

1548

Intro. Res. No. -2011
Introduced by Legislator Vilorio-Fisher

Laid on Table 6/7/11

**RESOLUTION NO. -2011, REAPPOINTING MEMBER OF
THE COUNCIL ON ENVIRONMENTAL QUALITY TO
REPRESENT HISTORIC PRESERVATION INTERESTS (MARY
ANN SPENCER)**

WHEREAS, appointments to the Council on Environmental Quality (CEQ) are within the exclusive purview of the County Legislature under Section 1-3(A) of the Suffolk County Charter; and

WHEREAS, Local Law No. 11-2006 expanded the membership of the CEQ to include a representative with an environmental protection background and a representative committed to the preservation of historic buildings; now, therefore, be it

1st RESOLVED, that **Mary Ann Spencer**, currently residing in East Setauket, New York, is hereby reappointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the Suffolk County Charter, to represent historic preservation interests for a term of office to expire June 13, 2016.

DATED:

EFFECTIVE PURSUANT TO SECTIONS C2-15(A) OF THE SUFFOLK COUNTY CHARTER

s:\res\r-reappt-spencer-ceq

1549

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

Laid on Table 6/7/11

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW
NO. -2011, A CHARTER LAW TO EXPAND
PERMISSIBLE USES OF ASSESSMENT STABILIZATION
RESERVE MONIES TO FUND SEWERS AND NITROGEN
REMOVAL SEPTIC SYSTEMS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2011 a proposed local law entitled, "**A CHARTER LAW TO EXPAND PERMISSIBLE USES OF ASSESSMENT STABILIZATION RESERVE MONIES TO FUND SEWERS AND NITROGEN REMOVAL SEPTIC SYSTEMS**"; now, therefore, be it

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

LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO EXPAND PERMISSIBLE USES OF
ASSESSMENT STABILIZATION RESERVE MONIES TO FUND
SEWERS AND NITROGEN REMOVAL SEPTIC SYSTEMS**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the Suffolk County Drinking Water Protection Program earmarks the revenues generated by the specially authorized one-quarter cent sales and compensating use tax to acquire environmentally sensitive properties; to provide for a water quality protection program and land stewardship initiatives; for County-wide property tax relief; and for sewer taxpayer protection.

This Legislature further finds that the revenues generated for sewer taxpayer protection go into the Assessment Stabilization Reserve Fund ("ASRF"). The monies in this fund are used to stabilize taxes within the County's 22 existing sewer districts, limiting annual tax increases to 3%. Monies in the ASRF are also used to first instance funding for capital improvements in the County's existing sewer districts.

This Legislature also determines that the current sewer taxpayer protection program has succeeded in stabilizing taxes in existing districts, but it is not designed to assist in the construction of new waste water treatment infrastructure or to facilitate the creation of new County sewer districts.

This Legislature finds that there is a clear need for additional sewerage in Suffolk County; sewers will help protect the County's underground drinking water supply and facilitate economic development and job creation.

This Legislature determines that the ASRF has grown in recent years. The Budget Review Office estimates the Fund's balance will exceed \$154 million by the end of 2011.

This Legislature further determines that as there are sufficient monies in the ASRF to keep sewer district taxes stable over the next decade, the County's Drinking Water Program should be amended to permit the use of excess reserve fund monies for new sewer and water protection projects and to allow areas outside the existing sewer districts to benefit from such projects.

Therefore, the purpose of this law is to authorize the use of excess monies in the ASRF to fund sewer infrastructure and sewage treatment plants, and the installation of enhanced nitrogen removal septic systems throughout Suffolk County, including in areas outside the boundaries of the County's 22 existing sewer districts.

Section 2. Amendment.

Article 12 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**ARTICLE XII,
Suffolk County Drinking Water Protection Program**

§ C12-2. Programmatic expenses.

* * * *

- D. Sewer taxpayer protection: 25% of the total revenues generated each calendar year for sewer district tax rate stabilization only in those instances in which the pertinent sewer district will experience an increase in rates of at least 3% in the aggregate for user charges, operations and maintenance charges, per-parcel charges, and ad valorem assessments in the calendar year for which these sewer district tax stabilization revenues are being allocated. The Suffolk County Sewer Assessment Stabilization Fund is hereby created. 25% of the total revenues generated each calendar year by such sales and compensating use tax shall be allocated and deposited annually to this Trust Fund. The annual appropriation of such revenues shall be effectuated via duly enacted resolution of the County of Suffolk and shall not reduce the projected rate increase below 3% in the aggregate for user charges, operations and maintenance charges, per parcel charges, and ad valorem assessments for the year in question. If the revenues generated in any year, including calendar year 2030, exceed the amount necessary to provide such stabilization, then such excess revenues shall be carried over as a fund balance for sewer district tax rate stabilization, provided, however, that such fund balance shall not exceed \$150 million in fiscal year 2011, or in any subsequent fiscal year through fiscal year 2021.
- 1) In the event such fund balance exceeds \$150 million in fiscal year 2011 or in any subsequent fiscal year through 2021, the excess monies may be used, via a duly approved resolution of the County of Suffolk, for installation, improvements, maintenance and operation of sewer infrastructure and sewage treatment plants and for the installation of residential and commercial enhanced nitrogen removal septic systems. These monies may be used for projects outside the boundaries of County sewer districts. No less than \$2 million will be appropriated in fiscal year 2011 or in any subsequent fiscal year through 2021 for the installation of residential and commercial enhanced nitrogen removal septic systems.

2) A Sewer Infrastructure Committee is hereby established to review all proposed projects for sewer infrastructure, sewage treatment and enhanced nitrogen removal septic systems. This Committee shall make advisory recommendations to the County Executive and the County Legislature as to which projects shall be funded. The Committee shall consist of the following members:

- (a) the Director of Planning, or designee;
- (b) the Commissioner of the Department of Public Works, or designee;
- (c) the Commissioner of Health Services, or designee;
- (d) the Commissioner of Economic Development & Workforce Housing, or designee;
- (e) the Presiding Officer of the County Legislature, or designee; and
- (f) the County Executive, or designee.

* * * *

Section 3. Applicability.

This law shall apply to actions occurring on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\cl-enhancing-sewer-capacity

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



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

DATE: JUNE 3, 2011
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A CHARTER LAW TO EXPAND PERMISSIBLE USES OF ASSESSMENT STABILIZATION RESERVE MONIES TO FUND SEWERS AND NITROGEN REMOVAL SEPTIC SYSTEMS

SPONSOR: LEGISLATOR HORSLEY

DATE OF RECEIPT BY COUNSEL: 6/2/2011 PUBLIC HEARING: 6/21/2011

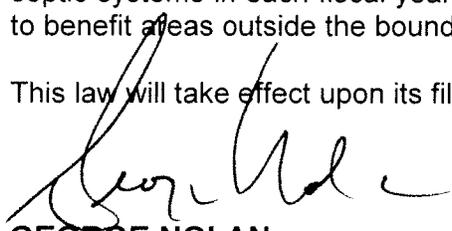
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This law would amend the sewer taxpayer protection component of the County's Drinking Water Protection Program.

Under current law, 25% of the revenues generated by the Drinking Water Protection Program's one-quarter cent sales and compensating use tax goes for sewer taxpayer protection. These monies are deposited in the Assessment Stabilization Reserve Fund ("ASRF"), and used to stabilize taxes within the County's 22 sewer districts and to first instance funding for capital projects within these sewer districts.

The subject law would place a \$150 million cap on the ASRF beginning in 2011 and continuing through 2021. If the fund's balance exceeds that cap, the excess monies would be used for installation, improvement, maintenance, and operation of sewer infrastructure and sewage treatments plants, and for the installation of residential and commercial enhanced nitrogen removal septic systems. No less than \$2 million would be appropriated for the nitrogen removal septic systems in each fiscal year. The law makes clear that the excess monies could be used to benefit areas outside the boundaries of the County's existing sewer districts.

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


GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-enhancing-sewer-capacity

TAX ANTICIPATION NOTE RESOLUTION NO. -2011

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$140,000,000 TAX ANTICIPATION NOTES OF THE COUNTY OF SUFFOLK, NEW YORK, IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED FOR COUNTY PURPOSES OR RETURNED TO THE COUNTY FOR COLLECTION FOR THE FISCAL YEARS COMMENCING JANUARY 1, 2008, 2009, 2010 AND 2011, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), the power to authorize the issuance of Tax Anticipation Notes (herein called the "Notes") of the County of Suffolk, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$140,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

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

(a) The Notes shall be issued in anticipation of the collection of real estate taxes levied for County purposes or returned to the County for collection for the fiscal years commencing January 1, 2008, 2009, 2010 and 2011.

(b) No notes have heretofore been authorized or issued in anticipation of the collection of said taxes, other than the \$390,000,000 Tax Anticipation Notes for 2011 Taxes, dated and issued on December 22, 2010.

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

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

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

Section 5. This resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1551

Intro. Res. No. -2011
Introduced by Legislators Kennedy and Stern

Laid on Table

**RESOLUTION NO. -2011, AUTHORIZING REFORMATION
OF CONTRACT WITH SUFFOLK Y JEWISH COMMUNITY
CENTER**

WHEREAS, the Suffolk Y Jewish Community Center ("Suffolk Y") is one of the contract agencies utilized by the County of Suffolk to provide youth services; and

WHEREAS, the Office of the Suffolk County Comptroller conducted an audit of the Suffolk Y for the period January 1, 2005 through December 31, 2006; the audit report was issued in July 2010; and

WHEREAS, the Comptroller's audit showed that the Suffolk Y is well managed and financially sound; and

WHEREAS, the audit also found that the County's contract with the Suffolk Y included a provision requiring the Suffolk Y to report other earnings from the operation of their youth programs and use these revenues as an offset against their County funding; and

WHEREAS, as a result of this audit finding, the Comptroller recommended that the Suffolk Y remit \$778,206.00 to the County; and

WHEREAS, testimony given at legislative committee meetings showed that the contract offset provision described herein did not reflect the understanding of the parties; the Department of Social Services and the Suffolk Y considered the County funding to be an outright grant with no expectation that other program revenues would be used to reduce County funding; and

WHEREAS, requiring the Suffolk Y to remit \$778,206.00 to the County would diminish the agency's ability to deliver important services; now, therefore be it

1st RESOLVED, that the Youth Bureau and the Department of Law are hereby authorized, empowered and directed to reform the County's contract(s) with the Suffolk Y for the period 2003 through the end of 2010, to reflect the parties mutual understanding that the Suffolk Y's County funding was not to be offset by non-County program revenues received by the Suffolk Y during these time periods; and be it further

2nd RESOLVED, that the County Comptroller is authorized and empowered to assist, as necessary, with the review of the contract amendments authorized herein; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-reformation-contract-suffolk-y

1552
Intro. Res. No 2011
Introduced by Legislator Barraga

Laid on Table 6/7/11

**RESOLUTION NO. -2011, AUTHORIZING THE
RECONVEYANCE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 215, NEW YORK STATE COUNTY
LAW TO THE ESTATE OF LAURA DESARIO**

WHEREAS, the County of Suffolk is the fee owner of the following described property:

Lot 053.001

ALL that certain plot, piece or parcel of land with any buildings and improvements thereon erected, situate, lying and being in the Village of Brightwaters, Town of Islip, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0501, Section 003.00, Block 02.00, Lot 053.001, and acquired by tax deed on June 29, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005, in Liber 12397 at Page 973, and otherwise known as and by the Incorporated Village of Brightwaters, Town of Islip, Amended Map of Brightwaters Sec. D, Northerly Part of Lot 4553, Block 171 Filed in the Office of the Clerk of Suffolk County on October 7, 1910 Map No. 12.

Lot 054.000

ALL that certain plot, piece or parcel of land with any buildings and improvements thereon erected, situate, lying and being in the Village of Brightwaters, Town of Islip, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0501, Section 003.00, Block 02.00, Lot 054.000, and acquired by tax deed on July 2, 2007 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007, in Liber 12513 at Page 418 and otherwise known as and by the Incorporated Village of Brightwaters, Town of Islip, Amended Map of Brightwaters Sec. D, South 55 feet of Lot 4553 and North 30 feet of Lot 4554, Block 171 Filed in the Office of the Clerk of Suffolk County on October 7, 1910, Map No. 12.

Lot 055.000

ALL that certain plot, piece or parcel of land with any buildings and improvements thereon erected, situate, lying and being in the Village of Brightwaters, Town of Islip, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0501, Section 003.00, Block 02.00, Lot 055.000, and acquired by tax deed on July 6, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007, in Liber 12513 at Page 421, and otherwise known as and by the Incorporated Village of Brightwaters, Town of Islip, Amended Map of Brightwaters Sec. D, South 70 feet of Lot 4554, Blcok 171 Filed in the Office of the Clerk of Suffolk County on October 7, 1910 Map No. 12.

and

WHEREAS, Laura DeSario was the former owner of said real property; and

WHEREAS, Laura DeSario passed away on July 4, 2010; and

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

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

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

WHEREAS, the above described parcel has been appraised by the County Department of Environment and Energy, Division of Real Property Acquisition and Management, at \$300,000.00; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of \$102,183.07 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

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

Estate of Laura DeSario
460 Pine Acres Boulevard
Brightwaters, New York 11718

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

COUNTY OF SUFFOLK
OFFICE OF THE COUNTY EXECUTIVE



STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

June 2, 2011

Honorable Thomas F. Barraga
Suffolk County Legislator
187 Sunrise Highway, Suite C
West Islip, NY 11795

Re: Section 215 Redemption
Tax Map No.: 0501-003-02-053.001, 054 & 055
Redemptor: Estate of Laura DeSario

Dear Legislator Barraga:

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

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

The total amount to be paid in order for the County to release its interest in this property is \$102,183.07. That amount will increase if payment is not made before the next tax due date.

Very truly yours

Lori Sklar
Redemption Unit
(631) 853-5937

las

Enclosures

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

SUFFOLK COUNTY



COUNTY LEGISLATURE

THOMAS F. BARRAGA
LEGISLATOR, 11TH DISTRICT

187 SUNRISE HIGHWAY, SUITE C
WEST ISLIP, NEW YORK 11795
(631) 854-4100

March 14, 2011

Ms. Pamela Greene
Director of Real Estate
P.O. Box 6100
Hauppauge, New York 11788

Dear Director Greene,

Re: Section 215 Redemption
Tax Map No. 0501-003-02-054)
Lot 53.1, 54 and 55
Redemptor: David DeSario

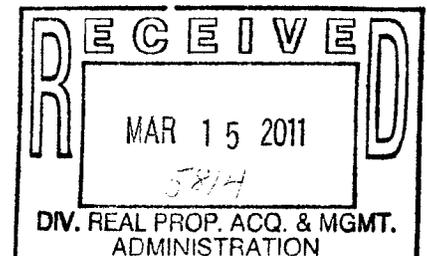
I am writing this letter to inform the Division of Real Property Acquisition and Management that I will be sponsoring legislation authorizing reconveyance of County-owned real estate pursuant to Section 215 on behalf of Mr. David DeSario.

It is my understanding that two of the above parcels, Lot 53.1 was taken by Suffolk County in July 2005 and Lot 55 in 2007 both have been scheduled for auction on May 1, 2011. I respectfully request they be pulled from auction and all three lots be included in the redemption.

Very truly yours,

Thomas F. Barraga
Suffolk County Legislature

cc: George Nolan, Esq., Counsel Suffolk County Legislature



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

1. Information Concerning Applicant(s)

Name of Applicant(s) Laura De Sario Estate by David De Sario, individually and as Administrator	Address c/o Ivars Berzins, P.C. 484 West Main Street Babylon, NY 11702-3000	Telephone Number (631) 661-3540
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2. Property for Which Recovery is Desired

Location or Address 460 Pine Acres Boulevard, Brightwaters, NY 11718	Date of Recording of Suffolk County's Tax Deed July 15, 2005, July 13, 2007
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Suffolk County Tax Map Number	District 0500	Section 003.00	Block 02.00	Lot 053.001 054.000, 055.000
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3. Description of Instrument from Applicant's Interest

Liber 11755	Page 949
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Other (If applicant is not the prior owner, specify nature of applicant's interest)

Grantor	Grantee
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Date of Execution	Date of Recording
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Description of Circumstances Which Led to Loss of Property

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

See annexed July 24, 2009 letter from Laura De Sario to Mr. Thomas F. Barraga, affidavit of applicant, David De Sario, sworn to on January 31, 2011, the medical report of Harold E. Bronheim, M.D., dated March 5, 2011, and affidavit of applicant's attorney, Ivars Berzins, sworn to on March 11, 2011, wherein the other documents are attached.

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER



TECU
The Educated Choice
Main Office: (914) 880-7000
3410 N. OCEAN AVE. - P.O. BOX 9000 - FAIRHURSTVILLE, NY 11731-9000

OFFICIAL CHECK

NCUA

1427553

VOID AFTER 180 DAYS

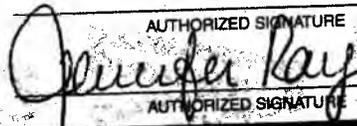
DATE: 25 MAR 11

TO THE ORDER OF: SUFFOLK COUNTY DIVISION OF REAL PROPERTY MANAGEMENT AND ACQUISITION

PAY: FIVE HUNDRED DOLLARS ONLY

ESTATE OF LAURA J DEBARTO
43 AVENUE C
APT 2D
NEW YORK NY 10009

AUTHORIZED SIGNATURE



AUTHORIZED SIGNATURE

THE BACK OF THIS DOCUMENT CONTAINS A WATERMARK-HOLD AT AN ANGLE TO VIEW

⑈ 1427553⑈ ⑆ 221475786⑆ 91261010010003⑈

COUNTY OF SUFFOLK
OFFICE OF THE COUNTY EXECUTIVE



STEVE LEVY
COUNTY EXECUTIVE

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

June 2, 2011

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN CULHANE
COMMISSIONER

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

Re: Tax Map No.: 0501-003-02-053.001, 054 & 055
Name of Redemptor: Estate of Laura DeSario

Dear Mr. Nolan:

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

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

Please draw the Resolution to restore title to Estate of Laura DeSario in line with the Title Report submitted and enclosed herewith.

Very truly yours,

Lori Sklar
Redemption Unit
(631) 853-5937

las
Enclosures

pc: Legislator: The Honorable Thomas F. Barraga

57

Lot 054

Description: Incorporated Village of Brightwaters, Town of Islip County of Suffolk, State of New York, acquired by Tax Deed on July 2, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007, in Liber 12513 at Page 418, and otherwise known as and by Incorporated Village of Brightwaters, Town of Islip, Amended Map of Brightwaters, Sec D, South 55 feet of Lot 4553 and North 30 feet of Lot 4554, Block 171 Filed in the Office of the Clerk of Suffolk County on October 7, 1910, Map No. 12.

Lot 055

Description: Incorporated Village of Brightwaters, Town of Islip County of Suffolk, State of New York, acquired by Tax Deed on July 6, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007, in Liber 12513 at Page 421, and otherwise known as and by Incorporated Village of Brightwaters, Town of Islip, Amended Map of Brightwaters Sec D, South 70 feet of Lot 4554, Block 171 Filed in the Office of the Clerk of Suffolk County on October 7, 1910 Map No. 12.

APPROVED:

Karen Slater 6/2/11

Accounting Unit

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0501	003.00	02.00	054.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2002/03	PAID	1231.97	1231.97
2004/05	PAID	8550.04	8550.04
2005/06	1853.25	8287.32	10140.57
2006/07	1682.18	6696.85	8379.03
2007/08	1511.11	7252.12	8763.23
2008/09	1425.58	7365.35	8790.93
2009/10	0.00	7502.78	7502.78

2003/04 TOWN PROPERTY TAXES PAID BY OWNER

2010/11 TOWN PROPERTY TAXES \$9,260.96 NOT INCLUDED IN COMPUTATION

TOTAL: 53358.55

B. INTEREST DUE	9180.81
C. TOTAL	62539.36
D. 5% LINE C	3126.97
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$65,666.32

Diane M. Stuke

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 14-Apr-11



Diane M. Stuke

Deputy County Treasurer

** Interest and penalty computed to and including

10/11/11

John E. Grossmann Associates, Inc.

Real Estate Appraisers and Consultants

LIMITED SCOPE RESTRICTED APPRAISAL REPORT
(FOR FAIR MARKET VALUE)

Date: April 29, 2011

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

Attention: Debra Wilson, Appraisal Reviewer

*Re: Fair market value estimate-request; 460 Pine Acres Boulevard, Brightwaters,
New York, 11718 Suffolk County Tax Map #501-3-2-53.1,54 and 55.*

Dear Mrs. Wilson,:

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

After an inspection of the subject property area, analysis of comparable sales and evaluation of other factors, I estimate the fair market value of the subject as of April 29, 2011 to be \$300,000.00.

Respectfully,



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

CERTIFICATION OF APPRAISER
SUBJECT: 460 Pine Acres Blvd Brightwaters, New York
(S.C.T.M. #501-3-2-53.1,54 and 55)

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

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

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

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

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

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

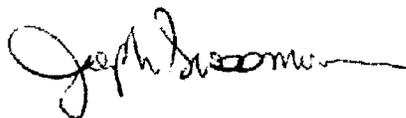
~My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly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

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

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

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

~Based upon the research conducted and the exercise of my professional judgment, I have formed the opinion that the fair market value of the subject as of April 29, 2011 to be: \$300,000.00.



Date: May 12, 2011

Signature:

PURPOSE OF THE APPRAISAL

This appraisal is made for the purpose of estimating the market value of the subject property as of April 29, 2011. Market value is defined as "the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

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

*The Dictionary of Real Estate Appraisal, Third Addition, Appraisal Institute 1993

Reasonable exposure time for a property of this type and within this value range is considered to be approximately 9-12 months, if the property was properly marketed.

PROPERTY RIGHTS APPRAISED

The property rights appraised are ownership in fee simple.

FUNCTION & SCOPE OF THE APPRAISAL

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

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

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

SUBJECT PROPERTY DESCRIPTION

TOWNSHIP: Islip S.C.T.M.: DIST. 501 SECTION 3 BLOCK 3 LOTS 53.1, 54 and 55

LOCATION:

The subject property is located at 460 Pine Acres Boulevard in the Incorporated Village of Brightwaters, Town of Islip, Suffolk County, New York.

DESCRIPTION OF PROPERTY:

As indicated on the Suffolk County Tax Map, the subject site is located on the north-east corner of Pine Acres Boulevard and Iroquois Drive in the Incorporated Village of Brightwaters. The site consists of three tax lots as indicated above. These tax lots are titled in one name and are not held single and separately. The combined site contains 20,000 square feet. The property is improved with a colonial style residence built approximately 1900. The residence is frame construction. It is built over a full unfinished storage basement. It has wood clapboard siding, old wood double hung windows and a deteriorated asphalt shingle roof which was not leaking at the time of inspection. The residence contains seven rooms, four bed rooms and 1 bathroom. The Gross living area is 1,715 square feet. There is a fireplace in the living room, and a rear deck which has some rotted deck boards. There is a detached 2 car garage in the rear of the site. There is no paved driveway on the site. The residence appears to be maintained in an overall fair condition. The exterior needs to be scraped and painted. Some of the wooden fascia on the front and sides of the residence are rotted and need to be rebuilt/replaced. The windows are old and need to be replaced with modern, energy efficient windows to meet the current neighborhood standard. The interior is finished with wood floors, plaster walls and wood trim. Some plaster repair is needed in the living room. The interior is dated and needs to be updated to meet the neighborhood standard. Overall, the improvements are in fair condition with repairs needed.

UTILITIES:

Public electric, gas and water is available to this site.

AREA TRENDS:

The national and local economies have been showing signs of slow growth after an extended deep recession. so been strong. The real estate market remains weak and over supplied with available inventory, despite low interest rates due to low demand, low job security and consumer confidence. Mortgage financing is available to only the most qualified buyers. This has caused a declining value trend over the past several years with a current annual decline of 3% in the subjects neighborhood.

NEIGHBORHOOD:

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

ZONING & CLASSIFICATION:

The subject property is zoned Residence B Residence District by the Village of Brightwaters. This zoning category requires a minimum lot area of 10,000 square feet.

HIGHEST AND BEST USE:

The subject property consists of three separate tax lots which are commonly owned. The existing residence sits on the center tax lot #54. Based on the current zoning, the site contains sufficient area and road frontage to be split into two separate building lots, however, this will require the existing residence be razed. Due to the weak local economy, and real estate market, there is very limited demand for vacant land or new construction at the current time. Therefore, we conclude the current highest and best use is a continuation of the properties current use until the the local market conditions strengthen to a point at which it would be economically feasible to raze the existing residence and redevelop the site as 2 new residences.

The Sales Comparison analysis will be used exclusively to estimate the market value of the subject property as it best reflects the thinking and motivation of buyers and sellers. The analysis is presented below.

	<u>SUBJECT PROPERTY</u>	<u>SALE #1</u>	<u>SALE #2</u>	<u>SALE #3</u>
TAX MAP NUMBER	501-3-2-53.1,54,55	501-1-2-2	501-1-3-93	501-2-4-39
DATE OF SALE	N/A	08/05/2010	08/12/2010	07/06/2010
LOCATION/ADDRESS	460 Pine Acres Blvd Brightwaters	564 N Windsor Ave Brightwaters	468 Peters Blvd Brightwaters	485 Lombardy Blvd Brightwaters
ZONING	Residence B	Residence B	Residence B	Residence B
SPECIFY LANDLOCKED, PAVED, DIRT, PAPER, ETC.	Paved	Paved	Paved	Paved
SITE DIMENSIONS, SQ.FT./ACRE	20,000 SF	10,000 SF	14,250 SF	13500 SF
DESCRIPTION OF IMPROVEMENTS	Colonial Style Residence Rm ct.7-4-1, 1,715 SF Fair Cond.; 2-Car Gar, Deck	Cape Style Residence Rm. Ct. 7-4-1; 1,607 SF Avg cond.; 2-car garage	Exp Ranch Style Residence Rm. Ct.6-3-1; 1237 SF Good cond.; 1-car garage	Colonial Style Residence Rm. Ct. 6-3-1; 1,614 SF Good cond.; 1-car garage
SALE PRICE	N/A	\$240,000	\$329,000	\$334,200
LIBER-PAGE/CERT.#/MLS#	N/A	MLS #2281507/12634-221	MLS #2285604/12635-507	MLS #2274784/12631-701
VERIFIED BY:	N/A	L.A. G. Matherson	L.A. P. Smith	L.A. T.Potter
VERIFICATION DATE:		04/28/2011	05/03/2011	05/06/2011
ADJUSTMENTS	<hr/>			
TIME	04/19/2011	(\$4,800)	(\$6,600)	(\$8,300)
LOCATION	Average	\$50,000	\$0	\$0
LOT SIZE/SHAPE	20,000 SF	\$10,000	\$5,700	\$7,500
ZONING	Residence B	\$0	\$0	\$0
IMPROVEMENTS	Colonial/Fair Condition Rm Ct 7-4-1 1714 +/- SF 2-car gar, Deck, Porch, FP	(\$20,000) \$3,500 \$5,000	(\$40,000) \$14,000 \$3,000	(\$40,000) \$3,500 \$7,500
MARKETABILITY	Average	\$0	\$0	\$0
NET ADJUSTMENTS	N/A	\$43,700	(\$23,900)	(\$29,800)
INDICATED VALUE	\$300,000	\$283,700	\$305,100	\$304,400

EXPLANATION OF VALUE:

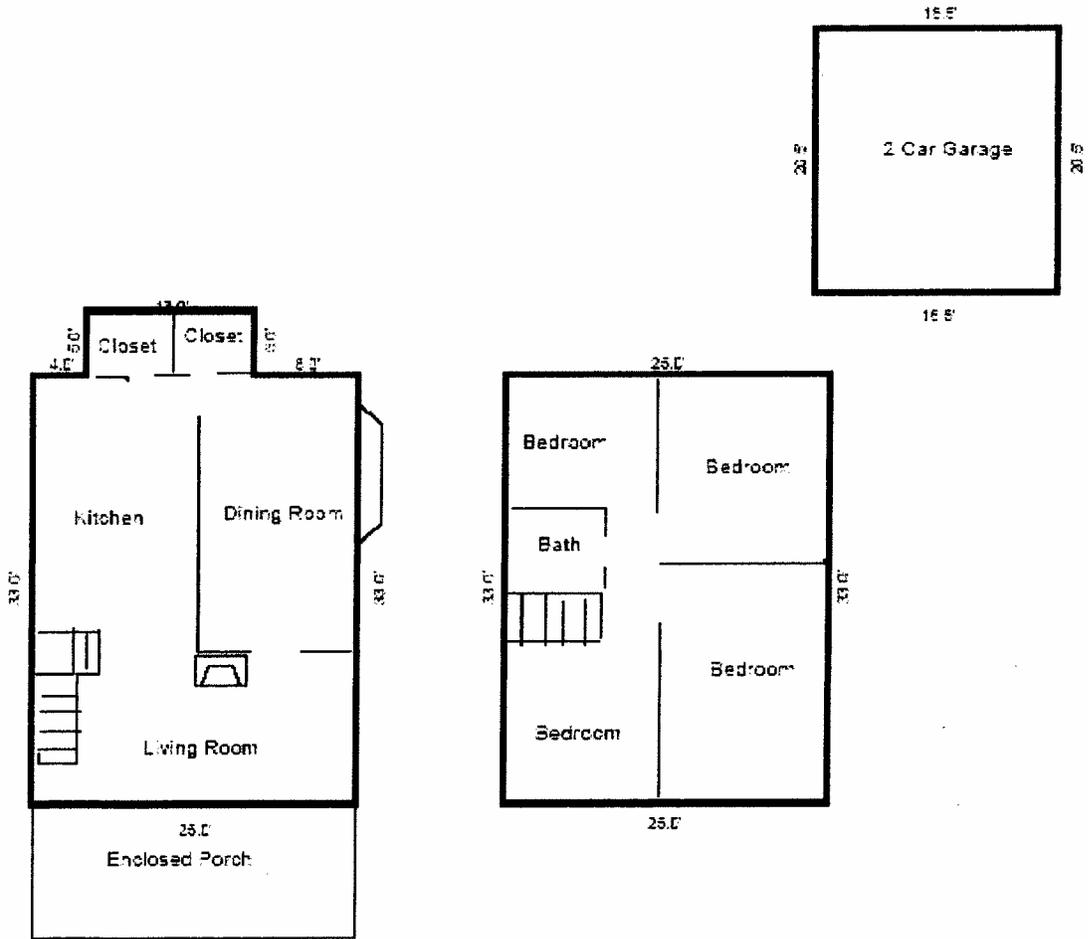
The comparable sales are adjusted for significant differences than the subject. Comparable #1 is located on a moderately traveled road and is close to Sunrise Highway. Its location is inferior to the subjects and this sale requires a positive location adjustment. All sales require a positive site area adjustment due to their smaller lot sizes. The comparable sales are in an overall superior condition than the subject and require negative condition adjustments. The comparable sales are smaller than the subject and require positive size adjustments. Comparable sale #1 has a 2 car garage and a fireplace but lacks an enclosed porch. Comparable 2 has a 1 car garage, a porch and a fireplace. Comparable #3 has a 1 car garage, but lacks a porch and a fireplace. The sales comparison analysis resulted an indicated value of \$300,000 is considered to be a reasonable figure for the subject.

RECONCILIATION AND FINAL VALUE ESTIMATE:

No reconciliation is necessary as the sales comparison approach is the only approach applied. The final value estimate of \$300,000.00 is equal to the result of that approach.

PHOTOGRAPHS OF THE SUBJECT

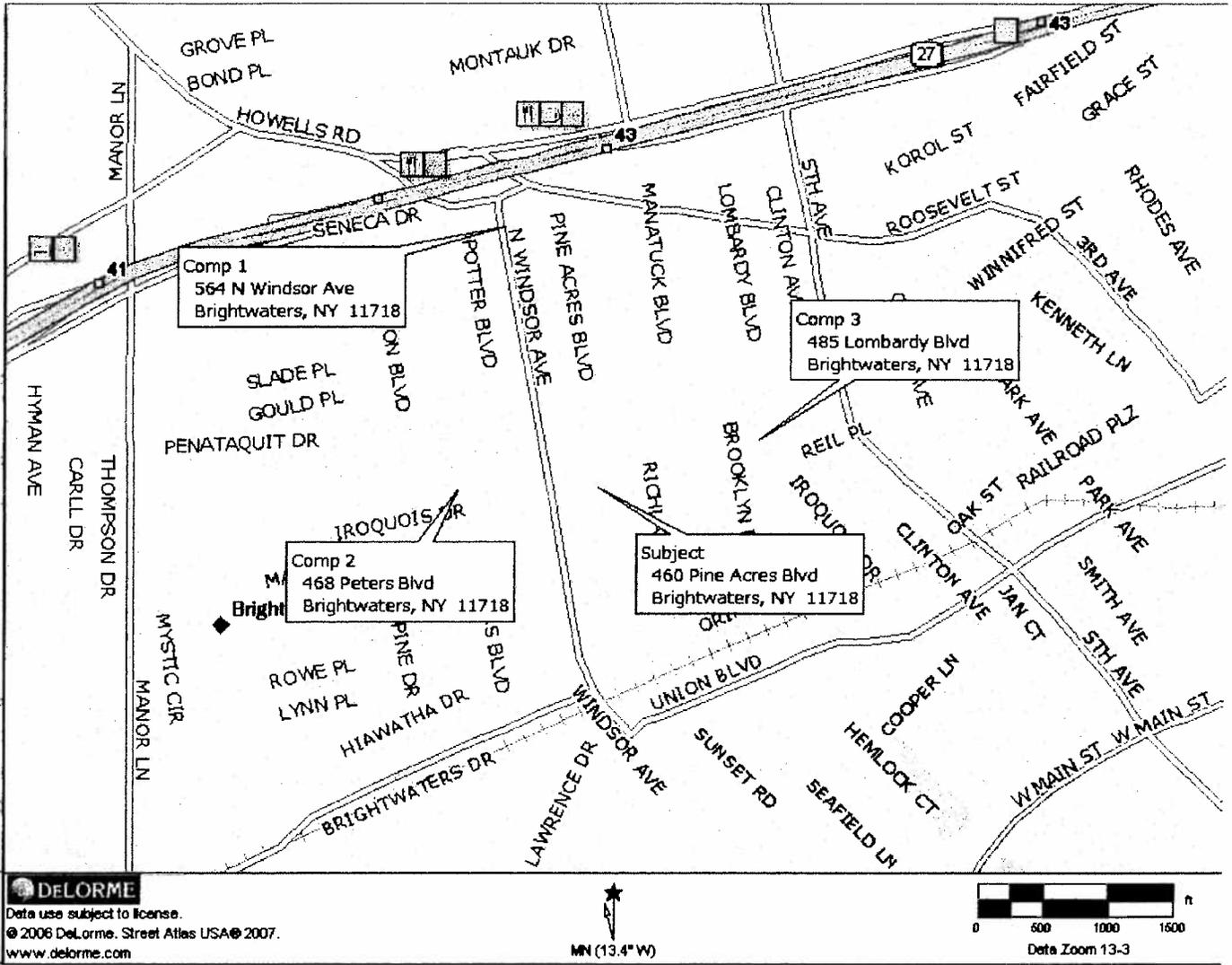




TAX MAP



LOCATION MAP



HAROLD E. BRONHEIM, M. D.
1155 PARK AVE.
NEW YORK, N. Y. 10028
TELEPHONE 212 - 996-5777

March 5, 2011

Medical Opinion Re: Laura DeSario

Materials Reviewed:

1. Medical Records of Emmanuel Sygaco MD (Marc 17- June 28, 2010)
2. Southside Hospital Medical Record (March 15-June 28, 2010)
3. Good Samaritan Hospital Record (April 10, 2010)
4. Southside Hospital Surgical Pathology Report (March 19,2010)
5. Death Certificate July 4, 2010
6. Email and copy of Insurance Claims March-July 2010
7. Affidavit of David DeSario
8. Affidavit of JoAnn Israel
9. Affidavit of Carmine Chiapetta
10. Affidavit of Penelope Wood
11. Letters from North Fork Bank and Emigrant Savings Bank regarding uncollected funds from 2007 & 2008
12. Copies of several paychecks that went un-deposited dated Sept 6, 2007; Jan 3, 29, 2009
13. Accounting of tuition related payments from Vassar College for David DeSario
14. Letter of Administration for David DeSario



REVIEW: In a careful review of all the above documents it is clear that the cause of death of Laura DeSario was from Metastatic Breast Carcinoma. It is also abundantly clear, that despite suffering from advancing disease over many years Mrs. DeSario never informed anyone, sought, or obtained any help for her illness until several months before her death on July 4, 2010. Because of the absence of any insurance record prior to her hospitalization in March 2010, it is also clear that Mrs. DeSario did not seek any other treatment for the Breast Cancer prior to her terminal illness. In addition, even when she did finally did seek help on March 15, 2010 at Southside Hospital she still downplayed the extent of her illness and denied virtually all symptoms except for some Nausea & increase abdominal size. In response to all other enquiries she denied all medical symptoms despite an obvious rock hard Breast tumor.

Denial and Neglect are the central themes that run through the evidence, medical records, and Affidavits. The Affidavits of 2 friends, 1 neighbor, and her son David speak to denial, neglect, and deterioration of Mrs. DeSario's home, physical appearance, and general state; while offering superficial expressions of concern that her son not have to suffer the same as she did with her mother. In fact Mrs DeSario was living in an unreal, isolated state of denial while neglecting her physical health, financial obligations or paying bills and collecting funds, or attending to the state of her home. While hospitalized Mrs DeSario identified her son as the individual to contact in case of an emergency suggesting a normal mother/son relationship. However, she communicated nothing to him about her illness. Therefore, Mrs DeSario acted in a grossly abnormal fashion with regard to her health by comparison to her normal former self as well as by comparison to her peer group. In addition, there is no evidence of any other medical examination or treatment for any other condition through her Insurance records.

HISTORY: Mrs DeSario was a seemingly normal average middle class white woman who attended church and had friends. She lived alone in her own home on Long Island, after separation from her ex-husband in 1990 and divorce in 1996. She commuted to work at Lincoln Center where she had been employed for decades. She has a son David who was raised in the house that she lost due to nonpayment of property taxes.

According to her friends (as reported in their Affidavits), Mrs DeSario became unusually withdrawn in 2002 for several weeks and thereafter never adequately accounted for her behavior. From that time onward, despite continuing at her job, Mrs DeSario psychologically, physically, and behaviorally deteriorated. She lost weight, and seemed disinterested in her appearance. She was only 48 years old. In addition she neglected the upkeep and appearance of her house and yard such that the local community at their own initiative did so instead. This take over of the yard work by her neighbors, occurred many years before her death in 2010. In addition, Mrs DeSario despite warnings from her bank failed to take action to collect over \$130,000 that was owed to her. In addition on several occasions she failed to deposit her paychecks and therefore lost thousands of dollars.

According to the Affidavits of woman friends and her son David, Mrs DeSario had a disturbed relationship with her mother. At the very young age of 10 years Laura was subjected to the anxious/helplessly dependent behavior of her mother. The mother developed skin cancer of the face and did not obtain proper medical care. Skin cancer (except for Melanoma) is usually a very slow, locally spreading disease. Laura's mother inexorably became disfigured and withdrawn and refused to seek definitive surgical treatment. The mother grew increasingly dependent upon Laura who grew up isolated, ashamed, and not permitted to bring friends home to visit. Laura cared for her mother until her death when Laura was 27. For a child to have to care for an adult with a hideous illness is a source of psychological wounding leading to guilt, shame and resentment. In the Affidavits of her friends, they relate how years later Mrs. DeSario repeatedly stated that she would never subject her son to the same abuse. In addition, in the "Family History" section of her hospital admission form, it records that her father had head and neck cancer. (Head and Neck Cancers are almost always treated with surgery; and are almost always disfiguring). This would have also been very distressing for Mrs DeSario increasing her turn inwards.

The tragedy for Mrs DeSario is that she also developed cancer at the young age of 48 in the year 2002. According to the pathology report of 2010, Mrs DeSario developed moderately differentiated infiltrating duct Breast Carcinoma which tested favorably for a variety of hormone receptors. This means two things prognostically: one; if ignored and left un-treated it would take about 10 years to kill her; and two, she could have almost certainly been saved if she would've underwent a simple lumpectomy and hormone therapy. If she would have it is



almost certain that she would be alive today. Because she did not, or, could not, the cancer slowly grew and metastasized to her brain, liver, chest, and added 20 or more pounds of fluid exudate produced in her abdomen. By the time she sought treatment for "Nausea", it was far too late to salvage her. When she finally came to Southside Hospital she was still deep in her Denial. Her tone was not anxious but matter-of-fact. She denied any medical problems, and only reluctantly allowed her Breast to be examined or biopsied. Furthermore, even after treatment was initiated she refused to allow her breast to be examined in subsequent hospitalizations.

OPINION: Everything in the record is consistent with a Diagnosis of Breast Cancer, going back as far in time as 2002, with subsequent decline, and ultimately metastasis and finally death on July 4 2010. Although her decline and actual death were from Breast Cancer her denial and neglect and severe dissociation made her illness tragic. The childhood trauma of caring for an anxious, dependent, disfigured mother, traumatized her to such an extent that when she later became ill, she psychologically regressed into an extreme state of denial. Aside from neglecting her physical health such intense denial is usually associated with wider neglect in other areas of life such as finances, and personal obligations. The double tragedy for Mrs DeSario is that if she would have been able to tolerate even a small degree of awareness then she could have been successfully treated for both her Breast Cancer and her psychological trauma.

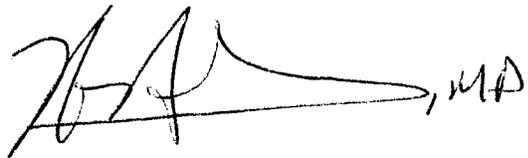
DIAGNOSEES: Mestatic Breast Cancer, Infiltrating Duct Type, Stage IV

Post Traumatic Stress Disorder

Major Depression-Anxious Type

CONCLUSION: Because of her Breast Carcinoma and her Psychiatric Disorder, Mrs DeSario was incapacitated and unable to act in a normal fashion to care for herself or attend to her financial obligations



A handwritten signature in black ink, appearing to read 'H. Bronheim, MD'. The signature is stylized and includes a long horizontal stroke extending to the right.

Harold Bronheim MD
Clinical Professor of
Medicine & Psychiatry
Member of the Medical Board
Mt Sinai Hospital

A small, stylized handwritten mark or signature in the bottom right corner of the page.

CURRICULUM VITAE

NAME: Harold Bronheim, M.D.

ADDRESS: 1155 Park Avenue
New York, NY 10128
(212) 996-5777

DATE OF BRITH: April 30, 1952

PLACE OF BIRTH: New York

CITIZENSHIP: United States

EDUCATION: 1974 B.S. in physics, SUNY at Stonybrook, NY

1980 M.D. SUNY at Downstate Medical Center,
Brooklyn, NY

HONORS/AWARDS: Fritz Traveling Fellowship for foreign graduate study
in neurology at Queen Square Hospital, London, 1979
(Downstate Medical Center, NY)

POSTDOCTORAL TRAINING:

Medicine: 1980-1981 Intern, Mount Sinai Hospital, New York
1984-1985 Resident, Beth Israel Medical Center, NY

Psychiatry: 1981-1984 Resident, Mount Sinai Hospital, New York
1983 Chief Resident, Mount Sinai Hospital, NY

Psychoanalysis 1981-1988 Private

CERTIFICATION: Diplomate, American Board of Psychiatry and
Neurology, 1985
Diplomate, American Board of Internal Medicine, 1986
Added Qualifications, Subspecialty Boards -
Geriatric Psychiatry, 1991, 2001

Psychosomatic Medicine; 2005
Diplomate, American Academy of Pain Management, 2003

LICENSURE: 1980 - present, New York State, #146373

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ACCADEMIC APPOINTMENTS:

1985-1988	Instructor, Mount Sinai School of Medicine, New York
1989-1994	Assistant Clinical Professor, Department of Psychiatry
1992-1994	Assistant Clinical Professor, Department of Medicine
1995-2003	Associate Clinical Professor, of Psychiatry & Medicine
2003-present	Clinical Professor of Psychiatry & Medicine Mt Sinai School of Medicine

PROFESSIONAL SOCIETIES

American Psychiatric Association
American Psychosomatic Association
Academy of Psychosomatic Medicine (Fellow)
American Academy of Psychoanalysis (Fellow)
Association of Medicine & Psychiatry
American Academy of Pain Managment

HOSPITAL APPOINTMENT:

MEDICAL BOARD Mt Sinai Hospital NYC 2011-

Association of Attending staff:
Executive Committee Member; 2009-2011

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CITATION:

New York Magazine "Best Doctors" June 18, 2007
New York Magazine "Best Doctors" June 16, 2008
New York Magazine "Best Doctors" June 19, 2009
New York Magazine "Best Doctors" June 19, 2010

Castle & Connolly Guide "The Best Doctors in the NY Area"
Castle Connolly Medical Ltd, NY, 1994(1st ed)-2011(14th ed.)

"Guide to America's Top Psychiatrists", Consumers' Research Council of
America, 2020 Penn Ave Washington, D.C. Nov., 2002-2010

"America's Top Doctors", Castle Connolly 2002(1st ed)-2011(10th ed.)

Not for Profit BOARD:

Board Member; "One Stop" (Senior Citizen Assistance) 2004-2010,
747 Amsterdam Ave New York NY 10025
Governance Committee Chair 2005-2006

COMMITTEES:

CHAIR: Task Force on Practice Guidelines for Psychiatric Consultation

in General Medical Setting
Academy of Psychosomatic Medicine 1996-1998
MEMBER: Task Force on Medicaid Managed Care & C-L Psychiatry
Academy of Psychosomatic Medicine- 1996
MEMBER: Subcommittee on C-L Residency training Programs
Academy of Psychosomatic Medicine 1998-2000
MEMBER: Study Group on Psychoanalysis & Religion
American Academy of Psychoanalysis 1999-2002
MEMBER: Task Force on Added Qualifications
Academy of Psychosomatic Medicine 1999-2002
MEMBER: Constitution Committee
Academy of Psychosomatic Medicine 2006-2008
Member: Governance Committee 2009-2011
Chair; Constitution & By-Laws Sub-Committee

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MEDIA:

NY Observer Online Oct 14, 2008 www.observer.com/2008/real-estate/local-stress-wall-street

Radio; Hellas News Interview December 9, 2008; "Fays Corner"
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LETTERS: The Role of Faith in Psychiatry (Psychiatric Times) Vol
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ADVISOR/REVIEWER:

Advisor; DSM-IV work group on Psychiatric Systems Interface
Disorders, American Psychiatric Assoc
"General Hospital Psychiatry", 1993-
"Psychosomatics", 1994-
"Psychosomatic Medicine", 1994-
"Psychiatric Services (Hosp & Cmnty Psych- A.P.A.)", 1996
"J of the Academy of Psychoanalysis 2002-

PUBLICATIONS:

BOOK:

"Body & Soul: Object Relations in Faith Religion & Healing
Jason Aronson, Northvale, NJ 1998

- Reviewed: 1. Psychosomatics 40:5 1999 p446
2. "Books Received; (Honorable Mention) The American
Journal of Psychoanalysis; 53(9) 1999, pg 295
3. Reviewd: Amazon.com; Oct 17, 2003
4. Reviewed: Psychotherapybookclub.com; JSavage MD

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PRACTICE GUIDELINES:

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Psychosomatic Medicine Practice Guidelines on Psychiatric
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"Practice Guidelines for the Treatment of patients with
Delirium" Supp Amec J Psychiatry 156(5) p17-Reviewer

BOOK REVIEWS:

"Body Process: working with the body in psychotherapy"
(Kepner,JI), Psychiatric Services (Hosp & Cmnty Psych)
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"Objects of Hope" (Cooper SH), J of the Academy of
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"The Affairs of Men" (Kaye HE), J of the Academy of
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"Interpersonal Reconstructive Therapy" (Benjamin LS)
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"My Life in Theory" (Rangell, L) J of the Academy of
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"The Body as Mirror of the World" (Janine Chasseguet
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"Relational & Intersubjective Perspectives" Jon Mills ED
Academy Forum Amec Acad of Pschoanalysis Vol 53 No1 2008 pg 22

On Freud's Future of an Illusion: Mary O'Neil & Salman Akhtar
eds. J of the Academy of Psychoanalysis Vol 38(3) 2010 pp 553-9

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In Stoudemire A, Fogel B (eds), Psychiatric Care of the Medical
Patient, Oxford University Press, New York, 1993
2. Bronheim H, Medical Views of Capacity to Make Health Care
Decisions, In Rikoon JJ. (ed) Handling Your First Health Care
Proxy, Living Will, and Durable Power of Attorney, Practicing Law
Institute, NY, 1992
3. Bronheim H, Psychotherapy, in Hammer JS, Strain JJ, et al: The
Continuing Evolution and Update of a Literature Database for

Consultation-Liaison Psychiatry: Micro-Cares Literature Search System 1993, Supplement to Vol 15, No 6 Dec 1993 General Hospital Psychiatry

4. Bronheim H, The Role of Faith in Mental Healing, in Severino SK, Liew R, (ed): Pastoral Care of the Mentally Disabled, Haworth Press, NY 1994
5. Bronheim H, Psychiatric Implications of Head & Neck Surgery in Major Flap Utilization In Atlas of Regional Free Flaps for Head and Neck Reconstruction Urken, M, Cheney, M, Sullivan, M (eds), 1995 Lippincott Williams & Wilkins
6. Bronheim H, Otolaryngology, in Stoudemire A, Fogel B (eds), Psychiatric Care of the Medical Patient, 2nd edition Oxford Univ Press, New York, 2000
7. Bronheim H., ENT in Consultation-Liaison Psychiatry Database (2000 Update), General Hosp Psych 21, 1999 pp 462-463
8. Bronheim H, Psychotherapy in Consultation-Liaison Psychiatry Database (2000 Update) Gen Hosp Psychiatry 21, 1999 pp 488-489
9. Bronheim H Psychotherapy in Psychosomatic Medicine in the 21st Century Bloomfield M & Strain JJ eds. Chap 43 Lippincott Williams & Wilkins Philadelphia, PA, 2006 pps. 801-816

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2. Bronheim H, Strain JJ, Iberti T: Depression in the ICU. Special article. Critical Care 13(11), 1985.

3. Cameron D, Rogelio T, Mulvihill M, Bronheim H: Delirium: A test of the Diagnostic and Statistic Manual III criteria on medical inpatients. J Am Geriatrics Society 35:1007-1010, 1987.
4. Bronheim H, Strain JJ, Biller H, Fulop G: Psychiatric consultation on an otolaryngology liaison service. Gen Hosp Psychiatry 11:95-102, 1989.
5. Bronheim H: Track-II diplomacy. (Letter to the Editor) J Am Psychoanalytic Assoc 37(4):1125-1126, 1989.
6. Bronheim H, Strain JJ: ENT Section. In Strain JJ, et al: The evolution of a literature search schema for consultation/liaison psychiatry: The database and its computerization. Gen Hosp Psychiatry 12(4)S:1-54, 1990.
7. Bronheim H, Strain JJ, Biller HF: Psychiatric aspects of head and neck surgery, Part I. New surgical techniques and psychiatric consequences. Gen Hosp Psychiatry 13:165-176, 1991.
8. Bronheim H, Strain JJ, Biller HF: Psychiatric aspects of head and neck surgery, Part II. Body image and psychiatric intervention. Gen Hosp Psychiatry 13:225-232, 1991.
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13. Bronheim H: Psychoanalysis and Faith, Journal of the American

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14. Bronheim H, Strain JJ, Fulop G, Garcia-Rodriguez, Campos R
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Medicina Vol 6(3), 1995 pp 205-210 (Spain)
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Object Relation's Role in Body Image" Psychiatric Times
December 1995 Vol XII No. 12
16. Bronheim H "Psychotherapy of the Medically Ill: The Role of
Object Relations in Body Image & Grief", Journal of the
American Academy of Psychoanalysis 24(3), 515-526 1996
17. Stoudemire A, Bronheim H, Wise T "Why Guidelines For C-L
Psychiatry" Psychosomatics 39(4) 1998 Supp 2 S3-S7
18. Bronheim H, Fulop G, Kunkel E, et al; "The Academy of
Psychosomatic Medicine Practice Guidelines on Psychiatric
Consultation in the General Medical Setting". Psychosomatics
39(4) 1998 Supp 2; S8-S30

ABSTRACTS:

1. Strain J, Fulop G, Liebovits A, Bronheim H: Organic mental disorders screening devices. Am Psychiatric Assoc, 1986.
2. Fulop G, Bronheim H, Strain JJ: Outcome of geriatric inpatient medical unit psychiatric evaluation: Screening vs consultation modalities. NIMH Research Conference on Psychiatric Intervention in Primary Care, June 1988.
3. Bronheim H, Strain JJ, Biller H, Fulop G: Psychiatric consultation on an otolaryngology service. Proceedings of the 35th Annual Meeting, Academy of Psychosomatic Medicine, November 1988, p 7.
4. Fulop G, Strain JJ, Bronheim H: Psychiatric consult versus screen on a geriatric unit. Psychosomatic Medicine 51:244-266, 1989.
5. Garcia-rodriguez P, Bronheim H, Tracheostomy and Psychiatric Comorbidity in ENT Patients, Proceedings of 41st Annual Meeting Academy of Psychosomatic Medicine, Psychosomatics Vol 1995

PRESENTATIONS:

1. Grand Rounds: "Ethics in medicine." Department of Medicine, Brooklyn Cumberland Hospital, January 1988.
2. "Lupus and interpersonal relationships." S.L.E. Foundation, New York, April 1988.
3. "Psychiatric consultation on an otolaryngology service." Annual Meeting, Academy of Psychosomatic Medicine, November 1988.
4. "Body Image Changes in the Surgical Setting" Grand Rounds, Department of Psychiatry, Mount Sinai Hospital, May 1990.
5. "Psychoanalysis and faith." Annual Meeting, American Academy of Psychoanalysis, May 1991.
6. "Medical views on capacity to make health care decisions" Practicing Law Institute, New York, May 1992.
7. "The role of faith in mental healing: Psychoanalysis and Faith" Mending the Mind and Minding the Soul Symposium, NY Hospital Cornell Medical Center, Westchester Division, May 1992
8. "Clinical approaches to the head & neck surgical patient " Grand Rounds Memorial Sloan-Kettering Cancer Center, NY June 1992
9. "Psychotherapy of the Head & Neck surgical patient" Academy of Psychosomatic Medicine, annual meeting, October 1992
10. "Variations of Psychotherapeutic Techniques in the Medical Setting" Symposium Moderator, Academy of Psychosomatic Medicine, annual meeting, San Diego October 1992
11. "Psychopharmacology of the Medically Ill" Department of Psychiatry Beth Israel Hospital NY November 1992
12. "The psychological effects of working with medical illness" Eastern Group Psychotherapy Society, annual meeting, NY November 1992

13. "Psychoanalysis and Faith", Institute of Religion and Health Symposium; Discovering the Oneness , March 27, 1993, NYC

Harold Bronheim, MD
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Page 11

14. "Grand Rounds" Dept of Psychiatry, Mt Sinai School of Medicine Lethal Catatonia, April 27, 1993
15. "Psychotherapy of Otolaryngology Patients undergoing plastic Reconstruction" The American Institute of Life Threatening Illness and Loss, Columbia Presbyterian Medical Center May 19, 1993
16. "Psychosocial Interventions in the Medical Setting", Symposium Chair, Academy of Psychosomatic Medicine Annual Meeting, New Orleans, Nov 13, 1993
17. "Dealing with the Difficult Patient" Conference FOJP Mt Sinai School of Medicine October 6, 1993
18. "Psychosocial Interventions in the Medical Setting" Symposium Chair, Academy of Psychosomatic Medicine, annual meeting New Orleans, November 13, 1993.
19. "Faith and Healing" American Academy of Psychoanalysis annual meeting, New York City, December 10, 1993.
20. "Psychotherapy and Faith" Blanton-Peale Institute for Religion and Health, December 15, 1993 New York City
21. "The Clinical Management of Chronic Pain" Division of General Medicine Grand Rounds, Mt Sinai School of Medicine, April 26, 1995.
22. "Development of Psychoanalysis & Psychoanalytic Process", Symposium Evaluator, American Academy of Psychoanalysis, 39th Annual Meeting, May 19, 1995, Miami Beach, FL
23. "Psychotherapy of the Medically Ill" American Academy of Psychoanalysis, 39th Annual Meeting, May 21, 1995, Miami

Beach, Fl.

24. "Psychotherapy of the Medically Ill", Symposium Chair, 42nd Annual Meeting, Academy of Psychosomatic Medicine, Nov 1995 Palm Springs, CA.
25. "The Role of Faith & Religion in the Psychotherapy of the Medically Ill", 42nd Annual Meeting, Academy of Psychosomatic Medicine, Nov 1995, Palm Springs, CA.

Harold Bronheim, MD

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26. Grand Rounds "Is There a Role for Religion in the Psychotherapy of the Medically Ill" Dept of Psychiatry, NY Medical College & Westchester County Medical Center, February 22, 1996.
27. "Body Image in the Medically Ill" American Academy of Psychoanalysis, Annual Meeting May 3, 1996 New York
28. Grand Rounds "Is there a Role For Religion in the Psychotherapy of the Mentally Ill" Hudson River Psychiatric Center, Poughkeepsie, NY June 26, 1996
29. Grand Round "Managing the Difficult Patient & Family", Dept. of Otolaryngology, Mt Sinai Hosp, NYC, Aug 14, 1996
30. "Psychotherapy of the Medically Ill", Symposium Chair, 43rd Annual Meeting, Academy Psychosomatic Medicine Nov 14, 1996 San Antonio, Texas
31. "Constructing Practice Guidelines for Psychiatric Consultation in the Medical Setting" Workshop Chair, 43rd Annual Meeting, Academy of Psychosomatic Medicine Nov 15, 1996 San Antonio, Texas
32. "Introduction to Practice Guideline Methodology", 43rd Annual Meeting, Academy of Psychosomatic Medicine, Nov 15, 1996 San Antonio, Texas
33. Grand Rounds "Is there a Role for Religion in the Psychotherapy of the Medically Ill The MAYO CLINIC Rochester MN Oct 21, 1997
34. "Shame: The Hidden Affect" Annual Meeting of the American Academy

of Psychoanalysis May 29, 1998 Toronto Canada

35. Clinical Case Conference: Psychotherapy of a patient with Multiple Personalities, Annual Meeting of The Amec Psychiatric Assoc Toronto, Canada June 3, 1998
 36. Grand Rounds "The Role of Faith in Psychotherapy of the Medically Ill" Dept of Psychiatry Bronx Lebanon Hospital NYC July 28, 1998
 32. "Object Relations & Truth" American Academy of Psychoanalysis Annual Meeting, Washington DC May 16, 1999
 38. The use of Countertransference in the Care of the Medically Ill Workshop Moderator; Academy Psychosomatic Medicine Annual Meeting New Orleans Nov 19, 1999
- Harold Bronheim, MD
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39. The Effects of Medical Illness on Capacity & Undue Influence; Columbia Law School and the NY Bar Assoc Symposium on the Effects of Illness, aging and Emotional Trauma on Testamentary Capacity and Transmission of Property, NYC April 28, 2000 Columbia Law School
 40. Discussant, Expressions of the Unconscious, American Academy of Psychoanalysis Annual Meeting Chicago Ill May 12, 2000
 41. Meet the Author; Body & Soul: The Role of Object Relations in Faith Shame & Healing American Academy of Psychoanalysis Annual Meeting Chicago, Ill May 13, 2000
 42. Moderator Evaluation of Complex Somatoform Patients Symposium Academy of Psychosomatic Medicine Annual Meeting Palm Springs, CA November 18, 2000
 43. Why do Treatment Resistant Somatoform Patients Resemble Borderlines? Academy of Psychosomatic Medicine Annual Meeting Palm Springs, CA November 18, 2000
 44. Grand Rounds, "The Role of Faith in the Psychotherapy of the Medically Ill", Mt Sinai Dept of Psychiatry, New York, NY December 12, 2000

45. Grand Rounds "The Role of Faith in Psychotherapy" Albert Einstein School of Medicine; Montefiore Hosp, Bronx, NY October 31, 2002.
46. Sermon "Thou Shall be Holy for I your God am Holy"; Central Synagogue, NY, NY October 6, 2003
47. "Psychotherapy Failure Without Nihilism" (paper accepted) Amec Academy of Psychoanalysis Annual meeting NY, NY May 1, 2004
48. Visiting Professorship; "Nosology Based on Etiology: Are we ready for a new diagnostic system" Evangelisches Krankenhaus Konigin Elisabeth Herzberge, Berlin, Germany April 29, 2004
49. "Mental Capacity in the Courtroom" NYS Bar Association Fall Meeting; Trusts & Estates Law Section, New York City Sept 30, 2005
50. "Our Need To Believe Things That are Not True: Self Hatred as a Transitional Object. American Academy of Psychanalysis & Dynamic Psychiatry Annual Meeting May 23, 2010 New Orleans, LA

Harold Bronheim, MD

Curriculum Vitae

Page 14

ACADEMIC SUPERVISION & CLINICAL ACTIVITIES:

HOSPITAL APPOINTMENT:

Director of Consultation Section of the Division of Behavioral Medicine and Consultation Psychiatry, Mount Sinai Hospital, New York, 1985 - 1990.

MEDICAL SCHOOL APPOINTMENT:

PRECEPTOR: The Art and Science of Medicine
Mt Sinai School of Medicine; 2001-2003

OTHER:

Supervision of the psychiatric residents and fellows, Division of

Behavioral Medicine and Consultation Psychiatry, Mount Sinai School of Medicine, New York, 1985-PRESENT.

Liaison psychiatrist & member of the teaching staff Department of Otolaryngology, Mount Sinai Hops, New York, 1985 - 1998.

As noted in "Dept of Otolaryngology- Head & Neck Surgery: An Historical Review 1879-2009" page 67

Ombudsman conference (weekly). Department of Medicine, Mount Sinai Hospital, New York, 1989 - 1991.

Member of the ECT Panel, Mount Sinai Hospital, New York, 1985-97.

Liaison psychiatrist to the Surgical Intensive Care Unit, 1984.

Liaison psychiatrist to the Geriatric Service, 1986.

Supervision of Medical Students, Morchand Center, Mt Sinai School of Medicine, 1985- 2000

Member of the Physician Work Group for E.P.I.C. EMR AAS Mt Sinai Hospital 2006-2007

Harold Bronheim, MD

Curriculum Vitae

Page 15

LEGAL CONNSULTATION:

To Paul, Weiss, Rifkind, Wharton & Garrison, New York, NY 1986-87.

To Harley & Brown, New York, NY 1988-89, 94.

To George & Korin, Woodbury, NJ, 1990.

To Practicing Law Institute, New York, NY 1992.

To Grover & Bloch. New York, NY 1992.

To Consulate General of the German Federal Republic
New York, NY 1993-94.

To Baden, Kramer, Huffman, & Brodsky. New York, NY 1993.

To Harley & Brown. New York, NY 1993.

To John Bonomi, Esq New York, NY 1994.

To Grover & Bloch. New York NY 1995.

To Dolores Belgrave, Esq Philadelphia, PA 1995.

To Harley & Brown, New York, NY 1995.

To Grover & Bloch, . New York, NY 1996.

To Harley & Brown, New York, NY 1997-98

To Farrel, Fritz, Cammerer, Cleary, Baronsky & Armentano
Uniondale, NY 1997-98.

To Kaye, Scholer, Fierman, Hays & Handler NY 1998

To Columbia Law School and the NY Bar Assoc Symposium on the Effects
of Illness, aging and Emotional Trauma on Testamentary Capacity
and Transmission of Property, NYC April 28, 2000 Columbia Law
School

To Wiggin & Dana; New Haven Cn 2001-2002; Davis v Levine; Yale-New
Haven Hosp; Expert testimony at Deposition 10/21/2002

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To Wiggin & Dana for the Danbury Hosp, New Haven CN 2001

To Blair Fensterstock & Associates, NY Keogh v Texaco 2001-2002;
Expert Testimony at Deposition 4/15/2002

To Blair Fensterstock & Associates, NY; Springer v Temkin 2001-2004
Expert Testimony in Court Aug 3, 2004

To Carlucci & Giardinia, NY; Washington v Interfaith Med Center;
Jan 2003

Sworn Testimony before Special Master Hearing Re: Appeal of Decision;
US Dept of Justice-Sept 11 Victim Compensation Fund; March 5, 2004

To Farrel & Fritz, Uniondale NY; Probate of Estate of Anita April 2005

To Farrel & Fritz, Uniondale NY; Probate of Estate of Gloria Bronner
2005

To Farrel & Fritz, Uniondale NY: Probate of Estate of Esmond Martin
2006

"Mental Capacity in The Courtroom" NY Bar Association Fall Meeting;
Trusts & Estate Section, NYC, Sept 2005

Testimony in Court "Competency Hearing of Aeliene Bell NYC March 12,
2007

To Kelly Drye & Warren 101 Park Ave NYC; Expert Consultant in Will
Contest April 2008 in advance of settlement Re: Estate of Howard
Wallace

To Stephen Paganuzzi, Esq. competency evaluation prior to will
construction (Cutler) April 2010

To Bill Anzalone, Esq. Anzalone Law Office Wilkes-Barre, PA
banzalone@anzalonelaw.com Opinion Nov 2009 regarding pain & Suffering
in Traumatic Injury & Death prior to settlement in Andrew
Tuck, deceased vs Knight Transportation et al file no:08379-001

Harold Bronheim, MD
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Page 17

Member American Physical Society, 1974

Physicist, Policy Analysis Division
National Center for Analysis of Energy Systems
Brookhaven National Lab 1974-1976

U.S. Representative for Systems Analysis
International Energy Agency at B.N.L. - 1975-1976

Publications:

Bronheim H "Future Oil Supply to the Northeast United States" 1976
BNL 50557, Upton, NY

An Initial Multi-National Study of Future Energy Systems and Impacts
of Some Evolving Technologies, 1977, Joint Publication- BNL 50641 &
Jul-1406; Brookhaven National Lab, NY & Kernforschungsanlage Julich,
Germany

Jones H, Bronheim H, Palmedo P, Electricity Generation and Oil
Refining, MESA NY BIGHT Atlas Monograph 25, 1975, New York Sea Grant
Institute, Albany NY

Bronheim H, "Correspondence: Nuclear Peace" April 24, 2003. The New
Republic Online www.tnr.com



BIG APPLE ABSTRACT CORP.

42-40 Bell Boulevard, Bayside, New York, 11361 • (718) 428-6100 • Fax (718) 428-2064 • (212) 751-3225 • (516) 222-2740

February 28, 2011

IVARS BERZINS, ESQ.
484 West Main Street
Babylon, New York 11702

Re: Title No.: A-20958
DESARIO
Premises: Suffolk County
District 0500 Section 003.00 Block 02.00
Lots 053.001, 054.000, 055.000

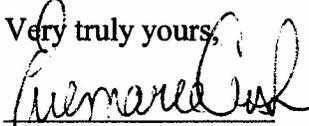
Dear Mr. Berzins:

In reference to your request on the above described file, enclosed please find the following:

(x) Attorney Search

Attached hereto please find our bill to cover the cost of same.

Should you have any questions, please contact the undersigned.

Very truly yours,

Evemarie Crish

Enc.

THE LIABILITY OF THIS COMPANY TO THE APPLICANT FOR THIS SEARCH IS LIMITED TO \$1,000.00. AS TO SEARCHES MADE IN THE OFFICE OF THE SECRETARY OF STATE, NO LIABILITY IS ASSUMED WITH RESPECT TO ANY INSTRUMENTS NOT ACTUALLY REPORTED TO THIS COMPANY BY SAID OFFICE. RELIANCE UPON THE INFORMATION HEREIN BY ANYONE OTHER THAN THE APPLICANT IS AT THE SOLE RISK AND RESPONSIBILITY OF SUCH PERSON OR PERSONS. BY RECEIPT AND USE OF THIS REPORT, THE USER AGREES TO COMPLY WITH ALL PROVISIONS, STATE AND FEDERAL, OF THE FAIR CREDIT REPORTING ACT AND FURTHER AGREES NOT TO DISSEMINATE, IN ANY WAY, THE INFORMATION CONTAINED IN THIS REPORT, TO THIRD PARTIES. THIS COMPANY HEREBY DISCLAIMS LIABILITY FOR ANY SUCH UNAUTHORIZED DISSEMINATION. THIS REPORT DOES NOT CONTAIN CERTAIN "STALE" INFORMATION, WHICH CAN NOT BE DISCLOSED PURSUANT TO THE FAIR CREDIT REPORTING ACT.

AMENDED SOURCE OF TITLE

Title No.: A-20958

Premises known as:

District 0500 Section 003.00 Block 02.00 Lot 053.001

CHAIN OF TITLE:

William H. Von Heill, as successor Executor of the Estate of Freida S. Von Heill, deceased, and as Executor of the Estate of Bertha C. Von Heill, deceased to James De Sario and Laura De Sario, his wife, dated November 24, 1982, recorded December 6, 1982, in Liber 9280 cp 87 (cover premises under examination and more)

James De Sario and Laura De Sario to Laura De Sario, dated November 15, 1995, recorded December 28, 1995, in Liber 11755 cp 949

John C. Cochrane, as County Treasurer to County of Suffolk, to Suffolk County, dated June 29, 2005, recorded July 15, 2005, in Liber 12397 cp 973 (default in payment of taxes 2002/2003, sold December 2003)



053.001



**SUFFOLK COUNTY CLERK
RECORDS OFFICE
RECORDING PAGE**

Type of Instrument: DEEDS/DDD
Number of Pages: 10
Receipt Number : 05-0073748
TRANSFER TAX NUMBER: 04-49246

Recorded: 07/15/2005
At: 01:44:37 PM
LIBER: D00012397
PAGE: 973

District: 0500 Section: 019.00 Block: 02.00 Lot: 028.000

EXAMINED AND CHARGED AS FOLLOWS

Deed Amount: \$0.00

Received the Following Fees For Above Instrument

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

TRANSFER TAX NUMBER: 04-49246

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

**Edward P. Romaine
County Clerk, Suffolk County**

1239799 979

This Indenture

Made this 29TH day of JUNE in the year of our Lord,
TWO THOUSAND FIVE

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

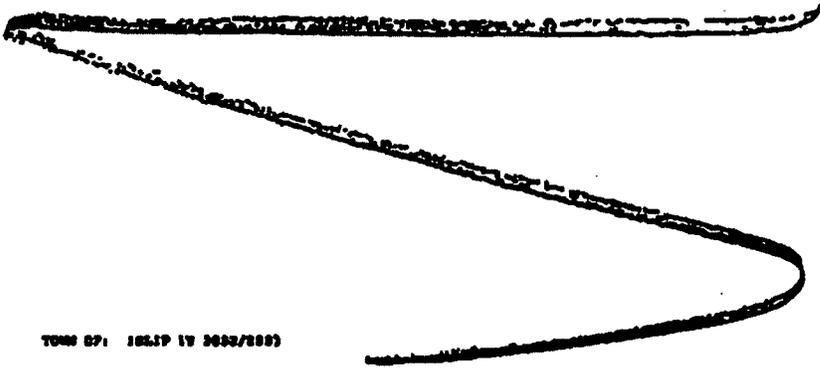
WITNESSETH, that WHEREAS by an act of the Legislature of the State of New York, Chapter 62, Laws of 1909, entitled "An Act in Relation to Taxation, Constituting Chapter Sixty of the Consolidated Laws" and the several acts amending the same, and the special tax statutes applicable to Suffolk County, it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

AND WHEREAS, default was made in the payment of taxes levied in the year 2002/03 so as foresaid duly charged on sundry parcels of land within the County of Suffolk, with interest thereon, and the said taxes remaining unpaid for six months from the first day of February after the same was levied:

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

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

123974973



TOME 07: 1051P IV 2000/2000

S.C.T.N.: 0100.00100.0100.000000.0000
CITY: 001233
ADDRESSED TO: LIEPINS GOTVARDIS 6
TAX DIED TAKEN FOR: 03,833.43

S.C.T.N.: 0100.00700.0100.010000.0000
CITY: 001201
ADDRESSED TO: BUKINA BARBARA
TAX DIED TAKEN FOR: 01,715.27

S.C.T.N.: 0101.00300.0300.003001.0000
CITY: 001207
ADDRESSED TO: DE SARIS LAURA
TAX DIED TAKEN FOR: 01,300.75

AMENDED SOURCE OF TITLE

Title No.: A-20958

Premises known as:

District 0500 Section 003.00 Block 02.00 Lot 054.000

CHAIN OF TITLE:

William H. Von Heill, as successor Executor of the Estate of Freida S. Von Heill, deceased, and as Executor of the Estate of Bertha C. Von Heill, deceased to James De Sario and Laura De Sario, his wife, dated November 24, 1982, recorded December 6, 1982, in Liber 9280 cp 87 (cover premises under examination and more)

James De Sario and Laura De Sario to Laura De Sario, dated November 15, 1995, recorded December 28, 1995, in Liber 11755 cp 949

Angie M. Carpenter, as County Treasurer to County of Suffolk to County of Suffolk, dated July 2, 2007, recorded July 13, 2007, in Liber 12513 cp 418 (default in payment of taxes 2002/2003, sold December 2003)



054.000

**SUFFOLK COUNTY CLERK
RECORDS OFFICE
RECORDING PAGE**

Type of Instrument: DEEDS/DDD
Number of Pages: 8
Receipt Number : 07-0064880
TRANSFER TAX NUMBER: 06-39490

Recorded: 07/13/2007
At: 10:08:44 AM
LIBER: D00012513
PAGE: 418

District: 0500 Section: 100.00 Block: 02.00 Lot: 041.000

EXAMINED AND CHARGED AS FOLLOWS

Deed Amount: \$0.00

Received the Following Fees For Above Instrument

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

TRANSFER TAX NUMBER: 06-39490

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

**JUDITH A. PASCALE
County Clerk, Suffolk County**

125134418

This Indenture

Made this 2ND day of JULY In the year of our Lord,
TWO THOUSAND SEVEN 2007

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

WITNESSETH, that WHEREAS by an act of the Legislature of the State of New York, Chapter 62, Laws of 1909, entitled "An Act in Relation to Taxation, Constituting Chapter 86th of the Consolidated Laws" and the several acts amending the same, and the special tax statutes applicable to Suffolk County, it was among other things enacted that whenever any tax charged on real estate in a county not including a portion of the forest preserve is returned to the County Treasurer, she shall not return the same to the Comptroller, but if such tax with interest thereon at the rate of ten per centum per annum, computed from the first day of February after the same is levied, shall remain unpaid for six months from that date such County Treasurer shall advertise and sell such real estate pursuant to said acts:

AND WHEREAS, default was made in the payment of taxes levied in the year 2002/03 so as foresaid duty charged on sundry parcels of land within the County of Suffolk, with interest thereon, and the said taxes remaining unpaid for six months from the first day of February after the same was levied:

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

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

125134418

TOME 07: 18.17 2000/00 37

S.C.T.N.: 0100.16230.0300.041000.0000
CITY: 572 IMP
ASSIGNED TO: GIL DANIEL S A
TAX DEED TAKEN FOR: 04.632.11

S.C.T.N.: 0100.16300.0100.027000.0000
CITY: 1116 IMP
ASSIGNED TO: WENDECKE WILHELM & ELLEN
TAX DEED TAKEN FOR: 07.402.10

S.C.T.N.: 0100.16500.0100.115000.0000
CITY: 1163 IMP
ASSIGNED TO: FERRE NIEMAL S ERICH
TAX DEED TAKEN FOR: 01.641.06

S.C.T.N.: 0100.22500.0300.023000.0000
CITY: 1500 IMP
ASSIGNED TO: HANSEN KIRK S THOMAS
TAX DEED TAKEN FOR: 04.012.59

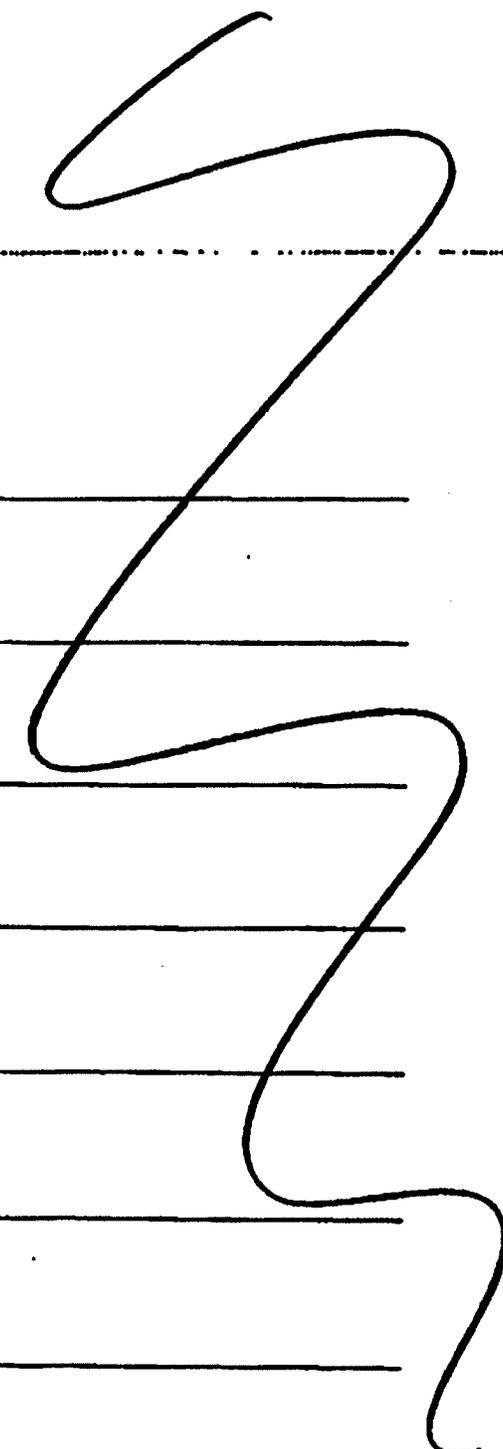
S.C.T.N.: 0100.21500.0100.030001.0300
CITY: 1529 IMP
ASSIGNED TO: JOHNSON JOSEPH
TAX DEED TAKEN FOR: 04.501.61

S.C.T.N.: 0100.21500.0100.021000.0000
CITY: 1700 IMP
ASSIGNED TO: HANSEN JOHN S CATHERINE
TAX DEED TAKEN FOR: 03.011.06

S.C.T.N.: 0100.40100.0400.010000.0000
CITY: 2687 IMP
ASSIGNED TO: MERZEL THELMA
TAX DEED TAKEN FOR: 03.372.43

S.C.T.N.: 0100.49700.0300.017000.0000
CITY: 3750 IMP
ASSIGNED TO: BERNHARD BARBARA
TAX DEED TAKEN FOR: 03.933.75

S.C.T.N.: 0101.08100.0300.024000.0000
CITY: 3776 IMP
ASSIGNED TO: DE SARIO LAURA
TAX DEED TAKEN FOR: 01.231.97



*

(CANCELED)

AMENDED SOURCE OF TITLE

Title No.: A-20958

Premises known as:

District 0500 Section 003.00 Block 02.00 Lot 055.000

CHAIN OF TITLE:

William H. Von Heill, as successor Executor of the Estate of Freida S. Von Heill, deceased, and as Executor of the Estate of Bertha C. Von Heill, deceased to James De Sario and Laura De Sario, his wife, dated November 24, 1982, recorded December 6, 1982, in Liber 9280 cp 87 (cover premises under examination and more)

James De Sario and Laura De Sario to Laura De Sario, dated November 15, 1995, recorded December 28, 1995, in Liber 11755 cp 949

Angie M. Carpenter, as County Treasurer to County of Suffolk, dated July 6, 2007, recorded July 13, 2007, in Liber 12513 cp 421 (default in payment of taxes 2002/2003, sold December 2005)

Suffolk



055,000

**SUFFOLK COUNTY CLERK
RECORDS OFFICE
RECORDING PAGE**

Type of Instrument: DEEDS/DDD
Number of Pages: 9
Receipt Number : 07-0064886
TRANSFER TAX NUMBER: 06-39492

Recorded: 07/13/2007
At: 10:12:59 AM
LIBER: D00012513
PAGE: 421

District: 0500 Section: 021.00 Block: 03.00 Lot: 037.000

EXAMINED AND CHARGED AS FOLLOWS

Deed Amount: \$0.00

Received the Following Fees For Above Instrument

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

TRANSFER TAX NUMBER: 06-39492

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

**JUDITH A. FASCALE
County Clerk, Suffolk County**

125139 421

This Indenture

Made this 0TH day of JULY in the year of our Lord, TWO THOUSAND SEVEN 2007

BETWEEN ANGIE M. CARPENTER as the County Treasurer

330 Center Drive Riverhead, N.Y. 11901

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

WITNESSETH, that WHEREAS by an act of the Legislature of the State of New York, Chapter 62, Laws of 1909, entitled "An Act in Relation to Taxation, Constituting Chapter 8b of the Consolidated Laws" and the several acts amending the same, and the special tax statutes applicable to Suffolk County, it was among other things enacted that whenever any tax charged on real estate in a county not including a portion of the forest preserve is returned to the County Treasurer, she shall not return the same to the Comptroller, but if such tax with interest thereon at the rate of ten per centum per annum, computed from the first day of February after the same is levied, shall remain unpaid for six months from that date such County Treasurer shall advertise and sell such real estate pursuant to said acts:

AND WHEREAS, default was made in the payment of taxes levied in the year 2004/05 so as foresaid duly charged on sundry parcels of land within the County of Suffolk, with interest thereon, and the said taxes remaining unpaid for six months from the first day of February after the same was levied:

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

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

125/3442

S.C.T.N.: 0230.21400.0200.021000.0000
CITY: 020077
ADDRESS TO: MARCONIA BATTALIA E
TAX DED TAKEN FOR: 070.40

S.C.T.N.: 0200.27200.0100.022004.0000
CITY: 020430
ADDRESS TO: UNIFORM SERVICE E ONE
TAX DED TAKEN FOR: 003.70

S.C.T.N.: 0200.30200.0200.020000.0000
CITY: 020900
ADDRESS TO: JAMES H TIERLAND INVESTMENT
TAX DED TAKEN FOR: 0001.00

S.C.T.N.: 0201.00100.0200.020000.0000
CITY: 021100
ADDRESS TO: DE CARLO LAMIA
TAX DED TAKEN FOR: 0113.07

S.C.T.N.: 0201.00700.0200.021000.0000
CITY: 021201
ADDRESS TO: ZELONCH TALE
TAX DED TAKEN FOR: 000.07

[Large handwritten scribbles and a star symbol are present over the document.]

11755 1949

16591

RECORDED

Number of pages

TORRENS

Serial #

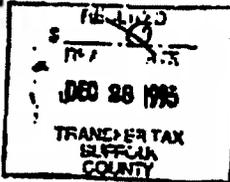
Certificate #

Prior C.F. #

Deed / Mortgage Instrument

Deed / Mortgage Tax Stamp

Recording / Filing Stamp



16591

95 DEC 28 PM 2:29

EDM. P. DOMINIANE
CLERK OF
SUFFOLK COUNTY

4

Page / Filing Fee 15

Handling 5

TP-584 6

Notation _____

EA-5217 (County) 5 Sub Total 31

EA-5217 (State) 35

R.P.T.S.A. 31.00

Comm. of St. 2.00

Affidavit _____

Certified Copy _____

Reg. Copy _____

Other _____

Sub Total 61

GRAND TOTAL 92



Mortgage Amt. _____

1. Hour Tax _____

2. Additional Tax _____

Sub Total _____

Spec./Asst. or Spec./Add. _____

TOT. MTG. TAX _____

Dual Town _____ Dual County _____

Held for Appointment _____

Transfer Tax 6

Maintenance Tax _____

The property covered by this mortgage is or will be improved by a one or two family dwelling only.

YES _____ or NO _____

If NO, see appropriate tax clause on page _____ of this instrument.

053,000
054,000
+
055,000

Real Property Tax Service Agency Verification

Dist.	Section	Block	Lot
0500	003.00	02.00	053.00
0500	003.00	02.00	054.00
0500	003.00	02.00	055.00

6 Title Company Information

Ab Strack, Inc.
Company Name

A-TNC 3838
Title Number

7 RECORD & RETURN TO (ADDRESS)

Rosen, Leff, ESQs
Clodiane L. Saunders
105 Cathedral Ave, P.O. Box 2360
Hempstead, N.Y. 11550

8 FEE PAID BY:

Cash _____ Check Charge _____

Payer same as R & R (or if different)

NAME: Ab Strack Inc.

ADDRESS: 585 Stewart Ave
Garden City, NY 11530

9 Suffolk County Recording & Endorsement Page

This page forms part of the attached Burgame Sale Deed made by:

(SPECIFY TYPE OF INSTRUMENT)

James DeSario & Laura DeSario

TO Laura DeSario

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

In the Township of Islip

In the VILLAGE or HAMLET of Brightwaters

BOXES 3 THRU 9 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.

Ack 11/15/95 MAA/AU

11755 4949

Standard N.Y.S.T.V. Form 1907 - Repealed and Title Deed, with Certificate of Title, Statute's Act - both used in Corporation (single sheet)
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

NO CONSIDERATION

THIS INSTRUMENT, made the 15 day of November, 1955
BETWEEN JAMES DeSARIO and LAURA DeSARIO, his wife
33 Cushing Avenue 460 Pine Acres Boulevard
Williston Park, NY 11596 Brightwaters, NY 11718

party of the first part, and LAURA DeSARIO
460 Pine Acres Boulevard
Brightwaters, NY 11718

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

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE ATTACHED SCHEDULE MADE A PART HEREOF.

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.
The word "party" shall be construed as if it read "parties" whenever the sense of this instrument so requires.

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

0500
003.00
02.00
Lot
053.001
054.000
055.000

IN WITNESS OF:
James DeSario
JAMES DeSARIO

Laura DeSario
LAURA DeSARIO

SCHEDULE TO BARGAIN AND SALE DEED

DESCRIPTION

Page 1 of 2

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Brightwaters, Town of Islip, County of Suffolk in State of New York, known and designated as Lots 4553, 4554 and the southerly 12.5 feet of Lot 4552 in Block 171 on a certain map entitled "Amended Map of Section D. Brightwaters", filed in the Office of the Clerk of the County of Suffolk on 10/7/10 under File No. 12, which said lots and part of lot, when taken together are more particularly bounded and described as follows:

054.000
055.000
d
053.001

BEGINNING at the corner formed by the intersection of the northerly side of Iroquois Drive with the easterly side of Pine Acres Boulevard;

RUNNING THENCE North 10 degrees 28 minutes along the easterly side of Pine Acres Boulevard, 212.50 feet;

THENCE North 79 degrees 32 minutes East, 140.00 feet;

THENCE South 10 degrees 28 minutes East, 214.12 feet to the northerly side of Iroquois Drive;

THENCE along the northerly side of Iroquois Drive and along the arc of a curve bearing to the left having a radius of 6057.79 feet, a distance of 140.00 feet to the aforementioned corner at the point or place of **BEGINNING**.

SUBJECT to covenants, restrictions, easements and reservations of record.

EXCEPTING AND RESERVING FROM THE ABOVE, THE FOLLOWING DESCRIBED PARCEL:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Brightwaters, Town of Islip, County of Suffolk and State of New York, known and designated as the southerly 12.5 feet of Lot 4552 in Block 171 on a certain map entitled, "Amended Map of Section D., Brightwaters" and filed in the Office of the Clerk of the County of Suffolk on 10/7/10 under file 12, which said part of lot, is more particularly bounded and described as follows:

excepts
Spl.
053.003

BEGINNING at a point on the easterly side of Pine Acres Drive, 200 feet north of the corner formed by the intersection of the

Continued ...

11755 16949

Description
Continued: Page 2 of 2

northerly side of Iroquois Drive with the easterly side of Pine Acres Boulevard; RUNNING THENCE North 10 degrees 28 minutes along the easterly side of Pine Acres Boulevard 12.50 feet; THENCE North 79 degrees 32 minutes East 140.00 feet; THENCE North 10 degrees 28 minutes West 12.50 feet; THENCE South 79 degrees 32 minutes West 140.00 feet to the east side of Pine Acres Blvd. THENCE South 10 degrees 28 minutes East along the east side of Pine Acres Blvd. 12.50 feet to the point or place of beginning.

SUBJECT to covenants, restrictions and easements and reservations of record, provided same do not interfere with purchaser's use of premises as vacant land and as part of their premises to the north.

BEING AND INTENDED TO BE a portion of the property conveyed to the grantors by deed dated November 24, 1982 and recorded in the Suffolk County Clerk's Office on December 6, 1982, in Liber 2280 at page 87.

desario\description

25593

THIS AGREEMENT, made the 2nd day of January, nineteen hundred and eighty-three
BETWEEN JAMES DE SARIO and LAURA DE SARIO, his wife, residing at
460 Pine Acres Boulevard, Brightwaters, New York

party of the first part, and

JEROME HOFFMAN and LOIS HOFFMAN, his wife, residing at
468 Pine Acres Boulevard, Brightwaters, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable considerations
paid by the party of the second part, do hereby grant and release unto the party of the second part, the title of
summons and assigns of the party of the second part forever,

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, built,
being and being located at Brightwaters, Town of Islip, County of Suffolk
and State of New York, known and designated as the
southerly 12.5 feet of Lot 4557 in Block 171 on a
certain map entitled, "Amended Map of Brighton,
Brightwaters" and filed in the Office of the Clerk of
the County of Suffolk on 10/7/10 under File 12, which said
part of lot, is more particularly bounded and described
as follows:

BEGINNING at a point on the easterly side of Pine Acres Drive,
200 feet north of the corner formed by the intersection of the
northerly side of Iroquois Drive with the easterly side of
Pine Acres Boulevard; RUNNING THENCE North 10 degrees 28 minutes
along the easterly side of Pine Acres Boulevard 121.50 feet; THENCE
North 79 degrees 32 minutes East 140.00 feet; THENCE North 10
degrees 28 minutes West 12.50 feet; THENCE South 79 degrees 32
minutes West 140.00 feet to the east side of Pine Acres Blvd.; THENCE
South 10 degrees 28 minutes East along the east side of Pine Acres
Blvd. 12.50 feet to the point or place of beginning.

SUBJECT to covenants, restrictions and easements and reservations
of record, provided same do not interfere with purchaser's use of
premises as vacant land and as part of their premises to the north.

BEING AND INTENDED TO BE part of the premises described in a deed
dated November 24, 1982 and recorded in the Suffolk County Clerk's
Office on December 6, 1982 in Liber 9280 at Page 17

IT FEELTH with all right, title and interest, if any, of the party of the first part to add to any person and
which abutting the above described premises to the corner line shown TOGETHER with the appurtenances and
all the terms and rights of the party of the first part to hold in full payment TO HAVE AND TO HOLD the
premises herein granted unto the party of the second part, the heirs or assigns of the party of the second
part forever.

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

AND the party of the first part, in compliance with Section 11 of the Lien Law, covenants that the party of the first
part will release the consideration for this conveyance and will hold the title to the premises which is hereby
conveyed to be applied first for the purpose of paying the cost of the improvements and will apply the same first to
the payment of the cost of the improvements if such part of the cost of the same has not been paid.
The word "cost" shall be construed as it is used in Section 11 of the Lien Law, and shall include the cost of
the improvements.

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

James De Sario
Laura De Sario
JAMES DE SARIO
LAURA DE SARIO

RECORDED
FEB 8 1983
TRANS 576
S 117

- info -

Spl
053.003

Act 1/2/85 JAH

Rec-
2/26/85

Title No.: A-21103

SCHEDULE B

**THE FOLLOWING JUDGMENTS, FEDERAL TAX LIENS, MECHANIC'S LIENS, LIS PENDENS,
ETC. WERE FOUND:**

Full Searches were run against JAMES DE SARIO, LAURA DESARIO and no returns were found.

SCHEDULE C

MORGAGES AND RELATED INSTRUMENTS RECORDED:

NONE

ON THE REVERSE SIDE

2,977

DECEMBER 1, 2010 thru NOVEMBER 30, 2011 TAX LEVY
TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK
TAXABLE STATUS DATE MARCH 1, 2010

4165219



MAKE FUNDS PAYABLE TO:

VIRGINIA E. ALLEN

RECEIVER OF TAXES
40 NASSAU AVE., ISLIP, NEW YORK 11751-3645

OFFICE PAYMENT HOURS

MON. TO FRI. 8:30 A.M. TO 4:30 P.M.
PHONE 631-224-5580

IF PROPERTY HAS BEEN SOLD
TRANSFERRED AFTER MARCH 1, 2
PLEASE FORWARD THIS STATEMENT
THE NEW OWNER OR RETURN TO THIS OFFICE
SCHOOL: (631) 968-1115

OWNER AS OF TAXABLE STATUS DATE MARCH 1, 2010

COUNTY OF SUFFOLK

330 CENTER DR
RIVERHEAD NY

11901

COUNTY OF SUFFOLK

330 CENTER DR
RIVERHEAD NY

11901

Tax Map Number	0501 003.00 02.00 053.001	Property Type	311	Exemption Codes & Values
Physical Address	0 PINE ACRES DR BRIDGE PLAZA 11718	Tax Code	107	
Acreage	0.14	Roll Section	1	
Swis Code	47288	Land Assessment	6,200	
Designation	HOMESTEAD	Total Assessment	6,200	
NYS School Code	038	Uniform % of Value	11.65	
Bank & Mort. No.	970034-	Full Value as of July 1, 2009	53,218	
		True Tax	1,417.10	

TAXING DISTRICT	Levy%	Exempt Code	Taxable Value	Tax Rate Per \$100	% Change from Prior Year	TAX AMOUNT
BAYSHORE SCHOOL DISTRICT	72.5		6,200	16.5800	2.8%	1,027.96
BAYSHORE LIBRARY DIST.	2.9		6,200	0.6610	1.5%	40.98
COUNTY GENERAL FUND	0.9		6,200	0.1960	0.0%	12.15
COUNTY POLICE	10.8		6,200	2.4570	0.0%	152.33
GENERAL TOWN	2.4		6,200	0.5510	-0.7%	34.16
NYS REAL PROP TAX LAW	2.1		6,200	0.4710	9.5%	29.20
SEWER DISTRICT #3	6.1		6,200	1.4010	5.3%	86.86
SEWER DIST. BENEFIT FEE	2.3				2.9%	32.66
NEW YORK STATE MTA TAX						.80

FIRST HALF TAX 708.55 SECOND HALF TAX 708.55 TOTAL TAX 1,417.10

IF TAXES ARE PAID BY A BANK, PLEASE FORWARD THIS BILL TO THEM.

YOUR TAX SAVINGS THIS YEAR RESULTING FROM THE NEW YORK STATE SCHOOL TAX RELIEF (STAR) PROGRAM IS: .00

SECOND HALF PAYMENT

SECOND HALF TAXES
DUE MAY 31, 2011

MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES

When paying by mail, detach and return this stub with payment of the second half tax. If paying TOTAL TAX, return both first and second half stubs with payment. When paying in person, detach proper stub.

2 4165219

Check here if receipt requested.

SECOND HALF TAX 708.55

FIRST HALF PAYMENT

FIRST HALF TAXES
FIRST HALF TAX PAYABLE WITHOUT PENALTY TO JANUARY 10, 2011

MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES

When paying by mail, detach and return this stub with payment of the first half tax. If paying TOTAL TAX, return both first and second half stubs with payment. When paying in person, detach proper stub.

1 4165219

FIRST HALF TAX 708.55

ON THE REVERSE SIDE

2,975

DECEMBER 1, 2010 thru NOVEMBER 30, 2011 TAX LEVY
TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK
TAXABLE STATUS DATE MARCH 1, 2010

4164701



MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES
40 NASSAU AVE., ISLIP, NEW YORK 11751-3645

OFFICE PAYMENT HOURS
MON. TO FRI. 8:30 A.M. TO 4:30 P.M.
PHONE 631-224-5580

IF PROPERTY HAS BEEN SOLD
TRANSFERRED AFTER MARCH 1, 2
PLEASE FORWARD THIS STATEMENT
THE NEW OWNER OR RETURN TO THIS OFF
SCHOOL: (631) 968-1115

OWNER AS OF TAXABLE STATUS DATE MARCH 1, 2010

COUNTY OF SUFFOLK

330 CENTER DR
RIVERHEAD NY

11901

COUNTY OF SUFFOLK

330 CENTER DR
RIVERHEAD NY

11901

Tax Map Number: 0501 003.00 02.00 054.000	Property Type: 210	Exemption Codes & Values
Physical Address: 460 PINE ACRES BLVD BRIGHTWATERS 11718	Tax Code: 107	
Acreage: 0.27	Roll Section: 1	
Swia Code: 472888	Land Assessment: 10,000	
Designation: HOMESTEAD	Total Assessment: 40,700	
NYS School Code: 038	Uniform % of Value: 11.65	
Bank & Mort. No. 970034-	Full Value as of July 1, 2009: 349,356	
	True Tax: 9,260.96	

TAXING DISTRICT	Levy%	Exempt Code	Taxable Value	Tax Rate Per \$100	% Change from Prior Year	TAX AMOUNT
BAYSHORE SCHOOL DISTRICT	72.9		40,700	16.5800	2.8%	6,748.06
BAYSHORE LIBRARY DIST.	2.9		40,700	0.6610	1.5%	269.03
COUNTY GENERAL FUND	0.9		40,700	0.1960	0.0%	79.77
COUNTY POLICE	10.8		40,700	2.4570	0.0%	1,000.00
GENERAL TOWN	2.4		40,700	0.5510	-0.7%	224.26
NYS REAL PROP TAX LAW	2.1		40,700	0.4710	9.5%	191.70
SEWER DISTRICT #3	6.2		40,700	1.4010	5.3%	570.21
SEWER DIST. BENEFIT FEE	0.4				2.9%	32.66
SEWER ARREARS	1.5				0.0%	139.98
NEW YORK STATE MTA TAX						5.29

FIRST HALF TAX 4,630.48 SECOND HALF TAX 4,630.48 TOTAL TAX 9,260.96

IF TAXES ARE PAID BY A BANK, PLEASE FORWARD THIS BILL TO THEM.

YOUR TAX SAVINGS THIS YEAR RESULTING FROM THE NEW YORK STATE SCHOOL TAX RELIEF (STAR) PROGRAM IS: .00

SECOND HALF PAYMENT

SECOND HALF TAXES
DUE MAY 31, 2011

MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES

When paying by mail, detach and return this stub with payment of the second half tax. If paying TOTAL TAX, return both first and second half stubs with payment. When paying in person, detach proper stub.

2 4164701

Check here if receipt requested.

SECOND HALF TAX 4,630.48

FIRST HALF PAYMENT

FIRST HALF TAXES
FIRST HALF TAX PAYABLE WITHOUT PENALTY TO JANUARY 10, 2011

MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES

When paying by mail, detach and return this stub with payment of the first half tax. If paying TOTAL TAX, return both first and second half stubs with payment. When paying in person, detach proper stub.

1 4164701

FIRST HALF TAX 4,630.48

ON THE REVERSE SIDE.

2,976

DECEMBER 1, 2010 thru NOVEMBER 30, 2011 TAX LEVY
TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK
TAXABLE STATUS DATE MARCH 1, 2010

4164809



MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES
40 NASSAU AVE., ISLIP, NEW YORK 11751-3645

OFFICE PAYMENT HOURS
MON. TO FRI. 8:30 A.M. TO 4:30 P.M.
PHONE 631-224-5588

IF PROPERTY HAS BEEN SOLD
TRANSFERRED AFTER MARCH 1,
PLEASE FORWARD THIS STATEMENT
TO THE NEW OWNER OR RETURN TO THIS OFF
SCHOOL: (631) 968-1115

OWNER AS OF TAXABLE STATUS DATE MARCH 1, 2010

COUNTY OF SUFFOLK

330 CENTER DR
RIVERHEAD NY

11901

COUNTY OF SUFFOLK

330 CENTER DR
RIVERHEAD NY

11901

Tax Map Number	0501 003.00 02.00 055.000	Property Type	311	Exemption Codes & Values
Physical Address	0 PINE ACRES BLVD BRIDGE PLAZA 11718	Tax Code	107	
Acres	0.22	Roll Section	1	
Swis Code	472883	Land Assessment	9,000	
Designation	HOMESTEAD	Total Assessment	9,000	
NYS School Code	038	Uniform % of Value	11.65	
Bank & Mort. No.	970034-	Full Value as of July 1, 2009	77,253	
		True Tax	2,042.36	

TAXING DISTRICT	Levy%	Exempt Code	Taxable Value	Tax Rate Per \$100	% Change from Prior Year	TAX AMOUNT
BAYSHORE SCHOOL DISTRICT	73.1		9,000	16.5800	2.8%	1,492.20
BAYSHORE LIBRARY DIST.	2.9		9,000	0.6610	1.5%	59.49
COUNTY GENERAL FUND	0.9		9,000	0.1960	0.0%	17.64
COUNTY POLICE	10.8		9,000	2.4570	0.0%	221.13
GENERAL TOWN	2.4		9,000	0.5510	-0.7%	49.59
NYS REAL PROP TAX LAW	2.1		9,000	0.4710	9.5%	42.39
SEWER DISTRICT #3	6.2		9,000	1.4010	5.3%	126.09
SEWER DIST. BENEFIT FEE	1.6				2.9%	32.66
NEW YORK STATE MTA TAX						1.17

FIRST HALF TAX 1,021.18 SECOND HALF TAX 1,021.18 TOTAL TAX 2,042.36

IF TAXES ARE PAID BY A BANK, PLEASE FORWARD THIS BILL TO THEM.

YOUR TAX SAVINGS THIS YEAR RESULTING FROM THE NEW YORK STATE SCHOOL TAX RELIEF (STAR) PROGRAM IS: .00

SECOND HALF PAYMENT

SECOND HALF TAXES
DUE MAY 31, 2011

MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES

When paying by mail, detach and return this stub with payment of the second half tax. If paying TOTAL TAX, return both first and second half stubs with payment. When paying in person, detach proper stub.

2 4164809

Check here if receipt requested.

SECOND HALF TAX 1,021.18

FIRST HALF PAYMENT

FIRST HALF TAXES
FIRST HALF TAX PAYABLE WITHOUT PENALTY TO JANUARY 10, 2011

MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES

When paying by mail, detach and return this stub with payment of the first half tax. If paying TOTAL TAX, return both first and second half stubs with payment. When paying in person, detach proper stub.

1 4164809

FIRST HALF TAX 1,021.18

1553

Intro Res. No. 2011
Introduced by the Presiding Officer on request of County Executive

Laid on Table 6/7/11

**RESOLUTION NO. 2011
ACCEPTING AND APPROPRIATING 100% FEDERAL
FUNDS AWARDED BY DISTRICT ATTORNEY'S OFFICE
OF NEW YORK COUNTY TO THE SUFFOLK COUNTY
DISTRICT ATTORNEY AND AUTHORIZING THE
SUFFOLK COUNTY EXECUTIVE TO EXECUTE RELATED
AGREEMENTS.**

WHEREAS, the District Attorney's Office of New York County is providing funding to the Suffolk County District Attorney as part of a statewide program for participation in the investigation and prosecution of weapon crimes in violation of Penal Law Article 265; and

WHEREAS, the sum of \$14,438.00 is being provided to conduct confidential investigations and prosecutions of weapons related crimes under Penal Law Article 265, and

WHEREAS, said funds have not been included in the 2011 Suffolk County Operating Budget; now, therefore, be it

RESOLVED, that the County Executive is authorized to execute any Agreement with the District Attorney's Office of New York County, as necessary, to secure said funds; and further

RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted funds in the amount of \$14,438.00 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
01-2605 District Attorney Investigations	\$14,438.00

APPROPRIATIONS

Suffolk County District Attorney
001-DIS-1165

<u>Special Services</u>	<u>\$14,438.00</u>
4770- Special Services	\$14,438.00

APPROVED BY:

County Executive of Suffolk County

Date of Approval

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING 100% FEDERAL FUNDS AWARDED BY DISTRICT ATTORNEY'S OFFICE OF NEW YORK COUNTY TO THE SUFFOLK COUNTY DISTRICT ATTORNEY AND AUTHORIZING THE SUFFOLK COUNTY EXECUTIVE TO EXECUTE RELATED AGREEMENTS.		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>XX</u> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify):
<input type="radio"/> Library District	<input type="radio"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution authorizes the County Executive to execute agreements with the District Attorney's Office of New York County to secure \$14,438 to be expended from the confidential account.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
This grant is 100% funded by the District Attorney's Office of New York County		
8. Proposed Source of Funding		
District Attorney's Office of New York County		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		6-3-2011

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

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011, APPROVING AND AUTHORIZING A CONTRACT TO PROMOTE CONVENTION BUSINESS AND TOURISM IN SUFFOLK COUNTY

WHEREAS, Section 1202-o of the NEW YORK STATE TAX LAW authorizes Suffolk County to impose a tax upon persons occupying hotel or motel rooms in Suffolk County; and

WHEREAS, Section 1202-o of the NEW YORK STATE TAX LAW requires that twenty-four percent of the revenue generated by this tax be delivered to a tourism promotion agency which the County contracts with to administer programs to promote convention business and tourism; and

WHEREAS, the County of Suffolk, through its Department of Economic Development and Workforce Housing, issued a Request for Proposals (RFP) in March 2011, to provide services for the promotion of tourism, convention and sports event business in Suffolk County; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and received only one response from the Long Island Convention and Visitors Bureau and Sports Commission located at 330 Motor Parkway, Suite 203, Hauppauge, NY, 11788; and

WHEREAS, an independent evaluation committee reviewed the proposal from the Long Island Convention and Visitors Bureau and Sports Commission and found the quality of work and experience satisfactory and have recommended that the Department of Economic Development and Workforce Housing enter into a contractual agreement with the provider; and

WHEREAS, Local Law No. 3-1996 requires the County Legislature to approve any contract in excess of \$20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

WHEREAS, pursuant to Local Law No. 19-2005, the County's contracts with tourism promotion agencies require legislative approval; now, therefore be it

1st RESOLVED, that the County Executive be and hereby is authorized to execute an agreement with the Long Island Convention and Visitors Bureau and Sports Commission to provide services for the promotion of tourism convention and sports event business in Suffolk County, in accordance with the terms of this resolution and in substantial conformance with the form annexed; and be it further

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

DATED:

APPROVED BY:

Steve Levy
Suffolk County Executive
Date:



MEMORANDUM

TO: Brendan Chamberlain, Director Intergovernmental Relations ✓
 Connie Corso, Budget Director
 Office of the County Executive

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

DATE: May 17, 2011

SUBJECT: **APPROVING AND AUTHORIZING A CONTRACT TO PROMOTE CONVENTION BUSINESS AND TOURISM IN SUFFOLK COUNTY**

The Department of Economic Development and Workforce Housing requests the submission of the attached resolution Approving and Authorizing a Contract to Promote Convention Business and Tourism in Suffolk County.

In March of 2011 the Department prepared a Request for Proposals, for which there was only one respondent, therefore the contract requires Legislative approval. In addition, Local Law 19-2005 requires Legislative approval for the county's contracts for tourism.

Attached please find the draft resolution, the draft contract and the required SCIN 175a and 175b. Electronic copies are being filed as required.

Thank you.

CEF/kmb

cc: Chris Kent, Chief Deputy County Executive
Yves R. Michel, Commissioner



Steve Levy

Suffolk County Executive

Yves R. Michel

Commissioner

BETTER FOR BUSINESS... BETTER FOR LIFE

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		
APPROVING AND AUTHORIZING A CONTRACT TO PROMOTE CONVENTION BUSINESS AND TOURISM IN SUFFOLK COUNTY		
3. Purpose of Proposed Legislation		
To comply with Local Law 3-1996 as well as 19-2005		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County <u> X </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District <input type="checkbox"/>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
All funding will be through revenues generate through the Hotel/Motel Tax.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
192-6413-4980		
9. Timing of Impact		
Immediate		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date

SCIN FORM 175b (10/95)



1554

RECEIVED
JAN 26 2011

MEMORANDUM OFFICE OF THE
SUFFOLK COUNTY EXECUTIVE
HAUPPAUGE

TO: Ed Dumas, Chief Deputy County Executive
FROM: Yves R. Michel, Commissioner *YRM*
DATE: January 26, 2011
SUBJECT: Request for Approval of RFP for Promotion of Tourism,
Convention and Sports Event Business advertisement

I am requesting approval of the issuance of an RFP for a "Promotion of Tourism, Convention and Sports Event Business" and request that permission be received from the Office of the County Executive to place an advertisement to solicit proposals from qualified tourism promotion agencies.

Our current contract expired December 31, 2010 and we are seeking a new contract for these services.

The contract provides for the development of a Destination Marketing Strategy and Plan to Promote Tourism, Convention and Sports Event business on Long Island, and a Suffolk County Specialty Tourism Marketing Strategy and Plan to promote specific tourism products utilizing the cultural, historic, environmental and recreational assets of Suffolk County.

If you approve the issuance of this RFP, please indicate your approval by e-mail to both Kathleen Koppenhoeffter and myself.

Thank you for your consideration.

YRM.kmb
cc:

Kathleen Koppenhoeffter, Government Liaison Officer



Steve Levy

Suffolk County Executive
Yves R. Michel
Commissioner

BETTER FOR BUSINESS... BETTER FOR LIFE

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

Chris Kent
Chief Deputy County Executive

Ed Dumas
Chief Deputy County Executive

MEMORANDUM

TO: Yves R. Michel
Commissioner

FROM: Ed Dumas *EMI*
Chief Deputy County Executive for Policy and Communications

DATE: January 26, 2011

SUBJECT: Department's Request for Advertisement of RFP
RFP for Promotion of Tourism, Convention and Sports Event Business

The Department's request to proceed with advertising for the above RFP is hereby approved.

Please feel free to contact me if I can be of further assistance.

ED:meb

cc: K. Koppenhoefer, Governmental Liaison Officer
J. Freeman, County Executive Assistant

**Additional back-up material regarding IR 1554 is on file
in the Legislative Clerk's Office, Hauppauge,
as well as on-line under "Late Starters."**

1554

**Request for Proposals (RFP) 11 11008
Suffolk County Purchasing Division on behalf
of the Department of Economic Development
and Workforce Housing is Seeking Proposals
For Providing Services for the Promotion of
Tourism, Convention and Sports Event Business**

Timeline

Issue Date: March 3, 2011

Technical Questions Due: March 24, 2011
Must be submitted in writing
(fax/email acceptable) to the
Suffolk County Purchasing Office

Proposal Due Date: April 8, 2011 3:30 p.m.

Contact Information

Name: Kathleen C. Koppenhoefer	Main Tel. (631) 852-5196
Title: Government Liaison Officer	Direct Tel. (631) 852-5463
Suffolk County Purchasing Office	Fax: (631) 852-5221
360 Yaphank Avenue, Yaphank, NY 11980	Email: koppenhoefer@suffolkcountyny.gov

Response Package Requirements

- Submissions to be sent to Suffolk County Purchasing Office
- Number of Copies: Original plus 6 copies + 1 CD copy (do not include cost proposal on CD)
- The Purchasing RFP No. (located on upper right hand corner of this page) must be on:
 - All outer mailing envelopes/package
 - Original Response and all copies on the binder/cover page
- Original must be labeled "ORIGINAL"
- Original must contain the actual ink signed and notarized required County forms
- All copies must be complete copies of the Original
- Proposals should be submitted in a tabbed and labeled binder, not permanently bound
- Transmittal letter and all required forms should be placed in First Tab of Binder
- Do NOT return RFP document. This is for you to keep for reference.

Late Proposals Will Be REJECTED

Section III Background Information

Suffolk County, with a population of 1.5 million, is Long Island's eastern most county, and covers an area approximately 900 square miles, from 20 miles at its widest part to a length of approximately 86 miles. It is a municipal corporation of the State of New York, having its principal place of business at the County Center in Riverhead, New York, with an annual operating budget of \$2.6 billion. The County

employs approximately 11,000 active employees, with offices located in Hauppauge, Yaphank, Riverhead and many smaller locations.

The Department's main office is located at 100 Veterans Memorial Highway, 2nd Floor, Hauppauge, New York. The Department is responsible for encouraging and promoting economic development, business growth and job creation for the benefit of Suffolk County residents.

Suffolk County is a large tourist market. Eastern Suffolk County is a major tourist and second-home destination, with one of the largest concentrations of second homes of any county in the United States. There are approximately 37,000 second homes in eastern Suffolk, which draw approximately 150,000 part-time residents with large purchasing power to the area during summer and on weekends. Eastern Suffolk County also contains 5,800 lodging rooms, ranging from traditional motels to luxurious boutique

hotels and bed & breakfast inns. These lodging properties draw thousands of tourists to Suffolk County's east end throughout the year, but primarily in the summer months. The population in eastern Suffolk increases by more than 200,000 persons during peak summer times due to tourism, more than doubling the year-round population.

The numerous cultural, historic, parks and recreational assets of Suffolk County can be promoted to a number of tourism markets including, but not limited to, cultural tourism, nature tourism, sun-and-beach tourism, business travel and fitness-wellness-health tourism, and sport tourism.

In accordance with 327-13 (A) of the Suffolk County Code, the County shall enter into a contract, as mandated by Tax Law 1202 o(5), with a tourism promotion agency to administer programs designed to develop, encourage, solicit and promote convention business and tourism within the County of Suffolk. The promotion of convention business and tourism shall include any service, function or activity, whether or not performed, sponsored or advertised by the tourism promotion agency with the intent to attract transient guests to the County. The County Executive, or his designated representative, is hereby authorized to negotiate and enter into such a contract. No such contract shall be executed without the prior approval of the Legislature

End of Text for Section III

Section IV Technical Services Requirements

1. Overview

Proposals must contain, at a minimum, the following information:

- a. An executive summary (consisting of one to three pages) highlighting the technical aspects of the firm's proposal. The executive summary should clearly specify the tourism, convention and sports event business promotion service(s) that the agency is proposing to provide. After providing a written summary of the proposed Destination Marketing Strategy and Plan and Suffolk County Specialty Tourism Marketing Strategy and Plan, the Proposer has the option of presenting a more detailed oral and visual presentation at the scheduled presentation appointment.
- b. Statement of any interpretations, qualifications, assumptions or concerns regarding the provision of tourism, convention and sports event business promotion services.
- c. Statement and discussion of anticipated major difficulties and problem areas, together with potential or recommended approaches for their resolution. Proposers are reminded that alternative proposals will be considered.
- d. Provide a timeline of tasks to be performed. In addition provide an outline/narrative describing each section of your timeline including the tasks that will be performed and who specifically will be responsible for those tasks.
- e. As applicable, preliminary layouts, sketches, diagrams, other graphic representations, calculations, and other data as may be necessary for presentation, substantiation, justification or understanding of the proposed approaches.
- f. Provide detail as to all prospective subcontractors to be utilized by the Consultant. No part of the work may be assigned, transferred, conveyed, subleased or otherwise disposed of without written approval and review of the sub-agreement by the County. Joint venture responses should specifically define areas of responsibility and indicate the lead agency. A flow chart should be included.
- g. Provide proof of membership in the Destination Marketing Association International (IACVB).

2. Minimum Requirements for Technical Services Proposals

a. Understanding of the Project

The Proposal must include a statement of work that describes the Proposer's understanding of the Project. The Proposer is expected to discuss its understanding of the proposed "Scope of Work."

- i. The complexity, challenges and problems involved in performing the work.
- ii. Approach and philosophy for dealing with problems.
- iii. Experience dealing with key issues.

- iv. Any additional issues or matters relating to the "Scope of Work" which the Proposer wishes to address.

b. Key Personnel and Staffing

Key personnel identified in the Proposal will be expected to remain assigned to the Project for the term of the Contract. Requests for a change in key personnel assignments during the term of the Contract must be approved in advance, in writing, by the County. The Proposal should also include a discussion that outlines staffing levels/man-hour requirements that should be expected on the County level to support the implementation and day-to-day operation of the system. This information will be a recommendation only for discussion purposes. The Proposer should describe other potential burdens that may be placed on the County as regards the servicing of the account.

c. Subcontracts

Services that are to be subcontracted must be clearly defined in the Proposal. The Contractor retains responsibility for all acts and omissions of the subcontractor. The Contractor must obtain the prior approval from the Department for all subcontracts.

The Department may require that subcontracted activities be provided under the terms of a three-party agreement between the Contractor, the Department and the subcontractor.

3. Technical Services Specifications (Detailed Scope of Services)

- b. Proposers must discuss their capability to perform the following major responsibilities of a tourism promotion agency:
 - i. To encourage groups to hold meetings, conventions and tradeshow in the Long Island region, particularly Suffolk County;
 - ii. To assist those groups with meeting preparations and meetings in progress; and
 - iii. To encourage tourists to visit and enjoy the historic, cultural and recreational opportunities of the Long Island region, particularly Suffolk County.

- b. Proposers must deliver summaries for a Destination Marketing Strategy and Plan and Suffolk County Specialty Marketing Strategy and Plan that utilize both traditional and digital media to reach target markets. These plans must include, but are not limited to:
 - i. Promoting the cultural, historic and natural resources and places of business within Suffolk County, its towns and its villages, and stimulating economic growth by attracting conventions, meetings, sporting events and visitors to Suffolk County.
 - ii. The development and execution of an annual marketing and advertising program designed to solicit conventions, meetings, tour groups and individual visitors to Suffolk County.
 - iii. Producing, distributing and evaluating, on an annual basis, the collateral materials for visitors containing information about area hotels, restaurants, attractions, shopping activities and visitor services.

- iv. Operating two tourist information centers serving visitors to Suffolk County, or such other number of centers as may be mutually agreed upon by the County and Contractor in writing.

End of Text for Section IV

TOURISM AND CONVENTION BUSINESS PROMOTION AGREEMENT

This Agreement ("Agreement") is between the **County of Suffolk ("County")**, a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted **Department of Economic Development/Workforce Housing ("Department")**, located at H. Lee Dennison Building, 2nd Floor, 100 Veterans Memorial Highway, Hauppauge, New York (mailing address: P.O. Box 6100, Hauppauge, New York 11788-0099) and the **Long Island Convention and Visitors Bureau, Inc. ("LICVB" and/or "Contractor")**, a New York not-for-profit corporation, having its principal place of business at 330 Vanderbilt Motor Parkway, Suite 203, Hauppauge, New York 11788.

The parties hereto desire that the LICVB provide services for the promotion of tourism, convention and sports events ("**Services**"), pursuant to the Laws of Suffolk County, Article II, Chapter 327.

Term of Agreement: January 1, 2011 to December 31, 2011 with three one-year extensions at the discretion of the County.

Total Cost of Agreement: Shall be as described in paragraph 3 of Article II.

Terms and Conditions: Shall be as set forth in Article I, Article II, Exhibits 1-4, and Appendix.

In Witness Whereof, the parties hereto have executed this Agreement as of the latest date written below.

Long Island Convention and Visitors Bureau, Inc.

County of Suffolk

By: [Signature]
Name: Ricardo Wilches
Title: Business Manager
Date: _____
Fed. Taxpayer ID No. 52-1137306

By: _____
Name: _____
Title: Deputy County Executive
Date: _____

Ricardo Wilches, Business Manager hereby certifies under penalties of perjury that I am an officer of LICVB, that I have read and I am familiar with §A5-7 of Article V of the Suffolk County Code, and that LICVB meets all requirements to qualify for exemption thereunder.

Department of Economic Development and Workforce Housing
Approved:

[Signature] Date 6/3/11
Name: Ricardo Wilches, Business Manager

By: _____
Name: Yves R. Michel
Title: Commissioner
Date: _____

Approved as to Legality:
Christine Malafi, County Attorney

By: _____
Name Kelly Green
Title: Assistant County Attorney
Date _____

List of Articles & Exhibits

Article I

Description of Services

1. Conflicting Provisions
2. Overview of Services and Scope of Work
3. Business Plan/Destination Marketing Strategy and Plan/Suffolk County Specialty Tourism Marketing Strategy and Plan/Financial Plan/Reports
4. Procurement
5. Assignment and Subcontracting

Article II

Financial Terms and Conditions

1. Conflicting Provisions
2. General Payment Terms
3. Specific Payment Terms and Conditions
4. Comptroller's Rules and Regulations for Consultant's Agreements

Exhibit 1

County Terms and Conditions

1. Elements of Interpretation
2. Meanings of Terms
3. Contractor Responsibilities
4. Qualifications, Licenses and Professional Standards
5. Documentation of Professional Standards
6. Termination
7. Indemnification and Defense
8. Insurance
9. Independent Contractor
10. Severability
11. Merger; No Oral Changes
12. Set-Off Rights
13. Non-Discrimination in Services
14. Nonsectarian Declaration
15. Governing Law
16. No Waiver
17. Conflicts of Interest
18. Cooperation on Claims
19. Confidentiality
20. No Intended Third Party Beneficiaries
21. Certification as to Relationships
22. Publications and Publicity
23. Copyrights and Patents
24. Arrears to County

25. Lawful Hiring of Employees in Connection with Contracts for Construction or Future Construction
26. Notice

Exhibit 2

Suffolk County Legislative Requirements

1. Contractor's/Vendor's Public Disclosure Statement
2. Living Wage Law
3. Use of County Resources to Interfere with Collective Bargaining Activities
Local Law No. 26-2003
4. Lawful Hiring of Employees Law
5. Gratuities
6. Prohibition Against Contracting with Corporations that Reincorporate Overseas
7. Child Sexual Abuse Reporting Policy
8. Non Responsible Bidder
9. Use of Funds in Prosecution of Civil Actions Prohibited
10. Youth Sports
11. Suffolk County Local Laws Website Address

Exhibit 3

Technical Services Requirements:

Business Plan/Destination Marketing Strategy and Plan/Suffolk County Specialty Tourism Marketing Strategy and Plan/Financial Plan (the "Plan").

Exhibit 4

Suffolk County Resolution No. _____ - 2011

Appendix

Public Disclosure
Living Wage
Union Certification
Lawful Hiring
Comptroller's Rules
Statement of Other Contracts

Article I
Description of Services

Whereas, the County desires to stimulate economic growth by fostering tourism and convention activities within Suffolk County; and

Whereas, Local Law No. 14-1992, entitled "A Local Law to Impose a Hotel and Motel Tax in Suffolk County" (Article II of Chapter 327 of the Suffolk County Code, hereinafter referred to as "Local Law"), provides for a tax on receipts from hotel and motel rooms within Suffolk County as a source of revenue, in part, to support the tourism and convention businesses located in Suffolk County; and

Whereas, the Local Law directs the County to enter into a contract with a tourism promotion agency to administer programs designed to develop, encourage, solicit and promote convention business and tourism in Suffolk County as mandated by §1202-o(5) of the Tax Law of New York State; and

Whereas, the County issued an Request for Proposals ("RFP"), purchasing number 11-11008, on March 3, 2011; and

Whereas, the LICVB submitted a proposal in response to such RFP; and

Whereas, the County has selected the LICVB to provide the services as set forth herein;

Whereas, the LICVB is a tourism promotion agency which devotes all of its efforts in Suffolk and Nassau Counties to the furtherance of activities which attract visitors to Long Island, and

Whereas, the LICVB is able and willing to perform the services which are required by said Local Law; and

Whereas, the County desires to enter into a contract with the LICVB to carry out the services that are listed in said Local Law, on the terms and conditions stated herein.

Now Therefore, in consideration of the premises and the mutual covenants contained herein, the County and the LICVB agree as follows:

1. Conflicting Provisions

In the event of any conflict between any provision in this Article I and an exhibit to this Contract, the exhibit shall prevail unless it is expressly stated in the conflicting provision in this Article I, that it shall prevail over the exhibit.

2. LICVB Responsibilities

- a. The County engages the LICVB to administer programs designed to develop, encourage, solicit and promote convention business, tourism and sporting events within the County of Suffolk.
- b. During the term of this Agreement, if the LICVB should elect to use the website domain 'longisland.travel' within their tourism promotion, and is restricted at any time from using that website domain, the County shall be notified immediately.

- c. All sums paid to the tourism promotion agency shall be expended on Suffolk County tourism, and/or historic or cultural areas, programs or activities as required under Tax Law §1202-o(5).
 - d. Such programs shall include, but not be limited to, the following:
 - i. Promoting the cultural and natural resources and places of business within Suffolk County, its Towns and its Villages, and stimulating economic growth by attracting conventions, meetings, sporting events and visitors to Suffolk County.
 - ii. The development and execution of an annual marketing and advertising program designed to solicit conventions, meetings, tour groups and individual visitors to Suffolk County.
 - iii. Producing, distributing, and evaluating, on an annual basis, the collateral materials for visitors containing information about area hotels, restaurants, attractions, shopping activities and visitor services.
 - iv. Operating two tourist information centers serving visitors to Suffolk County, or such other number of centers as may be mutually agreed upon by the parties in writing.
 - e. The LICVB shall perform such services as may be necessary to accomplish the work required to be performed under and in accordance with this Agreement. The LICVB specifically represents and warrants that it has and shall possess, and that its employees, agents and subcontractors have and shall possess, the required education, knowledge, experience and character necessary to qualify them individually for the particular duties they perform.
 - f. The LICVB agrees it will use the Suffolk County hotel/motel tax revenues in a manner so as to avoid any conflict of interest between the personal, professional or business interests of any officer or member of the Board of Directors with the interests of the Bureau.
 - g. Semi-annually, as directed by the Department, the LICVB shall submit a written report to the Department regarding the effectiveness of the Bureau's efforts in increasing sales tax revenue and tourism. Such reports shall include verifiable statistics.
 - h. The LICVB shall comply with any and all legal requirements imposed upon contract agencies that do business with the County of Suffolk.
- 3. Business Plan/Destination Marketing Strategy and Plan/Suffolk County Specialty Tourism Marketing Strategy and Plan/Financial Plan/Reports**
- a. The Contractor shall adhere to the Business Plan/Destination Marketing Strategy and Plan/Suffolk County Specialty Tourism Marketing Strategy and Plan/Financial Plan (the "Plan", attached hereto as Exhibit C), which shall clearly delineate how the funds received under this Agreement will be utilized by the Contractor. Such Plan shall be provided to the Department on such date as specified by the Department. Any changes to same, which relate to County funding, shall be subject to the approval of the Department.
 - b. The Plan shall provide that the funds received by the Contractor under this Agreement will be segregated from funds received from members of the tourism agency and the Contractor shall

not use the funds received under this Agreement to direct visitors to any particular business but such funds shall be used to promote tourism within the targeted region.

- c. The Plan shall include a separate budget and marketing plan for those funds from Suffolk County which exceed the amount received by the Contractor from Nassau County, combined with the 3.3% of total Suffolk County hotel and motel tax funds received by the Contractor to be dedicated to cultural tourism program development and promotion. Such funds will support the Suffolk Specialty Tourism Marketing Strategy and Plan and marketing is to be specifically dedicated to events and natural, cultural, and recreational attractions within Suffolk County.
- d. The Contractor shall provide to the Department, on an annual basis, a copy of its Budget on such date as specified by the Department and any revisions to the Budget shall also be provided to the Department on such date as specified by the Department. The submission by the Contractor to the Department of such Budget, as well as any revisions to the Budget, shall include category detail.
- e. The Contractor shall establish internal controls wherein the governing board of the Contractor shall review and approve all expenditures of employees relating to travel, entertainment, marketing, and other expenses associated with promoting tourism in Suffolk County.
- f. The Contractor shall require that all checks expending Suffolk County hotel/motel tax monies be executed with dual signatures and hereby affirmatively states that a policy has been established instituting such measures to assure that the requirement of dual signatures is enforced.
- g. The Contractor shall submit annually to the Suffolk County Executive and the Clerk of the Suffolk County Legislature an audited financial report and a copy of the agency's by-laws.
- h. The Contractor agrees to comply with Suffolk County Resolution No. - 2011, adopting Local Law No. 2-2005, "A Local Law to Require Greater Oversight of the Designated Tourism Promotion Agency Administering the Hotel/Motel Tax Program", attached hereto as Exhibit D, as now in effect or amended hereafter or with any other Suffolk County Local Law that may become applicable during the term of this Agreement with regard to the administration of the Hotel/Motel Tax Program.

4. Procurement

a. Method of Procurement

In the event that the Contractor seeks to procure goods or services from any third party, then, consistent with the requirements of Article 5-A of the General Municipal Law, and Chapter 708 of the Suffolk County Code, the Contractor shall select among permissible methods of procurement including, but not limited to, an invitation for competitive bid, request for proposals ("RFP's") or other means of permissible competitive solicitation. Bids, RFP's or solicitations shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe the general manner in which the evaluation and selection shall be concluded.

b. Awards

The Contractor shall award contracts for the purchase of goods on the basis of the lowest price to a responsive and responsible offeror. The Contractor shall award service contracts on the basis of best value from a responsive and responsible offeror. If the basis for award is best value, the Contractor shall document a reasonably detailed explanation of the process used in the determination of best value.

c. Local Preference

To the extent permitted by law, any procurement award shall be awarded to an offeror as set forth in section A4-13 or section A4-14, as the case may be, of the Suffolk County Code to an offeror who is located and doing business in Nassau or Suffolk County. For purposes of this Agreement, the phrase "located and doing business within Nassau or Suffolk County" shall have the same meaning ascribed to it in section A4-13 or section A4-14, as the case may be, of the Suffolk County Code.

5. Assignment and Subcontracting

- a.** The Contractor shall not assign, transfer, convey, subcontract, or otherwise dispose of this Agreement, or any right, title or interest therein, or the power to execute this Agreement, or all or any portion of the moneys that may be due or become due to the Contractor under the terms of this Agreement, to any other person or corporation without the prior consent in writing of the Department, and any attempt to do any of the foregoing without such consent shall be of no effect. This subparagraph is limited to professional services related to marketing services, advertising services, public relations, promotional services and design work, with a cumulative value of more than \$10,000.00 per subcontractor. Notwithstanding the above, prior written approval from the Department is not necessary if an advertised RFP competitive procurement process is utilized and the award of any contract pursuant to such process for \$10,000.00 or more is approved by the Contractor's Executive Committee and/or Board of Directors, as applicable.
- b.** The Contractor shall be wholly responsible for the entire performance of this Agreement, whether or not subcontractors are used. Any subcontract which the Contractor enters into with respect to performance under this Agreement shall not relieve the Contractor in any way of responsibility for performance of its duties. Further, the County shall consider the Contractor to be the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the Agreement.

End of Text for Article I

Article II
Financial Terms and Conditions

1. Conflicting Provisions

In the event of any conflict between any provision in this Article II and an exhibit to this contract, the exhibit shall prevail unless it is expressly stated in the conflicting provision in this Article II, that it shall prevail over the exhibit.

2. General Payment Terms

a. Presentation of Suffolk County Payment Voucher

In order for payment to be made by the County to the contractor for the Services, the contractor shall prepare and present a Suffolk County Payment Voucher ("Voucher"), which shall be documented by sufficient, competent and evidential matter.

b. Payment by County

Payment by the County shall be made within thirty (30) days after approval of the Voucher by the Comptroller.

c. Final Voucher

The acceptance by the Contractor of payment of all billings made on an approved voucher shall operate as and shall be a release of the County from all claims by the Contractor through the date of the Voucher.

3. Specific Payment Terms and Conditions

a. The County shall pay to the Contractor twenty four percent (24%) of the tax receipts that are received by the County under the Local Law. Said receipts received by the County in each calendar quarter year, shall be paid to the Contractor within thirty (30) days after the end of said calendar quarter year. Such receipts shall be used by the Contractor solely for the performance of the services described herein and apportioned under the following formula:

- i.** 3.3% of the tax receipts received by the County and paid to the Contractor shall be budgeted specifically for cultural tourism programming described in the Suffolk County Specialty Tourism Marketing Strategy and Plan, and shall complement the cultural tourism strategies and programs of the Department of Economic Development and Workforce Housing, Office of Cultural Affairs.
- ii.** Of the balance of tax receipts remaining, any funds received by the Contractor from Suffolk County that exceed funds received from Nassau County shall be applied to the Suffolk County Specialty Tourism Marketing Strategy and Plan.

- b. After the obligations of paragraph a. above have been satisfied, the remaining tax receipts received by the Contractor from Suffolk County and equal to those funds received from Nassau County shall be applied to the Long Island Regional Destination Marketing Strategy and Plan.
- c. It is expressly agreed that the total payment to the Contractor is limited to the actual collection of receipts, and shall include a pro rata portion of the penalties or interest which may be collected by the County for noncompliance with the Local Law.
- d. It is expressly agreed that all payments shall be in accordance with §1202-o (6) of the Tax Law of New York State.

4. Comptroller's Rules and Regulations for Consultant's Agreements

- a. The Contractor shall comply with the "Comptroller's Rules and Regulations for Consultant's Agreements" as promulgated by the Department of Audit and Control of Suffolk County and any amendments thereto during the term of the Contract. The County shall provide the Contractor with a copy of any amendments to the "Comptroller's Rules and Regulations for Consultant's Agreements" during the term of the Contract.
- b. The Contractor agrees to maintain its accounts in the performance of the Contract in accordance with generally accepted accounting principles, and as may otherwise be directed by the Comptroller.
- c. The Contractor agrees to retain all accounts, records and other documents relevant to the Contract for six (6) years after final payment.
- d. All payments made under the Contract are subject to audit by the Comptroller. If such an audit discloses overpayments by the County to the Contractor, within thirty (30) days after the issuance of an official audit report by the Comptroller, the Contractor shall repay the amount of such overpayment by check to the order of the Suffolk County Treasurer.

End of Text for Article II

Exhibit 1
County Terms and Conditions

1. Elements of Interpretation

As used throughout the Contract:

- a. Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders and words importing the singular number shall mean and include the plural number and vice versa. Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons, and shall include successors and assigns.
- b. Capitalized terms used, but not otherwise defined herein, shall have the meanings assigned to them in the Contract.

2. Meanings of Terms

As used in the Contract:

"Comptroller" means the Comptroller of the County of Suffolk.

"Contract" means all terms and conditions herein forming all rights and obligations of the Contractor and the County.

"Contractor" means the signatory person, partnership, corporation, association or other entity, its officers, officials, employees, agents, servants, sub-contractors and any successor or assign of any one or more of the foregoing performing the Services.

"County" means the County of Suffolk, its departments, agents, servants, officials, and employees.

"County Attorney" means the County Attorney of the County of Suffolk.

"Department" means the signatory department approving the Contract.

"Event of Default" means

- a. The Contractor's failure to maintain the amount and types of insurance required by the Contract;
or
- b. The Contractor's failure to comply with any Federal, State or local law, rule, or regulation, and County policies or directives; or
- c. The Contractor's bankruptcy or insolvency; or
- d. The Contractor's failure to cooperate in an Audit; or

- e. The Contractor's falsification of records or reports, misuse of funds, or malfeasance or nonfeasance in financial record keeping arising out of, or in connection with, any contract with the County; or
- f. The Contractor's failure to submit, or failure to timely submit, documentation to obtain Federal or State funds; or
- g. The inability of the County or the Contractor to obtain Federal or State funds due to any act or omission of the Contractor; or
- h. Any condition the County determines, in its sole discretion, that is dangerous.

"Federal" means the United States government, its departments and agencies.

"Fund Source" means any direct or indirect sum payable to the Contractor by the County pursuant to any lawful obligation.

"Legislature" means the Legislature of the County of Suffolk.

"Services" means all that which the Contractor must do and any part thereof arising out of, or in connection with, the contract necessary to render the assistance and benefit intended by the Contract.

"State" means the State of New York.

"Suffolk County Payment Voucher" means the document authorized and required by the Comptroller for release of payment.

"Term" means the time period set forth on page one of the Contract and, if exercised by the County, the option period.

3. Contractor Responsibilities

- a. It shall be the duty of the Contractor to discharge, or cause to be discharged, all of its responsibilities in the interest of the County in accordance with the provisions of the Contract.
- b. The Contractor shall promptly take all action as may be necessary to render the Services.
- c. The Contractor shall not take any action that is inconsistent with the provisions of the Contract.

4. Qualifications, Licenses, and Professional Standards

- a. The Contractor represents and warrants that it has, and shall continuously possess, during the Term, the required licensing, education, knowledge, experience, and character necessary to qualify it to render the Services.
- b. The Contractor shall continuously have during the Term all required authorizations, certificates, certifications, registrations, licenses, permits, and other approvals required by Federal, State, County, or local authorities necessary to qualify it to render the Services.

5. Documentation of Professional Standards

The Contractor shall maintain on file, in one location in Suffolk County, all records that demonstrate that it has complied with paragraph 4 above. The address of the location of the aforesaid records and documents shall be provided to the County no later than the date of execution of the Contract. Such documentation shall be kept, maintained, and available for inspection by the County upon twenty-four (24) hours-notice.

6. Termination

a. Thirty Days Termination

The County shall have the right to terminate the Contract without cause, for any reason, at any time, upon such terms and conditions it deems appropriate, provided, however, that no such termination shall be effective unless the Contractor is given at least thirty (30) days-notice.

b. Event of Default; Termination on Notice

- i. The County may immediately terminate the Contract, for cause, upon such terms and conditions it deems appropriate, in the Event of Default.
- ii. If the Contractor defaults under any other provision of the Contract, the County may terminate the Contract, on not less than five (5) days-notice, upon such terms and conditions it deems appropriate.

c. Duties upon Termination

- i. The Contractor shall discontinue the Services as directed in the termination notice.
- ii. The County shall pay the Contractor for the Services rendered through the date of termination.
- iii. The County shall be released from any and all liability under the Contract, effective as of the date of the termination notice.
- iv. Upon termination, the Contractor shall reimburse the County the balance of any funds advanced to the Contractor by the County no later than thirty (30) days after termination of the Contract. The provisions of this subparagraph shall survive the expiration or termination of the Contract.
- v. Nothing contained in this paragraph shall be construed as a limitation on the County's legal or equitable remedies, or other rights available to it as set forth in the Contract.

7. Indemnification and Defense

- a. The Contractor shall protect, indemnify, and hold harmless the County, its agents, servants, officials, and employees from and against all liabilities, fines, penalties, actions, damages,

claims, demands, judgments, losses, suits or actions, costs, and expenses caused by the negligence or any acts or omissions of the Contractor, including reimbursement of the cost of reasonable attorneys' fees incurred by the County, its agents, servants, officials, and employees in any action or proceeding arising out of or in connection with the Contract.

- b. The Contractor hereby represents and warrants that it will not infringe upon any copyright in performing the Services. The Contractor agrees that it shall protect, indemnify, and hold harmless the County, its agents, servants, officials, and employees from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, suits or actions, costs, and expenses arising out of any claim asserted for infringement of copyright, including reimbursement of the cost of reasonable attorneys' fees incurred by the County, its agents, servants, officials, and employees in any action or proceeding arising out of or in connection with any claim asserted for infringement of copyright due to the Contractor's actions in carrying out its duties under this Contract.
- c. The Contractor shall defend the County, its agents, servants, officials, and employees in any proceeding or action, including appeals, arising out of, or in connection with, the Contract, and any copyright infringement proceeding or action. At the County's option, the County may defend any such proceeding or action and require the Contractor to pay reasonable attorneys' fees for the defense of any such suit.

8. Insurance

- a. The Contractor shall continuously maintain, during the Term of the Contract, insurance in amounts and types as follows:
 - i. **Commercial General Liability** insurance, including contractual liability coverage, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (\$2,000,000.00) per occurrence for property damage. The County shall be named an additional insured.
 - ii. **Automobile Liability** insurance (if any vehicles are used by the Contractor in the performance of the Contract) in an amount not less than Five Hundred Thousand Dollars (\$500,000.00) per person, per accident, for bodily injury and not less than One Hundred Thousand Dollars (\$100,000.00) for property damage per occurrence.
 - iii. **Workers' Compensation and Employer's Liability** insurance in compliance with all applicable New York State laws and regulations and **Disability Benefits** insurance, if required by law. The Contractor shall furnish to the County, prior to its execution of the Contract, the documentation required by the State of New York Workers' Compensation Board of coverage or exemption from coverage pursuant to §§57 and 220 of the Workers' Compensation Law. In accordance with General Municipal Law §108, the Contract shall be void and of no effect unless the Contractor shall provide and maintain coverage during the Term for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
- b. The County may mandate an increase in the liability limits set forth above in the immediate preceding paragraphs.

- c. All policies providing such coverage shall be issued by insurance companies with an A.M. Best rating of A- or better.
- d. The Contractor shall furnish to the County, prior to the execution of the Contract, declaration pages for each policy of insurance, other than a policy for commercial general liability insurance, and upon demand, a true and certified original copy of each such policy evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, the Contractor shall furnish to the County, prior to the execution of the Contract, a declaration page or insuring agreement and endorsement page evidencing the County's status as an additional insured on said policy, and upon demand, a true and certified original copy of such policy evidencing compliance with the aforesaid insurance requirements.
- e. All evidence of insurance shall provide for the County to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in the policy to which such evidence relates. It shall be the duty of the Contractor to notify the County immediately of any cancellation, nonrenewal, or material change in any insurance policy.
- f. In the event the Contractor shall fail to provide evidence of insurance, the County may provide the insurance required in such manner as the County deems appropriate and deduct the cost thereof from a Fund Source.

9. Independent Contractor

The Contractor is not, and shall never be, considered an employee of the County for any purpose. Notwithstanding anything herein, the Contract shall not be construed as creating a principal-agent relationship between the County and the Contractor or the Contractor and the County, as the case may be.

10. Severability

It is expressly agreed that if any term or provision of the Contract, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of the Contract, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of the Contract shall be valid and shall be enforced to the fullest extent permitted by law.

11. Merger; No Oral Changes

It is expressly agreed that the Contract represents the entire agreement of the parties and that all previous understandings are herein merged in the Contract. No modification of the Contract shall be valid unless in written form and executed by both parties.

12. Set-Off Rights

The County shall have all of its common law, equitable, and statutory rights of set-off. These rights shall include, but not be limited to, the County's option to withhold from a Fund Source an amount no greater

than any moneys due and owing to the County for any reason. The County shall exercise its set-off rights subject to approval by the County Attorney. In cases of set-off pursuant to a Comptroller's audit, the County shall only exercise such right after the finalization thereof, and only after consultation with the County Attorney.

13. Non-Discrimination in Services

- a. The Contractor shall not, on the grounds of race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status:
 - i. deny any individual the Services provided pursuant to the Contract; or
 - ii. provide the Services to an individual that is different, or provided in a different manner, from those provided to others pursuant to the Contract; or
 - iii. subject an individual to segregation or separate treatment in any matter related to the individual's receipt of the Services provided pursuant to the Contract; or
 - iv. restrict an individual in any way from any advantage or privilege enjoyed by others receiving the Services provided pursuant to the Contract; or
 - v. treat an individual differently from others in determining whether or not the individual satisfies any eligibility or other requirements or conditions which individuals must meet in order to receive the Services provided pursuant to the Contract.
- b. The Contractor shall not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status, or have the effect of substantially impairing the Contract with respect to individuals of a particular race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status, in determining:
 - i. the Services to be provided, or
 - ii. the class of individuals to whom, or the situations in which, the Services will be provided; or
 - iii. the class of individuals to be afforded an opportunity to receive the Services.

14. Nonsectarian Declaration

The Services performed under the Contract are secular in nature. No funds received pursuant to the Contract shall be used for sectarian purposes or to further the advancement of any religion. The Services will be available to all eligible individuals regardless of religious belief or affiliation.

15. Governing Law

The Contract shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflict of laws. Venue shall be designated in the Supreme Court, Suffolk County, the United States District Court for the Eastern District of New York, or, if appropriate, a court of inferior jurisdiction in Suffolk County.

16. No Waiver

It shall not be construed that any failure or forbearance of the County to enforce any provision of the Contract in any particular instance or instances is a waiver of that provision. Such provision shall otherwise remain in full force and effect, notwithstanding any such failure or forbearance.

17. Conflicts of Interest

The Contractor shall not, during the Term, pursue a course of conduct which would cause a reasonable person to believe that he or she is likely to be engaged in acts that create a substantial conflict between its obligations under the Contract and its private interests. The Contractor is charged with the duty to disclose to the County the existence of any such adverse interests, whether existing or potential. This duty shall continue as long as the Term. The determination as to whether or when a conflict may potentially exist shall ultimately be made by the County Attorney after full disclosure is obtained.

18. Cooperation on Claims

The Contractor and the County shall render diligently to each other, without compensation, any and all cooperation that may be required to defend the other party, its employees and designated representatives against any claim, demand or action that may be brought against the other party, its employees or designated representatives arising out of or in connection with the Contract.

19. Confidentiality

Any document of the County, or any document created by the Contractor and used in rendering the Services, shall remain the property of the County and shall be kept confidential in accordance with applicable laws, rules, and regulations.

20. No Intended Third Party Beneficiaries

The Contract is entered into solely for the benefit of the County and the Contractor. No third party shall be deemed a beneficiary of the Contract and no third party shall have the right to make any claim or assert any right under the Contract.

21. Certification as to Relationships

The Contractor certifies under penalties of perjury that, other than through the funds provided in the Contract and other valid agreements with the County, there is no known spouse, life partner, business, commercial, economic, or financial relationship with the County or its elected officials. The Contractor also certifies that there is no relationship within the third degree of consanguinity, between the Contractor, any of its partners, members, directors, or shareholders owning five (5%) percent or more of the Contractor, and the County.

22. Publications and Publicity

- a. The Contractor shall not issue or publish any book, article, report, or other publication related to the Services without first obtaining written prior approval from the County. After approval in

writing is obtained, all such printed matter or other publication shall contain the following statement in clear and legible print:

"This publication is fully or partially funded by the County of Suffolk."

- b. The Contractor shall not issue press releases or any other information to the media, in any form, concerning the Services, without obtaining prior written approval from the County.

23. Copyrights and Patents

a. Copyrights

If the work of the Contractor should result in the production of original books, manuals, films, or other materials for which a copyright may be granted, the Contractor may secure copyright protection. However, the County reserves to itself, and the Contractor hereby gives to the County, and to any other person designated by the County, a royalty-free, nonexclusive license to produce, reproduce, publish, translate, or otherwise use any such materials.

b. Patents

If the Contractor makes any discovery or invention during the Term, or as a result of work performed under the Contract, the Contractor may apply for and secure for itself patent protection. However, the County reserves to itself, and the Contractor hereby gives to the County, and to any other person designated by the County, a royalty-free, nonexclusive license to produce or otherwise use any item so discovered or patented.

24. Arrears to County

The Contractor warrants that, except as may otherwise be authorized by agreement, it is not in arrears to the County upon any debt, contract, or any other lawful obligation, and is not in default to the County as surety.

25. Lawful Hiring of Employees Law in Connection with Contracts for Construction or Future Construction

In the event that the Contract is subject to the Lawful Hiring of Employees Law of the County of Suffolk, Suffolk County Code Chapter 234, as more fully set forth in the Article entitled "Suffolk County Legislative Requirements," the Contractor shall maintain the documentation mandated to be kept by this law on the construction site at all times. Employee sign-in sheets and register/log books shall be kept on the construction site at all times and all covered employees, as defined in the law, shall be required to sign such sign-in sheets/register/log books to indicate their presence on the construction site during such working hours.

26. Notice

Unless otherwise expressly provided herein, all notices shall be in writing and shall be deemed sufficiently given if sent by regular first class mail and certified mail, or personally delivered during business hours as follows: 1.) to the Contractor at the address on page 1 of the Contract and 2.) to the

County at the Department, or as to either of the foregoing, to such other address as the addressee shall have indicated by prior written notice to the addressor. All notices received by the County relating to a legal claim shall be immediately sent to the Department and also to the County Attorney at 100 Veterans Memorial Highway, P.O. Box 6100, (Sixth Floor), Hauppauge, New York, 11788. The County shall report to the Contractor in writing within ten (10) days of the initiation by or against it of any legal action or proceeding in connection with or relating to The Contract.

End of Text for Exhibit 1

Exhibit 2
Suffolk County Legislative Requirements

1. Contractor's/Vendor's Public Disclosure Statement

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section A5-7 of Article V of the Suffolk County Code.

Unless certified by an officer of the Contractor as being exempt from the requirements of section A5-7 of Article V of the Suffolk County Code, the Contractor represents and warrants that it has filed with the Comptroller the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the Comptroller on or before the 31st day of January in each year of the Contract's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of the Contract, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Contract.

Required Form:

Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. Living Wage Law

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 347, of the Suffolk County Code.

This Contract is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply, all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate the Contract and to seek other remedies as set forth therein, for violations of this Law.

Required Forms:

Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

3. Use of County Resources to Interfere with Collective Bargaining Activities

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 466 of the Suffolk County Code.

County Contractors (as defined by section 466-2) shall comply with all requirements of Chapter 466 of the Suffolk County Code, including the following prohibitions:

- a. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.
- c. The County shall not use County funds to assist, promote, or deter union organizing.
- d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If the Services are performed on County property, the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, non-intimidation agreement, and a majority authorization card agreement.

If the Services are for the provision of human services and are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Chapter 466, the County shall have the authority, under appropriate circumstances, to terminate the Contract and to seek other remedies as set forth therein, for violations of this Law.

Required Form:

Suffolk County Labor Law Form DOL-LO1; entitled "Suffolk County Department of Labor – Labor Mediation Unit Union Organizing Certification/Declaration – Subject to Audit."

4. Lawful Hiring of Employees Law

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 234 of the Suffolk County Code.

This Contract is subject to the Lawful Hiring of Employees Law of the County of Suffolk. It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of the Contract.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate the Contract for violations of this Law and to seek other remedies available under the law.

The documentation mandated to be kept by this law shall at all times be kept on site. Employee sign-in sheets and register/log books shall be kept on site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign-in sheets/register/log books to indicate their presence on the site during such working hours.

Required Forms:

Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor – Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees."

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

5. Gratuities

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Chapter 386 of the Suffolk County Code.

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of the County or the State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement.

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of sections A4-13 and A4-14 of Article IV of the Suffolk County Code.

The Contractor represents that it is in compliance with sections A4-13 and A4-14 of Article IV of the Suffolk County Code. Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

7. Child Sexual Abuse Reporting Policy

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article IV of Chapter 577 of the Suffolk County Code.

The Contractor shall comply with Article IV of Chapter 577, of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy," as now in effect or amended hereafter or of any other Suffolk County local law that may become applicable during the term of the Contract with regard to child sexual abuse reporting policy.

8. Non Responsible Bidder

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of Article II of Chapter 143 of the Suffolk County Code.

Upon signing the Contract, the Contractor certifies that it has not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

9. Use of Funds in Prosecution of Civil Actions Prohibited

It shall be the duty of the Contractor to read, become familiar with, and comply with the requirements of section 590-3 of Article III of Chapter 590 of the Suffolk County Code.

The Contractor shall not use any of the moneys, in part or in whole, and either directly or indirectly, received under the Contract in connection with the prosecution of any civil action against the County in any jurisdiction or any judicial or administrative forum.

10. Youth Sports

In accordance with Local Law No. 44-2009, (Suffolk County Code Chapter), all contract agencies that conduct youth sports programs are required to develop and maintain a written plan or policy addressing incidents of possible or actual concussion or other head injuries among sports program participants. Such plan or policy must be submitted prior to the award of the County contract, grant or funding. Receipt of such plan or policy by the County does not represent approval or endorsement of any such plan or policy, nor shall the County be subject to any liability in connection with any such plan or policy.

11. Suffolk County Local Laws Website Address

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County website at <http://www.co.suffolk.ny.us>.

End of Text for Exhibit 2



*2011 Marketing Plan
and
Operating Budget*

As approved by the Board of Directors
September 2010

Marketing Plan for Tourism Development

Fiscal Year 2011

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I. Mission Statement

**The core mission of the
Long Island Convention and Visitors Bureau and Sports Commission
is to promote Suffolk and Nassau Counties as a region
to stimulate economic growth by attracting
meetings, conventions, sporting events and tourists
to Long Island.**

II. Introduction

Marketing & Sales Challenges

In 2010, Long Island's tourism economy continued to be negatively impacted by the effects of the global recession that began in the fall of 2008. Though no longer technically in a recession, the national economy grew only slightly in the first half of 2010. Minimal job growth, tight fiscal lending policies, continued declines in the housing market and frugal consumerism all combined to place a major drag on the level of economic growth needed to help return Long Island's tourism industry to pre-recession business levels.

Faced with these challenges, the LICVB attempted to mitigate these negative impacts by adjusting both its marketing and sales strategies as it entered 2010. However, two situations arose that severely impacted the bureau's efforts.

- The first was the **loss of \$194,000 in Matching Funds** resultant from the financial crisis faced by the state of New York. As in past years, these funds had been part of the bureau's revenue projections for 2010. It was not until June of that year that the bureau was notified that these funds would not be made available by Empire State Development.
- The second was the lost of a seasoned and productive corporate group sales manager in March. Although the bureau was able to fill this position with an equally experienced sales manager, significant productivity was lost during the two-month interim.

Despite these challenges, the Bureau maintained an aggressive sales effort in the corporate group and international markets throughout. It has however, become abundantly clear that market conditions have overtaken the efforts of destinations nationwide to stimulate travel especially in the corporate group and business travel segments of the tourism industry.

Overall, business conditions on Long Island are best reflected in the decline in the Island's lodging performance through June:

Occupancies* – January - June:	<u>2010</u>	<u>2009</u>
Long Island:	62.1%	60.2%
Nassau County:	63.6%	61.3%
Suffolk County:	61.1%	59.4%
Average		
Daily Rates* – January - June:	<u>2010</u>	<u>2009</u>
Long Island:	\$114.33	\$121.64
Nassau County:	\$123.67	\$132.47
Suffolk County:	\$107.73	\$114.49
RevPAR* – January - June:	<u>2010</u>	<u>2009</u>
Long Island:	\$71.01	\$73.20
Nassau County:	\$ 78.60	\$81.27
Suffolk County:	\$ 65.85	\$68.05

* Smith Travel Research – NOTE: Figures do not include independently owned and operated lodging.

Although occupancies throughout Long Island have shown slight improvements over the same time period of 2009, it must be noted that this has been the result of significant rate contractions to drive demand. Consequently, while upscale, luxury and mid-priced properties appear to be

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showing significant improvements in occupancies, the rates being offered at these properties are equal to the cost to stay at lesser value properties. Both consumers and corporate clients are driving rates downward and unfortunately, Long Island has not seen such a low performance in its lodging sector in over a decade.

In 2010, the LICVB incorporated a number of marketing strategies with integrated disciplines to extend a brand awareness of the Long Island product to potential visitors. These marketing strategies included providing key support to the Bureau's sales initiatives. Identified as crucial to the future success of the Bureau's marketing initiatives is the development of a stronger online presence and the employing of a significantly more aggressive interactive strategy.

Sales

As stated earlier, the national economy has had its greatest impact on the corporate group and business transient market segments. Although corporate meeting planners and business travel planners are reporting a loosening of their budgets from the dramatic declines of 2009, this has not yet manifested itself in improved market conditions. Further, the rise in use of web-based meetings has exacerbated the decline in on-site meetings.

Surveys by the National Business Travel Association of corporate meeting planners indicate meetings and conventions will continue to be austere, shorter and more regional in scope throughout 2010-11.

As gloomy as the current situation might be, the bottom may have been reached. Other research conducted by HIS Global Insight in conjunction with the National Business Travel Association point to a modest 1.2% annual growth rate in the four years through 2013.

As with all effective marketing plans, this plan cannot, nor should it be considered a static document. It is intended to be a roadmap providing focus and direction to the bureau's collective marketing efforts. As such, it must remain a flexible document to better take advantage of unforeseen opportunities that present themselves – or address unanticipated challenges.

III. Positioning Statement

As a site for meetings, conventions and sporting events and as a destination for leisure travelers, Long Island offers a wide array of quality meeting venues, sports facilities and lodging properties surrounded by a wealth and depth of easily accessible, unique, and quality natural and manmade attractions that provide enriching experiences year-round with exceptional value and broad-based appeal.

IV. Market Segment Overview

Meetings and Conventions

Although there was some loosening of in-house and third-party meeting planner budgets in 2010 from the strangling reductions of 2009, the corporate group segment on Long Island has been slow to rebound. Recent surveys of members of Meeting Planners International and the Professional Conference Management Association indicate slight improvements in the meetings market expected in 2011. However, lodging rates will continue to be constricted as meeting planners are fully expected to retain their buying advantage in the near future.

The general consensus from lodging industry analysts from Smith Travel Research, Price Waterhouse, PKF and others is that a full recovery to pre-recession levels should not be expected until 2014.

Historically, Long Island has successfully positioned itself in the meetings and convention market segments as being an affordable alternative to holding meetings in New York City. However this tactic was seriously challenged in 2009 and the first half of 2010 as New York City average lodging rates plummeted 25% or more. Fortunately these rates rebounded significantly as the second half of 2010 began allowing Long Island to resume its positioning tactics.

In addition to positioning Long Island, the LICVB sales team will continue to be challenged by the following decision-making trends:

- Meeting return-on-investment
- Shorter lead and booking times
- Shorter meeting durations with less spend
- Rate and value focused
- Combined use of web-based meetings in conjunction with face-to-face events

In 2011, the Bureau will continue an aggressive sales and marketing program that focuses on the corporate and association meetings market. With the significant loss of State Matching Funds to the bureau's budget, direct sales efforts will not be as strongly supported by awareness generating print and online media programs. However, more emphasis will be placed in use of online and e-Marketing initiatives in conjunctions with the new B2aB features of the Bureau's new website to better engage potential meeting planner clients.

Sports Events

Long Island has long faced two significant challenges in its efforts to develop the sports events market segment even during times of a robust economy:

- Facility availability, and
- Price sensitivity to lodging rates and facility costs.

Unfortunately, the state of the current national economy has served to exacerbate these challenges. As state, county and local government budgets have constricted due to continuous revenue shortfalls, the greatest and most immediate impact has been on school districts strapped for cash. Consequently, extra-curricular high school and youth sporting events are being the hardest hit with both program reductions and/or cancellations.

Still, the market segment appears to be somewhat resilient and the LICVB maintains an aggressive and proactive program addressing this important segment. Obviously Long Island's close proximity to the Number 1 media market in the nation, New York City, provides an excellent positioning point.

Group Tour & Travel - Domestic

In 2005, it was determined that after two decades of trying to attract overnight motor coach operators this market segment had not yielded an acceptable return on its investment. With this in mind, the LICVB has maintained a minor presence in this market through its participation in the American Bus Association's annual market place.

The resources previously allocated to developing the domestic tour and travel market were re-allocated in 2007 to a new program targeting the development of the international market segment.

Tour & Travel – International

The importance of developing the international market segment is underlined by the fact that overseas travelers spend three times more than their domestic counterparts.

In the first half of 2010, New York City drew 8.75% more tourists over 2009 with international travel leading the way. The LICVB's international marketing efforts are directly linked to the continued success of NYC & Co. in driving international demand for New York City.

NYC & Co. maintains direct representation offices in a total of 18 international countries serving 25 markets and employs an aggressive educational program in each market targeting the travel trade. In an exclusive partnership developed in 2006 with the LICVB, Long Island is included in these educational programs as the featured designated neighbor beyond New York City.

In 2009, the city enjoyed 1.4 million visitors from the U.K. and Ireland and 1.25 million visitors from Germany and German-speaking countries. It is estimated that Long Island attracts 10% of these U.K. visitors and approximately 8% of the German-related visitors.

European and British travel consumers still rely heavily on the travel trade (tour operators, receptive operators and travel agents) for recommendations, assistance and travel purchases. For U.S. destinations and vendors this means it is absolutely essential to gain inclusion in the travel trade's distribution channels and catalogs if they hope to develop international visitation and business.

In 2007, no Long Island products were carried in any international travel trade catalog of travel offerings to the United States. Through its strategic partnerships with NYC & Co. and ILOVENY, the Bureau has attended three primary trade shows targeting the international markets:

- Travel Industry Association of America's International POW WOW
- World Travel Mart in London
- ITB Berlin

Resultant from the LICVB's direct sales contacts made at these programs, over 20 receptive/tour operators now feature Long Island products. Clearly, Long Island has established itself in the highly competitive international arena and generated significant demand for Long Island products.

General Leisure Traveler

A number of travel industry reports at the beginning of 2010 suggested that a recovery in the industry was underway. More consumers indicated strong pent-up desire for travel and this appeared to be validated by the volume of domestic travel that took place over the Memorial Day weekend as reported by AAA.

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However, as the economic recovery appears to have cooled resulting in a major decline consumer confidence, it remains to be seen if the travel industry is truly in a recovery-mode going into 2011.

Consumer travel surveys conducted by Ypartnership indicate the following trends of leisure travelers for 2010/11:

- They are equally likely to take weekend trips (73%) of four nights or less and extended trips (71%) of five consecutive nights or more.
- One third expects to take a "last minute" trip, departing an average of just six days after deciding to take the trip.
- Stress or the need to get away was cited by 42% as the primary reason for travel.
- Driving is significantly more preferred than flying as consumers are both weary and confused by airline travel and pricing.

For the most part however, domestic leisure travelers will make frugal choices in lodging, dining out and other discretionary expenditures. Price and value will be the most important drivers in their decision-making processes.

More than 38 million potential visitors reside within a 250-mile drive radius of Long Island and almost 23 million of these consumers reside in the New York Metropolitan Statistical Area. As such, Long Island is uniquely positioned in many ways to continue to target these leisure travel consumers. The LICVB will continue to generate image awareness of Long Island while seeking ways to target potential overnight visitors within the New York metro area.

Goals & Objectives

The overall goal of the LICVB & SC's marketing and sales efforts will be to maximize Long Island's return on its investment by positioning Long Island as a

preferred site for meetings and conventions, sporting events and as a leisure travel destination and driving overnight visitation.

Domestic Leisure Travel Consumer Objectives

Objective A:

Influence off-Island consumer and nearby New York metro consumer travel-making decisions by implementing aggressive and cost-effective integrated marketing strategies and programs.

SITUATION:

In 2010, the LICVB strengthened Long Island's online presence with the launch of its newly redesigned and redeveloped website combined with the employment of aggressive online marketing strategies in conjunction with traditional marketing initiatives. In 2011, the Bureau's primary consumer marketing focus will be to drive visitation to the new website and generate awareness of Long Island as a leisure travel destination and influence consumer decisions within a 200-mile drive radius to choose Long Island for a getaway vacation.

Independent research has proven the significant influence the Bureau's website, www.discoverlongisland.com exerts on visitors to Long Island. Those who had visited the website before traveling to Long Island stayed longer and spent more than those who had not visited the LICVB website before their travels.

While the Bureau's past marketing practices have proven their value, with the national economy remaining stagnant, the LICVB employed a new strategy in 2010 that combined regional "awareness" advertising with targeted "reminder" messages in the New York City metro area. In 2011, the Bureau will employ a similar strategy.

Strategy: Advertising

Develop parallel strategies that

- Generate top-of-mind awareness of Long Island as a vacation destination to off-Island travel consumers through image-building and response-driven advertising, and
- Reminds New York metro residents that Long Island's proximity provides an affordable get-away vacation opportunity.

Advertising objectives:

- Increase website traffic to LICVB website,
- Raise the profile of Long Island as a tourism destination by developing creative and compelling messages that resonate with leisure travel consumers
- Drive consumer inquiries for travel information to Long Island

Advertising strategies:

- Primary: Influence consumers within a 250-mile drive radius to choose Long Island as a leisure travel destination, thereby generating direct overnight tourism-related expenditures.

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- Secondary: Motivate potential visitors to request collateral information for planning a visit to Long Island, while creating a strong level of consumer awareness of Long Island as a destination in the leisure market place.
- Tertiary: Remind potential visitors in the New York Metro area of the value of real vacation get-away opportunities on Long Island.

Media objective:

- Incorporate an integrated media strategy that reaches the largest number of potential visitors to Long Island in best-opportunity markets.
- Drive traffic to the new LICVB web site, www.discoverlongisland.com.
- Compel potential visitors to request informational materials.

Media strategies:

- Place print advertising messages primarily in high-quality, travel-oriented regional media publications with response-oriented mechanisms in place.
- Participate in cost-effective cooperative print advertising programs offered through the New York State Department of Tourism and/or New York State TPA Association.
- Continue cost-effective pay-per-response interactive advertising programs.

Tactics (Print Advertising):

- Select from geographically-targeted editions of high quality, travel-oriented print media outlets that reach consumers in a “travel” frame of mind.
- Focus on print media that enhance consumer response options and offer a mechanical means of tracking inquiries, such as bingo cards and BRCs.

Tactics (Cooperative Advertising)

- Leverage limited financial resources by participating in New York State cooperative print advertising programs in proven-effective media outlets.

Tactics (Internet Advertising):

- Utilize online pay-per-performance advertising mediums to generate inquiries, drive web traffic and generate customer data.

Tactics (Other):

- Explore cost-effective media options geo-targeting New York metro area travel consumers.

Strategy: Public Relations

Expand media coverage of Long Island as a destination for leisure travel, meetings, tours and sporting events through local, regional and national media channels via an aggressive campaign to pitch news stories and ideas as well as provide high-impact visuals. Incorporate a more interactive approach to public and press relations using new website technology and direct communications. In addition, the Bureau will take advantage of the tools afforded by the web, major blogs and social media to more directly communicate its message.

Create easy-to-use, online services to assist media in receiving news, photos and in requesting assistance.

Tactic (Online Media Center): Coordinate online services to more effectively communicate with the media, including story ideas, press release, online assistance, familiarization tour requests and tracking.

Tactic (Online Photo Access): Develop and maintain an online library of high-quality Long Island imagery and offer downloadable high resolution selection to the media via online registration process.

Tactic (Familiarization Trips): Arrange itineraries and tours of Long Island to pre-qualified journalists on assignment to better educate them about Long Island's attributes through direct contact.

Tactic (Web Optimized Press Releases): Generate quarterly web optimized press releases edited for keywords, web links and tags to increase the popularity of releases on Yahoo! News, Google News and other news websites.

Tactic (Press Releases): Generate approximately two press releases per month to serve as media story ideas, sent out to known media contacts and posted on the website as anchor news items.

Tactic (PR Newswire): Utilize the expertise of PR Newswire to gain access to a searchable data base of high level media, categorized by topic, region, circulation, etc.

Tactic (Special Events): Generate publicity around major Long Island events and news to serve as pitch stories to the media and to gain coverage for Long Island as a whole.

Tactic (Imagery): Expand the Bureau's library of images and video to better communicate Long Island's tourism features.

Strategy: Collateral Development

Support advertising strategies and visitor information centers by publishing the annual *Long Island Travel Guide* in partnership with Island Publications division of *Newsday*. Augment this by printing four seasonal versions of a Calendar of Events for distribution for 2011. These materials act as solid marketing pieces that encourage consumer travel to Long Island and also serve as the primary answer pieces to its advertising efforts.

Tactic (Long Island Travel Guide): The *Long Island Travel Guide* will serve as the primary response mechanism when responding to inquiries will serve to represent the overall thematic guide for potential visitors to Long Island.

Tactic (Long Island Calendar of Events): Produce four (4) rackable size Calendar of Events brochures to serve as informational pieces highlighting Long Island events.

Tactic (Niche Collateral): Produce niche brochures on a select and limited basis to support the Bureau's marketing initiatives. This may include a mailed promotional postcard, map or other support material.

Strategy: Fulfillment

Respond to visitor inquiries with information and collateral materials in a timely manner.

Tactic (Fulfillment): The Hauppauge, Long Island based information department will serve as the primary source for disseminating information about Long Island's tourism attributes from website and phoned-in inquiries, and as the primary fulfillment mechanism for collateral to support its image, advertising and marketing campaigns.

Tactic (Distribution): Seek out ways to expand distribution of collateral materials at select but key informational sites at the NYS Thruway, Bridgeport Ferry Terminal, Airport and Tanger Outlet Center.

Strategy: Visitor Centers

Operate three visitor information centers at Valley Stream, Long Island Islip Mac Arthur Airport and at the Bureau's Hauppauge office headquarters.

Tactic (Public Information): The Visitor Centers will be maintained and staffed to act as an outlet for interacting directly with the public to provide information and direction to Long Island attractions and accommodations.

Tactic (Brochure Distribution): The Visitor Centers will serve as outlets for member partners to distribute their individual rackable brochures.

Strategy: Research

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Identify applicable market research opportunities that may aid the Bureau in promoting Long Island as a destination for business and leisure, to drive further visitor inquiries, or to distinguish potential trends affecting marketing decisions.

Tactic (Primary Research): Enhance the Bureau's marketing efforts by contracting with a travel research firm that identifies consumer or market trends that can be used to monitor the health of the tourism economy on Long Island as well as provide market intelligence to better inform marketing decisions.

Tactic (Website Research): Monitor and analyze the website metrics and online marketing efforts to evaluate usability and effectiveness.

Strategy: Member Collaboration

Provide LICVB member partners with added value tools to communicate their message directly to potential visitors through paid and/or partnership opportunities including website exposure, cooperative programs and press familiarization tours.

Tactic (Website Promotions): Communicate with members about programs available via the website brochure, coupon and getaways promotions to take advantage of the additional exposure and traffic the Bureau website can provide to them.

Tactic (Cooperative Programs): Generate programs in partnership with other local tourism promotion agencies and organizations to enhance the image of the Long Island region as a destination for tourism. Partners have in the past encompassed Winterfest organizers, regional tourism partners, New York State Empire Development, American Express, Southwest Airlines, and Cross Sound Ferry.

Objective B:

Initiate an aggressive internet marketing plan based on new and emerging technologies and online social networks that enable the Bureau to distribute its brand messaging through a broader variety of channels and improve its search engine website rankings.

SITUATION:

In 2010, the Bureau re-launched its website and incorporated a number of features that make it more user-friendly and engaging. Content-rich, the site was also optimized to improve its search engine ranking, and includes a number of tools to make it more interactive.

To further promote the new website and Long Island's tourism attributes, the Bureau will explore new and emerging tactics to improve its search engine website rankings; expand promotion of area amenities; drive more traffic; and better portray Long Island as a destination for meetings, conventions, leisure travel and sports events

In 2011, the LICVB will augment its online strategies by incorporating broadband strategies to reach the exponentially expanding broadband mobile user market. Creation of a mobile platform will be the cornerstone of this strategy.

Launched in August 2009, the Bureau's Long Island Facebook page has generated over 155,000 fans in less than a year. The Bureau will leverage the cost efficiencies provided through social media, major travel blogs and web links presence to further extend its online awareness reach while driving traffic to the Bureau's website.

Strategy: Broadband Mobile Marketing

Create a broadband mobile platform that reaches the largest possible mobile-user market.

Tactic (Mobile Platform): Enhance Long Island's current online presence and search engine rankings by developing and launching a mobile site utilizing Smart Phone technology.

Tactic (QR Code): Develop a plan to incorporate QR Code technology on promotional items to further direct potential visitors to the Bureau's mobile website.

Strategy: Interactive Marketing

Continue to incorporate a variety of interactive tactics to augment all marketing efforts and objectives.

Tactic (Email Marketing): Email marketing messages will be optimized and tracked for open rates.

Tactic (Search Engine Marketing): Initiate a pay-per-click campaign through Google search to enhance the performance of natural search engine optimization. Geo target campaign to match the Bureau's traditional marketing plan.

Tactic (Multi-Media Optimized Press Releases): Create and optimize press releases to increase Long Island's presence in news websites across the internet.

Tactic (Tracking and Reporting): Create monthly tracking and reporting charts to measure performance and increase agility.

Strategy: Social Media Marketing

Leverage select social media outlets and major travel blogs to extend reach and awareness of Long Island as a travel destination; drive visitation to the Bureau's website www.discoverlongisland.com while enhancing the LICVB as the Long Island travel authority.

Tactic (Social Media Websites): Connect with potential leisure travelers and build referring traffic to the newly re-launched Bureau website through the use of social media.

Tactic (Major Travel Blogs): The Bureau will participate in major travel blog sites with the goal of disseminating accurate information about visiting Long Island and directing viewers to the new website.

Meetings & Conventions Objectives

Objective :

Drive overnight visitation through the procurement of meetings, conventions and conferences on state, regional, national and international level. **Increase lead generation from a projected 2010 year-end total of 180 lead by 10% to 198 in 2011.**

SITUATION:

In 2010, the meetings industry showed a slight increase in face-to-face meetings versus 2009 and a significant drop in cancelled meetings over 2009. While new technology has offered web-based meetings, webinars and live streaming of meetings over the internet, planners appear to be seeking hybrid events where face-to-face meetings combine with these technological advances.

Planners will continue to have the buying advantage in 2011 seeking value more than rate and a good return on investment (ROI) for their program.

While there are some signs that the economy is improving, most economists believe that the complete recovery won't take place until 2014. It remains to be seen how quickly this will be reflected in business development, occupancies and room rates.

According to recent surveys by Meeting Planners International (MPI) and PCMA, meeting planners are expecting a slight increase in 2011 in meetings held over 2009 and an increase in attendance. However, budgets are expected to decrease. Meeting ROI continues to be important and overall meeting cost is the number one factor in destination selection, as well as, meeting venue destination. Meetings will be shorter in length in 2011 and have shorter lead time, typically three to six months.

Overall, the corporate group market is anticipated to improve slightly over 2010 and association business will still be a viable market segment.

As in the past, the Bureau will position Long Island as a primary affordable alternative to New York City by keying into the following attributes:

- Close proximity to New York City
- Lower government per diem rates when compared to New York City
- Major airports and international gateways- JFK, LGA and Newark (EWR)
- The convenience of Islip MacArthur Airport
- Free hotel parking in most properties
- Accessibility to Long Island with the HOV lane and ferry service from Connecticut
- Free shuttle service to the LIRR and Islip Airport from select area hotels

It should be noted that our tactic of positioning on the basis of an affordable alternative to NYC was challenged in 2009 and the first half of 2010 as the ADR for corporate hotels in New York City plummeted 25% or more. However, in the second half of 2010, NYC's rates have rebounded significantly, making Long Island an affordable alternative once again.

The Bureau will also look for opportunities to leverage Southwest Airline's service to Long Island through MacArthur Islip Airport because of its direct service to such corporate hubs as Chicago, Baltimore/Washington DC, and Raleigh/Durham.

In 2011, the LICVB will continue to aggressively pursue corporate meetings business through a back-to-basic sales approach, networking opportunities, continued trade show activity, a meeting planner educational reception and several small company presentations throughout the year. The

development of state and regional association business will continue as this market remains steady.

Strategy: Direct Sales

Continue to identify business prospects in New York City, New Jersey, Albany and the Westchester/ Connecticut areas while also fostering new opportunities in the Chicago market.

Tactic (Trade Show): Attend trade shows to generate awareness and develop sales leads.

- Conference Direct Expo
- ESSAE Trade Show
- Helms Briscoe Annual Business Conference
- MPI World Congress
- Meetings Quest – Chicago
- Meet East Coast

Tactic (Non-Tradeshow Direct Sales): Generate product awareness to key meeting planners through group presentations, industry networking events and social networking media

- LinkedIn Profile
- Corporate Facebook Page
- Corporate Twitter account
- ESSAE Annual Meeting
- NJMPI Golf Networking Event
- MPIGNY Golf Networking Event
- NYC Meeting Planner Reception
- ESSAE Autumn Harvest Reception
- ESSAE Holiday Reception
- Prospect Group Presentations – scheduled throughout the year

Tactic (Sales Calls): Conduct sales calls in target territories.

- New York City
- Albany
- New Jersey
- Chicago
- Connecticut/Westchester

Tactic (Sales Blitzes): Schedule sales blitzes throughout the year in which Meetings and Conventions subcommittee members can participate

- New York City
- Albany
- New Jersey
- Chicago
- Connecticut/Westchester

Tactic (Small Group Presentations and Luncheons): Create several small, intimate presentations to planners throughout the year

- Schedule presentations to a group of planners within a company or corporate travel agency. Allow member partners to participate where permitted.
- Schedule small lunch presentations in target markets to planners from several different companies to promote awareness of Long Island as a meeting destination

Tactic (Direct Telemarketing): Continue to employ direct phone/e-correspondence telemarketing to meeting planners and corporate travel agents to develop sales leads.

- Create concrete monthly telemarketing goals for staff

Tactic (Association Memberships): Evaluate and continue existing industry memberships and identify new associations that provide networking opportunities and offer valuable resources allowing access to new prospects.

- ASAE
- ESSAE
- HSMAI
- MPICAC
- MPIGNY
- MPINENY
- MPINJ
- NRF
- NYBA
- NYCBTA (New York City Business Travel Assoc.)
- NYSAE
- PMPI
- SGMP
- MPIWC

Tactic (Trade Publications/Sourcebooks/Professional Development): Maintain subscriptions to trade publications, e-newsletters, industry sourcebooks and attend professional development seminars on a continual basis to remain current on industry trends and new developments.

- Subscriptions/Sourcebooks/Mailing Lists
- Professional Development Programs

Tactic (Meeting Incentives): Continue to promote the Meeting Incentives section of the new website with savings and incentives offered by member partner hotels, attractions and other members that have an interest in the corporate group meetings market.

- Maintain Meeting Incentives section on B2B section of website

Strategy: Internet and E-Marketing

Tactic (New York State): Work closely with the New York State Association of CVBs to promote awareness of Long Island as a corporate meetings destination in a collaborative state-wide effort.

- www.nymeetings.com

Tactic (Association Memberships): Maintain accurate Bureau listings on all association membership websites.

Tactic (E-Marketing): Develop e-mail campaign to create awareness that introduces meeting planners to the B2B section of the new website and increases inquiries and on-line RFP submissions.

- E-newsletter quarterly to maintain contact and exposure
- Use the LICVB Corporate Facebook page and corporate Twitter account to inform meeting planners of Long Island's traditional and non-traditional meeting facilities and attractions.
- Send standardized postcards and e-postcards prior to and immediately following scheduled sales programs including tradeshows, sales calls, sales blitzes and educational receptions.
- Send invitations to meeting planners to become a Facebook "fan" of the LICVB's corporate Facebook page
- Network through the LinkedIn business social media website by joining groups and inviting planners and industry associates to join a sales manager's network
- Promote new Meeting Planner Extranet to all meeting planners in targeted areas

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Tactic (New LICVB Website): Generate awareness of new website by directing meeting planners to the B2B section

- E-mail blast announcing new website to meeting planners and industry publications
- Press Release announcing new website to meeting planners and industry publications
- Release information about new site via social networking media such as Facebook, Twitter and LinkedIn
- Press Release regarding new Meeting Planner Extranet section of new website

Strategy: Collateral

Produce, maintain, distribute and expand inventory of sales and marketing materials and promotional items that effectively promote awareness of Long Island as a meetings destination and supports sales initiatives.

- Long Island Meeting Planners Guide
- Rack Card - quick sell piece highlighting corporate meeting selling points of Long Island
- Reprints - Purchase reprints of Long Island focused articles for inclusion in sales kit
- Tradeshow Enhancements/Promotional Giveaways

Strategy: Public Relations

Develop a comprehensive public relations campaign that targets industry trade publications and decision makers to generate knowledge of Long Island's product offerings as a competitive meetings-destination.

- E-newsletter/updates
- Press releases
- Maintain accurate distribution database and email database

Strategy: Advertising

Elevate awareness of Long Island as a competitive and affordable meetings destination.

Tactic (Advertising - Creative): Create an ad that carries a message and design that can be universally placed in print mediums and internet based programs.

- Develop new meetings and conventions ad

Tactic (Advertising - Print):

- ESSAE Resource Newsletter
- ESSAE Membership Directory
- LIBN Meeting Planners Guide
- MPIGNY Membership Directory
- MPICAC Membership Directory
- NJMPI Membership Directory
- Meetings East Magazine

Tactic (Advertising - Internet): Identify viable internet marketing opportunities that target corporate, government and association meeting planners and key decision makers.

- MPI Global Marketplace Enhanced Listing
- ESSAE On-line Directory
- NBTA Global Marketplace Listing
- ASAE Global Marketplace Listing

Tactic (Advertising - Other)

- ESSAE Tote Bag Sponsorship
- NJMPI Bronze Sponsorship
- MPIWC Sponsorship

**2011 MEETINGS & CONVENTIONS
PROPOSED CALENDAR OF SALES INITIATIVES**

**Note: Italicized items represent new programs for 2011*

JANUARY	FEBRUARY	MARCH	APRIL
Helms Briscoe Annual Business Conference Small Corporate Presentation	ESSAE Annual Meeting	Conference Direct Expo *Small Corporate Lunch Presentation	Small Corporate Presentation
MAY	JUNE	JULY	AUGUST
Small Corporate Lunch Presentation	ESSAE Expo NY NJMPI Golf Event Small Corporate Lunch Presentation	MPI World Congress MPIGNY Golf Event Small Corporate Lunch Presentation	Small Corporate Lunch Presentation
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
ESSAE Autumn Reception NYS	NYC Meeting Planner Reception Meet East Coast Small Corporate Presentation	Meetings Quest Chicago Small Corporate Lunch Presentation	ESSAE Holiday Reception

Sports Development Objectives

Objective:

Drive awareness and demand for Long Island as a site for regional and national sporting events through marketing, sales and public relations strategies and tactics targeting sports event rights holders.

SITUATION:

Long Island continues to have an excellent reputation in the sporting events industry as a viable sports destination. The Island is home to exceptional athletic facilities that meet the standards for regional and national sport events, a strong volunteer data base and experienced event professionals.

The challenge continuing to face this market is lack of venue availability in the marketplace. Although the Island has a variety of public and private sporting venues, availability for prospective events is not abundant due to scheduling, especially in the college arena. Price sensitivity to Long Island's hotel rates is still a deterrent to decision-makers, especially in the youth sports market in high season. Additionally, the economy has forced many school athletic programs to be cancelled, impacting the youth sports market.

The LICVB will continue to position Long Island in the forefront for event consideration for regional and national sports events through continued participation in tradeshow and industry events. Direct sales activities will be augmented through targeted print and internet advertising, educational luncheons, as well as, social media marketing to event-rights holders.

Strategy: Direct Sales

Continue to engage market segments and advance overall awareness of Long Island as one of the leading sports destinations in the United States.

Tactic (Industry Conferences/Trade Shows): Attend industry conferences/trade shows to interface with event rights holders and expand existing prospect base.

- S.P.O.R.T.S. 2010 Conference
- TEAMS Conference

Tactic (Educational Luncheon): Generate product awareness to key sports event planners through educational lunch presentation.

- Sports Planner Educational Luncheon

Tactic (Industry Memberships): Continue to build relationships and contacts through sports association memberships.

- National Association of Sports Commissions (NASC)
- National Council of Youth Sports (NCYS)

Tactic (Trade Publications/Sourcebooks/Professional Development): Maintain subscriptions to trade publications, e-newsletters, industry sourcebooks, sustain industry recognized certifications and attend professional development seminars on a continual basis to remain current on industry trends and new developments.

- Subscriptions/Sourcebooks
- Professional Development Programs

Strategy: Internet and E-Marketing

The LICVB will develop new interactive strategies to efficiently and effectively keep Long Island in the forefront of rights holders.

Tactic: Create website awareness campaign designed to introduce rights holders to the website and the online RFP functionality.

- Develop e-newsletter program to maintain contact and exposure
- Develop e-postcard specific to sales initiatives
- Send standardized e-postcards prior to and immediately following scheduled sales programs including tradeshow and sales calls

Tactic: Networking and Awareness through Social Media

- Sports Facebook page
- Sports Twitter account
- LinkedIn Profile

Strategy: Collateral

Maintain current inventory of collateral marketing pieces to support sports sales initiatives.

- Sports Facilities Guide

Strategy: Public Relations

Develop a comprehensive; structured public relations/media plan that allows for maximum exposure of Long Island as an attractive venue for sporting events/conferences.

Tactic: Maintain visibility and increase knowledge of current sports developments on Long Island among industry executives on a consistent basis.

- Press Releases
- E-updates to industry decision makers

Strategy: Advertising

Position Long Island in the industry as a viable destination for sporting events on the state, national and international level and maintain awareness of the Island's history in hosting major sporting events.

Tactic (Print Advertising): Identify appropriate print mediums in domestic and international industry specific publications that will reach key decision makers and enhance visibility and overall awareness of Long Island as a destination for virtually any type of sporting event.

- Sports Travel Magazine
- Sports Events Magazine
- Sports Destination Management Magazine
- Trade Directory Listings

Tactic (Internet Advertising): Increase exposure through the implementation of web advertising and listings.

- Sports Events Web Banner
- Skaters Edge Sourcebook Web Listing

Strategy: Direct Mail

Tactic: Annual mailing to Centralized Volunteer Database to maintain current listing.

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**2011 SPORTS DEVELOPMENT
PROPOSED CALENDAR OF SALES INITIATIVES**

*Italicized items represent new programs for 2011

JANUARY	FEBRUARY	MARCH	APRIL
MAY	JUNE	JULY	AUGUST
	Sports Luncheon		
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
S.P.O.R.T.S. 2010 Conference	TEAMS Conference		

Domestic and International Tour & Travel Trade Objectives

Objective A: Domestic Tour Operator

Maintain an awareness of Long Island as a destination for inclusion in overnight tour packages through limited sales and marketing strategies targeting key domestic tour operators.

SITUATION:

The Bureau will continue to maintain a reduced development program in the domestic tour operator market. Following the LICVB Board's direction, the Bureau focuses its resources and efforts in driving overnight visitation. The Island has proven to be a draw for day-trip programs out of the metro New York area and limited demand for overnight programs from the tri-state area. The Bureau will maintain a presence amongst domestic tour operators through its continue participation with the American Bus Association and through limited cooperative programs with Destinations NY.

Strategy: Direct Sales

Generate awareness of Long Island's group tour product offerings through direct sales contacts at key industry programs targeting North American group tour operators.

Tactics (Trade Shows): Attend the key group travel trade shows to generate awareness and develop sales leads for member partners catering to the group tour market segment.

- American Bus Association

Strategy: Public Relations

Create awareness of Long Island as a destination for motor coach tour operators through the generation of positive editorial content targeting travel trade media and highlighting Long Island's tourism assets.

Strategy: Industry Associations and Subscriptions

Maintain awareness of group tour industry trends; provide for participation in sales development opportunities, and development of key tour operator relationships through select and targeted trade association memberships.

Strategy: Direct Mail

Maintain awareness of Long Island among select travel agents and tour operators through direct mail cooperative partnership with Destinations NY.

Objective B: International Travel

Continue to expand and build on opportunities established in 2010 to develop the international long-haul travel markets, specifically the United Kingdom, Ireland, Germany and the German-speaking Benelux countries.

SITUATION:

As previously stated, New York City's tourism industry has enjoyed a remarkable turnaround from the effects of the recession primarily due to a continued increase in its international long-haul visitors in 2010.

The LICVB's cooperative partnership with NYC & Company has allowed Long Island to fully establish itself in the international arena and particularly within the United Kingdom and German markets – the two leading international long-haul markets to New York City. It is estimated that of the 2.6 million visitors from these countries alone to New York City, 240,000 include Long Island in their itineraries.

Despite these gains in the international market, Long Island faces a serious challenge in its ability to expand. Most notably is the lack of responsiveness by Long Island lodging to contract with international tour operators or doing so in a timely manner. The second challenge is the bureau's own lack of human and financial resources to significantly expand its efforts beyond its current level of involvement. Although a number of countries including Japan and France have shown expanded interest in including Long Island in their programs, the LICVB will not proactively seek to develop these markets at this time.

With the aforementioned in mind, the LICVB implemented a number of strategies that allowed the Bureau in 2010 to continue to tap into this significant market of opportunity. These included:

- Attendance at two major international travel trade shows: ITB Berlin, Germany and the U.S. Travel Industry Association's (TIA) International POW WOW in the U.S.
- Long Island product being marketed overseas by eight of the top international receptive operators resulting in an increase demand from other international operators/receptives.
- Long Island product being marketed in the UK, Germany, Austria, Switzerland, Spain and the Netherlands.
- Expansion at no additional costs with NYC & Company – travel agent training academies in the following countries the UK, Germany, Canada, India, Finland, Sweden, Denmark, Norway, Japan and Ireland.
- Continued partnership with Division of New York State Tourism
- Conducted a familiarization tour in conjunction with FTI/Meeting Point North America, German and Austria.

In 2011, the Bureau will continue pursuing the UK and German markets insofar as they represent the top 2 overseas markets to New York City and the Long Island product matches well with experiences sought by both. Additionally, as Austria, Switzerland, Scandinavia, France and Japan have expressed serious interest in Long Island, the LICVB will continue to monitor the demand from these and other markets to determine future market viabilities and strategies as resources permit.

Strategy: Partnership Marketing

Continue to leverage existing alliances and form new strategic partnerships with existing industry affiliates that are interested in exploring international opportunities.

Tactic: Partner with the Commercial Service offices in the USA and VISIT USA in Europe to gain access to their market information. Establish rapport and strong alliances with the US embassies abroad.

Tactic: Considering the decrease in funding from NYS Economic Development we will establish partnerships with local NYS TPA's on their international initiatives and implement cross sell of destinations. Discuss our marketing initiatives for the year and identify themes and focuses according to our objectives.

Tactic: Participate in the NYS International Advisory Committee to develop suggested itineraries and co-op partnerships.

Strategy: Public Relations

Create awareness of Long Island as a destination for international visitors through the generation of positive editorial content targeting international travel trade media and highlighting Long Island's tourism assets.

Tactic: Continue to work with the Marketing Communications Department and identify possible international trade to provide press releases.

Tactic: Continue to work with VISIT USA Commercial Services in identifying possible business from international delegations.

Strategy: Direct Sales

Continue to engage international tour producers and advance overall awareness of Long Island as an international leisure travel destination.

Tactic (Industry Trade Shows): Attend select industry trade shows to generate awareness of Long Island's tourism assets and to position the Island in relation to New York City.

➤ ITB Berlin, Berlin, Germany

➤ Travel Industry Associations International POW WOW, San Francisco, CA

Tactic: Establish partnerships with operators and receptive operators and coordinate quarterly sales visits to their offices and co-op presentations with our member partners.

**2011 Domestic and International Tour & Travel
Calendar of Sales Initiatives**

Note: International programs are italicized.

JANUARY	FEBRUARY	MARCH	APRIL
American Bus Assoc. Business Exchange		<i>ITB Berlin- Berlin, Germany</i>	
MAY	JUNE	JULY	AUGUST
<i>TIA's International POW WOW</i>	<i>Sales Calls</i>		<i>Sales Calls</i>
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER

Suffolk Specialty Tourism Marketing Plan

Objective A:

Leverage increased revenue resultant from the Suffolk County lodging tax increase to create a greater awareness of Suffolk County and its assets as a premier leisure travel destination and site for corporate meetings and sporting events within the Long Island region.

SITUATION:

Suffolk County's lodging tax increase of 2009 has allowed the Bureau to significantly increase the funds dedicated to a Suffolk-centric program. In turn, this has further allowed the Bureau to employ for the first time, multi-media campaigns in select DMAs. Further, the Bureau is now able to create niche-focused marketing programs which had previously been cost-prohibitive.

In 2010, the LICVB created a Suffolk County Marketing Task Force comprised of board members from Suffolk County to provide input into the strategies employed. Resultant from their input, the Bureau launched a spring advertising campaign that concentrated on audiences in the New York metro area including Nassau County. This strategy called for creative and messaging that reminded audiences of Long Island's Suffolk County as a nearby get-away vacation destination and utilized a combination of print and online media specifically reaching the expensive New York metro markets.

In evaluating this strategy at its conclusion, the Bureau found that it was difficult to assess the efficacy of the program in influencing consumer travel decisions. While qualitative data is not available, antidotal feedback suggests that forecasted weather conditions have a stronger influence on weekend get-away decisions of New York metro residents than the Bureau's marketing strategies. That said, in 2011, the LICVB will again focus a portion of its Suffolk County strategies on audiences in the New York metro DMA while also working to influence off-island audiences.

With the aforementioned in mind, the Bureau will continue to execute the following strategies in line with its obligations to Suffolk County.

Strategy: Integrated Marketing

Utilize a combination of marketing disciplines to generate awareness of Suffolk County's diverse product offerings and events.

Tactic (Advertising):

- Remind travel consumers within the immediate New York metro DMA, including Nassau County, that Long Island's Suffolk County is THE choice for quick getaway vacations.
- Utilize image creative to generate off-Island awareness of Suffolk County as a Long Island county destination within the Long Island region and leverage the resources invested in the regional concept and media placement

Advertising objectives:

- Drive traffic to website, www.discoverlongisland.com.
- Generate consumer inquiries resulting from advertising media placement.
- Develop awareness of Suffolk County as a Long Island destination within a regional destination and top-of-mind awareness within the New York metro DMA of Long Island's Suffolk County is THE choice for an immediate and quick getaway vacation.

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Media strategies:

- Utilize combination of online and traditional media to maximize reach and frequency against best opportunity markets with in select DMAs.
- Elevate image of Suffolk County as a travel destination within the Long Island region through selection of quality media venues with response oriented media designed to bolster inquiry levels.

Tactic (Creative Development): Incorporate a creative platform that works in conjunction with the familial continuity of the Long Island regional creative – but differentiates Suffolk County.

- Develop consumer, advertising creative to generate awareness of Suffolk County as a separate segment of the Long Island vacation experience.
- Develop additional niche-specific creative that highlights specific areas in Suffolk County as well as niche experiences and assets.

Tactic (Research): Conduct research studies and/or obtain such market intelligence to better inform marketing decisions. This tactic will be a shared endeavor and the investment will represent one third of a comprehensive Long Island market research study.

Strategy: Interactive

Tactic (Online): Leverage new website to drive traffic to Suffolk County vendors (lodging, attractions and experiences) through extensive SEM and SEO activities.

Tactic (Broadband Mobile): Develop a mobile website to extend online reach to mobile broadband smart-phone users.

Strategy: Corporate Group, Sporting Event and Film Production Sales:

Drive overnight visitation through the procurement of meetings, conventions, sports events and film and commercial production.

Tactic (Sales Activities): Feature Suffolk County meeting and sport facilities in all regional sales programs and activities targeting corporate meeting planners and sports events-rights holders. Assist the Suffolk County Film Commission by in promoting Suffolk County as a site for on-location film, television and video productions by attending one major film location trade show.

Strategy: Matching Grants Program

Continue to leverage limited financial resources through a bureau administered Matching Grants program, following Empire State Economic Development Commission (ESEDC) guidelines, to provide tourism marketing assistance to Suffolk County DMOs (destination marketing organizations) and other regional tourism promotion organizations within the county. This program is not available to private sector, for-profit commercial interests, but rather to chambers of commerce, tourism councils and other like-destination marketing organizations and will require accountability in generating hotel tax revenues through overnight visitation.

Objective B: Cultural Tourism Enhancement

Leverage limited financial resources to generate better travel consumer awareness of Suffolk County's cultural attributes.

Situation:

The LICVB recognizes the significance of Suffolk County's cultural assets to tourism promotion and will develop and implement an annual cultural tourism marketing program to leverage these assets to help drive tourism. Although travel decisions are predicated on the broader appeal of a destination, potential visitors want to know of the varied products and activities available to enhance their overall experience and travel.

Film Production Promotion: Attracting on-location film, television and video production to Suffolk County provides an opportunity to stimulate a significant niche segment of the tourism industry. While the LICVB is neither a member of nor directed by the Suffolk County Film Commission, the Bureau provides marketing and sales services to attract this niche segment as part of its cultural tourism marketing programs.

Strategy: Long Island Culture & Wine Winterfest Promotion

Utilize a combination of marketing disciplines to support 2011 Winterfest activities that attract visitors during a traditionally low-visitation time period.

Tactic (Advertising): Support Winterfest through off-Island advertising in NYC, Connecticut and Westchester area newspapers, beginning in mid-January.

Tactic (Public Relations): Generate positive editorial support in local/regional media through press releases, press invitations, direct-to-consumer e-newsletter and other informational materials.

Tactic (Interactive/Website): Leverage LICVB website and Facebook page to generate awareness of Winterfest activities.

Tactic (Partner Participation): Promote development of special Winterfest packages and rates among LICVB partners in Suffolk County.

Strategy: Film Production Sales

Assist Suffolk County Film Commission in the generation and development of direct relationships with key decision-makers of location film, television and video production companies by co-operatively participating with Suffolk County at select targeted tradeshows.

Tactic (Direct Sales): Co-operatively attend a tradeshow targeting representatives of on-location film, television and video production companies.

- Association of Film Commissioners' *Locations* Trade Show, Santa Monica, CA, April.

Objective C: Niche Marketing

Provide greater awareness of select Suffolk County niche markets through individualized marketing programs and campaigns.

SITUATION:

Prior to the increase in the Suffolk County lodging tax, the LICVB lacked sufficient financial resources to employ niche marketing programs. Niche marketing that focuses on a destination's individual experiences and collective niche assets is an expensive endeavor. However the projected increase in funding resultant from the tax increase provides the Bureau with an opportunity to begin developing limited niche marketing campaigns.

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The marketing plan developed for 2010 called for the creation of three niche programs focused on Suffolk County's cultural heritage assets, East End and epicurean experiences. However this strategy was partially deflected by the board-appointed Suffolk Specialty Marketing Task Force in February in favor of a stronger spring campaign focused on the New York Metro market. Financial resources were diverted from the niche marketing program to provide more buying power in the spring campaign. Despite this, the LICVB did develop a web micro-site focused on cultural and heritage assets as the platform to launch a campaign in the 2011

Strategy: Advertising

Focusing on Suffolk County's cultural heritage assets, both forks of the East End and epicurean experiences, develop a print and online advertising campaign in select markets that will match the LICVB's overall goal of driving overnight visitation to Long Island.

Tactic (Print Advertising): Develop and place limited advertising in print media targeting leisure travel consumers interested in cultural heritage and epicurean experiences.

Tactic (Online): Identify online mediums targeting leisure travel consumers interested in cultural heritage and epicurean experiences.

Strategy: Broadband Mobile and Interactive

Leverage the Bureau's website www.discoverlongisland.com and reach into broadband mobile markets.

Tactic (Broadband Mobile): Develop a mobile website to reach mobile broadband smart-phone users.

Tactic (Content Development): Create complimentary content to populate micro-sites and further drive interest in individual niche experiences.

Strategy: Public Relations

Support advertising and interactive on-line marketing through the development of positive editorial treatment in off-Island niche media targeting leisure travel consumers interested in cultural heritage and epicurean experiences.

Tactic (Press releases): Develop niche-specific storylines focused on Suffolk County's cultural heritage assets, both forks of the East End and epicurean experiences.

Tactic (Editorial Familiarization Tours): Invite select outdoor travel writers to participate in organized familiarization tours of Suffolk County's cultural assets and epicurean experiences.

Membership Development

Objective A:

Bring added benefits and features to LICVB member base through new programs and initiatives offered via newly designed website and data base system, along with enhancing member participation in educational events, annual events and member cooperative programs.

SITUATION:

In 2010, the Bureau completed a redesign and re-launch of its website at www.discoverlongisland.com that included features and benefits designed specifically to enhance member visibility and searchability on the site. In addition, the LICVB completed a transition of its data system from the outdated CVBreeze program to Destination3000 that enables the Bureau to more actively engage members in managing their benefits. These two initiatives combined give the Bureau opportunity in 2011 to better communicate with membership and to better market and sell Long Island member product.

In addition the Bureau will present membership the opportunity to participate in cooperative programs, attend educational seminars, to participate in committee meetings and to participate in the enhanced features and programming of its new data base and website.

Strategy: Communicate Member Programs and Benefits

Educate Bureau membership about new member benefits associated with the integration of the new data base system and new programs associated with the redevelopment of the Bureau's website.

Tactic (Member Extranet): Educate membership via direct calls, educational seminars, emails and mailings about the ability to log-in to the bureau extranet in order to update their listings, photos and events. This feature gives membership better control over their content and marketing.

Tactic (Website Programs) Encourage Bureau membership through phone calls and correspondence to participate in free website promotional opportunities through the Bureau's website Coupon Program, Map Program and Getaway Packages.

Tactic (Brochure Program) Provide Bureau membership with statistics gleaned from the website 'Brochure Program' started as a pilot in 2010 and encourage new and existing participants to sign-up for the paid Brochure Program.

Strategy: Educational Programs, Networking and Cooperative Programs

Encourage members to attend Bureau educational events and participate in low/no-cost co-op and educational programs.

Tactic (Educational Programs): Conduct a member educational event to provide information about emerging trends and topics in the tourism industry.

Tactic (Committee Participation): Engage membership in committee participation to gather member insight, opinion and participation in Bureau initiatives, as well as to offer networking opportunity. These include Marketing, Meetings & Convention, Finance, Membership, and Executive committees.

Tactic (Member Events): An annual member event will be held for tourism industry representatives to network and learn about current trends and forecasts affecting Long Island's tourism industry.

Tactic (Government Action Day): Provide members the opportunity to be involved in the state legislative process in Albany through Government Action Day.

Tactic: (Member Cooperative Programs): Offer members the opportunity to participate in trade show cooperatives and familiarization tours in order to cost-effectively participate in selling Long Island as a destination for meetings, events and tours.

Objective B:

Develop a program of work that will enhance the existing membership database by more actively pursuing targeted new members and developing communications with existing membership about the value of their association with the Bureau. Membership staff will take advantage of development programs to enhance membership sales and marketing knowledge.

SITUATION:

Membership in the Bureau has continued on a fairly level basis for several years, with any growth in new membership offset by loss of existing or out of business members. Retention is above industry standards, and is generally at about 90%. The Bureau has undertaken a number of initiatives to greatly increase membership value, ranging from new web tools to co-op programs, and will continue to add sales and marketing programs to benefit membership. In 2011, the Membership Department will engage the entire staff in communicating these values to membership on all levels through direct calls, meetings and e-communications.

In addition, direct calls and visits will be made to potential new members as well as non-renewals through a targeted approach that focuses on specific regions and member type. Staff is encouraged to attend educational seminars to gain understanding of industry trends and initiatives.

Strategy: Actively Engage New Member Partners

Utilize new website design and the new data system to better communicate with potential new members about the benefits of involvement with the Bureau. Bureau staff will actively pursue new members by targeting new prospects, making direct calls and visits, and attending networking/speaking opportunities. Staff will also be further motivated through the Member Solicitation/Incentive program.

Tactic (Prospecting): Seek out industry lists through local business news, chambers, organizations and target regions and organize in areas including restaurants, marinas, transportation, B&Bs. Direct calls and visits.

Tactic (Sales Calls): Engage in off-site sales to perspective new members to personally meet with and discuss Bureau membership benefits. Assign membership staff to contact, develop relationships, correspondence with, visit and follow-up with prospective members.

Tactic (Networking Events): Staff will take advantage of networking events through affiliated organizations to prospect for potential new members and follow-up with sales calls.

Tactic (Presentations) Membership staff will take advantage of opportunities to present information about the Bureau to local networking groups and industry organizations.

Tactic (Membership Solicitation/Incentive Program): Encourage all Bureau staff to participate in the solicitation of new members partners through the successful Membership Solicitation/Incentive program, which offers any staff members to collect a one-time commission on any new non-hotel members who join.

**Domestic Leisure Travel Marketing
Budget Detail**

OPERATING EXPENSES:

Advertising-Creative Production	\$ 3,500
Advertising – Media	\$ 80,000
Online Marketing (66.66% of Total)	\$ 17,730
Mobile Site Development	5,335
Mobile Marketing (PPC)	2,665
Social Media Plan	665
SEO	3,465
Pay-per-click (Budgeted under Advertising-Media)	
Optimized press releases	2,935
Tracking/Reporting	2,665
Mail Program (% of Total Advertising)	\$ 14,550
Postage (In-House)	\$ 10,275
Fulfillment (Greater Data/Deliveries)	\$ 4,275
Brochures (66% of Total)	\$ 12,385
Calendar of Events	12,385
Brochure Distribution (66.66% of Total)	\$ 3,335
NYS Thruway Program (Destinations NY)	3,335
Internet/Website (66.66% of Total)	\$ 21,845
Maintenance (web server)	5,335
Website Reporting	1,200
Website Updates	5,000
D-3000 Maintenance	7,065
Member Extranet	690
Meeting Extranet	555
D-3000 Updates	2,000
Public Relations (66.66% of Total)	\$ 3,065
Media Service	1,865
Editorial FAMS	1,200
Research (66.66% of Total)	\$ 8,000
Photography/Video	\$ 6,800
Web Content	2,300
Advertising	4,500
Meetings-Receptions/FAMS	\$ 2,500

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**2011 MEETINGS & CONVENTIONS
BUDGET DETAIL**

REVENUE:

Co-op - Tradeshow	14,835
Meet East Coast (2)	1,790
ESSAE (11)	9,350
Helms Briscoe Annual Fair (1)	1,495
MPI World Congress (2)	2,200
Co-op - Other	1,000
MPIGNY Golf Networking Event (1)	400
NJMPI Golf Networking Event (2)	600
TOTAL REVENUE - MEETINGS/CONVENTIONS	15,835

OPERATING EXPENSES:

Tradeshow & Registration Fees	36,720
Helms Briscoe Annual Fair	4,795
Conference Direct	2,800
MPIGNY NY Mix	2,400
ESSAE Trade Show	11,275
NJMPI Golf Networking Event	1,425
MPIGNY Golf Networking Event	1,090
MPI World Congress	5,900
ESSAE Autumn Harvest	80
Meet East Coast	4,800
Meetings Quest - Chicago	3,335
Networking Functions - MPIGNY, MPINJ, NYSAE (12)	720
Professional Development Training - Staff	500
Travel & Entertainment	17,720
Helms Briscoe Annual Fair	1,010
ESSAE Annual Meeting	975
Conference Direct	1,150
ESSAE Trade Show	1,252
NJMPI Golf Networking Event	435
MPIGNY Golf Networking Event	80
MPI World Congress	1,775
ESSAE Autumn Harvest	1,004
Meet East Coast	675
Meetings Quest - Chicago	1,365
ESSAE Holiday Reception	974
Corporate FAM Tour	3,575
Sales Calls - NJ	160
Sales Calls - NYC (10)	500
Sales Calls - Albany	600
Sales Calls - Chicago	600

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Client Presentations	190
Industry Networking Functions (6)	600
Mileage	500
Client Entertainment	300
Meetings & Receptions	9,995
General Managers Breakfast (1)	800
ESSAE Annual Meeting	60
ESSAE Holiday Reception	130
Corporate FAM Tour	4,630
Corporate Luncheon Presentations (3)	2,500
Sub-Committee Meetings (25ppl@\$15 ea x 5 meetings)	1,875
Promotional Items	1,500
Association Memberships	4,415
ASAE	395
Association Forum of Chicagoland	360
ESSAE	190
SGTP	475
HSMAI	350
MPICAC	375
MPIGNY (2)	750
MPINJ	90
NRF	225
NYSAE	250
PMPI	85
MPIWC	85
MPINENY (Albany Area)	85
RCMA	100
NY CVBS	200
Reunion Friendly Network	400
Advertising – Trade Creative	4,050
Creative – Redesign Rack Card	1,800
Creative and production costs - ad revisions	750
Creative – Postcard	1,500
Advertising – Trade Print – Regional	20,550
ESSAE Resource Newsletter – Full Page (4 insertions @ 475ea)	1,900
LIBN Meeting Planners Guide - 4c Full Page	5,000
MPIGNY Membership Directory - 4c Tabbed Full Page	2,650
NJMPI Membership Directory - 4c ½ Page	1,200
Small Meetings Market - 4c ½ Page (4 insertions @ \$1,488 ea)	5,952
MPICAC Directory 2009-2010	2,000
Meetings East Magazine- 4c ½ page (2 insertions @ 2650ea)	5,300
Meetings East 2010/2011 Guide	2,500
Advertising - Trade Internet	1,960
ESSAE On-line Directory	200
ESSAE Hot Meeting Dates E-blast (3 months)	300

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NBTA Global Marketplace (website)	395
ASAE Global Marketplace (website)	395
MPI Global Marketplace (website)	395
Long Island Film Festival Banner Ad	200
MPICAC Enhanced Web Listing	75
Advertising – Trade Other	3,500
ESSAE Tote Bag Sponsorship	1,500
MPINJ Copper Sponsorship	2,000
Subscriptions	720
Subscriptions/Sourcebooks/Mailing Lists	300
USAE Online subscription 07/10-07/11	20
RCMA Mailing List	250
MPIWC Member Mailing List	150
Printing	1,950
Rack Cards – 4c double-sided – 1,000 quantity	850
Reprints - Trade Articles	100
Postcard 1,000 quantity	1,000
Brochures	3,000
LIBN Meeting Planners Guide - 1,500 copies	3,000
<u>TOTAL OPERATING EXPENSES- MEETINGS/CONVENTIONS:</u>	106,080

2011 SPORTS DEVELOPMENT BUDGET DETAIL

OPERATING EXPENSES:

Tradeshow & Registration Fees	6,110
S.P.O.R.T.S. 2010	1,650
TEAMS	3,250
Industry Networking Functions (3@70ea)	210
Trade show Booth/Banner –new	1,000
Travel & Entertainment	4,035
S.P.O.R.T.S. 2010	1,340
TEAMS	1,640
Sports Reception (NYC)	755
Client Entertainment	100
Mileage	200
Meetings & Receptions	7,430
Sports Reception (NYC)	4,430
Sports Event Program Co-op	1,500
Sports Event Program Co-op	1,500
Promotional Items	1,000
Association Memberships	1,095
National Association of Sports Commissions (NASC)	795
National Council of Youth Sports (NCYS)	175
National Sports Marketing Network (NSMN)	125
Advertising – Trade Creative	1,000
Creative and production costs - revisions/resizing	1,000
Advertising – Trade Print	15,975
Sports Travel Magazine Mid-Atlantic Issue (1/2page 4c x 2)	5,800
Sports Events Magazine (1/2 page 4c x 3)	5,700
Sports Destination Management (1/2 page ad 4c x 2)	3,600
Sports Travel Directory	125
AJGA Journal	750
Advertising – Trade Internet	95
Skaters Edge Sourcebook Web Listing	95
Subscriptions	540
Sports Market Place Sourcebook	275
Sports Facility Directory	250
Skaters Edge Sourcebook	15

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Printing	2,500
Sports Facility Guide- new	2,500
<u>TOTAL OPERATING – SPORTS DEVELOPMENT :</u>	\$ 39,780

**Domestic and International Tour & Travel
2010 Budget Detail**

REVENUE:

Co-op - Tradeshow	\$ 10,500
TIA International POW WOW (5)	10,500

OPERATING EXPENSES:

Tradeshow & Registration Fees	\$ 19,810
American Bus Association ABA	1,450
ITB Berlin International	5,000
TIA International POW WOW (Double Booth)	13,360

Meetings & Receptions	\$ 850
NYC Presentations	\$ 850

Travel and Entertainment	\$ 8,145
ABA	1,300
ITB Berlin International	3,920
TIA International POW WOW	2,335
NYC Presentations	190
Client Entertainment	200
Mileage	200

FAM Tours	\$ 6,525
International FAM Trip (1)	4,000
NYC Concierge FAM Trip (1)	2,525

Mailing Programs	\$ 2,595
Destinations of NYS Co-op Mailing 1,250 Travel agents, AAA, operators	1,595
Mailing -- Intl Operators & Domestic Operators	1,000

Advertising- Trade Print	\$ 3,500
Destinations of NYS Multi-Lingual Travel Guide	3,500

Advertising- Trade Creative	\$ 750
Destinations of NYS Multi-Lingual Travel Guide	750

Association Memberships	\$ 2,465
American Bus Association	475
Travel Industry Association	1,300
RSA	690

Promotional Items	\$ 600
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<u>TOTAL OPERATING:</u>	\$ 45,240
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**Suffolk Specialty Tourism Marketing
Budget Detail**

OPERATING EXPENSES (Marketing Sales):

Cultural Tourism Program	\$ 53,000
Advertising-Creative	3,600
Advertising-Media	44,000
Advertising-Creative Production	\$ 31,500
Advertising – Media	\$ 451,800
Online Marketing (33.33 of Regional Costs)	\$ 8,835
Mobile Site Development	2,665
Mobile Marketing (PPC)	1,335
Social Media Plan	335
SEO	1,735
Pay-per-click (Advertising-Media)	
Optimized press releases	1,465
Tracking/Reporting	1,335
Mail Program (% of Total Advertising)	\$ 67,060
Postage	58,225
Fulfillment House	8,835
Matching Grants	\$ 117,000
Brochures (33.33% of Regional Costs)	\$ 6,190
Calendar of Events	6,190
Brochure Distribution (33.33% of Regional Costs)	\$ 1,665
NY State Thruway Program (Destinations NY)	1,665
Internet/Website (33.33% of regional Costs)	\$ 10,920
Maintenance (web server)	2,670
Website Reporting	600
Website Updates	2,500
D-3000 Maintenance	3,535
Member Extranet	340
Meeting Extranet	275
D-3000 Updates	1,000
Public Relations (33.33% of Regional Costs)	\$ 5,535
Media Service (33.33% of Regional Costs)	935
Regional Editorial FAMs (33.33% of Regional Costs)	600
Suffolk Specific FAMs	4,000

Long Island Convention & Visitors Bureau and Sports Commission
2011 Marketing Plan

Research (33.33% of Regional Costs)	\$ 4,000
Photography/Video	\$ 13,200
Web content	3700
Advertising Creative	9500
Promotional Items (33.33% of Regional Costs)	500
Telephone (33.33% of Regional)	\$ 7,100
Tradeshaw & Registration Fees	
> Film Production Location Shows (1)	\$ 3,000
Travel & Entertainment	
> Film Production Location Shows (1)	\$ 2,400
<u>TOTAL OPERATING (Marketing & Sales):</u>	\$ 783,705

Long Island Convention & Visitors Bureau and Sports Commission
2011 Marketing Plan

**Membership Services
Budget Detail**

<u>REVENUE:</u>	\$ 97,100
New Members	8000
Renewals	88,000
Vending Machines (Visitor Center)	1,100
<u>OPERATING EXPENSES:</u>	
Internet/Website	\$ 720
E-Newsletter Maintenance	720
Meetings and Receptions	\$ 15,000
Annual Meeting	3,000
Board Meeting Expenses	2,200
Annual Networking Event	2,800
Associations and Professional Memberships	\$ 5,500
NYSTVA, ASAE, IACVB, NYSHTA, NYACVB, NYSTPA, HIA	
<u>TOTAL OPERATING:</u>	\$ 13,720

**Visitor Services
Budget Detail**

<u>OPERATING EXPENSES:</u>	
Office Expenses	\$ 500
Repairs & Maintenance	\$ 2,000
Chalet cleaning, repair & maintenance	1,000
Promotional	\$ 1,500
Shirts - Information Center Staff	1,500
Post Card Mailing Program	\$ 2,800
Promotional post card for Greater Data list	
Travel Guide Distribution East End	\$ 1,250
Fall delivery to North Fork	500
Spring delivery to South Fork	750
<u>TOTAL OPERATING:</u>	\$ 8,050

Intro. Res. No.-2011
Introduced by the Presiding Officer on request of the County Executive

Laid on Table

**RESOLUTION NO. -2011, APPROVING AND
AUTHORIZING A CONTRACT TO PROMOTE CONVENTION
BUSINESS AND TOURISM IN SUFFOLK COUNTY**

WHEREAS, Section 1202-o of the NEW YORK STATE TAX LAW authorizes Suffolk County to impose a tax upon persons occupying hotel or motel rooms in Suffolk County; and

WHEREAS, Section 1202-o of the NEW YORK STATE TAX LAW requires that twenty-four percent of the revenue generated by this tax be delivered to a tourism promotion agency which the County contracts with to administer programs to promote convention business and tourism; and

WHEREAS, the County of Suffolk, through its Department of Economic Development and Workforce Housing, issued a Request for Proposals (RFP) in March 2011, to provide services for the promotion of tourism, convention and sports event business in Suffolk County; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and received only one response from the Long Island Convention and Visitors Bureau and Sports Commission located at 330 Motor Parkway, Suite 203, Hauppauge, NY, 11788; and

WHEREAS, an independent evaluation committee reviewed the proposal from the Long Island Convention and Visitors Bureau and Sports Commission and found the quality of work and experience satisfactory and have recommended that the Department of Economic Development and Workforce Housing enter into a contractual agreement with the provider; and

WHEREAS, Local Law No. 3-1998 requires the County Legislature to approve any contract in excess of \$20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

WHEREAS, pursuant to Local Law No. 19-2005, the County's contracts with tourism promotion agencies require legislative approval; now, therefore be it

1st RESOLVED, that the County Executive be and hereby is authorized to execute an agreement with the Long Island Convention and Visitors Bureau and Sports Commission to provide services for the promotion of tourism convention and sports event business in Suffolk County, in accordance with the terms of this resolution and in substantial conformance with the form annexed; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 817.5 (c) 20 and 27 of Title 6 of the New York Code of rules and Regulations (NYCRR) and within the meaning of Section 8-0109 (2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as routine or continuing agency administration and management and the promulgation of regulations, rules, policies, procedures and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality is hereby directed to circulate any appropriate SEQRA notices of non-applicability or non-significance in accordance with this law.

DATED:

APPROVED BY:

Steve Levy
Suffolk County Executive
Date:

1555
Intro. Res. No. ___-2011

Laid on Table 6/7/11

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, ADOPTING LOCAL
LAW NO. -2011, A LOCAL LAW FURTHER EXTENDING
FIRST TIME HOMEOWNER COUNTY PROPERTY TAX
EXEMPTION**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on _____, 2011, a proposed local law entitled, "**A LOCAL LAW FURTHER EXTENDING FIRST TIME HOMEOWNER COUNTY PROPERTY TAX EXEMPTION,**" and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW FURTHER EXTENDING FIRST TIME HOMEOWNER COUNTY
PROPERTY TAX EXEMPTION**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that, pursuant to New York Real Property Tax Law § 457, the County of Suffolk has offered a partial real property tax exemption for first time homeowners based on income in order to create a positive climate for economic growth and attracting future homeowners.

This Legislature further finds that the New York State Legislature recently amended New York Real Property Tax Law § 457 to allow local municipalities the option to extend the date at which a contract of sale must be signed by first time homeowners to be eligible for the program and to obtain the tax exemption.

Therefore, the purpose of this law is to reinstitute the local first time homeowner County property tax exemption in accordance with State law.

Section 2. Amendment.

Section 458-35 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

CHAPTER 458, TAXATION

* * * *

ARTICLE XIII

Exemption for First-Time Homeowners

* * * *

§ 458-35. Applicability to newly constructed property; cutoff date for exemption.

* * * * *

- B. No exemption shall be allowed pursuant to this article for any newly constructed primary residential property purchased by a first-time homebuyer on or after December 31, [2010] 2016, unless such purchase is pursuant to a binding written contract entered into prior to December 31, [2010] 2016; provided, however, that any first-time homebuyer who is allowed an exemption pursuant to this article prior to such date shall continue to be allowed further exemptions pursuant to § 458-33 of this article.

Section 3. Applicability.

This law shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2012.

Section 4. Filing.

The Clerk of the Suffolk County Legislature is hereby directed to file a copy of this law with the State Board of Real Property Services and the ten (10) town assessors who prepare the assessment roll on which the taxes of this County are levied.

Section 5. Severability.

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

Section 6. SEQRA Determination.

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

Section 7. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



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

DATE: JUNE 6, 2011

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW FURTHER EXTENDING FIRST TIME HOMEOWNER COUNTY PROPERTY TAX EXEMPTION

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 6/3/11 **PUBLIC HEARING:** 6/21/11

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

This proposed local law would extend the County's partial real property tax exemption for first time homebuyers through December 31, 2016.

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

A handwritten signature in black ink, appearing to read "George Nolan", is written over the printed name.

GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-extend-first-time-homebuyers-exemption

Intro. Res. No. **1556-11**
Introduced by the Presiding Officer on request of the County Executive

Laid on Table **6/7/11**

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -
2011, A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION
PROPERTIES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, a proposed local law entitled, "**A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES**"; now, therefore be it

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

LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES

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

Section 1. Legislative Intent.

This legislature hereby finds and determines that the County of Suffolk disposes of many properties acquired through the provision of the SUFFOLK COUNTY TAX ACT by public auction.

This Legislature further determines that Local law No. 13-1990 imposed a requirement that the auction of parcels with habitable structures be limited to those persons who agreed to occupy the premises for a period of at least 10 years. This requirement was intended to discourage speculators, encourage home ownership and strengthen neighborhoods throughout Suffolk County. However, this requirement has proven to have an adverse effect on auction sales.

This Legislature also finds that sales have been stymied by a 10 year restriction, and that the public in general is discouraged from entering an agreement of such an onerous length of time. The present state of economy and the housing market further weakens the value of said agreement. Parcels subject to said agreement which are not bid upon impose further financial and community hardship while they await a future auction date. Those not sold at the October 2010 auction for example, will cost the County of Suffolk \$30,000 in additional real estate tax and an undetermined cost for maintenance before the opportunity for sale at another auction. Furthermore said 10 year restriction is in excess of the 5 year restriction imposed in the Affordable Housing Program.

This Legislature finds that it is necessary to remove the owner occupancy requirement for auctioned properties after two attempts to sell at auction in order to better achieve the return of surplus properties to the tax roles and relieve the County of the extra expense of maintaining said parcels.

Therefore, the purpose of this law is to remove the ten year occupancy restriction on these parcels which have been on for two or more auctions so as to encourage sales, reduction of Suffolk County surplus inventory and as a cost saving initiative.

Section 2. Amendments.

Section A42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended
as follows:

A42-4. Disposition of property acquired through Suffolk County Tax Act.

* * * *

G. Public auction. All parcels approved for disposition, except those that may be sold as provided in Subsection H or as provided under § A36-2A of the Suffolk County Administrative Code, shall be offered for sale to the highest bidder at public auction pursuant to regulations established for such auctions by the Commissioner. All parcels approved for disposition, which have structures affixed thereto capable of physical occupancy by individuals, shall only be offered for sale to the highest bidder at a public auction who is willing to agree, in writing, to a restrictive covenant in such deed as may convey title to such individual requiring the owner of the parcel, or his or her natural children or natural parents, to occupy said premises, said restriction to run with the land for a period of ten (10) years subsequent to the transfer of title from the County of Suffolk. The owner of the parcel shall provide to the County written notice of any subsequent transfer of the parcel within said ten 10 year period. The Commissioner shall reserve to the County a right of reverter should this restriction be violated. However if any parcel covered under this section (structures capable of physical occupancy) has failed to close after two public auctions this restriction shall be lifted at all future auctions. In those instances in which a former property owner has affirmatively waived, in writing, his, her or its right of redemption of property under Subsections A and B of this section, then the Commissioner, or his or her designee, shall take such measures as shall be necessary and appropriate to expedite the offering for sale of such parcels to the highest bidder at public action in accordance with the provisions of this article at the earliest possible date.

(1) The Director of the Division of Real Property Acquisition and Management in the Department shall take such measures as shall be necessary and appropriate to ensure that the transfer of title for sale of such parcels shall take place within two years after the signing of the contract of sale for such parcels.

(2) If the transfer of title for sale of such parcels shall not take place within two years after the signing of the contract of sale, then the Director of the Division of Real Property Acquisition and Management in the Department shall provide a written report to the County Legislature and appear before the Ways and Means Committee and the Parks and Recreation Committee of the County Legislature, or any successor committees thereto, in order to continue the transfer process.

(3) The Director of the Division of Real Property Acquisition and Management in the Department shall lower the upset price for the public auction of such County-owned real estate parcels approved for such disposition as many times as shall be necessary and appropriate to effectuate the sale of such parcel at the third public auction if such parcel has been unsuccessfully listed at public auction two prior times.

* * * *

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



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

DATE: JUNE 6, 2011

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 6/3/11 PUBLIC HEARING: 6/21/11

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

This proposed local law would amend the provision of the ADMINISTRATIVE CODE which restricts the sale of county-owned properties acquired through tax default, which have a habitable structure, to those persons who agree to a restrictive covenant requiring the parcel's owner to reside on the premises for ten (10) years.

Specifically, this law would lift this ownership restriction on any parcel that fails to close after two (2) public auctions.

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

A handwritten signature in black ink, appearing to read "George Nolan", is written over a light blue horizontal line.

GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-disposition-auction-properties

1557

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

Laid on Table 6/7/2011

**RESOLUTION NO. -2011, AMENDING THE 2011
OPERATING BUDGET AND AUTHORIZING THE OPERATION
OF THE JOHN J. FOLEY SKILLED NURSING FACILITY**

WHEREAS, Resolution No. 47-2011 authorized the County Executive to execute agreements for the sale of the John J. Foley Skilled Nursing Facility; and

WHEREAS, the County of Suffolk has been unable to consummate the sale due to the withdrawal of the prospective buyer; and

WHEREAS, active litigation continues to preclude the closure of the facility; and

WHEREAS, the health and safety of the patients requires continuing the operation of the John J. Foley Skilled Nursing Facility until such time as the issue is re-evaluated and a definitive plan and course of action is agreed to; and

WHEREAS, Resolution No. 324-2011 amended the 2011 operating budget for the John J. Foley Skilled Nursing Facility to operate until June 30, 2011 and

WHEREAS, additional revenue from rebasing of the facility's Medicaid rates, and continued operation of the facility will generate additional Medicaid and Medicare revenues; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

1st RESOLVED, that appropriations within Fund 632 John J. Foley Skilled Nursing Facility are to be transferred as shown below in order to operate the facility through December 31, 2011 and assure the health and safety of the patients entrusted to the Suffolk County facility; and be it further

2nd RESOLVED, that revenues be adjusted as shown below to account for the additional revenues from Medicaid rebasing and the additional revenue generated by operation of the John J. Foley Skilled Nursing Facility for all of Suffolk County Fiscal Year 2011; and be it further

3rd RESOLVED, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

REVENUES:

<u>FD</u>	<u>AGY</u>	<u>REV CODE</u>	<u>REVENUE NAME</u>	<u>AMOUNT</u>
632	HSV	1830	Adults in Public Institutions	+\$1,294,699
632	HSV	1831	Medicaid-Adult Private Institutions	+\$9,118,133
632	HSV	1832	Medicare –Adult Public Institutions	+\$548,533

APPROPRIATIONS:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
632	HSV	4530	1410	Clothing Allowance	-\$4,600
<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
632	HSV	4530	1020	Terminal Vacation Pay	+\$37,706
632	HSV	4530	1050	Terminal Sick Leave Payments	+\$9,557
632	HSV	4530	1080	Retro And Vacation Pay	+\$24,424
632	HSV	4530	1100	Permanent Salaries	+\$5,612,807
632	HSV	4530	1120	Overtime Salaries	+\$927,961
632	HSV	4530	1130	Temporary Salaries	+\$196,185
632	HSV	4530	1230	Workman's Comp-Disability	+\$62,802
632	HSV	4530	1270	Disability Income	+\$19,731
632	HSV	4530	1380	Deferred Pay	+\$45,754
632	HSV	4530	1400	Cleaning Allowance	+\$10,227
632	HSV	4530	1620	OT - Straight Time	+\$34,981
632	HSV	4530	3010	Office Supplies	+\$20,659
632	HSV	4530	3020	Postage	+\$1,784
632	HSV	4530	3250	Building Materials	+\$6,466
632	HSV	4530	3310	Clothing & Accessories	+\$20,909
632	HSV	4530	3320	Household & Laundry Supplies	+\$102,746
632	HSV	4530	3330	Food	+\$355,939
632	HSV	4530	3370	Medical, Dental & Laboratory Supplies	+\$178,150
632	HSV	4530	3500	Other: Unclassified	+\$49,773
632	HSV	4530	3510	Rent: Business Machines And Sys	+\$30,293
632	HSV	4530	3610	Repairs: Office Equipment	+\$13,215
632	HSV	4530	3650	Repairs: Building	+\$27,450
632	HSV	4530	3660	Service Contracts -Misc	+\$10,000
632	HSV	4530	3680	Repairs: Special Equipment	+\$21,409
632	HSV	4530	3770	Advertising	+\$7,504
632	HSV	4530	3920	Laundry & Sanitation	+\$228,227
632	HSV	4530	3930	Cartage	+\$136
632	HSV	4530	3950	Notary Fees	+\$120
632	HSV	4530	4015	Cellular Communications	+\$593
632	HSV	4530	4070	MTA PAYROLL TAX	+\$22,261
632	HSV	4530	4140	Transportation: Indigents	+\$233,872
632	HSV	4530	4330	Travel: Employee Contract	+\$443
632	HSV	4530	4340	Travel: Other	+\$545
632	HSV	4530	4560	Fees For Services - Non Employees	+\$1,453,800
632	HSV	4530	8330	Social Security	+\$526,804
632	HSV	4530	8380	Benefit Fund Contribution	+\$183,111

INTERFUND TRANSFERS:

<u>FD</u>	<u>AGY</u>	<u>REV CODE</u>	<u>REVENUE NAME</u>	<u>AMOUNT</u>
016	IFT	2854	Transfer From SC Nursing Home	+\$307,870
038	IFT	2854	Transfer From SC Nursing Home	+\$179,751
001	IFT	R632	Transfer from SC Nursing Home	-\$10,961,365

<u>FD</u>	<u>AGY</u>	<u>EXP CODE</u>	<u>EXPENDITURE NAME</u>	<u>AMOUNT</u>
632	HSV	9810	Transfer To Fd 038 – Self Insurance	+\$179,751
632	HSV	9820	Transfer To Fd 016 – Inter-Dept Chrg	+\$307,870
632	IFT	E001	Tr to Fd 001 General	-\$10,961,365

and be it further

4th **RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding operations at the John J. Foley Skilled Nursing Facility, until and unless directed otherwise by the Suffolk County Legislature.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

**HOME RULE MESSAGE REQUESTING THE
STATE OF NEW YORK TO AUTHORIZE SUFFOLK
COUNTY TO DISCONTINUE USE OF CERTAIN
LAND FOR PARK PURPOSES AND SELL SUCH
PROPERTY TO THE FIRST BAPTIST CHURCH OF
BAY SHORE (SENATE BILL S.4416-B AND
ASSEMBLY BILL A.07456-A)**

WHEREAS, Suffolk County acquired a 0.16 acre parcel of land adjacent to the First Baptist Church of Bay Shore through tax foreclosure; and

WHEREAS, Suffolk County has dedicated said parcel as parkland;
and

WHEREAS, the First Baptist Church of Bay Shore would like to purchase the land from the County; and

WHEREAS, Suffolk County must obtain State authorization to sell a parcel which has been dedicated for parkland purposes; and

WHEREAS, if the subject parcel is sold to the First Baptist Church of Bay Shore, Suffolk County will purchase property of equal or greater value to the subject parcel and dedicate the purchased land as parkland; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests the State of New York to enact Senate Bill S.4416-B and Assembly Bill A.07456-A to authorize the County of Suffolk to discontinue the use of certain County lands as parkland and to sell and convey such lands to the First Baptist Church of Bay Shore; and be it further; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Andrew M. Cuomo; to the Majority Leader of the New York State Senate Dean Skelos; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

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Tuesday, May 24, 2011Back
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Assembly Committee Agenda

Bill No.:
Summary Actions Votes Memo Text

A07456 Text:

S T A T E O F N E W Y O R K

7456--A

2011-2012 Regular Sessions

I N A S S E M B L Y

May 4, 2011

Introduced by M. of A. RAMOS -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the county of Suffolk to discontinue the use of certain county lands as parkland and to sell and convey such lands to the First Baptist Church of Bay Shore

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The county of Suffolk, acting by and through its governing
2 body, is hereby authorized to permanently discontinue as parklands, and
3 to sell and convey, upon such terms and conditions as such governing
4 body shall deem to be reasonable, to the First Baptist Church of Bay
5 Shore the land described in section three of this act.

6 S 2. The authorization provided in section one of this act shall be
7 effective only upon the condition that the county of Suffolk dedicate an
8 amount equal to or greater than the fair market value of the property
9 being alienated by this act for the acquisition of additional parklands
10 and/or for capital improvements to existing park and recreational facil-
11 ities.

12 S 3. The lands to be permanently discontinued as parklands and alien-
13 ated, and conveyed are described as follows:

14 ALL that certain plot, piece or parcel of land situate, lying and
15 being at Bay Shore, Town of Islip, County of Suffolk and State of New
16 York, known and designated as lot numbers 70 and 71 on the Map of Ford-

Bills.txt

17 ham Tract, filed in the Office of Suffolk County Clerk on October 19,
18 1912 as Map No. 270, said property being bounded and described as
19 follows:

20 BEGINNING at a point on the easterly side of Harrison Avenue (Forks
21 Road) at the southwesterly corner of Lot 69 on said map, said point
22 being distant 370.61 feet southeasterly from the corner formed by the

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD10523-08-1

A. 7456--A

2

1 northeasterly side of Harrison Avenue and the easterly side of Second
2 Avenue (2nd Avenue);

3 RUNNING THENCE North 53 degrees 20 minutes 00 seconds East, 171.25
4 feet to Penataquit Brook;

5 THENCE South 68 degrees 22 minutes 29 seconds East, 80.53 feet along
6 Penataquit Brook to the southerly side of Lot 71 on said map;

7 THENCE South 56 degrees 55 minutes 00 seconds west, 187.70 feet along
8 the southerly side of Lot 71 to the westerly side of Harrison Avenue on
9 said map;

10 THENCE North 59 degrees 28 minutes 00 seconds East, 61.43 feet along
11 the northeasterly side of Harrison Avenue (Forks Road) to the southwes-
12 terly corner of Lot 69, the point or place of BEGINNING.

13 Containing 11,097 Square Feet, more or less.

14 Reference Suffolk County Tax Map District 0500 Section 341 Block 02
15 Lot 64.

16 S 4. The discontinuance and conveyance of parkland authorized by the
17 provisions of this act shall not occur until the county of Suffolk has
18 complied with any federal requirements pertaining to the alienation or
19 conversion of parklands, including satisfying the Secretary of the Inte-
20 rior that the conversion complies with all conditions which the Secre-
21 tary of the Interior deems necessary to assure the substitution of other
22 lands shall be equivalent in fair market value and recreational useful-
23 ness to the lands being alienated or converted.

24 S 5. In the event that the park lands to be dedicated by the county of
25 Suffolk pursuant to this act are not of equal or greater fair market
26 value and usefulness as park lands than the park lands to be discontin-
27 ued, the county of Suffolk shall dedicate the difference of fair market
28 value and/or usefulness of the lands to be alienated and the lands to be
29 dedicated for the acquisition of additional park lands and/or capital
30 improvements to existing park and recreational facilities.

31 S 6. This act shall take effect immediately.

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S T A T E O F N E W Y O R K

4416--B

Cal. No. 776

2011-2012 Regular Sessions

I N S E N A T E

April 4, 2011

Introduced by Sen. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report, and to be reprinted as amended, retaining its place in the order of second report

AN ACT to authorize the county of Suffolk to discontinue the use of certain county lands as parkland and to sell and convey such lands to the First Baptist Church of Bay Shore

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16 York, known and designated as lot numbers 70 and 71 on the Map of Ford-
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EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD10523-07-1

S. 4416--B

2

1 BEGINNING at a point on the easterly side of Harrison Avenue (Forks
2 Road) at the southwesterly corner of Lot 69 on said map, said point
3 being distant 370.61 feet southeasterly from the corner formed by the
4 northeasterly side of Harrison Avenue and the easterly side of Second
5 Avenue (2nd Avenue);
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OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



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

MEMORANDUM

DATE: May 24, 2011

TO: Tim Laube, Clerk of the Legislature

FROM: George Nolan, Counsel to the Legislature 

RE: Home Rule Message Requesting the State of New York to Authorize Suffolk County to Discontinue Use of Certain Land for Park Purposes and Sell Such Property to the First Baptist Church of Bay Shore (Senate Bill S.4416-B and Assembly Bill A.07456-A)

Pursuant to the request of Legislator Barraga, enclosed please find the above referenced Home Rule Message, with appropriate back-up, for immediate filing.

GN:tm
Enclosure

cc: Hon. Thomas F. Barraga, County Legislator, 11th District

s:\let\cl-HR First Baptist Church

2011 MAY 24 3:05

**MOTION NO. 16 – 2011, PROCEDURAL RESOLUTION
AUTHORIZING FUNDING FOR COMMUNITY SUPPORT
INITIATIVES (PHASE IV)**

WHEREAS, funds are included in the 2011 Operating Budget (001-LEG-1012-4981) to supplement county services via non-profit organizations; and

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

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

AGENCY	SPONSOR	AMOUNT
Amityville Soccer	Horsley	\$2,500
Atlantic Wind Symphony, Inc.	Lindsay	\$2,000
Bellport Little League	Browning	\$1,000
Bellport-Brookhaven Historical Society	Browning	\$1,500
Community Family Literacy Project, Inc.	Browning	\$2,500
EAC, Inc.	Lindsay	\$5,000
EAC, Inc.	Montano	\$5,000
East Hampton Food Pantry	Schneiderman	\$1,500
East Islip Historical Society	Cilmi	\$1,000
EJ Autism Foundation	Cilmi	\$1,000
For the Kids Foundation of East Islip	Cilmi	\$2,000
Friends of Retired & Senior Volunteer Program (RSVP)	Viloria-Fisher	\$1,000
Gordon Heights Sports Coach and Parents Assoc.	Browning	\$1,000
Hecksher Youth Program	Cilmi	\$1,000
Historical Society of Islip Hamlet	Cilmi	\$1,000
Judy's Run for Awareness, Inc.	Muratore	\$1,000
L.I. Child & Family Development Services, Inc.	Browning	\$2,000
L.I. Citizens for Community Values	Horsley	\$1,500
Lighthouse Mission Outreach, Inc.	Muratore	\$1,000
Lindenhurst Junior Squires Soccer League	Horsley	\$2,000
Lindenhurst National Little League	Horsley	\$2,000
Long Island Gay and Lesbian Youth	Browning	\$1,500
Long Island Seaport and Eco-Center	Viloria-Fisher	\$1,500
Mastic Sports Club Kyle Sports for Special Needs	Browning	\$1,000
Mercy Center Ministries	Cilmi	\$1,000
Montauk Fire Department	Schneiderman	\$1,700
Mothers Against Drunk Driving	Browning	\$1,000
New Beginnings Community Center	Browning	\$1,000
North Lindenhurst Civic Association	Horsley	\$1,500

Parents for Megan's Law, Inc.	Browning	\$1,000
Parents for Megan's Law, Inc.	Viloria-Fisher	\$2,000
Pilot International	Horsley	\$1,500
Protestant Episcopal Church/St. Mark's Episcopal Church	Cilmi	\$1,000
Response of Suffolk County, Inc.	Eddington	\$2,000
Senior Net @ Family Services League	Browning	\$1,000
Shanti Fund, Inc.	Viloria-Fisher	\$1,000
South Shore Soccer Club	Horsley	\$2,000
St. John Evangelical Lutheran Church	Horsley	\$2,500
St. Patrick Family Outreach	Cilmi	\$1,000
Suffolk County Boy Scouts of America	Muratore	\$1,000
Suffolk County Society for the Prevention of Cruelty to Animals	Browning	\$2,000
Suffolk County United Veterans, Inc.	Browning	\$1,500
The Right Start Foundation	Gregory	\$1,000
Tordik Diedrich, Duffield VFW 4927	Muratore	\$1,500
West Babylon Beautification Society	Horsley	\$1,500
West Babylon Conference League, Inc.	Horsley	\$2,000
William Floyd School Dist.	Browning	\$2,000
William Floyd Community Summit/Beautification Committee	Browning	\$1,000

and be it further

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

DATED:

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

PROCEDURAL RESOLUTION NO. 17 –2011, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO EXISTING AGRICULTURAL DISTRICTS IN THE TOWNS OF BROOKHAVEN, EAST HAMPTON, AND SOUTHOLD

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with §25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, existing Agricultural Districts will increase by one hundred forty and six tenths (140.6) acres in the Towns of Brookhaven, East Hampton, and Southold; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board recommends the inclusion of new parcels into existing certified Agricultural Districts in the Towns of Brookhaven, East Hampton, and Southold; now, therefore be it

1st RESOLVED, that, pursuant to §25-AA of the NEW YORK AGRICULTURE AND MARKETS LAWS, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2011 at 2:30 p.m. in the Maxine S. Postal Auditorium at the Riverhead County Center, Riverhead, NY for the purpose of inclusion of new parcels into existing certified Agricultural Districts in the Towns of Brookhaven, East Hampton, and Southold.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

s:\procedural resolutions\motion-ph-existing-ag-districts

RESOLUTION NO. – 2011 AUTHORIZING USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT BY ESCAPE TO NEW YORK, LLC

WHEREAS, Escape to New York, LLC, a special events production company, has requested the use of 15.6 acres of property at Francis S. Gabreski Airport for the purpose of hosting a camping event August 1, 2011 through August 8, 2011; and

WHEREAS, the property will accommodate campgrounds, parking, security as well as sanitary facilities to accommodate the campers; and

WHEREAS: the use of this property is one part of the overall program which includes a weekend long festival to be held on property owned by the Shinnecock Nation. Campers will be transported to the festival grounds via shuttle bus; and

WHEREAS, the Department of Economic Development and Workforce Housing and the Airport Conservation and Assessment Panel (ACAP) have reviewed this application and recommend the Legislature approve this request with a fee of \$35,000, now, therefore be it

1st RESOLVED, that the County Executive or his designee, be and hereby is authorized to execute a license agreement for the use of the above described property between Escape to New York, LLC and the County of Suffolk, in substantial accordance with the agreement annexed as Exhibit A; and be it further

2nd RESOLVED, that this Legislature being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this resolution constitutes an unlisted action under the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code; and, be it further

3rd RESOLVED, that based on the information received, Legislature being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this action will not have significant adverse impacts on the environment for the following reasons:

1. The proposed action, as demonstrated in the Environmental Assessment Form, will not exceed any of the criteria outlined in Title 6 NYCRR Part 617.7 setting forth thresholds for determining significant effect on the environment;
2. The proposed action involves a minor temporary use of land having negligible or no permanent impact on the environment;
3. The proposed action does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;
4. All necessary permits will be obtained prior to the activity and strictly adhered to throughout the course of the event; and be it further

4th RESOVLED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

Steve Levy
County Executive of Suffolk County

Date of Approval: _____

MEMORANDUM

TO: Brendan Chamberlain, Director, Intergovernmental Relations
Office of the County Executive

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

DATE: June 3, 2011

**SUBJECT: Resolution Authorizing Use of Property at Gabreski
Airport by Escape to New York, LLC**

The Department of Economic Development and Workforce Housing requests the attached resolution to be introduced at the June 7th Legislative Meeting. The resolution authorizes the use of property at Francis S. Gabreski Airport by Escape to New York, LLC for the purposes of accommodating campers attending a locally held festival during the first week of August 2011.

This spring the Department was approached by Escape to New York, LLC requesting use of airport property for the week of August 1st through August 8th, 2011. Due to the complex nature of the request the department required the applicant to address various security, health and safety issues prior to submitting the application for review by the Airport Conservation and Assessment Panel. The Panel reviewed the application on June 1st and made their recommendations to the County Executive, County Legislature and the Council on Environmental Quality (CEQ). CEQ will review the project on June 15, 2011.

Attached please find the draft resolution, the License Agreement, and the required SCIN 175a and 175b. Electronic copies have been filed in accordance with ADH 05-2011.

Thank you.

CEF/kmb
Attachments

cc: Chris Kent, Chief Deputy County Executive
Eric A. Kopp, Assistant Deputy County Executive
Yves R. Michel, Commissioner
Tony Ceglie, Francis S. Gabreski Airport Manager

1558

LICENSE AGREEMENT

Made this ____ day of _____, 2011 between ESCAPE TO NEW YORK, LLC (-hereinafter Escape to New York), whose address 9 Disraeli Road, London SW15 2DR and the COUNTY OF SUFFOLK, a municipal corporation whose address is County Center, Riverhead, New York (hereinafter the County).

WITNESSETH:

1. **DESCRIPTION.** County hereby grants to Escape to New York ~~15.6~~ 15.6 acres for vehicle parking and tent camping at Francis S. Gabreski Airport, Westhampton Beach, New York (hereinafter "**Premises**") depicted on the map attached hereto as **Exhibit A.**
2. **TERM.** EIGHT (8) days, commencing August 1, 2011 and ending August 8, 2011.
3. **PURPOSE.** The parties hereto acknowledge that County is a municipal corporation and is entering into and executing this License agreement by virtue of the authority of Resolution No. _____-2011 of the Suffolk County Legislature, for the purpose and intent of operating a carnival and fireworks display. The resolution is incorporated herein by reference. Escape to New York has examined the same is fully aware of the intended purpose thereof, and that Escape to New York use of the Premises shall be for the sole purpose of a carnival and fireworks display and for no other purpose. The grant of this License shall not be deemed to preclude the use of Francis S. Airport by the public, by County itself or by any tenant of the County of Suffolk located at Francis S. Gabreski Airport.

It is expressly understood and agreed that this License is a limited license to use the Premises. It is not a Lease; no interest in real estate, real property or personalty and no right of exclusive possession and control is granted herewith to Escape to New York. Escape to New York's right to occupy the Premises shall continue only so long as Escape to New York shall comply strictly and promptly with each and all of the undertakings, provisions, covenants, agreements, stipulations, and conditions contained herein.

This License permits Escape to New York to enter, use and occupy the Premises consistent with the terms herein, until such time that the License expires or its early termination as hereinafter provided. Escape to New York further agrees to provide all documentation required under this License on or before execution of this License.

4. **RENTAL AND SECURITY.** A rental fee of **\$35,000.00** shall be paid, in advance, by July 18, 2011 to County at the Airport Management Office, located at Francis S. Gabreski Airport, Westhampton Beach, New York. In addition, Escape to New York further agrees to provide the sum of \$2,500.00 payable in advance, as security for the clean-up of the Premises, if and as necessary, and the performance by Escape to New York of all other of its obligations under this Agreement. The security, less any monies due the County there from by reason of violation of the terms of this Agreement by Escape to New York, shall be returned to Escape to New York upon a determination by Airport Management that the Premises has been restored to its original condition.

All payments shall be in the form of a Certified Business Check, made payable to the Suffolk County Treasurer's Office.

5. **DUTIES.** A) On or before July 18, 2011 Escape to New York shall submit to Airport Management a "Site Plan" indicating the layout, traffic flows, and parking, and separate security plan (including lighting, fencing, marking, and communications) in addition to details relating to sanitary arrangements, and post event park clean-up plans, all of which shall be subject to approval by Airport Management.

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B) It is expressly understood and agreed that the Premises is and shall be the sole property of the County at all times during the period of this License.

C) Escape to New York acknowledges that this License is for use of the Premises in "as is" condition and it is the sole obligation of Escape to New York to suit the License area to its needs, as identified in the site plan, at its sole cost and expense. Any alterations, modifications, or improvements to the Premises must be included in the site plan approved by Airport Management.

D) Escape to New York shall commit no act of waste and shall take good care of the Premises, and shall, in the use and occupancy of the Premises: (a) conform to all laws, orders and regulations of the federal, state and municipal governments, or any of their departments, (b) conform to all applicable federal, state and local laws and regulations regulating toxic waste and discharge, including, but not limited to, Articles VII and XII of the Suffolk County Sanitary Code, and (c) shall conform to the regulations of the New York Board of Fire Underwriters, provided they are applicable by reason of the use of the Premises by Escape to New York.

E) Escape to New York shall comply at its own cost and expense, with all federal, state, County and town statutes, local laws, ordinances, rules or regulations, now or hereinafter in force, which may be applicable to the operation of a carnival and fireworks display, including obtaining and paying for all licenses and charges and taxes (whether real property or otherwise) assessed under state, federal, County or local statutes or ordinances, insofar as they are applicable thereto. Copies of any and all permits, approvals or the like shall be submitted to Airport Management at least five (5) days prior to the commencement of the event.

F) Escape to New York at its expense, will provide for the placement, removal and frequent emptying of trash receptacles adequate in number for the anticipated daily attendance and shall surrender the premises in a clean condition, similar to that when occupation commenced, reasonable wear expected.

G) The County shall not be responsible for providing any personnel for the conduct of this event.

H) Escape to New York hereby expressly waives any and all claims for compensation for any and all loss or damage sustained by Escape to New York resulting from fire, water, storm, tornadoes, civil commotion, riots, acts of God or other disasters. Escape to New York expressly waives all rights, claims and demands and forever releases and discharges the people of the State of New York, the County of Suffolk, the Suffolk County Department of Economic Development and Workforce Housing and their officers, employees, and agents from any and all demands, claims, actions and causes of action

arising from any of the enumerated causes whatsoever. In the event of inclement weather, Escape to New York expressly waives the right to request a rescheduling of events.

I) Alcoholic Beverages. The sale and/or consumption of alcoholic beverages of any kind are prohibited.

6. ALTERATIONS. Escape to New York shall not make any “Alterations,” meaning any alterations, installations, improvements, additions, renovations or physical changes to the Premises or any part or portion thereof or in any areas in the vicinity of the Premises, without the prior written consent of the County.

7. NO ASSIGNMENT. The License hereby granted shall not be transferred, assigned, conveyed, sublet, subcontracted or otherwise given to another, or any right, or interest therein.

8. PARKING PLACES. During the term of this Agreement, parking shall be in the area as depicted on the map attached hereto as **Exhibit A** and in accordance with the Site Plan described in **Section 5**. Traffic control and security personnel shall be provided by Escape to New York and shall wear identification so as to be readily visible to police personnel. Traffic control personnel shall be responsible for directing traffic and the parking of automobiles within Francis S. Gabreski Airport.

9. UTILITIES. A) Escape to New York shall assume and be responsible to pay for all utilities’ services, including connections thereto, used by it with respect to its operations granted by this Agreement, including water, electricity and fuel. Escape to New York shall not use any existing utility services at the Premises without the express consent of Airport Management.

B) The County shall have no liability to Escape to New York for any loss, damage or expense sustained or incurred by reason of any change, failure, inadequacy, unsuitability or defect in the supply or character of the utilities to the Premises for this event.

10. IDEMNITY AND INSURANCE. A) Escape to New York assumes all risks in the operation of this License and shall defend, indemnify and hold harmless the County, its officials, employees, servants, and agents from and against all liabilities, fines, penalties, actions, demands, losses, claims, costs, judgments, damages, liens, encumbrances, costs, and expenses, including attorneys’ fees, arising out of the acts or omissions or negligence of Escape to New York, its owners, agents, employees or servants in connection with the services described or referred to in this License, which responsibility shall not be limited to the insurance coverage herein provided for.

B) Escape to New York agrees not to use, suffer or permit any person to use in any manner whatsoever the Premises or any part thereof for any illegal purpose, or for any purpose in violation of any Federal, State, County or Municipal Law, ordinance, rule, order or regulation or of any rule or regulation of Francis S. Gabreski Airport now in effect or hereinafter enacted, amended or adopted, and will protect, defend, indemnify and forever save and keep harmless the County, Airport Management and its officers, employees, agents and servants from and against any damage, penalty, fine, judgment, expense or charge suffered, imposed, assessed or incurred for any violation or breach of any law, ordinance, rule, order or regulation occasioned by any act, neglect or omission of Escape to New York or any of its employees, servants or agents in connection with the

Premises; and in the event of any such violation or in case the County or its representatives shall deem any conduct on the part of Escape to New York, its employees, servants or agents to be objectionable or improper, the County shall have the right and power, and is hereby authorized by Escape to New York, to at once declare this License terminated without notice to Escape to New York.

C) Escape to New York hereby represents and warrants that Escape to New York, will not infringe upon any copyrighted work or material in accordance with the Federal Copyright Act during the term of this License. Furthermore, Escape to New York agrees that it shall protect, indemnify and hold harmless the County and its officers, officials, employees, contractors, agents and other persons from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorney's fees, arising out of the acts or omissions or the negligence of Escape to New York in connection with the services described or referred to in this License. Escape to New York shall defend the County and its officers, officials, employees, contractors, agents and other persons in any suit, including appeals, or, at the County's option, pay reasonable attorney's fees for defense of any such suit arising out of the acts or omissions or negligence of Escape to New York, its officers, officials, employees, subcontractors, lessees, licensees, invitees or agents, if any, in connection with the services described or referred to in this License.

11. **INSURANCE.** A) No later than July 18, 2011, Escape to New York agrees to procure, and pay the entire premium for and maintain throughout the term of this License insurance coverage in amounts and types specified by the County and as may be mandated and increased from time to time. All Certificates of Insurance shall name the County of Suffolk as a Certificate Holder and as an Additional Insured. Unless otherwise specified by the County and agreed to by- Escape to New York, in writing, such insurance shall be as follows:

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- i. **COMMERCIAL GENERAL LIABILITY INSURANCE** including contractual coverage, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (\$2,000,000.00) per occurrence for property damage.
- ii. **WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE** in compliance with all applicable New York State laws and regulations and **DISABILITY BENEFITS INSURANCE** if required by law and shall have furnished to the Department of Public Works Property Manager prior to execution of this License the documentation required by the State of New York Workers' Compensation Board of coverage or exemption from coverage pursuant to §§57 and 220 of the Workers' Compensation aw. In accordance with General Municipal Law §108, this License shall be void and of no effect unless Escape to New York shall provide and maintain coverage during the term of this License or the benefit of such employees required to be covered by the provisions of the Workers' Compensation Law.
- iii. **AUTOMOBILE LIABILITY INSURANCE**, if any vehicles are used in connection with the use of the Premises leased hereunder in an amount not less than Five Million (\$5,000,000) combined single limit for bodily injury and property damage per occurrence. Such insurance shall cover all owned, scheduled, hired and non-owned vehicles.

B)

C) All policies required under this **Section 11** shall be issued by insurance companies duly licensed by the State of New York and acceptable to the COUNTY, with an A.M. Best rating of A- or better.

D) Prior to the commencement of this License, Escape to New York shall furnish the County with Declaration Pages for each such policy of insurance, and, upon request, a true and certified original copy of each such policy, and evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, the County of Suffolk shall be named as an additional insured and Escape to New York shall furnish a Declaration Page, endorsement page and certificate of insurance evidencing the County's status as an additional insured on said policy. Escape to New York shall thereafter provide to the County, for the duration of the License, updated Declaration pages, endorsement pages and certificates of insurance on a yearly basis as the insurance coverage periods expire.

E) All such Declaration Pages, certificates, and other evidence of insurance shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in said policy. Such certificates, policies or other evidence of insurance and notices shall be mailed to Airport Management, Suffolk County Department of Economic Development and Workforce Housing, Aviation Division, Francis S. Gabreski Airport, Westhampton Beach, New York, 11978, and the Suffolk County Risk Management and Benefit Division, H. Lee Dennison Building, Hauppauge, New York 11788 or such other address of which the County shall have given Escape to New York notice in writing.

12. **NEGATIVE COVENANTS.** Escape to New York shall commit no act of waste and shall not use, occupy, maintain or operate the Premises, nor suffer or permit the Premises or any part thereof to be used, occupied, maintained or operated, nor bring into or keep at the Premises, nor suffer or permit anything to be brought into or kept therein, which would in any way (a) violate any term, covenant or condition of this License, b) violate any restrictive covenant, operating covenant, encumbrance or easement affecting the Premises, (c) make void or voidable any insurance policy then in force with respect to the Premises or make any such insurance unobtainable or increase the rate of any insurance with respect to the Premises, (d) cause physical damage to the Premises or any part thereof, (e) permit the excess accumulation of waste or refuse at the Premises, (f) constitute a public or private nuisance, (g) not conform to all applicable federal, state and local laws and regulations.
13. **INSPECTION OF PREMISES.** It is agreed that Airport Management, any authorized representatives of Airport Management, or the authorized representatives of any other County department may inspect the Premises at any time.
14. **GENERAL PROVISIONS.** A) Escape to New York shall furnish to Airport Management no later than July 18, 2011 a copy of the Town of Southampton Permit, Fire Marshall Permit, USDOT FAA letter of acknowledgment and any other required permits, licenses, waivers, etc. prior to the event.
B) Escape to New York is responsible for coordinating with the Police Department, local Fire Departments, and emergency medical services concerning their arrangements for the events.

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15. **NO COUNTY LIABILITY FOR THE KIWANIS CLUB'S FAILURE.** Failure of Escape to New York to perform any or all of its obligations hereunder shall not give rise to any liability on the part of the County or any of the County's departments, officers, officials, bureaus, agencies, employees, agents or representatives.
16. **TERMINATION/DEFAULT.** *Termination without cause:* (A) Unless otherwise provided herein, either party may terminate this License without cause at any time prior to the commencement of the term, upon ten (10) days written notice to the other.

B) Termination by the County for Cause: The County may terminate this License upon twenty-four (24) hours written notice, based upon the following events: (i) a failure on the part of Escape to New York to pay the rental fee pursuant to the provisions of **Section 4** of this License; (ii) a failure to maintain the amounts and types of insurance required by this License; and (iii) an emergency or other condition involving possible loss of life, threat to health and safety, destruction of property or other condition deemed to be an emergency, in the sole discretion of Airport Management. In any such event, no notice to cure or notice of intent to terminate shall be required. Failure to comply with health and fire safety standards shall be governed by this subparagraph.

*C) In the event this License is terminated prior to the expiration date set forth under **Section 2**, for any reason, this License shall expire as fully and completely as if such earlier date was the date herein originally fixed for the expiration of the term; and Escape to New York shall, as of such earlier termination date, quit and surrender the Premises to Airport Management. It is further agreed that, upon termination Escape to New York shall remove all its equipment and property within forty-eight (48) hours. Any equipment or property of Escape to New York not so removed shall be deemed to have been abandoned and either may be retained by the County as its property or may be stored or disposed of as the County may see fit, without insurance or liability for any damage which may occur to such property. If such property not so removed shall be sold, the County may receive and retain the proceeds of such sale and apply the same, at the County's option, against the reasonable expenses of the sale, moving and storage, arrears of rent and any damages to which the County may be entitled. Any excess proceeds shall be the property of the County.*
17. **CAPACITY TO CONTRACT.** Escape to New York warrants that its entry into this License was duly considered and authorized by its organizational body and pursuant to its by-laws and/or internal procedures.
18. **ARREARS TO COUNTY.** Escape to New York warrants that it is not in arrears to the County upon debt or contract and are not in default as surety, contractor or otherwise on any obligation to or contract with the County of Suffolk.
19. **FIRE, FLOOD OR STRIKE.** Neither party shall be liable for failure to perform its part of this License when such failure is due to fire, flood, strikes or similar labor disturbances, industrial disturbances, wars, riots, insurrection, Acts of God and/or other causes beyond the control of the parties.
20. **HAZARDOUS SUBSTANCES AND WASTE.** Escape to New York shall not generate, treat, release, store, discharge, dispose of, transport, recycle, use, reuse, or handle hazardous substances or waste on the Premises. As used herein, "hazardous substances or waste" shall include, but not be limited to, any flammable explosives, gasoline, petroleum

products, polychlorinated biphenyl, radioactive materials, hazardous wastes, hazardous or toxic substances, or related or similar materials, asbestos or any material containing asbestos, or any other substance or material as defined by any federal, state or local environmental law, ordinance, rule, or regulation including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. Section 9601, et. seq.), the Hazardous Materials Transportation Act, as amended (49 U.S.C. Section 5101, et. seq.), the Solid Waste Disposal Act, as amended (42 U.S.C. Section 6901, et. seq.), and the regulations adopted and publications promulgated pursuant thereto.

21. **LAWFUL HIRING OF EMPLOYEES LAW IN CONNECTION WITH CONTRACTS FOR CONSTRUCTION OR FUTURE CONSTRUCTION.** This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk, Suffolk County Code Chapter 234, as more fully set forth in the Exhibit entitled "Suffolk County Legislative Requirements." In accordance with this law, Contractor or employer, as the case may be, and any subcontractor or owner, as the case may be, agree to maintain the documentation mandated to be kept by this law on the Construction Site at all times. Contractor or employer, as the case may be, and any subcontractor or owner, as the case may be, further agree that employee sign-in sheets and register/log books shall be kept on the Construction Site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign in sheets/register/log books to indicate their presence on the Construction Site during such working hours.
22. **DISCLOSURE AFFIDAVIT.** Escape to New York shall provide proof of not-for-profit and tax exempt status to Airport Management prior to the execution of this License Agreement. As a not-for-profit entity, Escape to New York is exempt from the requirements of section A5-7 of the Suffolk County Administrative Code. The Disclosure Form is attached hereto as **Exhibit B**.
23. **NOT A CO-PARTNERSHIP OR JOINT VENTURE.** Nothing herein contained shall create or be construed as creating a co-partnership between the County and Escape to New York or to constitute Escape to New York or Escape to New York's employees as agents or employees of the County.
24. **COUNTY REPRESENTATIVES.** It is expressly understood and agreed by and between the parties hereto that the officers, officials, employees and agents of the County and Airport Management are acting in a representative capacity for the County of Suffolk and not for their own benefit, and that neither Escape to New York nor any of its guests or invitees shall have any claim against them or any of them as individuals in any event whatsoever.
25. **NO IMPLIED WAIVER.** No failure or delay by either party in enforcing any right or remedy under this License shall be construed as a waiver of any future or other exercise of such right or remedy.
26. **GOVERNING LAW.** This License shall be construed and interpreted in accordance with the laws of the State of New York, and without regard to its conflict of laws provisions. Venues shall be designated as Suffolk County, New York or the United States District Court for the Eastern District of New York.

27. **COOPERATION ON CLAIMS.** Each of the parties hereto agrees to render diligently to the other party, without additional compensation, any and all cooperation, that may be required to defend the other party, its employees and designated representatives against any claim, demand or action that may be brought against the other party, its employees or designated representatives in connection with this License.
28. **NO REPRESENTATIONS.** Neither party has made any representations or promises, except as contained herein, or in some further writing signed by the parties, making such representation or promise.
29. **SUFFOLK COUNTY LEGISLATIVE REQUIREMENTS:** The Parties agree to be bound by the terms of the Suffolk County Legislative Requirements, annexed hereto as "Appendix A," and made a part hereof.
30. **COUNTERPARTS.** This License may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original; and all such counterparts shall together constitute but one and the same Agreement.
31. **NO CREDIT.** Escape to New York agrees that this License shall not be pledged, hypothecated, or put up as security for a loan, credit or for any reason whatsoever.
32. **CERTIFICATION.** The parties to this License hereby certify that, other than the funds provided in this License and other valid agreements with the County, there is no known relationship within the third degree of consanguinity, life partner, or business, commercial, economic, or financial relationship between the parties, the signatories to this License, and any partners, members, directors, or shareholders of more than five per cent (5%) of any party to this License.

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IN WITNESS WHEREOF, the parties hereto have caused this License to be executed and delivered as of the date first set forth above.

COUNTY OF SUFFOLK

By: _____

Deputy County Executive

Date: _____

DEPARTMENT OF ECONOMIC
DEVELOPMENT AND WORKFORCE
HOUSING

By: _____

CAROLYN FAHEY
Intergovernmental Relations Coordinator

Date: _____

ESCAPE TO NEW YORK, LLC

By: _____

FRED FELLOWES
Owner/Director

Date: _____

REVIEWED AS TO LEGALITY

CHRISTINE MALAFI, ESQ.,
Suffolk County Attorney

By: _____

BASIA DEREN BRADDISH
Assistant County Attorney

Date: _____

Appendix A

Suffolk County Legislative Requirements

1. Contractor's/Vendor's Public Disclosure Statement

The Contractor represents and warrants that it has filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the said Comptroller on or before the 31st day of January in each year of this Agreement's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this Agreement, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Agreement.

Required Form: Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. Living Wage Law

This Agreement is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

The Contractor represents and warrants that it has read and shall comply with the requirements of Suffolk County Code Chapter 347, Suffolk County Local Law No. 12-2001, the Living Wage Law.

Required Forms: Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38;
entitled "Suffolk County Department of Labor – Living Wage
Unit Living Wage Certification/Declaration – Subject To Audit"

3. Use of County Resources to Interfere with Collective Bargaining Activities Local Law No. 26-2003

The Contractor represents and warrants that it has read and is familiar with the requirements of Chapter 466, Article 1 of the Suffolk County Local Laws, "Use of County Resources to Interfere with Collective Bargaining Activities". County Contractors (as defined) shall comply with all requirements of Local Law No. 26-2003 including the following prohibitions:

- a. The Contractor shall not use County funds to assist, promote, or deter union organizing.
- b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.
- c. The County of Suffolk shall not use County funds to assist, promote, or deter union organizing.
- d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If Contractor services are performed on County property the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, nonintimidation agreement and a majority authorization card agreement.

If Contractor services are for the provision of human services and such services are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Local Law No. 26-2003, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

Required Form: Suffolk County Labor Law Form DOL-LO1; entitled "Suffolk County Department of Labor – Labor Mediation Unit Union Organizing Certification/Declaration – Subject to Audit"

4. Lawful Hiring of Employees Law

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk (Local Law 52-2006). It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of this agreement.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate this Agreement for violations of this Law and to seek other remedies available under the law.

The Contractor represents and warrants that it has read, is in compliance with, and shall comply with the requirements of Suffolk County Code Chapter 234, Suffolk County Local Law No. 52-2006, the Lawful Hiring of Employees Law.

Required Forms: Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor –"Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees"

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees"
Form LHE-2.

5. **Gratuities**

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of

this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

6. Prohibition Against Contracting with Corporations that Reincorporate Overseas

The Contractor represents that it is in compliance with Suffolk County Administrative Code Article IV, §§A4-13 and A4-14, found in Suffolk County Local Law No. 20-2004, entitled "A Local Law To Amend Local Law No. 5-1993, To Prohibit The County of Suffolk From Contracting With Corporations That Reincorporate Overseas." Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

7. Child Sexual Abuse Reporting Policy

The Contractor agrees to comply with Chapter 577, Article IV, of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy", as now in effect or amended hereafter or of any other Suffolk County Local Law that may become applicable during the term of this Agreement with regard to child sexual abuse reporting policy.

8. Non Responsible Bidder

The Contractor represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the Contractor certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of Section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

9. Use of Funds in Prosecution of Civil Actions Prohibited

Pursuant to the Suffolk County Code Section §590-3, the Contractor represents that it shall not use any of the moneys received under this Agreement, either directly or indirectly, in connection with the prosecution of any civil action against the County of Suffolk or any of its programs, funded by the County, in part or in whole, in any jurisdiction or any judicial or administrative forum.

10. Suffolk County Local Laws

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at [www.co.suffolk](http://www.co.suffolk.ny.us)<<http://www.co.suffolk.ny.us>>. Click on "Laws of Suffolk County" under "Suffolk County Links."

End of Text for Appendix A

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
AUTHORIZING USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT BY ESCAPE TO NEW YORK, LLC		
3. Purpose of Proposed Legislation		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	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		
License Agreement revenue of \$35,000		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing of Impact		
Immediate		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date

SCIN FORM 175b (10/95)

1559
Intro. Res. No. -2011
Introduced by Legislators Kennedy, Muratore and Cilmi

Laid on Table 6/7/11

RESOLUTION NO. -2011, ESTABLISHING A VETERANS HONOR ROLL AT THE VETERANS PLAZA IN RAYNOR BEACH COUNTY PARK AND RECOGNIZING ROBERT J. MOLINARI AS ITS FIRST HONOREE

WHEREAS, the County of Suffolk honors its many residents who have served in our nation's armed forces; and

WHEREAS, the County established Veterans Plaza at Raynor Beach County Park to recognize the sacrifices and contributions made to the community by local veterans; and

WHEREAS, the County would like to recognize individual veterans who have made a lasting impact in their communities Raynor Beach County Park by establishing a Veterans Honor Roll at Veterans Plaza located therein; and

WHEREAS, Robert Molinari, a World War II veteran and resident of Ronkonkoma, passed away on November 18, 2010; and

WHEREAS, Mr. Molinari enlisted in the Army Air Force in October 1943 at the age of eighteen and served until he was honorably discharged in 1945; and

WHEREAS, Mr. Molinari returned to New York following his discharge and was in the first graduating class of the New York State Institute of Applied Arts and Sciences, which led to a twenty five year career in chemical technology; and

WHEREAS, following his retirement in 1984, Mr. Molinari moved to Ronkonkoma and joined American Legion Post 155 and served in a variety of positions for the Post, including terms as Commander and Trustee; and

WHEREAS, Mr. Molinari was also active other Ronkonkoma community groups, including the Lake Ronkonkoma Civic Association, Lake Ronkonkoma Historical Society, and AMVETS Post 48; and

WHEREAS, Mr. Molinari was frequently involved in the Lake Ronkonkoma Civic Association's annual lake cleanup and the Suffolk County Annual Seniors Picnic and was honored by the Ronkonkoma Chamber of Commerce with the Heart & Soul Award in 2009 for his many contributions to the community; and

WHEREAS, Mr. Molinari is survived by his wife, Josephine, five children, and many grandchildren and great-grandchildren; and

WHEREAS, as a tribute to his years of service and dedication to the Lake Ronkonkoma community, Robert Molinari should be the first member of the Veterans Honor Roll at Veterans Plaza in Raynor Beach County Park; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby establishes a Veterans Honor Roll at Veterans Plaza in Raynor Beach County Park for the purpose of honoring individual deceased veterans who made outstanding contributions to their communities; and be it further

2nd **RESOLVED**, that Robert J. Molinari is hereby honored as the first member of the Veterans Honor Roll; and be it further

3rd **RESOLVED**, that the Veterans Honor Roll shall be commemorated with a plaque at Veterans Plaza in Raynor Beach County Park, which shall list the names of the honorees; and be it further

4th **RESOLVED**, that the Suffolk County Veterans Services Agency and the Suffolk County Department of Parks are hereby authorized, empowered and directed to site the plaque called for in this resolution within one hundred twenty days of the effective date of this resolution; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\lr-molinari renaming raynor beach park

1560

Intro. Res. No. -2011
Introduced by Presiding Officer Lindsay

Laid on Table 6/7/2011

RESOLUTION NO. -2011, AMENDING PRIOR CAPITAL AUTHORIZED APPROPRIATIONS FOR THE RENOVATION TO THE PHYSICAL PLANT BUILDING/WAREHOUSE (CP2165)

WHEREAS, Bond Authorizing Resolution No. 908-2002 and Appropriating Resolution No. 147-99 approved funding in connection with the Renovation to the Physical Plant Building/Warehouse on the Ammerman Campus of Suffolk County Community College; and

WHEREAS, a redistribution of funds is needed to complete the planning phase which remains within the SUNY Construction Fund guidelines related to architectural fees; and

WHEREAS, the planning phase will result in design specifications that ensure that funding for the construction phase will be sufficient to complete the project; and

WHEREAS, there is no net effect on the total cost of the project; and

WHEREAS, it is necessary to amend Resolution No. 147-1999 by deleting \$36,000 (\$18,000 serial bonds and \$18,000 state aid) from the construction budget and by adding \$36,000 (\$18,000 serial bonds and \$18,000 state aid) to the planning budget; now, therefore be it

1st RESOLVED, that the 3rd Resolved clause of Resolution No. 147-1999 is hereby amended by changing the appropriation as follows:

Project Number: 2165

Project Title: Renovation to the Physical Plant Building/Warehouse – Ammerman Campus

<u>Project Number</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>	
525-CAP-CAP-21071 Ref-525-2165.111	Planning for Renovation to the Physical Plant Building/Warehouse – Ammerman Campus	30	[\$30,000]	<u>\$48,000</u>
525-CAP-CAP-21072 Ref-525-2165.310	Renovation to the Physical Plant Building/Warehouse – Ammerman Campus	30	[\$220,000]	<u>\$202,000</u>

and be it further

2nd RESOLVED, that the 4th resolved clause of Resolution No. 147-1999 is hereby amended by changing appropriated State aid as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>	
525-CAP-CAP-21071 Ref-525-2165.111	Planning for Renovation to the Physical Plant Building/Warehouse – Ammerman Campus	30	[\$30,000]	<u>\$48,000</u>
525-CAP-CAP-21072 Ref-525-2165.310	Renovation to the Physical Plant Building/Warehouse – Ammerman Campus	30	[\$220,000]	<u>\$202,000</u>

and be it further

3rd RESOLVED, 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"), the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

T:\BRO\College Warehouse.docx

1561

Intro. Res. No. -2011
Introduced by Presiding Officer Lindsay

Laid on Table 6/7/2011

RESOLUTION NO. -2011, APPROPRIATING FUNDS IN CONNECTION WITH INFRASTRUCTURE – COLLEGE WIDE (CP 2149)

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase II estimated at \$75,574,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s share estimated at \$37,787,000; and

WHEREAS, sufficient funds have been included in the 2011 Capital Budget and Program to cover the County’s cost of the project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$5,150,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 51 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the proceeds of \$5,150,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-2149.110	30	Infrastructure – College Wide (Design)	\$350,000
525-CAP-2149.310	30	Infrastructure – College Wide (Construction)	\$4,800,000

and be it further

3rd RESOLVED, that State Aid be and it hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-2149.110	30	Infrastructure – College Wide (Design)	\$350,000
525-CAP-2149.310	30	Infrastructure – College Wide (Construction)	\$4,800,000

and be it further

4th 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 Part 617.5(C) (21), (22) and (27), since it

constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

T:\BRO\College Infrastructure.docx

**RESOLUTION NO. -2011, DEDICATING THE METHODIST
CHURCH OF MANORVILLE TO THE SUFFOLK COUNTY
HISTORIC TRUST**

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has recommended that the Methodist Church of Manorville and the one acre parcel on which the Church sits be dedicated to the Suffolk County Historic Trust pursuant to Section C1-8 of the Suffolk County Charter; and

WHEREAS, the Historic Services Division of the Suffolk County Department of Parks, Recreation and Conservation concurs with CEQ's recommendation; now, therefore be it

1st RESOLVED, that the Methodist Church of Manorville and the one acre property on which it sits is hereby dedicated to the Suffolk County Historic Trust; and be it further

2nd RESOLVED, that the Methodist Church of Manorville and the surrounding property is hereby assigned the following use and preservation categories as set forth in the Historic Trust Manual:

Use Categories:

- (M) - Museum
- (F) - Functional

Preservation Categories:

- (AO) - Archeological
- (T) - Landscape features
- (E) - Exceptional where exceptional refers to the graveyard on the site

and be it further

3rd RESOLVED, that the action authorized by this resolution constitutes a Type II action under the provisions of Title 6 NYCRR, Part 617.5(c)(20) and (27), since it involves a local legislative decision for the routine or continuing agency administration.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1563

Intro. Res. No. -2011
 Introduced by Presiding Officer Lindsay

Laid on Table 6/7/11

**RESOLUTION NO. -2011, ESTABLISHING STANDARD
 WORK DAY AND REPORTING REQUIREMENTS FOR
 ELECTED OFFICIALS**

WHEREAS, the New York State Comptroller issued Regulation No. 315.4 (2 NYCRR 315.4) effective August 12, 2009 applicable to all local governments that have elected and appointed officials who are members of the New York State and Local Retirement System ("NYSLRS"), and the regulation enlarges the existing employer reporting requirements, and requires an official who is a member of the NYSLRS but who is not included in the employer's time keeping system, to prepare and submit to its employer a record of work day activities and the governing board of an employer participating in the NYSLRS to establish by formal resolution a standard work day for each elective or appointive position in order to ensure that the elected and appointed officials receive accurate service credit and retirement benefits; and

WHEREAS, 2 NYCRR 315.4 contains explicit items of information that must be included in such a resolution, and this resolution will satisfy those requirements; now, therefore be it

1st RESOLVED, that the following is adopted as Suffolk County's standard work day and reporting resolution for the purpose of reporting days worked to the NYSLRS:

STANDARD WORK DAY AND REPORTING RESOLUTION

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System	Days/ Month Based on Record of Activities
Elected Officials							
County Executive	Steve Levy			6.0	01/01/2008-12/31/2011	N	
County Clerk	Judith Pascale			6.0	01/01/2007-12/31/2010	N	
Comptroller	Joseph Sawicki			6.0	01/01/2007-12/31/2010	N	
County Treasurer	Angie Carpenter			6.0	01/01/2010-12/31/2013	N	
District Attorney	Thomas Spota			6.0	01/01/2010-12/31/2013	N	
Sheriff	Vincent DeMarco			6.0	01/01/2010-12/31/2013	N	

Presiding Officer of the County Legislature	William Lindsay			6.0	01/01/2010-12/31/2011	N	
Deputy Presiding Officer of the County Legislature	Vivian Vilorio-Fisher			6.0	01/01/2010-12/31/2011	N	
County Legislator	Edward Romaine			6.0	01/01/2010-12/31/2011 NOT IN NYSLRS	N	
County Legislator	Jay Schneiderman			6.0	01/01/2010-12/31/2011	N	
County Legislator	Kate Browning			6.0	01/01/2010-12/31/2011	N	
County Legislator	Thomas Muratore			6.0	01/01/2010-12/31/2011	N	
County Legislator	Sarah Anker			6.0	4/12/2011-12/31/2011	N	
County Legislator	Jack Eddington			6.0	01/01/2010-12/31/2011 NOT IN NYSLRS	N	
County Legislator	Ricardo Montano			6.0	01/01/2010-12/31/2011	N	
County Legislator	Thomas Cilmi			6.0	01/01/2010-12/31/2011	N	
County Legislator	Thomas Barraga			6.0	01/01/2010-12/31/2011 NOT IN NYSLRS	N	
County Legislator	John M. Kennedy, Jr.			6.0	01/01/2010-12/31/2011	N	
County Legislator	Lynne Nowick			6.0	01/01/2010-12/31/2011	N	
County Legislator	Wayne Horsley			6.0	01/01/2010-12/31/2011	N	
County Legislator	DuWayne Gregory			6.0	01/01/2010-12/31/2011	N	
County Legislator	Steven Stern			6.0	01/01/2010-12/31/2011	N	
County Legislator	Louis D'Amaro			6.0	01/01/2010-12/31/2011	N	

County Legislator	Jon Cooper			6.0	01/01/2010-12/31/2011	N	
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2nd 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\r-reporting-requirements-elected-officials

1565

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

Laid on Table 6/7/11

**RESOLUTION NO. -2011, ESTABLISHING A COUNTY
POLICY TO ENSURE THE FULL OPERATION OF ALL
COUNTY HEALTH CENTERS IN 2011**

WHEREAS, the County of Suffolk provides a variety of health care services at its health centers, which receive substantial State funding; and

WHEREAS, the State of New York has drastically reduced funding to Suffolk County health centers in the 2011-2012 budget; and

WHEREAS, in addition to the budget cuts for health centers, the State is also seeking to "claw back" from the County \$15,000,000 for patient services provided in previous years; and

WHEREAS, the State's actions exacerbate the County's dire fiscal condition, as it grapples with large budget shortfalls over the next two years; and

WHEREAS, the County Executive has proposed to cut the 2011 County budget appropriations to the County's health centers; and

WHEREAS, during these difficult economic times, vulnerable residents of Suffolk County are increasingly relying upon the County's health centers to provide necessary health services for their families; and

WHEREAS, cutting funding to the County's health centers will make it more difficult for these residents to receive necessary health services and will increase the number of emergency room visits made to hospitals throughout the County this year; and

WHEREAS, it is the position of this County Legislature that the budget cuts made by the State cannot be visited upon the County's health centers, as it will harm vulnerable County residents and increase the overall cost of health care in the County of Suffolk; now, therefore be it

1st RESOLVED, that the County of Suffolk rejects any reductions in the funding of County health centers in 2011; and be it further

2nd RESOLVED, that it is the policy of the County of Suffolk that no reductions in the funding for the County's health care centers shall occur during the year 2011; and be it further

3rd RESOLVED, that the Commissioner of the Department of Health Services is hereby prohibited from implementing any policy that will cut the budgets of any of the County's health care centers during the year 2011; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (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\r-health facilities policy no funding cut

1566

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

Laid on Table 6/7/11

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO.
-2011, A LOCAL LAW TO REQUIRE LEGISLATIVE APPROVAL
OF MAJOR WATER MANAGEMENT POLICY INITIATIVES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2011, a proposed local law entitled, "**A LOCAL LAW TO REQUIRE LEGISLATIVE APPROVAL OF MAJOR WATER MANAGEMENT POLICY INITIATIVES**" now, therefore, be it
In

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

LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO REQUIRE LEGISLATIVE APPROVAL OF
MAJOR WATER MANAGEMENT POLICY INITIATIVES**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the Suffolk County Department of Health Services, in conjunction with the Suffolk County Water Authority, is updating the County's Comprehensive Water Resources Management Plan ("Comprehensive Plan").

This Legislature further finds that the primary goal of the Comprehensive Plan is to protect the County's sole source aquifer and its surface waters.

This Legislature also determines that once adopted, the Comprehensive Plan will guide future resource protection efforts and management decisions.

This Legislature finds that the management decisions arising out of the adoption of the Comprehensive Plan will have significant environmental, health, and economic implications.

This Legislature finds and determines that the Comprehensive Plan may recommend several major policy shifts, including the establishment of a maximum allowable density of one acre in all ground water management zones and tighter restrictions on the transfer of development rights between zones.

This Legislature finds that the Department of Health Services and the Board of Health may choose to implement these important policy changes, either administratively or through amendments to the County's Sanitary Code.

This Legislature further finds that policy decisions that are likely to have major impacts on the lives of County residents, should be subject to review by the County Legislature, which is an elected body and the designated policy-making arm of County government.

Therefore, the purpose of this local law is to require that the Suffolk County Department of Health Services and the Board of Health receive legislative approval prior to enacting, by administrative action or amendments to the Sanitary Code, any policy changes arising out of the updated Comprehensive Water Resources Management Plan.

Section 2. Amendment.

Article 9 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended by the addition of a new Section A9-9, which shall read as follows:

§ A9-9. Legislative Approval Required.

- A. Prior to enacting a change in County policy in accordance with recommendations set forth in the updated Suffolk County Comprehensive Water Resources Management Plan, the Department of Health Services shall obtain the approval of the Suffolk County Legislature for such change by the enactment of a duly enacted resolution.

- B. Any amendment to the Suffolk County Sanitary Code which implements a recommendation of the updated Suffolk County Comprehensive Water Resources Management Plan, shall not take effect until such time as the amendment is approved by the Suffolk County Legislature by a duly enacted resolution.

Section 3. Applicability.

This law will apply to actions occurring on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall take effect thirty (30) days after its filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-sanitary code amendments

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



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

DATE: JUNE 7, 2011

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A LOCAL LAW TO REQUIRE LEGISLATIVE APPROVAL OF MAJOR WATER MANAGEMENT POLICY INITIATIVES

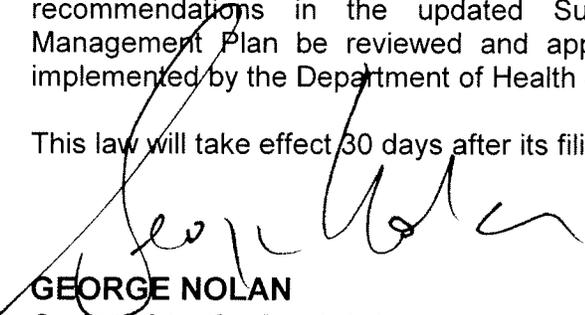
SPONSOR: LEGISLATOR CILMI

DATE OF RECEIPT BY COUNSEL: 6/6/2011 **PUBLIC HEARING:** 6/21/2011

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

This proposed local law would require that any proposed policy change arising from recommendations in the updated Suffolk County Comprehensive Water Resources Management Plan be reviewed and approved by the County Legislature before they are implemented by the Department of Health Services and/or the Board of Health.

This law will take effect 30 days after its filing in the Office of the Secretary of State.


GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-sanitary-code-amendments

1568

Intro. Res. No. ____-2011

Laid on Table 6/7/2011

Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. ____-2011, EXTENDING EXISTING ONE PERCENT SALES AND COMPENSATING USE TAX FOR THE PERIOD BEGINNING DECEMBER 1, 2011 AND ENDING NOVEMBER 30, 2013, PURSUANT TO AUTHORITY OF SECTION 1210 OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

WHEREAS, Chapter 27 of the Laws of 2001 authorized the imposition of an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning June 1, 2001 and ending November 30, 2003; and

WHEREAS, Chapter 368 of the Laws of 2003 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2003 and ending November 30, 2005; and

WHEREAS, Chapter 202 of the Laws of 2005 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2005 and ending November 30, 2007; and

WHEREAS, Chapter 684 of the Laws of 2007 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2007 and ending November 30, 2009; and

WHEREAS, Chapter 283 of the Laws of 2009 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2009 and ending November 30, 2011; and

WHEREAS, a certain Chapter of the Laws of 2011 authorized the County to continue to impose an additional sales and compensating use tax within the territorial limits of the County at the rate of one percent for the period beginning December 1, 2011 and ending November 30, 2013; and

WHEREAS, it is now desired to continue to impose such additional one percent rate of sales and compensating use tax from December 1, 2011 through November 30, 2013, as authorized by Section 1210 of the New York Tax Law, as amended; now, therefore be it

1st **RESOLVED**, by the County Legislature of the County of Suffolk, New York, as follows:

SECTION 1. The first sentence of section two of Resolution No. 745-1968, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after June 1, 2001, there is hereby imposed and there shall be paid a tax of four and one-quarter percent, provided, however, that on and after December 1, 2013^[1], there is hereby imposed and there shall be paid a tax of three and one-quarter percent, and provided further, however, that on and after December 1, 2030, there is hereby imposed and there shall be paid a tax of three percent, upon:

SECTION 2. Subdivision (j) of section three of Resolution No. 745-1968, as amended, is amended to read as follows:

(j) With respect to the additional tax of one percent imposed for the period commencing June 1, 2001, and ending November 30, 2013^[1], the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to June 1, 2001, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to February 1, 2001, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to May 31, 2001. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to June 1, 2001, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 745-1968, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after June 1, 2001, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator), manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible

personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2013^[1], the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2013^[1], and ending November 30, 2030, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030, the tax shall be at the rate of three percent, of the consideration given or contracted to be included to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For the purposes of this subclause (i) of clause (B) of subdivision (a) of this section, for the period beginning December 1, 2000 and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2013^[1], the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2013^[1], and ending November 30, 2030, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2013^[1], the tax shall be at a rate of four and one-quarter percent, for the period beginning December 1, 2013^[1], and ending November 30, 2030, the tax shall be at a rate of three and one-quarter percent, and on and after December 1, 2030, the tax rate shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal

property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For the purpose of clauses (C), (D) and (E) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2013^[1], the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2013^[1], and ending November 30, 2030, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2013^[1], the tax rate shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2013^[1], and ending November 30, 2030, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed taxable use by such person.

SECTION 4. Paragraph (D) of subdivision (1) of section 11 of Resolution No. 745-1968, as amended, is amended to read as follows:

(1)(D) With respect to the additional tax of one percent imposed for the period beginning June 1, 2001, and ending November 30, 2013~~[1]~~, in respect to the use of the property used by the purchaser in this County prior to June 1, 2001.

SECTION 5. Subdivision (b) of section 14 of Resolution No. 745-1968, as amended, is amended to read as follows:

(b)(ii) Notwithstanding any provision of law to the contrary, of the net collections received by the County as a result of the increase of one percent to the tax authorized by section twelve hundred ten of the Tax Law for the period beginning June first, two thousand one and ending November thirtieth, two thousand thirteen [eleven], imposed by resolution by simple majority by the County Legislature, and signed by the County Executive, an amount equal to not less than one-eighth and no more than three-eighths of the net collections received from the imposition of the one percent rate increase shall be dedicated for public safety purposes and the balance shall be deposited in the general fund of the County;

and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward a certified copy of this Resolution by registered or certified mail to the New York State Commissioner of Taxation and Finance in accordance with section 1210 of the Tax Law, and certified copies of this Resolution to the County Clerk, the New York State Secretary of State, and the New York State Comptroller within five (5) days after enactment of this Resolution; and be it further

3rd **RESOLVED**, that this Resolution shall take effect on December 1, 2011.

[] Brackets denote deletion of language

__ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: