUNY - STONY BROOK) (PHASE I) (CP 8121)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$4,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the County's share of the cost of the construction of improvements to Sewer District No. 21 (SUNY - Stony Brook) (Phase I), as authorized in the 2009 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,000,000. The plan of financing includes the issuance of \$4,000,000 bonds or bond anticipation notes authorized pursuant to this resolution, the assessment, levy and collection of assessments on the lots and parcels of land in the Sewer District No. 21, Sewer District No. 10 and Sewer District No. 19 and, in the event the amounts collected pursuant to such assessments are insufficient to pay the principal of and interest on such bonds or notes as the same shall become due and payable, the levy and collection of taxes on all the taxable real property in the County.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 4 of the Law, is forty (40) years.

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the

budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

- (b) The powers and duties of the County Legislature relative to entering into contracts and agreements and issuing bonds and/or notes of the County pursuant to Section 169.00 of the Law are hereby delegated to the County Comptroller, provided that any such contracts and the issuance of any such bonds or notes indebtedness shall be in conformity with applicable provisions of the Law. The County Comptroller is authorized to execute a project finance agreement and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and any other documents or any instruments (or amendments thereto) in the effectuation of the borrowing contemplated hereby, in order to effect the financing or refinancing of the project described herein, or a portion thereof, by the issuance of bonds or notes of the County.

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

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

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

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

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish

1281

3/24/09

Intro. Res. No. -2009

Laid on Table

Introduced by the Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2009, ADOPTING
LOCAL LAW NO. -2009, A LOCAL LAW
AUTHORIZING EXECUTION OF AGREEMENTS WITH THE
TOWN OF RIVERHEAD RELATING TO DISPATCH SERVICES
AND DELETING THE TOWN OF RIVERHEAD AS A PUBLIC
SAFETY ANSWERING POINT (PSAP)**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2009, a proposed local law entitled “**A LOCAL LAW AUTHORIZING EXECUTION OF AGREEMENTS WITH THE TOWN OF RIVERHEAD RELATING TO DISPATCH SERVICES AND DELETING THE TOWN OF RIVERHEAD AS A PUBLIC SAFETY ANSWERING POINT (PSAP)**,” and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted as follows:

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW AUTHORIZING EXECUTION OF AGREEMENTS WITH THE
TOWN OF RIVERHEAD RELATING TO DISPATCH SERVICES AND
DELETING THE TOWN OF RIVERHEAD AS A PUBLIC SAFETY ANSWERING
POINT (PSAP)**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the Suffolk County Police Department and the Suffolk County Department of Fire, Rescue and Emergency Services operate central dispatch services capable of serving the entire County, which are funded by taxpayer dollars paid by all of the taxpayers throughout the County, and that the Town of Riverhead is not a part of the County Police District and maintains its own police department which, until now, has operated its own dispatch service.

This Legislature further finds and determines that the County previously established, and presently maintains, an enhanced 911 emergency telephone system which automatically connects a person dialing 911 to an established public service answering point (“PSAP”), that the Suffolk County E-911 Commission (formerly called the “Steering Committee”) is charged with approving requests for designations of additional PSAPS or deletions of existing PSAPS and for preparing budget requests for the maintenance of the system, and that the Town of Riverhead has functioned as a PSAP under the enhanced 911 system.

This Legislature further finds and determines that the Town of Riverhead has approved Resolution No. 1036-2008, which authorizes the Town of Riverhead to enter into

agreements with the County to accomplish the transfer of general police and fire and medical emergency dispatch functions from the Town to the County.

This Legislature further finds that the Town of Riverhead also desires to withdraw as a PSAP, and the Suffolk County E-911 Commission has reviewed the request and recommends that it be approved.

Therefore, the purpose of this local law is to amend Chapter 278 of the Suffolk County Code to delete the Town of Riverhead as a PSAP, to conform the identification of the name of the E-911 Commission contained in Chapter 278 to its present name, and to authorize the County to enter into agreements with the Town of Riverhead to set forth the terms upon which the County will provide dispatching services to the Town of Riverhead.

Section 2. Amendments.

Chapter 278 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

**Chapter 278
EMERGENCY TELEPHONE SYSTEM**

* * * *

§ 278-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

* * * *

SUFFOLK COUNTY E-911 COMMISSION—A committee comprised of the following members:

- A. [Twelve] Eleven agency members, one from each of the following [12]11 Public Safety Answering Points (PSAP's) :
 - (1) Suffolk County Police Department.
 - (2) Northport Village Police Department.
 - (3) Amityville Village Police Department.
 - [(4) Riverhead Town Police Department.]
 - [(5)] (4) Southampton Town Police Department.
 - [(6)] (5) Southampton Village Police Department.
 - [(7)] (6) Southold Town Police Department.
 - [(8)] (7) East Hampton Village Police Department.
 - [(9)] (8) East Hampton Town Police Department.

[(10)] (9) Suffolk County Fire Rescue and Emergency Services.

[(11)] (10) Babylon Central Fire Alarm and Rescue Alarm Corporation.

[(12)] (11) The Smithtown Fire District.

* * * *

§ 278-3. Authorization for installation.

A. This Legislature hereby authorizes, empowers and directs the installation of a county-wide enhanced 911 emergency telephone system with multiple PSAP's to be located in each of the following locations: Suffolk County Police Department, Babylon Central Fire Alarm and Rescue Corporation, the Smithtown Fire District, Suffolk County Fire, Rescue and Emergency Services, Northport Village Police Department, Amityville Police Department, [Riverhead Town Police Department,] Southampton Town Police Department, Southampton Village Police Department, Southold Town Police Department, East Hampton Village Police Department and the East Hampton Town Police Department. Additional PSAP's may be designated by the [Enhanced] E- 911 [Steering Committee] Commission at a later date. PSAP's may only be deleted by duly enacted amendments of this chapter after a review and recommendation of the [Enhanced] E- 911 [Steering Committee] Commission.

* * * *

Section 3. Authorization.

The County Executive, or his designee, the Suffolk County Police Commissioner and the Commissioner of Fire, Rescue and Emergency Services are hereby authorized to execute memorandums of agreement with the Town of Riverhead relating to the provision of dispatching services by the County to the Town of Riverhead.

Section 4. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 5. Severability.

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

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

Section 7. 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

1281



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

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

DATE: March 24, 2009
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A LOCAL LAW AUTHORIZING EXECUTION OF AGREEMENTS WITH THE TOWN OF RIVERHEAD RELATING TO DISPATCH SERVICES AND DELETING THE TOWN OF RIVERHEAD AS A PUBLIC SAFETY ANSWERING POINT (PSAP)

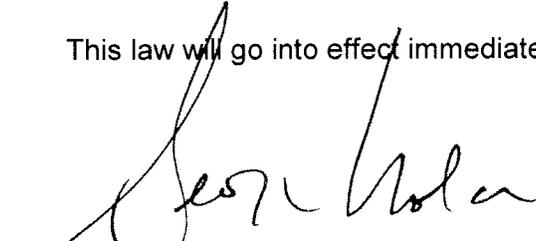
SPONSOR: THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 3/24/09 PUBLIC HEARING: 04/28/09

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would amend Chapter 278 of the SUFFOLK COUNTY CODE, removing the Riverhead Town Police from the Suffolk County E-911 Commission and terminaing their function as a Public Safety Answering Point. This law will authorize the County Executive, the Suffolk County Police Commissioner, and the Commissioner of Fire, Rescue and Emergency Services to enter into agreements with the Town of Riverhead regarding the provision of dispatching services by the County to the Town of Riverhead.

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


GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-remove riverhead town police from psap

1782

Intro. Res. No. -2009
Introduced by Legislator Kennedy

Laid on Table 3/24/09

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO.
-2009, A LOCAL LAW TO AMEND THE SUFFOLK COUNTY
CODE TO INCLUDE GEM EXCHANGES AS A LICENSED
OCCUPATION**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2009, a proposed local law entitled, " **A LOCAL LAW TO AMEND THE SUFFOLK COUNTY CODE TO INCLUDE GEM EXCHANGES AS A LICENSED OCCUPATION**" now, therefore, be it

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

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO AMEND THE SUFFOLK COUNTY CODE TO
INCLUDE GEM EXCHANGES AS A LICENSED OCCUPATION**

**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 gems are valuable commodities that are frequently resold on secondary markets.

This Legislature also finds and determines that gems, both loose and set in jewelry or other items, are often the targets of thieves due to their high value and the ease with which they can be resold.

This Legislature further finds and determines that Suffolk County enacted Article IV of Chapter 345 of the SUFFOLK COUNTY CODE to regulate precious metal exchange businesses as a law enforcement tool to recover stolen items made from precious metals.

This Legislature finds that Suffolk County should regulate the secondary gem market in a similar manner to assist the efforts of law enforcement to aid in the recovery of stolen gems.

Therefore, the purpose of this law is to amend Article IV of Chapter 345 of the SUFFOLK COUNTY CODE to include gem exchanges as a licensed occupation in Suffolk County.

Section 2. Amendments.

Chapter 345 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 345. LICENSED OCCUPATIONS.

ARTICLE IV, Precious Metal and Gem Exchanges

§ 345-35. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BOND -- An insurance agreement pledging security for payment of any bank draft or other negotiable instrument.

BUSINESS DAY -- Any calendar day except Sunday or any County holiday.

COIN -- Metal money exchanged for purchase or sale for more than its melt down value, unless deemed to be an investment in numismatics.

GEM -- Articles composed wholly or in part of the following: emerald, diamond, ruby, sapphire, black opal, ruby spinal, citrine, demantoid, bloodstone, jasper, pearl, aquamarine, beryl, topaz, garnet, chrysolite, fire opal, moonstone, rose quartz, tourmaline, carnelian, peridot, sardonyx, zircon, morganite, chrysoprase, kunzite, cat's eye, amethyst, chalcedony, onyx, agate, alexandrite, star sapphire, lapis lazuli, harlequin opal, turquoise, jade, or any other item composed wholly or in party of any gem or stone whose value is in excess of one hundred dollars (\$100).

PRECIOUS METAL -- Gold, silver or platinum or coins, utensils or objects containing one or more of these metals.

PRECIOUS METAL AND GEM EXCHANGE -- Persons engaged in the business of sale, purchase or exchange of precious metals and/or gems for other objects of precious metal or gems, for United States currency, bank drafts or other negotiable instruments as defined in the Uniform Commercial Code.

PRECIOUS METAL AND GEM EXCHANGE ESTABLISHMENT -- Any shop, store, residence, place or premises from which a precious metal and gem exchange business is conducted.

§ 345-36. License required.

A. It is unlawful for any person to engage in any business as a precious metal and gem exchange establishment without first obtaining a license therefor from the office in accordance with and subject to the provisions of this article and Article I.

D. A precious metal and gem exchange establishment may either utilize scales for the purposes of buying either precious metals or gems or may operate without a scale. Whichever method of operation is utilized must comply with the provisions of § 345-38 herein. In addition, every licensee shall comply with the bonding provisions of § 345-39 and the record and reporting requirements of § 345-40.

§345-37, Fees.

A. An application fee of \$200 shall accompany each application for a precious metal and gem exchange license. The fee for precious metal and gem exchange license shall be \$200 per annum. It may be renewed biennially for a fee of \$400.

§ 345-38. Methods of purchase.

A. An establishment may either purchase precious metals or gems by weight or may purchase precious metals or gems without weight, depending upon the individual object. A licensee must prominently display a sign which will notify customers of which method of purchase is utilized.

B. Purchase by weight. In order to advertise that a precious metal and gem exchange establishment purchases precious metals or gems by weight, the establishment must have scales which are approved, tested and sealed by the Office of Consumer Affairs of Suffolk County. All sales must be by pennyweight, and if the establishment purchases a precious metal or gems by weight, the seller must be told the weight (in pennyweights) and the price per pennyweight. In addition, if an establishment is buying precious metals or gems by weight, the establishment must post the current price paid, per pennyweight, based on purity; and such signs shall be clear, conspicuous and located in close proximity to, and where they are readily visible from, the scale used for such sales.

C. Purchase not by weight. If a precious metal and gem exchange establishment does not utilize a scale, it must display a sign stating that precious metals or gems are not purchased by weight.

§ 345-39. Required bond.

Notwithstanding the provisions of § 345-11A(4) herein, every applicant for a precious metal and gem exchange license shall submit a five-thousand-dollars bond or, for renewal of a license, evidence of a bond issued in favor of the licensee. This bond shall be for the purpose of guaranteeing payments up to the face amount of the bond for bank drafts or other negotiable instruments issued by the licensee in exchange for the purchase of precious metals and gems. All bonds must be conditioned so that the licensee will observe all laws in relation to precious metal and gem dealers and will conduct business in conformity thereto. Such bond shall remain in force during the entire period for which the license is valid. The Director may establish rules and regulations concerning the amount of a bond to be posted upon proper notice to the licensee.

§ 345-40. Required records.

A. Each licensee shall keep records, legibly written in English, in a bound book. All entries shall be made in ink at the time of each transaction and shall include the computer transaction number. Each transaction shall also include:

(1) An accurate account and description of the object, including but not limited to the weight (if applicable) and purity of the precious metal or gem, any inscriptions, and any identifying characteristics or marks.

§ 345-42. Required reports.

A. Every person so licensed as a precious metal and gem exchange establishment shall report to the Police Commissioner or Chief of Police, on forms supplied by the Department, on or before the end of each business day in a form approved and supplied by the Commissioner of Police, the information described in § 345-40.

§ 345-43. Prohibited acts.

A. No object containing precious metal or gems shall be purchased by a precious metal and gem exchange establishment from a:

- (1) Person who appears to be intoxicated or of unsound mind.
- (2) Person under the age of 18 without the written consent of his parents or guardian.
- (3) Person who is unable to produce proper identification.
- (4) Person presenting merchandise that possesses an altered or obliterated serial number or any item that has had its serial number removed.

C. A precious metal and gem exchange establishment failing to comply with the requirements set forth in this article and Article I shall be subject to penalties set forth in § 345-9 which pertains to fines, suspensions and revocation of licenses.

D. Purchases or sales may be made by a precious metal and gem exchange establishment at locations other than the premises of such establishment; but when purchases or sales are made at locations other than the premises of such an establishment, the licensee must note, adjacent to other entries applicable to the transaction in the record book, the location where the transaction took place in addition to the records required by § 345-40 of this chapter.

§ 345-44. Temporary license pending issuance of permanent license.

A. The Office shall issue a temporary license to any applicant for a precious metal and gem exchange license if the Office has not, within 30 days after receipt of the application for such license, approved or disapproved such application.

§ 345-46. Required holding period.

A. It shall be a violation of this article for any precious metal and gem exchange establishment to sell, dispose of or alter any precious metal or gem purchased until the expiration of 21 days after the acquisition of such articles by the precious metal and gem exchange establishment. This section shall not apply to articles a precious metal and gem exchange establishment has purchased from another precious metal and gem exchange establishment if such articles have been held the required 21 days by the latter.

C. Purchases or sales between licensed precious metal and gem exchange establishments shall be exempt from the provisions of this section only if evidence of full compliance with all provisions and conditions set forth in this article is obtained by the purchasing precious metal and gem exchange establishment from the selling precious metal and gem exchange establishment in the form of a receipt. This receipt shall be retained by the purchasing precious metal and gem exchange establishment for the period required by § 345-40C hereof.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law, except that persons holding a license to operate a precious metal exchange establishment on the law's effective date may continue to operate under that license until its expiration.

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 ninetieth (90th) 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-gem exchanges

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



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

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

DATE: March 24, 2009

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A LOCAL LAW TO AMEND THE SUFFOLK COUNTY CODE TO INCLUDE GEM EXCHANGES AS A LICENSED OCCUPATION

SPONSOR: LEGISLATOR KENNEDY

DATE OF RECEIPT BY COUNSEL: 3/24/09 **PUBLIC HEARING:** 4/28/09

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

This proposed local law would amend Chapter 345 of the SUFFOLK COUNTY CODE to include individuals and businesses engaged in the purchasing or exchanging gems as a licensed occupation with the same requirements and regulations that are applied to precious metal exchanges.

This local law will take effect ninety (90) days after its filing with the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-gem-exchanges

1283

Intro. Res. No. -2009 Laid on Table 3/24/2009
Introduced by Presiding Officer Lindsay on request of the County Executive

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW
NO. -2009, A CHARTER LAW TO ESTABLISH A
FISCALLY SOUND, FLEXIBLE POLICY FOR
MANAGING BUDGET VOLATILITY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2009 a proposed local law entitled, "**A CHARTER LAW TO ESTABLISH A FISCALLY SOUND, FLEXIBLE POLICY FOR MANAGING BUDGET VOLATILITY;**" now, therefore, be it

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

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO ESTABLISH A FISCALLY SOUND,
FLEXIBLE POLICY FOR MANAGING BUDGET VOLATILITY**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk maintains a Tax Stabilization Reserve Fund as authorized by NEW YORK GENERAL MUNICIPAL LAW.

This Legislature also finds that the County of Suffolk has diligently and consistently increased the Tax Stabilization Reserve Fund over the past several years, and the Fund's balance now exceeds \$100 million.

This Legislature also finds that there is a present need to access the Tax Stabilization Fund due to the unanticipated and drastic decline of sales tax revenue and other tax receipts.

This Legislature further finds and determines that Charter section C4-10(F)(2) requires annual funding of the Tax Stabilization Reserve Fund. This requirement deprives the County Legislature and the County Executive of needed flexibility in managing the operating budget in the current environment of economic volatility.

This Legislature also finds that granting discretion to the County Legislature and the County Executive in replenishing the Tax Stabilization Reserve Fund will benefit Suffolk County taxpayers.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CHARTER to allow the County greater flexibility in managing the operating budget by enlarging the County's discretion to replenish the Tax Stabilization Reserve Fund.

Section 2. Amendment.

Section C4-10(F) of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

Article IV
County Budget and Capital Program

- 2.) Except as provided herein, no more than seventy-five percent (75%) of the positive fund balance may be returned to the taxpayers in any year. The remainder of the fund balance [shall] may be deposited into tax and debt stabilization reserve funds in fiscal years 2009, 2010 2011 and 2012. [in amounts approved by the County Legislature for use in subsequent years as set forth below, except that once the balance of the tax stabilization reserve fund totals \$120 million (as defined by the adopted amount in the prior year's operating budget) or five percent (5%) of the general fund portion of the prior year's operating budget, whichever amount is greater, the County may return a larger percentage of the fund balance, up to one hundred percent (100%), to the taxpayers and/or approve a specific appropriation of this portion of the fund balance for the clearing of snow and ice from public thoroughfares and public places; the repair of potholes and other road surface maintenance: for heat, light and power in County-owned or -leased buildings: for disaster preparedness; for the payment of bonded indebtedness; or to provide "pay-as-you-go" funding pursuant to Local Law No. 23-1994.] In every fiscal year commencing in fiscal year 2013, the remainder of the fund balance shall be deposited into tax and debt stabilization reserve funds in amounts approved by the County Legislature for use in subsequent years as set forth below.

- 3.) Once the balance of the tax stabilization reserve fund totals \$120 million (as defined by the adopted amount in the prior year's operating budget) or five percent (5%) of the general fund portion of the prior year's operating budget, whichever amount is greater, the County may return a larger percentage of the fund balance, up to one hundred percent (100%), to the taxpayers and/or approve a specific appropriation of this portion of the fund balance for the clearing of snow and ice from public thoroughfares and public places; the repair of potholes and other road surface maintenance: for heat, light and power in County-owned or -leased buildings: for disaster preparedness; for the payment of bonded indebtedness; or to provide "pay-as-you-go" funding pursuant to Local Law No. 23-1994.]

Section 3. Applicability.

This law shall apply to all County Operating Budgets enacted 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 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 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:

Steve Levy
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

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

DATE: MARCH 24, 2009

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; CHARTER LAW, TO ESTABLISH A FISCALLY SOUND, FLEXIBLE POLICY FOR MANAGING BUDGET VOLATILITY

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 3/24/09 PUBLIC HEARING: 4/28/09

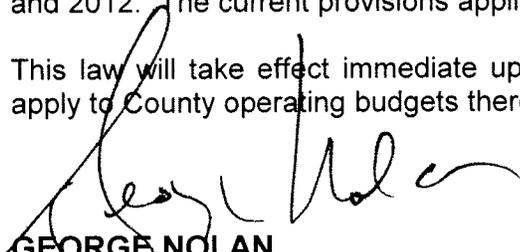
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law would amend Article IV of the SUFFOLK COUNTY CHARTER to temporarily change the way positive fund balances may be utilized in County operating budgets.

Currently, no more than 75% of a positive fund balance may be returned to the taxpayers in any given year. The remainder of any fund balance must be deposited into tax and debt stabilization reserve funds, except that once the balance of the tax stabilization reserve fund totals \$120 million or 5% of the general fund portion of the prior year's operating budget (whichever amount is greater), the County may return a larger percentage of the fund balance to the taxpayers and/or approve a specific appropriation of that portion of the fund balance for certain specific enumerated purposes.¹

If enacted, this law would suspend the above described restrictions on the County's use of fund balance monies that are not being returned to taxpayers, for the fiscal years 2009, 2010, 2011 and 2012. The current provisions applicable to fund balances would be reinstated in 2013.

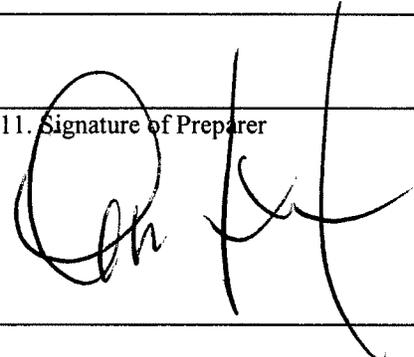
This law will take effect immediate upon its filing in the Office of the Secretary of State and apply to County operating budgets thereafter.


GEORGE NOLAN
Counsel to the Legislature

¹ Authorized purposes include clearing of snow and ice from public thoroughfares and public places; the repair of potholes and other road surface maintenance; light and power in County-owned or leased buildings; for disaster preparedness; for the payment of bonded indebtedness; or to provide "pay-as-you-go" funding pursuant to Local Law No. 23-1994.

1283

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 ADOPTING LOCAL LAW NO. -2009, A CHARTER LAW TO ESTABLISH A FISCALLY SOUND, FLEXIBLE POLICY FOR MANAGING VOLATILITY		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes No <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. THIS RESOLUTION ALLOWS THE COUNTY GREATER FLEXIBILITY IN MANAGING THE OPERATING BUDGET BY ENLARGING THE COUNTY'S DISCRETION TO REPLENISH THE TAX STABILIZATION RESERVE FUND.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision. 2009-NONE 2010-2013-NOT KNOWN AT THIS TIME		
8. Proposed Source of Funding. N/A		
9. Timing of Impact. UPON ADOPTION		
10. Typed Name & Title of Preparer ALLEN KOVESDY DIRECTOR OF MANAGEMENT & RESEARCH	11. Signature of Preparer 	12. Date MARCH 24, 2009

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	\$0	\$0.00		\$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	\$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.

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Intro. Res. No. 2009

Laid on Table 3/24/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2009 A RESPONSIBLE PLAN TO ADDRESS 2009 REVENUE SHORTFALLS AND AVOID A REDUCTION IN THE WORKFORCE OF COUNTY PERSONNEL

1st WHEREAS, it is the intention and desire of the County to craft a realistic and workable plan to avoid a reduction in the workforce of County personnel; and

2nd WHEREAS, in 2008, the County Executive and the Legislature worked together to develop and implement a plan which resulted in closing a potential budget shortfall in 2009; and

3rd WHEREAS, this plan which was codified in Resolution 283-2008, showed that by working together and addressing projected fiscal and budgetary problems early in the year, Suffolk County taxpayers would be protected against draconian service cuts; and

4th WHEREAS, revenue received from the County's state administered sales and use tax represents over forty-seven (47%) percent of the revenues required to fund the Police and General fund; and

5th WHEREAS, the local economy has continued to slow down in response to the recession which grips our nation, state and all of Long Island; and

6th WHEREAS, such slowdown has resulted in both the actual and projected reduction of revenues associated with collection of Suffolk County's sales tax and related revenues, including the continued reduction in the receipt of property taxes; and

7th WHEREAS, Suffolk County has established and maintained a *Tax Stabilization Reserve Fund* which can be tapped for revenue during the 2009 fiscal year in the case of an "unanticipated revenue loss"; and

8th WHEREAS, pursuant to § 719-6 of the Laws of Suffolk County funds "may only be expended therefrom in accordance with the provisions of § 6-e of the General Municipal Law;" and

9th WHEREAS, § 6-e of the General Municipal Law provides, in relevant part, that moneys in a tax stabilization reserve fund may be used to finance an unanticipated revenue loss chargeable to the general fund portion of the annual budget; and

10th WHEREAS, an unanticipated revenue loss means, in relevant part, a circumstance which takes effect or occurs after final adoption of the annual budget and which could not have been reasonably anticipated prior to final adoption of the annual budget; and

11th WHEREAS, year to date (2008 vs. 2009) sales tax revenue has declined by over nine percent (-9%), an event in Suffolk County which has never previously occurred; and

12th WHEREAS, this unprecedented decline in the sales and use tax due to a global recession of unprecedented economic contraction is a circumstance which took effect or occurred after final adoption of the annual budget and which could not have been reasonably anticipated prior to final adoption of the annual budget; and

13th WHEREAS, the unanticipated revenue loss cannot, as a matter of law, be financed with amounts available in any other account or fund; and

14th WHEREAS, the single largest expenditure of services and programs for our residents relate to personnel who provide these services; and

15th WHEREAS, it is in the best interest of the residents of Suffolk County that both the County Executive and the County Legislature work together to craft a comprehensive plan to balance the 2009 Adopted Budget through “smart government initiatives,” revenue enhancements, and program modifications; and

16th WHEREAS, a careful review of the 2009 Adopted Budget for the Police Department has found surplus appropriations which can be stricken from its budget without affecting public safety; and

17th WHERAS, a significant portion of these savings relate to the suspending of a police class in 2009, and

18th WHEREAS, funding for the police class in 2009 was **not** included in the financial presentation of the potential revenue problem facing Suffolk County by the Budget Review Office and the County Executive’s Budget Office to the Budget and Finance Committee of the Legislature on March 17, 2009; and

19th WHEREAS, a like amount of sales tax revenue designated for the police district can also be stricken; and

20th WHEREAS, the County shall apply for federal stimulus funding for Public Safety which may allow for the hiring of a new police class prospectively; and

21st WHEREAS, a careful and thorough review of the Suffolk County’s Office for the Aging “EPIC Reimbursement Program” has shown a twenty–four (24%) percent decrease in the number of enrollees who are eligible to receive reimbursement or who filled applications since 2007; and

22nd WHEREAS, this reduction is due to changes in the New York State Prescription Drug Program for the elderly; and

23rd WHEREAS, capping the appropriations for this program at the 2008 expenditure level of \$2,250,000 shall provide sufficient funding to meet the needs for those taking advantage of Suffolk’s reimbursement program; and

24th WHEREAS, the Health Department has two Health Clinic’s within 2.2 miles of each other and has a plan in place for the consolidation of the Central Islip Health Center and Brentwood Health Centers into one “regional center”; and

25th WHEREAS, the lease for the Central Islip Health Center expired in June of 2008 and is now on a month-to-month basis, and

26th WHEREAS, the current facilities for the Central Islip Health Center cannot be brought into conformity with New York State Department of Health guidelines; and

27th WHEREAS, Requests for Proposal on this "regional center" has been issued and are due back on April 30th; and

28th WHEREAS, the County would save approximately one million dollars (\$1.0M) a year with the consolidation of the Central Islip Center into the Brentwood Center; and

29th WHEREAS, the Brentwood Center is accessible via public transportation and provides all primary and ancillary support services presently provided at the Central Islip Center; and

29th WHEREAS, the Suffolk County Department of Labor is expected to receive an additional formula funding through the "Workforce Investment Act" (WIA) of approximately one million dollars (\$1.0M), to be utilized for the retraining of Suffolk County residents who are now unemployed due to structural unemployment or the effects of the economic downturn; and

30th WHEREAS, the Suffolk County Department of Labor has also been notified that it will receive Federal Stimulus funding in the amount of \$6.6 million dollars to provide work experience for youth and retraining for adults and dislocated workers; and

31st WHEREAS, the Department of Labor will require fifteen (15) additional positions to meet the requirements of providing needed service to these unemployed individuals; and

32nd WHEREAS, the County Executive's Budget Office working together with the Commissioner of Social Services, the Director of Probation and their respective staff have developed a plan which will streamline the provision of services for youth in need while allowing the County to maximize funding from New York State sources; and

33rd WHEREAS, this plan can be implemented administratively and would safeguard approximately \$1.0 million in State reimbursement for various youth programs; and

34th WHEREAS, taking the difficult, but decisive steps contained in this resolution, together with the savings contained in Introductory Resolution 1205 – 2009, or union accommodations, establishes a realistic fiscal plan to overcome the "unanticipated revenue loss" and to balance the 2009 Adopted Budget; now therefore be it

1st RESOLVED, the County Treasurer is authorized directed and empowered to transfer **\$30,000,000** from the *Tax Stabilization Fund* to the County's General Fund an amount in accordance with the provisions of § 6-e on the basis that the County has sustained an unanticipated revenue loss; provided, however, that (1) the maximum amount of moneys in the *Tax Stabilization Fund* that may be used to finance the

unanticipated revenue loss shall equal either the amount of the revenue actually received for the most recent fiscal year for which an annual report has been filed with the state comptroller pursuant to section thirty of the General Municipal Law or the amount of the estimated revenue for the current fiscal year, whichever is less, minus the amount of the revenue actually received for the current fiscal year; and (2) the moneys in the *Tax Stabilization Fund* may be used only to finance that portion of the unanticipated revenue loss which, as a matter of law, cannot be financed with amounts available in any other account or fund; and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they are hereby authorized to transfer \$30 million of the tax stabilization reserve fund to the General Fund as shown below:

EXPENSE

403 IFT E001 TRANSFER TO GENERAL FUND \$30 MILLION

REVENUE

001 IFT R403 TRANSFER FROM TAX STABILIZATION \$30 MILLION

and, be it further

3rd RESOLVED, that the 2009 Operating Budget is hereby amended as follows to strike excess revenue and that the County Comptroller and the County Treasurer be and they are hereby authorized to strike the following:

001 FIN 1110 SALES TAX (-\$30 MILLION)

and, be it further

4th RESOLVED, that the 2009 Operating Budget is hereby amended as follows to strike excess appropriations and that the County Comptroller and the County Treasurer be and they are hereby authorized to strike the following funds and authorizations:

APPROPRIATIONS:

<u>FUND</u>	<u>AGENCY</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>OBJECT NAME</u>	<u>FUNDS</u>
<u>STRICKEN</u>					
115	POL	3121	1040	HOLIDAY PAY	\$ 119,611
115	POL	3121	1100	PERMANENT SALARIES	\$ 1,546,698
115	POL	3121	1120	OVERTIME SALARIES	\$ 1 000,000
115	POL	3121	1400	CLEANING ALLOWANCE	\$ 16,000
115	POL	3121	3310	CLOTHING & ACCESSORIES	\$ 72,000
115	POL	3121	3339	POLICE SUPPLIES	\$ 72,000
115	EMP	9030	8330	SOCIAL SECURITY	\$ 118,322
115	EMP	9080	8380	BENEFIT FUND	\$ 157,881
039	EMP	9060	8360	HEALTH INSURANCE	\$ 58,156
039	EMP	9061	8360	HEALTH INSURANCE	\$ 47,163

039	EMP	9062	8360	HEALTH INSURANCE	\$ 51,881
TOTAL					\$3,259,712

INTERFUND TRANSFERS:

<u>FUND</u>	<u>AGENCY</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>OBJECT NAME</u>	<u>FUNDS STRICKEN</u>
115	IFT	E039	9600	TRANSFER OF FUNDS	\$157,200

REVENUES:

<u>FUND</u>	<u>AGENCY</u>	<u>REV. CODE</u>	<u>REVENUE NAME</u>	<u>REVENUES STRICKEN</u>
115	FIN	1110	STATE ADM. SALES TAX	\$ 3,259,712

INTERFUND REVENUES:

<u>FUND</u>	<u>AGENCY</u>	<u>REV. CODE</u>	<u>REVENUE NAME</u>	<u>REVENUES STRICKEN</u>
039	IFT	R115	TRANSFER OF FUNDS	\$157,200

and, be it further

5th RESOLVED, that appropriations associated with the Suffolk County "EPIC" program be capped at \$2,250,000 and, be it further

6th RESOLVED, the Commissioner of the Department of Health Services is hereby authorized, empowered, and directed to consolidate operations of the Central Slip Health Center into the Brentwood Health Center; and be it further

7th RESOLVED, that the 2009 Operating Budget within the Suffolk County Department of Labor be amended as follows to create fifteen (15) new positions in the Workforce Investment Act Program to help fight unemployment in Suffolk County:

<u>FD-AGY-UNIT-ACT- OBJ</u>	<u>TITLE</u>	<u>GRADE</u>	<u># CREATED</u>
320-LAB-6300 -0100	ACCOUNT CLERK	11	2
320-LAB-6300 -0100	ACCOUNT CLERK/TYP	11	2
320-LAB-6300 -0400	CLERK TYPIST	9	1
320-LAB-6300 -0400	SEN. CLERK TYPIST	12	1
320-LAB-6300 -0400	COURIER	12	2
320-LAB-6300 -0400	LABOR CREW LEADER	14	4
320-LAB-6300 -0400	SOC. SERVICE EXAM. I	16	2
320-LAB-6300 -0400	SOC. SERV. EXAM. I (SS)	16	1
TOTAL:			15

and, be it further

8th RESOLVED, that it is the intent of the County to seek employees in similar titles to move into these 100% federally funded positions, and be it further

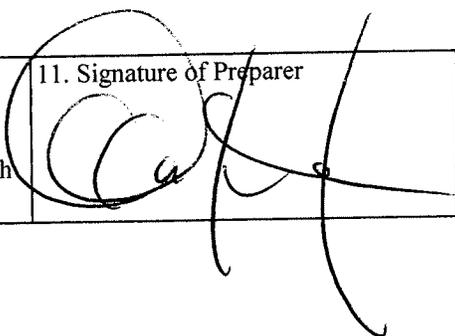
9th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and 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.

DATED: _____

APPROVED BY:

Steve Levy
County Executive of Suffolk County

1284
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. 2009 A RESPONSIBLE PLAN TO ADDRESS 2009 REVENUE SHORTFALL AND AVOID THE LAYOFF OF COUNTY PERSONNEL IN THE 2009 ADOPTED OPERATING BUDGET		
3. Purpose of Proposed Legislation		
SAME AS ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact: Mitigate a projected revenue shortfall by the following actions:		
<ol style="list-style-type: none"> 1. Transfer of \$30million from the tax stabilization fund to offset revenue loss 2. Reduce Police appropriations by \$3.2 million 3. Provide \$1.0 million in savings by consolidating two Health Centers into one 4. Prevent the loss of \$1.0 million in State Aid by administrative changes in youth prevention programs 5. Save \$750,000 by capping EPIC at current levels 6. Created Positions in 100% funded positions in Labor for the eventual transfer of 15 staff 		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Can not be quantified at this time		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Upon approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesty Director of Management and Research		March 24 , 2009

OFFICE OF THE COUNTY EXECUTIVE
COUNTY OF SUFFOLK

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

Submitting Department Department Contact Person
(Dept. Name & Location)(Name & Telephone No.)

SUFFOLK COUNY EXECUTIVE OFFICE

Suggestion Involves:

Technical Amendment New Program

Grant Award Contract (New Rev.)

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

**RESOLUTION NO. 2009 A RESPONSIBLE PLAN TO ADDRESS 2009 REVENUE
SHORTFALL AND AVOID THE LAYOFF OF COUNTY PERSONNEL IN THE 2009
ADOPTED OPERATING BUDGET**

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

PLEASE FILL IN REVERSE SIDE OF FORM

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

**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	\$0	\$0.00		\$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	\$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.

Introduced by Legislator Viloría-Fisher

Laid on Table 3/24/09

**PROCEDURAL MOTION NO. 8 2009, AUTHORIZING THE
LEGISLATURE TO RETAIN A CONSULTANT TO PERFORM
THE PUBLIC HEALTH NURSING COST/BENEFIT ANALYSIS**

WHEREAS, Resolution No. 176-2006 created the Public Health Nursing Task Force to choose a consultant to perform a cost/benefit analysis of the County's Public Health Nurse program ; and

WHEREAS, a Request for Proposals was issued to identify a consultant; now therefore be it

1st RESOLVED, that this Legislature hereby authorizes and directs the Presiding Officer to execute an agreement with the Center for Governmental Research (CGR) for consultant services in an amount not to exceed Sixty Thousand Dollars (\$60,000) of County Legislative funds, said amount to be paid from the Budget Review Office Fees for Services: Non-Employees (001-LEG-1025-4560); and be it further

2nd RESOLVED, that funding for this purpose shall be expended from Fund 001-LEG-1025-4560 Fees for Services; and be it further

3rd RESOLVED, that the Budget Review Office and Presiding Officer shall review and process for payment vouchers forwarded by the consultants retained for the purpose specified in this Resolution; and be it further

4th RESOLVED, that the Legislature's Office of Budget Review shall receive and process all vouchers, receipts, and related documents submitted by the designated organizations for disbursement of these funds pursuant to the criteria set forth in §A2-15(A) of the Suffolk County Administrative Code, for the duration of the agreement between Suffolk County and the Center for Governmental Research.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY
ADMINISTRATIVE CODE

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AMEND THE VEHICLE AND TRAFFIC LAW, IN RELATION TO ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING MONETARY LIABILITY ON THE OWNER OF A VEHICLE FOR FAILURE OF AN OPERATOR THEREOF TO COMPLY WITH TRAFFIC CONTROL INDICATIONS IN SUFFOLK COUNTY (SENATE BILL S.2704)

WHEREAS, the Insurance Institute for Highway Safety estimates that vehicle drivers running red traffic lights are responsible for an estimated 260,000 crashes each year in the United States, 750 of which are fatal, and that fatal crashes at intersections increased by almost 20 per cent during the five-year period from 1992 through 1996; and

WHEREAS, Suffolk County Local Law 18-2001, "Local Law to Prohibit Red Light Running in Suffolk County", similar to the successful New York City program now in place, was adopted by the Suffolk County Legislature on November 20, 2001, subject to the enactment of enabling State legislation for authority to install and implement traffic-control signal photo-violation monitoring devices to catch red-light runners; and

WHEREAS, the Suffolk County Legislature passed Home Rule Messages in 2002, 2004, 2005, 2006, 2007, and 2008 urging the State Legislature to enact legislation authorizing Suffolk County to install red light cameras; and

WHEREAS, there is currently a proposal before the New York State Senate to amend the NEW YORK VEHICLE AND TRAFFIC LAW (VTL) to allow Suffolk County to install and operate traffic-control signal photo violation-monitoring devices (red-light cameras) at intersections within Suffolk County; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests the New York State Legislature to enact Senate Bill S.2704 for the purpose of:

- 1.) amending Section 1111-a of the VTL to allow Suffolk County to adopt a local law establishing and implementing a demonstration red-light camera program which would impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications by installing and operating traffic control signal photo violation-monitoring devices at no more than fifty (50) intersections within the County at any one time;
- 2.) authorizing monetary fines not to exceed fifty (\$50.00) dollars per violation for failure to obey a traffic-control device to be adjudicated in the same manner that parking tickets are adjudicated, plus an additional penalty not to exceed twenty-five (\$25.00) dollars for each

violation for the failure to respond to a notice of liability within the prescribed time period; and

- 3.) authorizing the use of necessary technologies to ensure, to the extent practicable, that photographs produced by such traffic-control signal photo violation-monitoring systems shall not include images that identify the driver, the passengers or the contents of the vehicle;

and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David Paterson; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

s:\memres\hr-red-light-running-09

SPONSORS MEMO:

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S2704

SPONSOR: FOLEY

TITLE OF BILL:

An act to amend the vehicle and traffic law, in relation to establishing a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic control indications in Suffolk county

PURPOSE/SUMMARY OF PROVISIONS:

The bill authorizes Suffolk County to adopt a local law to implement a program to install photo violation-monitoring devices at up to fifty intersections, and impose monetary liability of up to fifty dollars on the owners of vehicles failing to comply with traffic-control signals. The bill sets forth provisions for service of the notices of liability; requiring certain information to appear on such notice, including the manner and time for contesting the alleged liability, a warning that failure to contest is deemed an admission of liability and notice that a default judgment could be entered for such failure. Courts with jurisdiction over traffic infractions would adjudicate violations. No liability could be imposed against owners who did not give their consent to the operation of their vehicle, but there would be a statutory presumption that vehicles were operated with the owners' consent. It also establishes a defense that traffic control indications were malfunctioning at the time of the alleged violation.

The bill contains provisions under which lessors and rental companies would not held liable for violations, authorizes vehicle owners to maintain actions for indemnification against operators, and requires the submission of an annual program report to the Legislature and Governor.

JUSTIFICATION:

Aggressive driving, including running red lights, is a significant reason for a reported increase in the percentage of fatalities occurring at intersections as noted by the Insurance Institute for Highway Safety. Red light running accidents are often the worst type of accident; they often involve speed and right-angle impacts, which can lead to the most severe injuries. Many cities in the United States already have operational photo enforcement for catching red light runners, including Beverly Hills, Los Angeles, Sacramento, San Diego, San Francisco, Boulder (Colorado), Baltimore, Charlotte, Alexandria and Arlington (Virginia), and Washington, D.C. Photo enforcement of red light violators has been found to be an effective enforcement tool in reducing red light running, and in making intersections safer.

BILL TEXT:

STATE OF NEW YORK

2704

2009-2010 Regular Sessions

IN SENATE

February 26, 2009

Introduced by Sen. FOLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic control indications in Suffolk county

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph 2 of subdivision (a) of section 1111-a of the
2 vehicle and traffic law, as added by chapter 658 of the laws of 2006, is
3 amended and a new paragraph 3 is added to read as follows:

4 2. Such demonstration program shall utilize necessary technologies to
5 ensure, to the extent practicable, that photographs produced by such
6 traffic-control signal photo violation-monitoring systems shall not
7 include images that identify the driver, the passengers, or the contents
8 of the vehicle. Provided, however, that no notice of liability issued
9 pursuant to this section shall be dismissed solely because a photograph
10 or photographs allow for the identification of the contents of a vehi-
11 cle, provided that such city or county has made a reasonable effort to
12 comply with the provisions of this paragraph.

13 3. Notwithstanding any other provision of law, the county of Suffolk
14 is hereby authorized and empowered to adopt and amend a local law or
15 ordinance establishing a demonstration program imposing monetary liabil-
16 ity on the owner of a vehicle for failure of an operator thereof to
17 comply with traffic-control indications in such county in accordance
18 with the provisions of this section. Such demonstration program shall
19 empower a county to install and operate traffic-control signal photo
20 violation-monitoring devices at no more than fifty intersections within
21 such county at any one time.

22 § 2. Subdivisions (b), (d) and (e) of section 1111-a of the vehicle
23 and traffic law, subdivisions (b) and (d) as amended by chapter 658 of

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets
[-] is old law to be omitted.

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2

1 the laws of 2006 and subdivision (e) as amended by chapter 479 of the
2 laws of 1994, are amended to read as follows:

3 (b) In any city or county which has adopted a local law or ordinance
4 pursuant to subdivision (a) of this section, the owner of a vehicle
5 shall be liable for a penalty imposed pursuant to this section if such
6 vehicle was used or operated with the permission of the owner, express
7 or implied, in violation of subdivision (d) of section eleven hundred
8 eleven of this article, and such violation is evidenced by information
9 obtained from a traffic-control signal photo violation-monitoring
10 system; provided however that no owner of a vehicle shall be liable for
11 a penalty imposed pursuant to this section where the operator of such
12 vehicle has been convicted of the underlying violation of subdivision
13 (d) of section eleven hundred eleven of this article.

14 (d) A certificate, sworn to or affirmed by a technician employed by
15 the city or county in which the charged violation occurred, or a facsim-
16 ile thereof, based upon inspection of photographs, microphotographs,
17 videotape or other recorded images produced by a traffic-control signal
18 photo violation-monitoring system, shall be prima facie evidence of the
19 facts contained therein. Any photographs, microphotographs, videotape or
20 other recorded images evidencing such a violation shall be available for
21 inspection in any proceeding to adjudicate the liability for such
22 violation pursuant to a local law or ordinance adopted pursuant to this
23 section.

24 (e) An owner liable for a violation of subdivision (d) of section
25 eleven hundred eleven of this article pursuant to a local law or ordi-
26 nance adopted pursuant to this section shall be liable for monetary
27 penalties in accordance with a schedule of fines and penalties to be set
28 forth in such local law or ordinance, except that in a city or county
29 which, by local law, has authorized the adjudication of such owner
30 liability by a parking violations bureau, such schedule shall be promul-
31 gated by such bureau. The liability of the owner pursuant to this
32 section shall not exceed fifty dollars for each violation; provided,
33 however, that such local law or ordinance may provide for an additional
34 penalty not in excess of twenty-five dollars for each violation for the
35 failure to respond to a notice of liability within the prescribed time
36 period.

37 § 3. Paragraph 4 of subdivision (g) of section 1111-a of the vehicle
38 and traffic law, as added by chapter 746 of the laws of 1988, is amended
39 to read as follows:

40 4. The notice of liability shall be prepared and mailed by the city or
41 county having jurisdiction over the intersection where the violation
42 occurred, or by any other entity authorized by the city or county to
43 prepare and mail such notification of violation.

44 § 4. Subdivision (h) of section 1111-a of the vehicle and traffic law,
45 as added by chapter 746 of the laws of 1988, is amended to read as
46 follows:

47 (h) Adjudication of the liability imposed upon owners by this section
48 shall be by a traffic violations bureau established pursuant to section
49 three hundred seventy of the general municipal law or, if there be none,
50 by the court having jurisdiction over traffic infractions, except that
51 any city or county which has established an administrative tribunal to
52 hear and determine complaints of traffic infractions constituting park-
53 ing, standing or stopping violations may, by local law, authorize such
54 adjudication by such tribunal.

55 § 5. Paragraph 1 and the opening paragraph of subparagraph (i) of
56 paragraph 2 of subdivision (j) of section 1111-a of the vehicle and

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3

1 traffic law, as added by chapter 746 of the laws of 1988, are amended to
2 read as follows:

3 1. In a city or county where the adjudication of liability imposed
4 upon owners pursuant to this section is by a traffic violations bureau
5 or a court having jurisdiction, an owner who is a lessor of a vehicle to
6 which a notice of liability was issued pursuant to subdivision (g) of
7 this section shall not be liable for the violation of subdivision (d) of
8 section eleven hundred eleven of this article, provided that he or she
9 sends to the traffic violations bureau or court having jurisdiction a
10 copy of the rental, lease or other such contract document covering such
11 vehicle on the date of the violation, with the name and address of the
12 lessee clearly legible, within thirty-seven days after receiving notice
13 from the bureau or court of the date and time of such violation, togeth-
14 er with the other information contained in the original notice of
15 liability. Failure to send such information within such thirty-seven day
16 time period shall render the owner liable for the penalty prescribed by
17 this section. Where the lessor complies with the provisions of this
18 paragraph, the lessee of such vehicle on the date of such violation
19 shall be deemed to be the owner of such vehicle for purposes of this
20 section, shall be subject to liability for the violation of subdivision
21 (d) of section eleven hundred eleven of this article pursuant to this
22 section and shall be sent a notice of liability pursuant to subdivision
23 (g) of this section.

24 In a city or county which, by local law, has authorized the adjudi-
25 cation of liability imposed upon owners by this section by a parking
26 violations bureau, an owner who is a lessor of a vehicle to which a
27 notice of liability was issued pursuant to subdivision (g) of this
28 section shall not be liable for the violation of subdivision (d) of
29 section eleven hundred eleven of this article, provided that:

30 § 6. Subdivision (m) of section 1111-a of the vehicle and traffic law,
31 as amended by chapter 658 of the laws of 2006, is amended to read as
32 follows:

33 (m) In any city or county which adopts a demonstration program pursu-
34 ant to subdivision (a) of this section, such city or county shall submit
35 an annual report on the results of the use of a traffic-control signal
36 photo violation-monitoring system to the governor, the temporary presi-
37 dent of the senate and the speaker of the assembly on or before June
38 first, two thousand seven and on the same date in each succeeding year
39 in which the demonstration program is operable. Such report shall
40 include, but not be limited to:

41 1. a description of the locations where traffic-control signal photo
42 violation-monitoring systems were used;

43 2. within each borough of such city or within each county, the aggre-
44 gate number, type and severity of accidents reported at intersections
45 where a traffic-control signal photo violation-monitoring system is used
46 for the year preceding the installation of such system, to the extent
47 the information is maintained by the department of motor vehicles of
48 this state;

49 3. within each borough of such city or within each county, the aggre-
50 gate number, type and severity of accidents reported at intersections
51 where a traffic-control signal photo violation-monitoring system is
52 used, to the extent the information is maintained by the department of
53 motor vehicles of this state;

54 4. the number of violations recorded at each intersection where a
55 traffic-control signal photo violation-monitoring system is used and in
56 the aggregate on a daily, weekly and monthly basis;

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4

- 1 5. the total number of notices of liability issued for violations
2 recorded by such systems;
- 3 6. the number of fines and total amount of fines paid after first
4 notice of liability issued for violations recorded by such systems;
- 5 7. the number of violations adjudicated and results of such adjudi-
6 cations including breakdowns of dispositions made for violations
7 recorded by such systems;
- 8 8. the total amount of revenue realized by such city or county from
9 such adjudications;
- 10 9. expenses incurred by such city or county in connection with the
11 program; and
- 12 10. quality of the adjudication process and its results.
- 13 § 7. This act shall take effect immediately, provided, however, the
14 amendments to section 1111-a of the vehicle and traffic law made by this
15 act shall not affect the repeal of such section and shall be deemed
16 repealed therewith.