

1296

Intro. Res. No. -2011

Laid on the Table 3/22/11

Introduced by the Presiding Officer on request of County Executive Steve Levy

**RESOLUTION NO. -2011 TO APPOINT
MEMBER OF COUNTY PLANNING
COMMISSION (CARL GABRIELSEN)**

WHEREAS, Section 14-2(A) of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member from each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large: and

WHEREAS, the term of office of the member from the Town of Riverhead, Vincent Taldone, expired on December 31, 2010: and

WHEREAS, Steve Levy, the County Executive of Suffolk has appointed Carl Gabrielsen, currently residing at 526 Sound Shore Road, Riverhead, NY 11901, as a member of the County Planning Commission, now, therefore be it

RESOLVED, that Carl Gabrielsen, currently residing at 526 Sound Shore Road, Riverhead, NY 11901, is hereby appointed as a member of the Suffolk County Planning Commission to complete the term of Vincent Taldone, said term to expire December 31, 2014, pursuant to Section 14-2(A) of the SUFFOLK COUNTY CHARTER.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

CARL GABRIELSEN

Riverhead, NY 11901

Home:

Cell:

Email:

Work:

Objective To provide professional business experience required to be a member of the Suffolk County Planning Commission. To function cooperatively to make executive decisions for the best interests of Suffolk County.

Profile Executive Horticulturist with more than 40 years experience performing horticultural duties in the operation of greenhouse farming facilities. Family history includes farming on Long Island since the 1800's.

Summary of Qualifications

Gabrielsen Farms, Jamesport, NY
CEO of Gabrielsen Farms LLC.

1989-present

A major wholesale greenhouse business operating out of the east end of Long Island. Two building locations include: Jamesport and Aquebogue, NY. Supplying Garden Centers, Professional Landscaping Companies, Supermarkets, and Nurseries throughout Long Island with flowering plants. Provide pertinent information relating to growth and maintenance of crop production. Currently utilizing an integrated pest management program for Gabrielsen Farms growing facilities by using beneficial insects to combat destructive insects cutting our pesticide usage over 50% in our 1st year. Initiating a program of recycling greenhouse water to eliminate much of our water runoff into the ground while seeking to be an example to other greenhouse and farming operations on Long Island. We have cut our energy consumption in half by the installation of energy saving curtains and smart computers throughout our growing facilities.

Gabrielsen Farms LLC will be using students from the Riverhead high school research department to work collaboratively collecting data as part of our integrated pest management program. The goal is to help our farming communities deal with pesticide usage and water runoff problems. In addition, Gabrielsen Farms LLC will be involving younger students at our growing facilities to introduce farming through the implementation of planting and caring for flowering plants for the beautification of their surroundings.

- Profound ability to perform a broad range of supervisory responsibilities over others.
- Currently employ thirty local residents during peak seasons.
- Excellent ability to communicate orally with customers, clients and the public.
- Negotiate plant values, supplies, equipment and contracts.
- Exceptional ability to work cooperatively with others and provide a safe work environment.

- Outstanding ability to observe or monitor data, objects or people's behavior to determine compliance with prescribed operating and safety standards.
- In-depth knowledge of modern biological and chemical plant and pest control methods.
- Profound knowledge of plant taxonomy nutrition, pathology, histology and anatomy.
- Thorough knowledge of flood irrigation system maintenance and operation.
- Propagate, cultivate, fertilize, prune, arrange, display and transplant various plant materials.

Professional Experience Jamesport Flower Shop Jamesport, NY 1977-1987
Corporate Sales-Grower

Sales Representative and Grower supplying the NY metro and Long Island regions

- Supervise greenhouse plant augmentation.
- Prescribe methods of transplanting, protecting and developing plants.
- Estimate requirements to meet anticipated seasonal needs for plant material and herbicides.
- Prescribe fertilizers, pesticides, herbicides and other inorganic or organic compounds required for plant development and care.
- Perform physical inventories.
- Utilize graphic instructions, such as blueprints, schematic drawings, layouts and other visual aids.
- Demonstrate continuous effort to improve operations, decrease turnaround times, streamline work processes, and work cooperatively and jointly to provide quality seamless customer service.

Other Professional Experience

Construction/Carpentry	1985-1989
Land Investment	1985 - current
Long Island and Upstate Region of New York	
Upstate NY - Hay Farming	1985-1990

Current Activities

Riverhead Industrial Development Agency-IDA Board Member
 Long Island Farm Bureau member
 Ohio Florist Association member
 Forget-Me-Not Foundation of America - Co-founder: Raise and distribute funds for terminally ill, orphaned, homeless, and disabled children.

Volunteer Programs - Past and Present

Riverhead Soup Kitchens
 NYS mentoring program with underprivileged children at Pulaski Street School
 Autism foundations who raise funds to support disabled children and their families.
 Phillips Avenue School - assisting children.

CARL GABRIELSEN

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- Profound ability to perform a broad range of supervisory responsibilities over others.
- Currently employ thirty local residents during peak seasons.
- Excellent ability to communicate orally with customers, clients and the public.
- Negotiate plant values, supplies, equipment and contracts.
- Exceptional ability to work cooperatively with others and provide a safe work environment.

**RESOLUTION NO. – 2011, APPROVING THE CHANGE
OF PROJECT LOCATION FOR DOWNTOWN REVITALIZATION
ROUND V FOR THE LINDENHURST CHAMBER OF COMMERCE
AND AMENDING THE CONTRACT WITH THE VILLAGE OF
LINDENHURST TO REFLECT SAME**

WHEREAS, through resolution 1281-2005, the Suffolk County Legislature approved Downtown Revitalization Round V funding of \$60,000 for the Lindenhurst Chamber of Commerce, supported by the Village of Lindenhurst, to erect the replica of the old Lindenhurst railroad station on LIRR property, to house public restrooms, a small meeting room and a police substation; and

WHEREAS, after several years of discussion, the LIRR has yet to approve the design or the lease for the building; and

WHEREAS, the Chamber and the Village have requested approval to relocate the project to county parkland at the intersection of Wellwood Avenue and Hoffman Avenue in Lindenhurst; and

WHEREAS, the County Parks Department as well as the Parks Trustees have approved the use of this property for the purposes stated; and

WHEREAS, the Suffolk County Downtown Citizens Advisory Panel has reviewed this request and requests Legislature approval; now, therefore, be it

1st RESOLVED, that the Legislature approves the change of location as detailed above and directs the Department of Economic Development and Workforce Housing to proceed with the necessary contracts to allow for this project to proceed; and be it further

2nd RESOLVED, that Suffolk County, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27), as it involves a legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities that may affect the environment. As such, Suffolk County has no further responsibilities under SEQRA pursuant to Title 6 NYCRR Part 617.6(a)(1)(i);

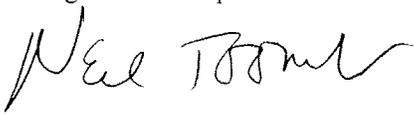
DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval: _____

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation APPROVING THE CHANGE OF PROJECT LOCATION FOR DOWNTOWN REVITALIZATION ROUND V FOR THE LINDENHURST CHAMBER OF COMMERCE AND AMENDING THE CONTRACT WITH THE VILLAGE OF LINDENHURST TO REFLECT SAME		
3. Purpose of Proposed Legislation		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> </u> No <u> X </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District <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. N/A		
8. Proposed Source of Funding N/A		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Neil Toomb Intergovernmental Relations Coordinator	11. Signature of Preparer 	12. Date 3/2/2011

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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): Department of Economic Development and Workforce Housing H. Lee Dennison Bldg. - 2 nd Floor Hauppauge	Department Contact Person (Name & Phone No.): Carolyn E. Fahey 3-4833
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Suggestion Involves:

Technical Amendment _____

Grant Award _____

New Program _____

Contract: New _____ Rev. _____

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

**APPROVING THE CHANGE OF PROJECT LOCATION FOR DOWNTOWN
REVITALIZATION ROUND V FOR THE LINDENHURST CHAMBER OF
COMMERCE AND AMENDING THE CONTRACT WITH THE VILLAGE OF
LINDENHURST TO REFLECT SAME**

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

None

Intro. Res. No.- 1298-11

LOT 3/22/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011, ACCEPTING AND APPROPRIATING 100% GRANT FUNDING IN THE AMOUNT OF \$170,400 FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE GREEN JOBS CORPS 2 PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICES TO EXECUTE A CONTRACT

WHEREAS, the New York State Office of Temporary and Disability Assistance has designated Suffolk County as the recipient of Federal funding in the amount of \$170,400; and

WHEREAS, the purpose of the grant is to provide education, training and subsidized employment opportunities for TANF recipients in "green" jobs such as those in the field of weatherization, energy audits and home improvements; and

WHEREAS, the subsidized employment opportunities made available through the Green Jobs Corps 2 Program are expected to enable participants to gain skills in an occupational sector that is expected to experience future job growth; and

WHEREAS, the New York State Office of Temporary Disability Assistance has approved the grant proposal developed in collaboration with the Education and Assistance Corporation, Inc. as the provider of the Green Jobs Corps 2 Program ; and

WHEREAS, this program is 100% funded by federal funds; and

WHEREAS, it is in the best interest of Suffolk County to accept these funds; now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept the following funds:

<u>REVENUES:</u>		<u>\$170,400</u>
001-4610	FEDERAL AID: Administration	\$170,400

and, be it further

2nd RESOLVED, that total funds in the amount of \$170,400 be and they are hereby appropriated as follows:

ORGANIZATIONS:

Department of Social Services
Housing and Employment Services
001-DSS-6022

\$170,400

4000 – Contractual Expenses

4980 – JIR1 – Education and Assistance Corporation, Inc.

\$170,400

\$170,400

and, be it further

3rd RESOLVED, that the County Executive and the Commissioner of Social Services be and they are hereby authorized to execute a contract with the Education and Assistance Corporation, Inc. for the Green Jobs Corps 2 Program.

DATED: _____

APPROVED BY: _____

County Executive of Suffolk County

Date of Approval _____

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

1. Type of Legislation		
Resolution <u> X </u> Local Law Charter Law		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING 100% GRANT FUNDING IN THE AMOUNT OF \$170,400 FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE GREEN JOBS CORPS 2 PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICES TO EXECUTE A CONTRACT		
3. Purpose of Proposed Legislation		
The purpose of this resolution is to accept federal funding in the amount of \$170,400 to establish the Green Jobs Corp 2 Program. This program is designed to provide individuals in receipt of TANF Assistance with education, training and subsidized employment opportunities in "green" jobs such as those in the fields of weatherization, energy audits, and home improvements. Subsidized employment opportunities made available through the Green Jobs Corps 2 Program are expected to enable participants to gain skills in an occupational sector that is expected to experience future job growth. The program will be operated by the Education and Assistance Corporation, Inc.		
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.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or other Subdivision.		
100% funded.		
8. Proposed Source of Funding.		
Federal Aid		
9. Timing of Impact.		
Immediate		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Kenneth Knappe Principal Management Analyst		3/15/11



NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

Andrew M. Cuomo
Governor

March 10, 2011

Mr. Gregory Blass
Commissioner
Suffolk County DSS
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

Dear Commissioner Blass:

I am pleased to inform you that your enclosed **Green Jobs Corps 2 Program** plan submitted in response to 10-LCM-15 has been approved in the amount of **\$170,400**.

These Green Jobs Corps 2 program funds are available to support the continuation of the approved Green Jobs Corps program to provide job readiness and occupational skills training and subsidized employment opportunities consistent with your district's approved plan to help TANF-eligible participants secure employment and develop or demonstrate positive work skills in the green jobs sector. We trust that your agency will review program outcomes and will ensure that participants receive the necessary services to successfully transition to unsubsidized employment. Please also ensure that all program participants are informed of the availability of earned income tax credits, other credits and transitional benefits.

Districts that intend to make changes to their approved Green Jobs Corps 2 program must submit a plan modification to OTDA for approval within 30 calendar days of implementing such changes. The reimbursement of costs incurred under the Green Jobs Corps 2 program continues to be contingent on OTDA's approval of the district's plan.

Financial claims should be submitted to the Bureau of Financial Services as described in the claiming instructions included in 10-LCM-15. The program period for the Green Jobs Corps 2 program is October 1, 2010 to September 30, 2011, and final claims must be received by November 15, 2011. If these funds are not re-appropriated in the SFY 2011-2012 Enacted State Budget, final claims must be submitted by August 15, 2011. Districts should ensure that these timeframes are taken into consideration when negotiating wage subsidy agreements with employers.

Detailed instructions for reporting program outcomes under the Green Jobs Corps 2 program will be provided under separate cover to your program contact.

"providing temporary assistance for permanent change"

Thank you for your continued efforts to help temporary assistance recipients enter the workforce. If you have any questions regarding this program, please contact Susanne Haag at (518) 486-6291 or your Employment Services Advisor.

Sincerely,

/s/ RS 3/10/11

Russell Sykes

Deputy Commissioner

Center for Employment and Economic Supports

Enclosure

cc: Thomas Contegni
John Healey
Susanne Haag



NEW YORK STATE
 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
 40 NORTH PEARL STREET
 ALBANY, NY 12243-0001
 David A. Paterson
 Governor

Local Commissioners Memorandum

Section 1

Transmittal:	10-LCM-15
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economics Supports
Date:	November 5, 2010
Subject:	OTDA Green Jobs Corps 2 Program
Contact Person(s):	<p><u>Program Related Questions:</u> Susanne Haag at (518) 486-6291, Susanne.Haag@otda.state.ny.us or Employment and Advancement Technical Advisor</p> <p><u>Claiming Related Questions:</u> <u>Regions 1-5</u> - Edward Conway (518) 474-7549, Edward.Conway@otda.state.ny.us <u>Region 6</u> – Michael Simon (212) 961-8250, Michael.Simon@otda.state.ny.us</p>
Attachments:	<p><u>Attachment A: Subsidized Employment Programs Matrix</u> <u>Attachment B: District Allocations</u> <u>Attachment C: Budget Instructions</u> <u>Attachment D: Program Narrative</u> <u>Attachment E: Budget Form</u> <u>Attachment F: Budget Narrative</u></p>
Attachment Available On – Line:	Yes

Section 2

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to advise social services districts (districts) that the enacted State Fiscal Year (SFY) 2010-11 State Budget provides \$2 million in federal Temporary Assistance for Needy Families (TANF) funds to support subsidized employment with occupational training through the second year of the Green Jobs Corps program. Separate LCMs will be released to inform eligible districts of the funding available to support the continuation of the Transitional Jobs and the Health Care Jobs programs.

The attached Subsidized Employment Programs Matrix provides a summary of each program model (see Attachment A).

District allocations for the second year of the OTDA Green Jobs Corps program are included as Attachment B. As indicated by the SFY 2010-11 appropriation language, the Green Jobs Corps 2 funding is available to districts previously awarded funds competitively under 09-LCM-09 to support the continuation of approved **Green Jobs Corps** programs.

This LCM informs districts of program-related changes authorized by the SFY 2010-11 Enacted State Budget and provides program instructions and funding award information for the Green Jobs Corps 2 program.

II. Background

Subsidized employment can serve as an important component of a district's employment services by providing an effective placement for individuals lacking an adequate or demonstrated work history, who have other barriers to employment, or when employment opportunities in the community are limited. The Green Jobs Corps provides an effective mechanism for entrance into unsubsidized employment by providing participants additional skills through occupational skills training, providing the opportunity to develop and demonstrate positive work skills to current or prospective employers and by improving employment skills through on-the-job training. Subsidized employment opportunities made available through the Green Jobs Corps program are expected to enable participants to gain skills in the green jobs sector, which is expected to experience future job growth. Additionally, paid employment provides participants financial and other incentives to participate fully in employment and education/training services. The fact that participants are paid for hours worked reinforces the message that "work pays" and enables participants to access earned income tax credits and other tax credits to supplement their income.

III. Program Overview

TANF funds in the amount of \$2 million are being made available to districts with approved SFY 2009-10 Green Jobs Corps programs to provide subsidized employment linking low or no income TANF eligible individuals, particularly those facing significant barriers to employment, to occupational skills training, basic education, GED preparation, job placement, job retention, and career advancement opportunities in the green-jobs sector. District allocations for Green Jobs Corps 2 are provided in Attachment B. Should funds become available, OTDA may redistribute funding to districts with approved SFY 2009-10 Green Jobs Corps projects.

OTDA understands that programs may need to reduce capacity or limit the scope of their approved Green Jobs Corps program given the reduction in funding available to support Green Jobs Corps 2. However, districts awarded funds to continue their Green Jobs Corps program will be required to continue programs within the scope of their approved SFY 2009-10 plans awarded competitively under 09-LCM-09.

Districts are reminded that allowable services supported with Green Jobs Corps 2 funding must meet the federal definition of non-assistance. TANF non-assistance services are those services that are not intended to provide ongoing basic income support. This includes work subsidies (i.e. payments to employers or third parties to help cover the costs of employee wages, benefits, supervision and training) and supportive services such as transportation for employed persons,

counseling, case management, child care information and referral, transitional services, job retention and other employment related services that do not provide basic income support.

Districts awarded funds to continue a Green Jobs Corps program will be required to (directly or through agreements or contracts with other organizations):

Identify employment opportunities in the green jobs sector, consistent with scope of the district's approved SFY 2009-10 Green Jobs Corps plan to be targeted, including the position, anticipated job duties and prospective employers.

Districts are expected to provide job readiness and occupational skills training using their SFY 2010-11 (Green Jobs Corps 2) allocations to prepare participants for subsidized employment placement in the green jobs sector, and to provide employment opportunities of up to 40 hours per week at the minimum wage or higher for up to one year. Districts will determine the length of the subsidy period, subject to the limit previously noted, the hours of subsidized employment, and the subsidy amount, which may vary by employer or position.

Funding made available through the OTDA Green Jobs Corps 2 program may not be used to replace existing funding and subsidized employment positions may not replace staff doing equivalent work pursuant to Social Services Law sections 336-e and 336-f. Funds may be used to continue services established under SFY 2009-10 Green Jobs Corps approved plans.

Provide Job Preparation Training to prepare individuals for placement into the Green Jobs Corps program subsidized employment position and/or for unsubsidized employment. Such training shall include, but not be limited to:

- Soft skills training such as attitudinal training, career development, and introduction to basic computer literacy.
- Occupational skills training that prepares the individual for employment in a green sector job that is consistent with the district's approved SFY 2009-10 Green Jobs Corps plan. Training may include, but is not limited to basic construction, (electrical, plumbing and carpentry), environmental remediation, weatherization, building retrofits, renewable energy, and natural resource preservation.

Districts may provide such training before and/or after placement in the subsidized employment position but in all instances are required to ensure that program participants are provided soft skills and occupational skills training needed to support eventual unsubsidized employment. Training that offers industry-recognized skills and/or a certificate is preferred. The length and type of training may vary depending on the targeted occupation and the needs of the employer.

The training component may be funded through the Green Jobs Corps 2 program, but districts are encouraged to leverage additional training opportunities that are separately funded, with the Green Jobs Corps 2 program supporting other program benefits including wage subsidies and case management services. Districts are encouraged to provide training that will give the prospective employee the level of basic skills needed for him/her to benefit from the addition of on-the-job training and to succeed in the employment placement. Districts are expected to have determined prior to placing an individual in an occupational training that employment opportunities are available in the field for which the individual is being trained and to maintain job development efforts to promote placement in permanent jobs following or concurrent with training and participation in the subsidized employment.

Districts may also fund or otherwise support the ability for program participants to participate in additional education (such as adult basic education and GED preparation) or job skills training prior to, or following placement in the subsidized job, consistent with the approved SFY 2009-10 Green Jobs Corps plan. The hours that program participants engage in the training and education may be paid or unpaid.

Provide Support Services to program participants as necessary to support program participation and completion. Services may include, but are not limited to, child care, transportation, and other necessary services.

Districts are encouraged to collaborate with local non-profit agencies experienced in providing workforce development services to low-income populations facing barriers to employment such as those having criminal histories and periods of incarceration.

Participants in the Green Jobs Corps 2 program will receive continuous supportive services from a case manager assigned from the first day that they begin the program to address issues that affect an individual's ability to retain employment and progress with skills training such as housing, transportation, child care, and substance abuse or mental health treatment. Districts are reminded that this funding cannot be used to provide medical services or treatment. Districts are encouraged to also arrange for mentors that can help program participants establish and maintain employment goals and develop strategies to address circumstances that could interfere with continued employment or training activities.

Districts are expected to ensure that program participants are provided information on the availability of earned income tax credits and other credits that they may access once working, including the availability of information through mybenefits.ny.gov. Additionally, as with all individuals who go to work, districts are expected to facilitate access to transitional benefits including health insurance, transitional child care and Supplemental Nutrition Assistance benefits.

Plans must detail the overall structure of the program, including the type and anticipated length of training to be provided for each category of job targeted, who will be providing the training, the types of jobs being targeted, the range of wages to be paid, and the length of the subsidy period. Plans should also identify the employers targeted to provide the subsidized employment opportunities.

IV. Program Implications

Eligible participants

Funding available for the OTDA Green Jobs Corps 2 program consists of \$2 million in TANF funds.

In all instances, priority shall be given to enrolling TANF eligible public assistance recipients in the Green Jobs Corps 2 program, although other individuals are eligible as outlined below.

All Green Jobs Corps 2 program participants must be TANF eligible and may include the following categories of individuals:

- Individuals in receipt of TANF/Family Assistance (case types 11 or 12) and Safety Net Assistance Maintenance of Effort (SNA-MOE) (case types 16 or 17 with state charge codes 63 or 64);
- Individuals in two-parent cases with children receiving Safety Net Assistance (as described in 06 LCM-09); and
- Individuals not in receipt of public assistance but who are determined TANF eligible based on TANF 200% of Poverty guidelines included in 00-LCM-20.
- Safety Net Assistance recipients in households without children may be eligible for TANF funded services due to being a noncustodial parent of a minor child as outlined in 00 LCM-20 and districts are strongly encouraged to determine such eligibility and serve these individuals through the Green Jobs Corps program.

Districts should also target services to formerly incarcerated individuals, including non-custodial parents who were formerly incarcerated or who have a criminal history and who are determined eligible under the TANF 200% of Poverty guidelines and eighteen to twenty-four (18-24) year olds who are eligible under TANF 200% of Poverty guidelines included in 00-LCM-20. Individuals in these targeted groups include such individuals in receipt of public assistance.

PLEASE NOTE: As the funding source under this LCM is TANF only, Safety Net Non-MOE recipients who are not TANF eligible in accordance with 00-LCM-20 cannot receive services or be placed in subsidized jobs supported by Green Jobs Corps 2 funding.

Funding

A total of \$2 million in TANF funds is available to support the second year of the Green Jobs Corps program. The SFY 2010-11 TANF allocations are based on each districts TANF share of their approved SFY 2009-10 Green Jobs Corps plan.

Projects receiving funding are expected to begin on or after October 1, 2010 and end on September 30, 2011 with the claiming deadline of November 15, 2011. In the event these funds are not reappropriated in the SFY 2011-12 State budget, final claims for this program will be due by August 15, 2011. The program period for Green Jobs Corp 2 program cannot overlap with the program period for year one of the Green Jobs Corps program. In those instances where a district is supporting services with year one (SFY 2009-10) allocations through all or a portion of the October 1, 2010 through December 31, 2010 period, the district should adjust the Green Jobs Corps 2 program period accordingly. For example, if a district is able to rely on SFY 2009-10 funds through December 31, 2010, the district would submit a Green Jobs Corps 2 program plan that has a program period of nine months (January 1, 2011 through September 30, 2011). Please note that the program requirements for the first year of the Green Jobs Corps program as described in 09-LCM-09, including the provision of job readiness and occupation skills training and subsidized employment opportunities in the green jobs sector of up to 35 hours per week at the minimum wage or higher continue to apply for services supported by funding made available by 09-LCM-09.

V. Plan Format

Districts must submit plans consisting of a program narrative, budget form and budget narrative to OTDA for approval. OTDA staff will review the submission to determine that services are consistent with the approved SFY 2009-10 Green Jobs Corps plan. Modifications outside the scope of the SFY 2009-10 Plan will be considered based on the extent to which the modification is expected to improve program outcomes. OTDA will also review the plan to ensure that services are directly related to the provision of allowable program services and activities to eligible participants and that program components regarding required training are met.

A. Program Narrative:

Plans must detail the overall structure of the program using the program narrative template (see **Attachment D**). The narrative should not exceed six pages in 12-pitch font using standard one inch margins. The template contains detailed instructions addressing the following components:

- program period including anticipated start and end dates;
- an estimate of the number of participants to be served during the program period;
- whether or not the district will use grant diversion to increase the number of individuals to be served;
- a description of the target population, the process that the district will use to identify appropriate individuals who are eligible to participate in the program; and how participants will be matched with employment opportunities in the green jobs sector;
- the employment opportunities targeted, including prospective employers, an estimate of the range of wages to be paid, the number of hours to be subsidized each week, and the expected length of the subsidy period.
- the training, including job readiness and occupations skills training available to prepare the individual for the subsidized employment opportunity in the green jobs sector.
- Supportive services to be provided to program participants during the subsidy period;
- Services to be offered to secure unsubsidized employment for those participants whose placement will be temporary; and,
- Project staff, percentage of time attributable to program services and expected duties.

B. Budget and Budget Narrative Forms

The budget and budget narrative forms (see **Attachment E** and **Attachment F**) should identify staff and services to be funded through the program and the estimated cost (see **Attachment C** for instructions regarding budget preparation).

VI. Submission of Plans

Districts are encouraged to submit completed plans which are consistent with the program requirements described in this LCM to OTDA for review as soon as completed. Completed plans must be submitted no later than December 6, 2010 to be eligible for funding under this initiative. District allocations are available beginning October 1, 2010 for districts that have fully claimed their respective award provided under 09-LCM-09 and have a completed and approved plan. In those instances where a district is supporting services with year one (SFY

2009-10) allocations through all or a portion of the October 1, 2010 through December 31, 2010 period, the district should adjust the Green Jobs Corps 2 program period accordingly. For example, if a district is able to rely on SFY 2009-10 funds through December 31, 2010, the district would submit a Green Jobs Corps 2 program plan that has a program period of nine months (January 1, 2011 through September 30, 2011). Completed plans should be e-mailed by October 29, 2010 to Susanne Haag at Susanne.Haag@otda.state.ny.us or mailed to the below address in time to reach OTDA no later than December 6, 2010.

Ms. Susanne Haag
NYS Office of Temporary and Disability Assistance
Employment and Advancement Services Bureau
40 North Pearl Street, 11-A
Albany, New York 12243

VII. Reporting

Districts will be required to report information on an individual basis using a format provided by OTDA. OTDA will provide reporting instructions under separate cover.

VIII. Claiming Instructions

All expenditures against the Green Jobs Corps 2 allocation must be claimed in accordance with the local social services district's Green Jobs Corps 2 approved plan. Local districts may claim reimbursement for Green Jobs Corps 2 expenditures made from October, 1 2010 through September 30, 2011. In those instances where a district is supporting services with year one (SFY 2009-10) allocations through all or a portion of the October 1, 2010 through December 31, 2010 period, the district should adjust the Green Jobs Corps 2 program period accordingly. For example, if a district is able to rely on SFY 2009-10 funds through December 31, 2010, the district would submit a Green Jobs Corps 2 program plan that has a program period of nine months (January 1, 2011 through September 30, 2011).

Final claims for Green Jobs Corps 2 must be received by November 15, 2011. These deadlines are contingent upon re-appropriation authority in the SFY 2011-2012 budget. If not reappropriated, final claims must be submitted by August 15, 2011.

The administrative and/or contracted costs associated with approved plans should be reported in the F-17 function (Other Reimbursable Programs) on the Schedule D, DSS Administrative Expenses Allocation and Distribution by Function and Program (LDSS-2347). These costs will carry forward to the Schedule D-17, Distribution of Allocated Costs to Other Reimbursable Programs, (LDSS-3274), and be reported in a column labeled Green Jobs 2. These expenditures will support Form LDSS-3922, Reimbursement Claims for Special Projects. The LDSS-3922 project name box label should be entitled Green Jobs 2.

District staff not working fulltime on Green Jobs Corps 2 must be time studied and only those related costs should be charged to Green Jobs Corps 2.

The LDSS-3922 for Green Jobs 2 should be submitted on a monthly basis to the Bureau of Financial Services using the TRACS system. Districts must retain the signed LDSS-3922 which supports the claims submitted via TRACS for audit purposes. Instructions for completing the

Schedule D-17 are found in the Fiscal Reference Manual (FRM) Volume 3 (Volume 4 for New York City), Chapter 18. Instructions for completing the LDSS-3922 are found in FRM, Volume 2, Chapter 3. The expenditures should be entered in the non-Administration/Administration Costs columns based on the guidelines below.

According to TANF regulations, costs considered to be program are:

- Direct costs, including salaries and fringe benefit costs for staff providing program services;
- Direct administrative costs associated with providing these services (e.g., supplies, equipment, travel, postage, utilities, rental costs, and maintenance); and,
- Contracts devoted entirely to program activities.

According to TANF regulations, administrative costs include:

- Contract costs that are not excluded totally or in part as program activities;
- All indirect or overhead costs (i.e., A-87 costs); and,
- Activities related to eligibility determinations.

See Chapter 10 of Volume 3 (Volume 4 for New York City) of the Fiscal Reference Manual for detailed information on TANF administrative expenditure requirements.

Under these guidelines, districts should enter their expenditures in the proper column of the LDSS-3922. Most of the activities incurred under this program should be reported in the Non-Administration Costs column. Overhead and A-87 costs should be entered in the Administration Costs column. Expenses should be reported on the appropriate lines of the LDSS-3922, with the amount of the actual work subsidy entered on line 12, Assistance Direct to Client.

Expenditures should be claimed at 100% Federal share up to the amount of the allocation.

Costs in excess of the allocation may be claimed on the Schedule D-3 Allocation and Claiming of Administrative Costs for Employment Programs (LDSS-2347-B1) as Direct Charge Costs (Line 7) under TANF Program (Column 2) for TANF eligible.

IV. System Implications

Districts (other than NYC) are encouraged to make full use of their local Welfare-To-Work Caseload Management System (WTWCMS) provider directory to document client involvement in this program. WTWCMS administrators should use the available Statewide umbrella program funding source entitled "Transitional Employment" which displays as an active local program. Only the counties that do not participate in any of the subsidized employment programs should inactivate Transitional Employment from their respective local Program listing. The separate funding streams for Transitional Jobs, Green Jobs Corps or Health Care Jobs can easily be designated through the administrative creation of provider, site and offering records within your local directory structure.

Offering records should reflect Transitional Employment as the selected funding source, with the specific subprogram name of Transitional Jobs, Green Jobs Corps or Health Care Jobs data entered in the offering name of the allowable activity or supportive service that an individual provider agency has made available. It is important to point out that client referrals and enrollments in these program funded activities will not display on WTWCMS listings by

provider, site and offering unless provider directory information is administratively created for workers to use. More importantly, workers will not have to manually data enter this same information in order to create a client referral or enrollment record on WTWCMS.

Issued By:

Name: Russell Sykes

Title: Deputy Commissioner

Division/Office: Center for Employment and Economic Supports

COUNTY OF SUFFOLK



MAR 21 2011

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF SOCIAL SERVICES

Gregory J. Blass
Commissioner

Memorandum

To: Ken Crannell, Deputy County Executive

From: Gregory J. Blass, Commissioner
Department of Social Services 

Date: March 15, 2011

Subject: **REQUEST FOR LEGISLATION:**
Green Jobs Corps 2 Program

I am requesting the introduction of the attached legislative resolution to be laid on the table at the March 22, 2011 Legislative Meeting:

“ACCEPTING AND APPROPRIATING 100% GRANT FUNDING IN THE AMOUNT OF \$170,400 FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE GREEN JOBS CORPS 2 PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICES TO EXECUTE A CONTRACT”

The New York State Office of Temporary and Disability Assistance has designated Suffolk County as the recipient of Federal funding in the amount of \$170,400 to provide education, training and subsidized employment opportunities for TANF recipients in “green” jobs such as those in the field of weatherization, energy audits and home improvements.

Attached please find the above referenced resolution, the introduction form (SCIN Form 175a), the fiscal impact statement (SCIN Form 175b), and related back-up material. The e-copies relating to this resolution are titled “Reso-DSS-Green Jobs Corps 2 Program.” If you have any questions, please contact Kenneth Knappe at 854-9939.

Enc.

c: Christopher Kent, Chief Deputy County Executive
ec: CE Reso. Review Distribution List

**Required Items & Check List
For the Submission of Resolutions
Pursuant to IR SOP, 1/8/08**

Substance:

- Request Letter
- Draft Resolution
- SEQRA Determination
- SCIN 175a
- SCIN 175b
- e-Copies Sent to CE RESO REVIEW
- 3 Hard Copies sent to:
(Deputy CE for Admin, Chief Deputy CE, Dir of IR)

Form:

- e-Copy with Proper Title
- Proper Sponsorship Line
- Proper Resolution Format
- Numbered Resolve Clauses
- Proofread Resolution
-  Preparer's Initials

Background Documentation:

- Award Letter (to accept a grant)
- Copy of Grant Agreement (if available)
- Required *Resolved* Clause** (If Grant Establishes a Position)
- _____ Other Background Documentation
- _____

****RESOLVED**, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this resolution at the conclusion of the grant funding provided for such position created by said grant.

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):	Department Contact Person (Name & Phone No.):
Department of Social Services 3085 Veterans Memorial Highway Ronkonkoma, New York 11779	Kenneth Knappe Principal Management Analyst 854-9939

Suggestion Involves:

<input checked="" type="checkbox"/> Appropriation	<input type="checkbox"/> Capital Project
<input type="checkbox"/> Technical Amendment	<input type="checkbox"/> New Program
<input type="checkbox"/> Grant Award	<input type="checkbox"/> Contract (New ___ Rev. ___)

Explanation of proposed resolution.

ACCEPTING AND APPROPRIATING 100% GRANT FUNDING IN THE AMOUNT OF \$170,400 FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE GREEN JOBS CORPS 2 PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICES TO EXECUTE A CONTRACT

Summary of resolution benefits.

The purpose of this resolution is to accept 100% Federal funding in the amount of \$170,400 to provide education, training and subsidized employment opportunities for TANF recipients in "green" jobs such as those in the field of weatherization, energy audits, and home improvements. This program will offer recipients the ability to secure certificates in several areas and provide access to employment in the expanding field of energy conservation in the building community. The program will be operated by the Education and Assistance Corporation, Inc.

SCIN Form 175a (1/97) Prior editions of this form are obsolete

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2011, AUTHORIZING EXECUTION OF AN ENVIRONMENTAL EASEMENT AND OTHER DOCUMENTS WITH RESPECT TO THE VOLUNTARY CLEANUP AGREEMENT FOR FRANCIS S. GABRESKI AIRPORT, AIRPORT DEVELOPMENT DISTRICT

WHEREAS, the County of Suffolk is the owner of Francis S. Gabreski Airport, in Westhampton, NY (also designated as Suffolk County Tax Map Number 0900-312.00-01.00-004.002);

WHEREAS, within Francis S. Gabreski Airport, there exists an Airport Development District (ADD); consisting of 57.943 acres more or less (the "Site"); and

WHEREAS, the County of Suffolk entered into a Voluntary Cleanup Agreement with the New York State Department of Environmental Conservation (NYSDEC), captioned as, "In the Matter of the Implementation of a Voluntary Cleanup Agreement for: Airport Development District, Francis S. Gabreski Airport, "Site," by: County of Suffolk, "Volunteer," Site #: V-00576-1, Index #: W1-0985-04-09, dated November 26, 2005 ("Voluntary Cleanup Agreement") (attached hereto as Exhibit A and made a part hereof); and

WHEREAS, the County of Suffolk anticipates completion of all remediation activities required by the Voluntary Cleanup Agreement during March 2011; and

WHEREAS, the Voluntary Cleanup Agreement requires the County of Suffolk to enter into an Environmental Easement to run with the land in favor of New York State, which Environmental Easement shall comply with the requirements of ECL Article 71, Title 36; and

WHEREAS, the Environmental Easement may include the following types of restrictions and requirements:

- Restrict use of the site to restricted residential or less restrictive uses (such as commercial and industrial), as defined by 6 NYCRR §375-1.8; and
- Restrict use of groundwater
- In the Soil Management Area, a small area consisting of approximately .5 acres, restrict disturbance of soils below 25 feet below grade without notification to the New York State Department of Environmental Conservation (NYSDEC)
- Monitoring and Inspection
- Periodic reporting to the New York State Department of Environmental Conservation;
- Annual Certification; and
- Any other restrictions or requirements of the New York State Department of Environmental Conservation;

and

WHEREAS, the Voluntary Cleanup Agreement also requires that an authorized representative (Chief Deputy County Executive as set forth in the 1st Resolved of this Resolution) execute a Notice of Agreement (Draft Notice of Agreement attached hereto as Exhibit C and made a part hereof); and

WHEREAS, after compliance with and completion of the requirements of the Voluntary Cleanup Agreement, the County of Suffolk shall be entitled to a Release and Covenant Not to Sue; now, therefore, be it

1st RESOLVED, that the Suffolk County Legislature hereby authorizes, directs and empowers a Chief Deputy County Executive to act as the representative on behalf of the County of Suffolk in all matters related to, required by or necessary to fulfill the Voluntary Cleanup Agreement with the New York State Department of Environmental Conservation (NYSDEC) (attached hereto as Exhibit A and made a part hereof); and, be it further

2nd RESOLVED, that a Chief Deputy County Executive is hereby authorized empowered and directed to execute all documents and take all actions necessary to comply with the Voluntary Cleanup Agreement (Exhibit A), including, but not limited to, execution and recording of an Environmental Easement covering the Airport Development District Site (Draft Environmental Easement attached hereto as Exhibit B and made a part hereof), execution and filing of a Notice of Agreement (Draft Notice of Agreement attached hereto as Exhibit C and made a part hereof), and otherwise acting for the County of Suffolk in all matters related to the Voluntary Cleanup Agreement; and, be it further

3rd RESOLVED, that the execution and delivery on behalf of and in the name of the County by a Chief Deputy County Executive of the Voluntary Cleanup Agreement, the Notice of Agreement and the Environmental Easement presented to the members of the Legislature at this meeting in this Resolution is hereby authorized and directed, with such changes therein as the NYSDEC may require, the Chief Deputy County Executive may accept, and the County Attorney may approve; and, be it further

4TH RESOLVED, that the execution and delivery of such Voluntary Cleanup Agreement, Notice of Agreement and Environmental Easement shall be conclusive evidence of approval of any such changes and of the authorization and direction thereof by this Legislature; and be it further

5th RESOLVED, that one (1) certified copy of this resolution shall be prepared and sent to the New York State Department of Environmental Conservation, together with the Notice of Agreement and the Environmental Easement; and be it further

6th RESOLVED, that this Legislature, being the 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 Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval: _____

**ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36
OF THE NEWYORK STATE ENVIRONMENTAL CONSERVATION LAW**

THIS INDENTURE made this _____ day of _____ 2011, between Owner(s) County of Suffolk, a municipal corporation of the State of New York with offices at the Suffolk County Center, Center Drive, Riverhead, New York 11901, County of Suffolk, State of New York (the “Grantor”), acting by and through its Department of Economic Development and Workforce Housing (the “Department”), having its offices at 100 Veterans Memorial Highway Hauppauge, New York 11788, and The People of the State of New York (the “Grantee”), acting through their Commissioner of the Department of Environmental Conservation (the “Commissioner” or “NYSDEC” or “Department” as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233.

WHEREAS, The Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties (“sites”) that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law (“ECL”) which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of Francis S. Gabreski Airport, in the Town of Southampton, County of Suffolk and State of New York, known and designated on the tax map of the County Clerk of Suffolk County as tax map parcel number: District 900 Section 312 Block 01.00 Lot 004.002, being the same as that property

conveyed to Grantor by Quitclaim Deed dated July 12, 1972 and recorded in the Suffolk County Clerk's Office under Liber D00012607 and Page 533, comprised of approximately 1,440 acres; and

WHEREAS, this Environmental Easement shall encumber a portion of the Francis S. Gabreski Airport, comprised of approximately 57.943 acres, and hereinafter more fully described in the Land Title Survey dated _____, prepared by Sidney B. Bowne & Son, LLP which will be attached to the Site Management Plan. The property description (the "Controlled Property") is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of human health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenant contained herein and the terms and conditions of NYSDEC Voluntary Cleanup Agreement, *In the Matter of the Implementation of a Voluntary Cleanup Agreement for Airport Development District, Francis S. Gabreski Airport, "Site," by County of Suffolk, "Volunteer,"* Site Number V00576-1, Index No. W1-0985-04-09, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. **Purposes.** Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. **Institutional and Engineering Controls.** The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for: Restricted Residential or more restricted uses as described in 6 NYCRR Part 375-1.8(g)(2)(iii).

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP.

(4) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(5) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(6) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(7) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP.

(8) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP.

(9) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for unrestricted residential use and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Walter J. Parish, P.E.
Environmental Engineer III
Division of Environmental Remediation
New York State Department of Environmental Conservation, Region I

SUNY at Stony Brook
50 Circle Road
Stony Brook, New York 11790-3409
Phone: (631) 444-0241

or

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

**This property is subject to an Environmental Easement
held by the New York State Department of Environmental
Conservation pursuant to Title 36 of Article 71 of the
Environmental Conservation Law.**

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall annually, or such time as NYSDEC may allow, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:

(i) are in-place;

(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person intentionally violates this Environmental Easement, the Grantee may revoke the Release and Covenant Not to Sue with respect to the Controlled Property.

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: _____
Dale A. Desnoyers, Director
Division of Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public - State of New York

NOTICE OF AGREEMENT

This Notice is made as of the _____ day of 201__ by County of Suffolk regarding a parcel of real property located at Francis S. Gabreski Airport, in the Town of Southampton, County of Suffolk, bearing and being a part of Suffolk County Tax Map Number District 900 Section 312 Block 01.00 and Lot 004.002 (the "Property"); and

WHEREAS, County of Suffolk ("Volunteer"), entered into a Voluntary Cleanup Agreement with the New York State Department of Environmental Conservation ("Department"), Site No. V-00576-1, Index #W1-0985-04-09 (the "Agreement") concerning contamination which is or may be present on the Property, which Agreement was executed on behalf of the Department on November 16, 2005; and

WHEREAS, in return for the remediation of the Property, pursuant to the Agreement to the satisfaction of the Department, the Department will provide Volunteer and its lessees and sub-lessees, grantees, successors, and assigns including their respective secured creditors, with a Release and Covenant Not to Sue and forbearance from bringing any action, proceeding, or suit related to the site's further investigation or remediation, subject to certain reservations set forth in the Agreement; and

WHEREAS, pursuant to the Agreement, Volunteer agreed to cause the filing of a Notice of the Agreement with the Suffolk County Clerk in accordance with Paragraph IX of the Agreement to give all parties who may acquire any interest in the Property notice of the Agreement.

NOW, THEREFORE, Volunteer, for itself and for its successors and assigns, declares that:

1. This Notice of Agreement is hereby given to all parties who may acquire any interest in the Property; and
2. This Notice shall terminate upon the filing of a Notice of Termination of this Agreement after having first received approval to do so from the New York State Department of Environmental Conservation or having terminated the Agreement pursuant to its Paragraph XII.

3/22/11

**RESOLUTION NO. - 2011, AMENDING THE 2011
 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
 FUNDS IN CONNECTION WITH RENOVATION TO THE OLD
 4TH PRECINCT FOR GENERAL OFFICE SPACE OR OTHER
 COUNTY USE (CP 1641)**

WHEREAS, the Commissioner of Public Works has requested funds for renovations to the Old 4th Precinct; and

WHEREAS, there are sufficient funds within the 2011 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 \$5,000,000 in Suffolk County Serial Bonds; 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 Volume 6 of New York Code of Rules and Regulations ("NYCRR") Part 617.5(c) (2) and (21) as it involves the rehabilitation of a structure in kind, on the same site, and as a Type II, 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-four (54) 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 2011 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 1641
 Project Title: Renovation To The Old 4th Precinct For General Office Space Or Other County Use

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
1. Planning, Design, and Supervision	\$500,000	\$0	\$250,000B
3. Construction	<u>\$5,000,000</u>	<u>\$5,000,000B</u>	<u>\$4,750,000B</u>
TOTAL	\$5,500,000	\$5,000,000	\$5,000,000

and be it further

5th RESOLVED, that the proceeds of \$5,000,000 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-1641.110 (Fund 001 Debt Service)	20	Renovation To The Old 4 th Precinct For General Office Space Or Other County Use--Planning	\$250,000
525-CAP-1641.310 (Fund 001 Debt Service)	20	Renovation To The Old 4 th Precinct For General Office Space Or Other County Use--Construction	\$4,750,000

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RENOVATION TO THE OLD 4TH PRECINCT FOR GENERAL OFFICE SPACE OR OTHER COUNTY USE (CP 1641)		
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		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		March 22nd, 2011

SCIN FORM 175b (10/95)

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

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$344,922	\$0.63		\$0.001

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$344,922	\$0.63		\$0.001

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
General Obligation Serial Bonds
Level Debt

Term of Bonds: 20
Amount to Bond: \$5,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/10/2011					
5/10/2012					
11/10/2012	3.000%	\$180,789.96	\$164,131.82	\$344,921.79	\$344,921.79
			\$79,098.57	\$79,098.57	
11/9/2012	3.000%	\$186,724.64	\$79,098.57	\$265,823.21	\$344,921.79
			\$76,033.83	\$76,033.83	
11/10/2013	3.000%	\$192,854.13	\$76,033.83	\$268,887.96	\$344,921.79
			\$72,868.48	\$72,868.48	
11/10/2014	3.000%	\$199,184.83	\$72,868.48	\$272,053.31	\$344,921.79
			\$69,599.22	\$69,599.22	
11/10/2015	3.000%	\$205,723.35	\$69,599.22	\$275,322.57	\$344,921.79
			\$66,222.65	\$66,222.65	
11/9/2016	3.000%	\$212,476.50	\$66,222.65	\$278,699.14	\$344,921.79
			\$62,735.23	\$62,735.23	
11/9/2017	3.000%	\$219,451.33	\$62,735.23	\$282,186.56	\$344,921.79
			\$59,133.34	\$59,133.34	
11/10/2018	3.000%	\$226,655.12	\$59,133.34	\$285,788.45	\$344,921.79
			\$55,413.20	\$55,413.20	
11/10/2019	3.000%	\$234,095.38	\$55,413.20	\$289,508.58	\$344,921.79
			\$51,570.95	\$51,570.95	
11/9/2020	3.000%	\$241,779.88	\$51,570.95	\$293,350.83	\$344,921.79
			\$47,602.58	\$47,602.58	
11/9/2021	3.000%	\$249,716.63	\$47,602.58	\$297,319.21	\$344,921.79
			\$43,503.93	\$43,503.93	
11/10/2022	3.000%	\$257,913.92	\$43,503.93	\$301,417.85	\$344,921.79
			\$39,270.74	\$39,270.74	
11/10/2023	3.250%	\$266,380.30	\$39,270.74	\$305,651.04	\$344,921.79
			\$34,898.60	\$34,898.60	
11/9/2024	3.250%	\$275,124.60	\$34,898.60	\$310,023.19	\$344,921.79
			\$30,382.92	\$30,382.92	
11/9/2025	3.375%	\$284,155.94	\$30,382.92	\$314,538.86	\$344,921.79
			\$25,719.02	\$25,719.02	
11/10/2026	3.500%	\$293,483.74	\$25,719.02	\$319,202.76	\$344,921.79
			\$20,902.02	\$20,902.02	
11/10/2027	3.500%	\$303,117.75	\$20,902.02	\$324,019.77	\$344,921.79
			\$15,926.89	\$15,926.89	
11/9/2028	3.625%	\$313,068.00	\$15,926.89	\$328,994.89	\$344,921.79
			\$10,788.45	\$10,788.45	
11/9/2029	3.750%	\$323,344.89	\$10,788.45	\$334,133.34	\$344,921.79
			\$5,481.33	\$5,481.33	
11/10/2030	4.000%	\$333,959.12	\$5,481.33	\$339,440.45	\$344,921.79
		\$5,000,000.00	\$1,898,435.73	\$6,898,435.73	\$6,898,435.73

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

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

Submitting Department
(Department Name and Location):

Public Works, Yaphank, New York

Department Contact Person:
(Name and Phone Number):

Robert J. Murphy
852-4238

Suggestion Involves:

Technical Amendment X

New Program

Grant Award

Contract (New Rev.)

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

AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RENOVATION TO THE OLD 4TH PRECINCT FOR GENERAL OFFICE SPACE OR OTHER COUNTY USE (CAPITAL PROGRAM NUMBER 1641)

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

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

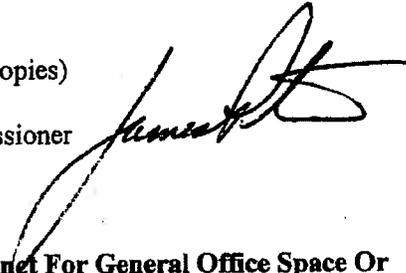
DEPARTMENT OF PUBLIC WORKS

JAMES PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive (2 copies)
FROM: James Peterman, P.E., Chief Deputy Commissioner 
DATE: February 14, 2011
RE: **CP 1641- Renovation To The Old 4th Precinct For General Office Space Or Other County Use**

Attached for your review is a draft resolution amending the 2011 capital program and appropriating the sum of \$5,000,000 (\$250,000 Planning, \$4,750,000 Construction). This appropriation will fund the renovation of the now vacated old 4th Precinct for use by the District Attorney. The amendment facilitates and the start of remedial work that will allow immediate beneficial use of the space.

This action is considered a Type II action under SEQRA as it is related to work involving the rehabilitation of a facility in kind.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1641 Renov to Old 4th.doc.

JP/rjm

cc: Christopher Kent, Chief Deputy County Executive
Ed Dumas, 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., Chief Engineer
Kathy LaGuardia, Executive Assistant for Finance & Administration
Laura Conway, CPA, Chief Accountant
CE RESO Review (e-mail)
Brendan Chamberlain, Director of Intergovernmental Relations (2 hard copies)

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1306

Intro. Res. No. -2011
Introduced by Legislator Kennedy

Laid on Table 3/22/11

RESOLUTION NO. -2011, AMENDING RESOLUTION NO. 712-2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM WATER QUALITY PROTECTION (FUND 477) AND AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER SYSTEM DISCHARGE REMEDIATION AND STREAM WATER SILT REMOVAL AND REMEDIATION AT THE NISSEQUOGUE TRIBUTARY HEADWATERS NORTH FROM CR 76, TOWNLINE ROAD, TO MILLER'S POND, SMITHTOWN (CP 8710)

WHEREAS, Resolution No. 712-2010 authorized the County to transfer funds from Fund 477, the County's Water Quality Fund Reserve, to the County's capital budget to fund projects to remediate storm water system discharge and stream water silt removal and remediation in partnership with the Town of Smithtown; and

WHEREAS, the Town of Smithtown adopted two resolutions pertinent to these projects: Resolution No. 599-2010 "Authorization of the Town Supervisor to Enter into an Agreement with Suffolk County" – adopted July 13, 2010 and Resolution No. 364-2010, "Establishment of \$500,000 Capital Budget for Phase II Nissequogue River" – adopted July 13, 2010, which demonstrates the Town's compliance to match the funding provided by the County; and

WHEREAS, in order for the second phase to move forward, Resolution No. 712-2010 must be amended to authorize the County to enter into an intermunicipal agreement with the Town of Smithtown to complete Phase II of this project; and

WHEREAS, the intent of Resolution No. 712-2010 was to provide funding for planning and construction on this project; and

WHEREAS, a portion of the funding assigned to construction is necessary for planning; and

WHEREAS, there exists enough funding in the construction phase of this project to cover planning costs; and

WHEREAS, the County of Suffolk should amend Resolution No. 712-2010 to make these necessary changes; now, therefore be it

1st RESOLVED, that Resolution No. 712-2010 is hereby amended to include a new 11th RESOLVED clause to read as follows:

11th RESOLVED, that the County of Suffolk is hereby directed to enter into an intermunicipal agreement with the Town of Smithtown for the purpose of implementing this project.

and be it further

2nd RESOLVED that the 6th RESOLVED clause of Resolution No. 712-2010 is hereby amended as follows:

6th RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project Number: 8710
 Project Title: Water Quality Protection- Nissequogue Tributary Headwaters
 North from CR 76, Townline Road,
 to Miller's Pond, Smithtown

	Total Estimated Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
1. <u>Planning, Design & Supervision</u>	<u>\$ 37,500</u>	<u>\$0</u>	<u>\$ 37,500</u>
3. <u>Construction</u>	<u>[\$250,000]\$212,500</u>	<u>\$0</u>	<u>[\$250,000]\$212,500</u>
TOTAL	\$500,000	\$0	\$250,000

and be it further

3rd RESOLVED that the 7th RESOLVED clause of Resolution No. 712-2010 is hereby amended as follows:

7th RESOLVED, that the transfer in the amount of \$250,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>ProjectTitle</u>	<u>Amount</u>
<u>525-CAP-8710.131</u>	<u>50</u>	<u>Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown</u>	<u>\$ 37,500</u>

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
<u>525-CAP-8710.321</u>	<u>50</u>	<u>Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown</u>	<u>[\$250,000] \$212,500</u>

and be it further

4th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to effectuate the associated cash transfers for this capital project; 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 resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\l-amending res 712-2010

1308

Intro. Res. No. -2011
Introduced by Legislator Schneiderman

Laid on Table 3/22/11

**RESOLUTION NO. -2011, APPROVING PLANNING STEPS
FOR THE ACQUISITION OF ENVIRONMENTALLY SENSITIVE
PROPERTIES KNOWN AS EAST QUOGUE PARTNERS, LLC**

WHEREAS, the Environmental Legacy Program was approved under the adopted 2007-2009 Capital Program allocating fifty million dollars for the acquisition of environmentally sensitive lands, active recreation sites, historic properties, and farmland development rights where there is a partner who will provide a 50% matching contribution; and

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 603-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, Resolution No. 591-1996, approved by the electorate on November 5, 1996, amended the Suffolk County 1/4% Drinking Water Protection Program so as to allocate nearly two-thirds (2/3) of the surplus funds under this Program to the acquisition of land in accordance with Section 12-5(A) of the SUFFOLK COUNTY CHARTER, as determined by a duly enacted Resolution by the County of Suffolk; and

WHEREAS, the County's nationally acclaimed land preservation programs have been enhanced by the approval of master lists of important and significant environmentally sensitive lands, farmland, and recreationally important lands; it is now necessary to add additional parcels to the master list for acquisition of environmentally sensitive lands; now, therefore be it

1st RESOLVED, that the master list identified by Exhibit "A" for the acquisition of environmentally sensitive land and recreationally important lands in Suffolk County, is hereby approved and/or confirmed, as a supplement to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk; and be it further

I.) ENVIRONMENTAL LEGACY PROGRAM

2nd RESOLVED, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title

search, and environmental audit) and ultimate inclusion in the Suffolk County Environmental Legacy Program, approved under the ADOPTED 2007-2009 CAPITAL PROGRAM:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section SET FORTH IN EXHIBIT "A" ATTACHED Block HERETO AND MADE A PART HEREOF Lot		East Quogue Partners LLC c/o Wayne D. Bruyn 250 North Sea Road Southampton, NY 11968

and be it further

3rd RESOLVED, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

5th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C), of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

6th RESOLVED, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the Suffolk County Environmental Legacy Program, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

7th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

II.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS

8th RESOLVED, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Multifaceted Land

Preservation Program, according to the provisions of the 5th RESOLVED clause of Resolution No. 459-2001:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot	SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF	East Quogue Partners LLC c/o Wayne D. Bruyn 250 North Sea Road Southampton, NY 11968

and be it further

9th RESOLVED, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

10th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

11th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or her designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

12th RESOLVED, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the provisions of the 5th RESOLVED clause of Resolution No. 459-2001, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

13th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

III.) NEW DRINKING WATER PROTECTION PROGRAM (AS AMENDED BY LOCAL LAW NO. 24-2007, EFFECTIVE DECEMBER 1, 2007)

14th RESOLVED, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title

search, and environmental audit) and ultimate inclusion in the Suffolk County New Drinking Water Protection Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section SET FORTH IN EXHIBIT "A" ATTACHED Block HERETO AND MADE A PART HEREOF Lot		East Quogue Partners LLC c/o Wayne D. Bruyn 250 North Sea Road Southampton, NY 11968

and be it further

15th RESOLVED, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

16th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

17th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

18th RESOLVED, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

19th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

**IV.) ACQUISITION OF LAND/1989-2000
DRINKING WATER PROTECTION PROGRAM (12-5(A))**

20th RESOLVED, that The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) or Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate to acquire fee title to the parcels listed herein below from the reputed owners for

inclusion into the County's Open Space or Parkland Preservation Program, in addition to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, as the case may be:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section SET FORTH IN EXHIBITS "A" ATTACHED Block HERETO AND MADE A PART HEREOF Lot		East Quogue Partners LLC c/o Wayne D. Bruyn 250 North Sea road Southampton, NY 11968

and be it further

21st **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire fee simple absolute or a lesser interest (i.e. conservation easement) of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

22nd **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby authorized to use such appraisals as may be made available by other municipalities for the purpose of such acquisition, if deemed cost effective and appropriate by the Department; and be it further

23rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

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East Quogue Partners Property

District	Section	Block	Lot	Acres
900	203.000	1.00	25.000	25
900	203.000	1.00	27.000	17.3
900	203.000	1.00	30.000	37.73
900	219.000	1.00	4.000	0.39
900	219.000	1.00	5.000	0.21
900	219.000	1.00	6.000	1.48
900	219.000	1.00	7.000	0.37
900	219.000	1.00	8.000	0.85
900	219.000	1.00	9.000	0.37
900	219.000	1.00	10.000	0.4
900	219.000	1.00	23.000	0.96
900	219.000	1.00	24.000	1.18
				86.24
900	219.000	1.00	11.001	1.15
900	219.000	1.00	12.000	1.15
900	219.000	1.00	20.001	4.2
900	219.000	1.00	22.000	1.07
				7.57
900	219.000	1.00	13.000	2.3
900	219.000	1.00	21.000	15.9
900	250.000	3.00	1.000	78
900	250.000	3.00	2.000	17
900	250.000	3.00	3.000	28
900	288.000	1.00	61.000	24.3
900	288.000	1.00	141.001	94.7
				260.2
900	219.000	1.00	14.000	0.09
900	219.000	1.00	15.000	0.25
900	219.000	1.00	16.000	0.2
900	219.000	1.00	17.000	0.25
900	219.000	1.00	18.000	0.1
900	219.000	1.00	19.000	0.89
900	219.000	1.00	47.000	0.35

900	219.000	1.00	48.000	0.1
900	219.000	1.00	49.000	0.4
900	219.000	1.00	50.000	0.1
900	250.000	3.00	4.000	3.9
900	250.000	3.00	5.000	0.09
900	250.000	3.00	6.000	1.01
900	250.000	3.00	9.000	0.46
900	250.000	3.00	11.000	2.39
900	250.000	3.00	13.000	0.02
900	250.000	3.00	14.000	3.99
900	250.000	3.00	17.000	2.8
900	250.000	3.00	30.000	0.02
900	288.000	1.00	121.000	27
900	288.000	1.00	122.000	1.03
900	288.000	1.00	123.000	2.02
900	288.000	1.00	125.000	0.96
900	288.000	1.00	127.000	0.09
900	288.000	1.00	130.000	0.69
900	288.000	1.00	132.000	1.5
900	288.000	1.00	133.000	1.04
900	288.000	1.00	136.000	0.6
900	288.000	1.00	138.000	2.48
900	288.000	1.00	140.002	0.1
900	314.000	2.00	20.005	5.7
				60.62
900	340.000	1.00	2.000	0.64
900	340.000	1.00	5.000	0.44
				1.08
			TOTAL ACRES	415.71

Exhibit "A"