

2039

Intro. Res. No. -2010
Introduced by Legislators Schneiderman and D'Amaro

Laid on Table 10/15/10

RESOLUTION NO. -2010, AUTHORIZING THE LEASE OF PREMISES TO BE UTILIZED BY THE SUFFOLK COUNTY POLICE DEPARTMENT'S EMERGENCY SERVICES SECTION AT MACARTHUR AIRPORT

WHEREAS, the Suffolk County Police Department's Emergency Services Section ("ESS") maintains a base of operations at the Town of Islip's MacArthur Airport for police purposes; and

WHEREAS, ESS is in need of additional storage space in close proximity of their existing location; and

WHEREAS, the County seeks to enter in a lease with landlord, Sheltair Aviation Services, for 3,700 square feet of industrial space to satisfy the storage requirements of ESS; and

WHEREAS, the Police Department shall pay the associated rental costs with this rental; and

WHEREAS, the landlord and the County have agreed to terms for a five (5) year lease, with one (1) five-year extension option, which lease would commence on or about September 1, 2010; and

WHEREAS, the Space Management Steering Committee recommended the approval of lease terms on June 10, 2010; and

WHEREAS, sufficient funds are included in the 2011 Operating Budget for lease payments to be made in connection with the premises; now, therefore, be it

1st RESOLVED, that the County Executive be and hereby is authorized to execute a five (5) year Lease in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed; and be it further

2nd 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 617.59(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-109 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. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\authorizing lease with SCPD ESS

1R 2040-10

LOT 10/15/10

TAX ANTICIPATION NOTE RESOLUTION NO. _____ -2010

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$390,000,000 TAX ANTICIPATION NOTES OF THE COUNTY OF SUFFOLK, NEW YORK, IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED OR TO BE LEVIED FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2011, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), the power to authorize the issuance of Tax Anticipation Notes (herein called the "Notes") of the County of Suffolk, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$390,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The following matters are hereby determined and declared:

(a) The Notes shall be issued in anticipation of the collection of real estate taxes levied or to be levied for County purposes for collection for the fiscal year commencing January 1, 2011 and ending December 31, 2011, and the proceeds of the Notes shall be used only for the purposes for which said taxes are to be levied.

(b) No notes have heretofore been authorized or issued in anticipation of the collection of said taxes.

(c) Said Notes shall mature within the period of one year from the date of their issuance, and may be renewed from time to time in accordance with the provisions of the Law.

(d) The Notes are not issued in renewal of other notes.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, 61.00 and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the powers to enter into one or more letter of credit agreements or liquidity facility agreements for the Notes, are hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

APPROVED: _____
County Executive, Suffolk County

Date of Approval: _____, 2010

The adoption of the foregoing resolution was seconded by _____ and
duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

CERTIFICATE

I, Tim Laube, Clerk of the Suffolk County Legislature, in the State of New York, HEREBY CERTIFY that Tax Anticipation Note Resolution No. ____ - 2010 contained in the foregoing annexed extract from the minutes of a meeting of the County Legislature of the County of Suffolk duly called and held on November 3, 2010, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Bond Resolution, which was duly adopted by the County Legislature on November 3, 2010 and approved by the County Executive on _____, 2010.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Legislature on this ____ day of _____, 2010.

(SEAL)

Tim Laube
Clerk of the Legislature

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

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

Submitting Department (Dept. Name & Location): Joseph Sawicki, Jr., Comptroller Audit and Control (9 th Floor) H. Lee Dennison Bldg., Hauppauge	Department Contact Person (Name & Phone No.): Geraldine Olson, Asst. Municipal Finance Adm. 853-5295
------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------

Suggestion Involves:

Technical Amendment _____	New Program _____ <u>x</u>
Grant Award _____	Contract _____
	New _____
	Rev. _____

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

Our annual request for enabling local legislation to approve issuing Tax Anticipation Notes of the County for the upcoming fiscal year to cover cash flow needs required for the first half of the fiscal year before real property tax revenues are turned over to the County Treasurer by the 10 Towns. This resolution is for fiscal year 2011.

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.

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 Delegating to the County Comptroller of the County of Suffolk, New York, the power to authorize the issuance of and to sell not exceeding \$390,000,000 Tax Anticipation Notes of said County in anticipation of the collection of real estate taxes or assessments levied or to be levied by said County for the fiscal year commencing January 1, 2011, and providing for other matters in connection therewith.		
3. Purpose of Proposed Legislation To issue tax anticipation notes for cash flow purposes to cover anticipated cash flow needs for the first half of fiscal 2011. The current 2011 estimated cash flow anticipates the issuance of \$370,000,000 in such tax anticipation notes in December 2010. The resolution has been written to provide sufficient latitude in principal should the cash flow require a larger infusion of funds based on any unforeseen event that might occur between the submission of the request for resolution and the borrowing itself. Final sizing will be based upon the adopted 2011 budget in conjunction with cash flow projection formulas.		
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)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact The notes will be issued on December 21, 2010 and mature on August 11, 2011 and will impact debt service in the 2011 operating budget. Estimated "gross" interest cost for the maturing note is estimated to be \$4,727,778. (\$370,000,000 x 2.00% gross coupon for 230 days/360). It is anticipated that a reasonable premium will be bid by the underwriters and that the net interest cost may be approximately 1.0%.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Gross Interest cost in 2011 for the notes = \$4,727,778.		
8. Proposed Source of Funding Tax Anticipation Notes		
9. Timing of Impact One Year Impact - 2011		
10. Typed Name & Title of Preparer Geraldine Olson Assistant Municipal Finance Administrator Audit and Control	11. Signature of Preparer 	12. Date 10/12/10

COUNTY OF SUFFOLK



OFFICE OF THE COMPTROLLER

JOSEPH SAWICKI, JR.
Comptroller

October 12, 2010

BY HAND

Mr. Kenneth A. Crannell
Deputy County Executive for Administration
H. Lee Dennison Office Building – 12th Floor
100 Veterans Memorial Highway
Hauppauge, New York 11788

Dear Patrick:

SUBJECT: TAX ANTICIPATION NOTE RESOLUTION - \$390,000,000

Attached please find the above referenced resolution and fiscal impact statement. Same has been circulated to all parties via e-mail (CE RESO REVIEW) and is being hand delivered to you this date so the resolution may be considered by the County Legislature for adoption with the Operating Budget on November 3, 2010. I have requested that this resolution be made part of the Special Meeting Notice being sent to all Legislators relative to the November 3rd meeting. Titles of the electronic files are *Reso-A&C-2011 TAN, Backup-A&C-2011 TAN-175a* and *Backup-A&C-2011 TAN-175b*.

In order to facilitate adoption of this resolution with the Operating Budget I am **requesting a Certificate of Necessity**. Once the Recommended Budget is presented my staff requires a certain amount of time to review that document in order to generate Estimated Cash Flows for the upcoming fiscal year, in this case fiscal 2011. A Certificate of Necessity is normally granted by the County Executive in order to provide sufficient time at year end to enable us to complete the financing and have cash to the County on or about the first business day of the upcoming fiscal year.

Thank you for your immediate attention to this matter.

Sincerely,

Joseph Sawicki, Jr.
Comptroller

Enclosures

Christopher Kent, Chief Deputy County Executive
Christina Capobianco, Chief Deputy Comptroller
Connie Corso, Budget Director
Gerri Olson, Asst. Municipal Finance Administrator

H. LEE DENNISON BUILDING • 100 VETERANS MEMORIAL HIGHWAY • P.O. BOX 6100 • HAUPPAUGE, NY 11788-0099
(631) 853-5040 Fax (631) 853-5057

H. LEE DENNISON BUILDING ■ 100 VETERANS MEMORIAL HIGHWAY ■ P.O. BOX 6100 ■ HAUPPAUGE, N.Y. 11788-0099
(631) 853-5040 FAX (631) 853-5057

2041

10/15/10

Intro. Res. No. -2010

Laid on Table / /2010

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE TOWN OF BROOKHAVEN AND THE COUNTY OF SUFFOLK FOR USE OF COUNTY DREDGED SAND IN EXCHANGE FOR UTILIZATION OF TOWN LANDFILL SPACE

WHEREAS, the County of Suffolk maintains County beaches which have recently suffered from erosion due to storms and high tide waters; and

WHEREAS, the Army Corp. of Engineers shall be performing beach replenishment with sand dredged offshore of Fire Island; and

WHEREAS, the Town of Brookhaven is in need of ~ 6,000 yards of sand for municipal purposes; and

WHEREAS, the County is willing to have ~ 6,000 yards of the sand dredged from offshore deposited at the parking lot at Cupsogue Park, which the Town shall periodically remove during the winter of 2010-2011 for its use; and

WHEREAS, in exchange for the dredged sand, the Town shall waive any fees and use charges in the sum of no less than \$60,000.00 for use of the Town landfill by the County; and

WHEREAS, the Town Council of the Town of Brookhaven has agreed, or will agree, to the adoption of an agreement outlining the terms and conditions allowing County utilization of landfill space free of fee and use charges in exchange for the dredged sand; now, therefore be it

1st **RESOLVED**, that if the Town of Brookhaven authorizes an agreement via a duly adopted Town Resolution allowing County utilization of landfill space free of fee and use charges in an amount no less than \$60,000.00 in exchange for ~ 6000 yards of dredged sand, the County Executive and the Commissioner of Department of Public Works are hereby authorized, empowered and directed to enter into an agreement with the Town for the exchange dredged sand for use of the Town's landfill by the County, provided, however, that all sand is removed from the Cupsogue parking lot not later than April 1, 2011 and that all other terms and conditions of such agreement are acceptable to the County Attorney; and be it further

2nd **RESOLVED**, that the execution and delivery of an agreement on behalf of and in the name of the County and the Department of Public Works by the County Executive and the Commissioner of Public Works shall be conclusive evidence of the authorization and direction thereof by this Legislature, and be it further

3rd **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency

administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

2042

Intro. Res. No. -2010
Introduced by Presiding Officer Lindsay

Laid on Table 10/15/10

**RESOLUTION NO. -2010, AMENDING RESOLUTION NO.
417-2010 REGARDING THE LOCATION OF HOMELESS SEX
OFFENDER SHELTERS**

WHEREAS, the County of Suffolk, through its Department of Social Services, is obligated to provide housing for all persons who are homeless, including sex offenders; and

WHEREAS, the Department of Social Services has housed most homeless sex offenders in trailers in Riverhead and Westhampton for the past several years while looking for alternative ways to provide such housing; and

WHEREAS, Resolution No. 417-2010 was enacted to end a Department of Social Services policy of providing cash vouchers to homeless sex offenders to find their own housing and direct the establishment of a new program to house homeless sex offenders; and

WHEREAS, Resolution No. 417-2010 requires that there shall be no more than one shelter established by the new program in any town or legislative district; and

WHEREAS, Resolution No. 417-2010 did not address the location of these shelters; and

WHEREAS, Resolution No. 417-2010 should be amended to prohibit shelters under the new program from being established in residential areas; now, therefore be it

1st RESOLVED, that Resolution No. 417-2010 is hereby amended by the addition of a new 6th resolved clause to read as follows:

6th RESOLVED, that in implementing the new programs, the shelters shall not be sited in residential areas; and be it further

2nd RESOLVED, that the "6th" and "7th" RESOLVED clauses of Resolution No. 417-2010 are renumbered "7th" and "8th"; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-amend 417 lindsay