

1816

Intro. Res. No. ____ - 2011

Laid on the Table

9/15/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. ____-2011, ADOPTING
LOCAL LAW NO. ____-2011, A LOCAL LAW
DECLARING AS SURPLUS AND AUTHORIZING
THE EXECUTION OF A CONTRACT FOR THE
SALE OF A 50' X 116' PARCEL IN
BROOKHAVEN (SCTM# 0200-418.00-04.00-004)
TO STONY BROOK MEDICAL PARK
CONDOMINIUM**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on _____ a proposed local law entitled, "**A LOCAL LAW DECLARING AS SURPLUS AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE SALE OF A 50' X 116' PARCEL IN BROOKHAVEN (SCTM# 0200-418.00-04.00-004) TO STONY BROOK MEDICAL PARK CONDOMINIUM**" 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 DECLARING AS SURPLUS AND
AUTHORIZING THE EXECUTION OF A CONTRACT
FOR THE SALE OF A 50' X 116' PARCEL IN
BROOKHAVEN (SCTM# 0200-418.00-04.00-004) TO
STONY BROOK MEDICAL PARK CONDOMINIUM**

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

Section 1. Legislative Intent.

This Legislature finds and determines that pursuant to New York County Law, this County Legislature has control over the real property owned by the County, and if the legislature shall determine that certain County property is no longer necessary for County purposes, it may dispose of such property.

This Legislature further finds that generally, such sale of property shall be made after public advertisement and to the highest bidder, but that in certain instances such property may be sold at a private sale for fair and adequate consideration so long as the sale is authorized by a local law subject to permissive referendum.

This Legislature further finds that the County Sewer District #10 is the owner of a 50' X116' parcel of land adjacent to property owned by Suffolk County Sewer District #10 and the Stony Brook Medical Park Condominium and that the property is surplus to the needs of the County and County Sewer District #10 but can be useful to the Medical Park and the Medical Park is desirous of obtaining the parcel from the County and has made an offer to purchase the property from the County.

Therefore, the purpose of this law is to declare surplus and approve execution of a contract for the sale of the parcel by the County to Stony Brook Medical Park Condominium.

Section 2. Declaration of Surplus Land.

The 50' X 116' parcel of land known as SCTM 0200-418.00-04.00-004.00 is surplus to County needs as found by the Department of Public Works.

Section 3. Sale of Surplus Land.

Under the authority of Sections 215 and 2(b) of the New York County Law , the sale by the County to Stony Brook Medical Park Condominium of the County's right, title and interest in and to the 50' X116' parcel designated as SCTM# 0200-418.00-04.00-004.00, and the execution and delivery of a deed by the County Executive or his designee is hereby authorized in exchange for the delivery, to or upon the order of the County of the payment of the purchase price of \$14,500.00 and upon such other terms and conditions as may be deemed necessary by the Division of Real Property Acquisition and Management and the Department of Law.

Section 4. Further Actions.

The County Executive and/or his designee is authorized to execute and deliver, on behalf of the County, such agreements, and instruments as may be contemplated by, or necessary to consummate or otherwise give full effect to this local law, and which are deemed necessary or desirable to effectuate the transaction contemplated by this local law, and to perform all acts and do all things required or contemplated to be performed or done by this local law or by any agreement or instrument approved, contemplated, necessary or authorized hereby.

Section 5. Applicability.

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

Section 6. 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 judgment or order shall be rendered.

Section 7. 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 (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 8. Effective Date.

This Local Law shall not take effect until at least forty-five (45) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against such Local Law in conformity with the provisions of §24 (1) (a) of the MUNICIPAL HOME RULE LAW, and upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: _____

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

1816

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: September 12, 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 DECLARING AS SURPLUS AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE SALE OF A 50' X 116' PARCEL IN BROOKHAVEN (SCTM # 0200-418.00-04.00-004) TO STONY BROOK MEDICAL PARK CONDOMINIUM

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 9/12/11 PUBLIC HEARING: 10/11/11
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law would declare a 50' x 116' parcel in the Town of Brookhaven currently owned by the County as part of Sewer District #10 (SCTM # 0200-418.00-04.00-004) as surplus to the County's needs. This local law also authorizes the sale of said parcel to the Stony Brook Medical Park Condominium for \$14,500 and further authorizes the County Executive to enter into agreements to effectuate the sale.

This local law is made subject to a permissive referendum.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-surplus and sale stony brook medical park condos

**SUFFOLK COUNTY, NEW YORK
 DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
 H. Lee Dennison Building
 100 Veterans Memorial Highway - 2nd Floor
 Post Office Box 6100
 Hauppauge, New York 11788**

SUMMARY STATEMENT

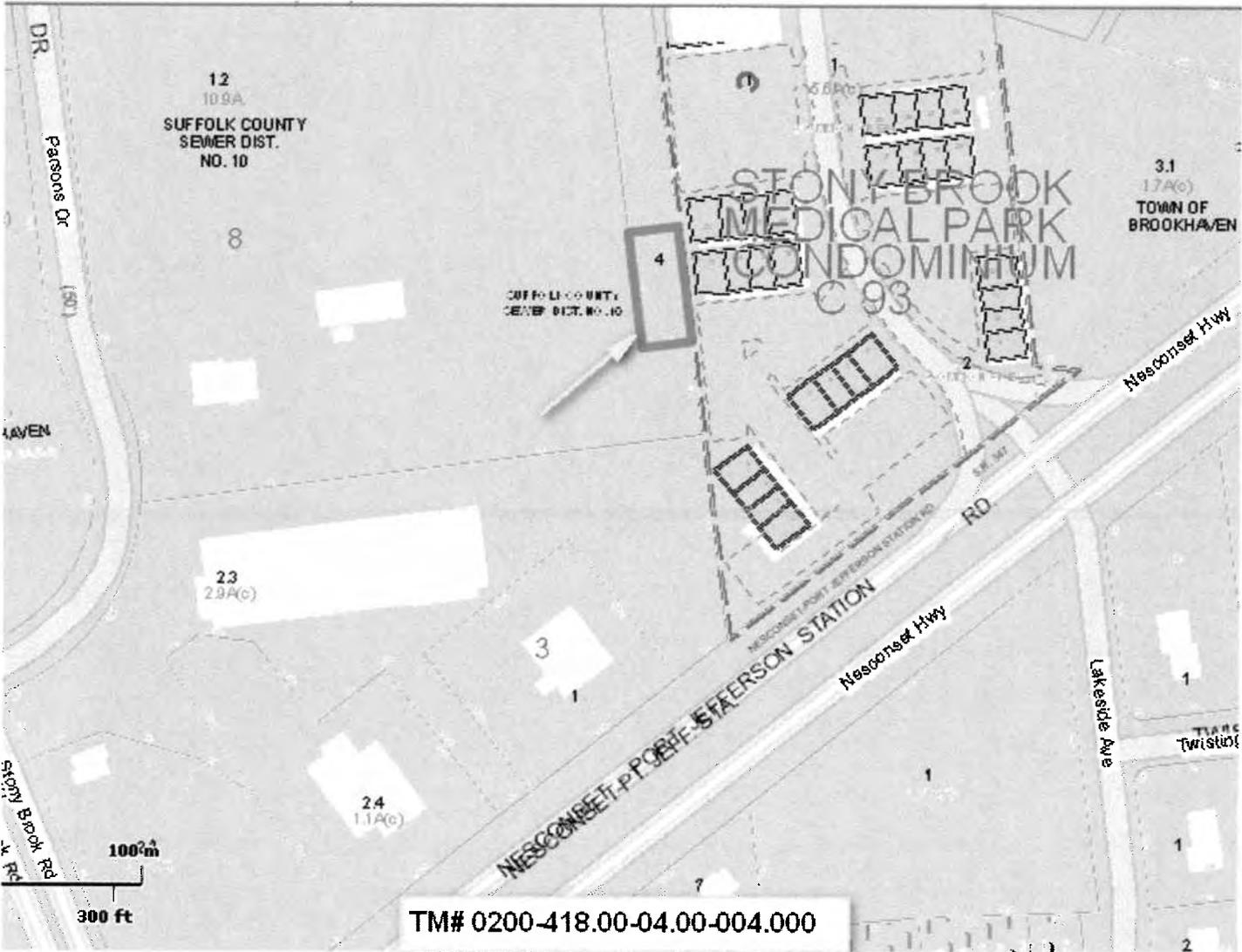
DIRECT SALE:

Suffolk County Section 215 New York State County Law
 Tax Map No. 0200-418.00-04.00-004.000

ADJOINING OWNER	BID	BID	BID
Stony Brook Medical Park Condominium c/o LIMS, Inc. 872 Middle Country Road, Suite 3 St. James, New York 11780 0200-418.00-04.00-001.000 & 004.000	\$14,500.00		
Stony Brook Sewer District No. 10 335 Yaphank Avenue Yaphank, New York 11980 0200-417.00-08.00-001.002	\$0		

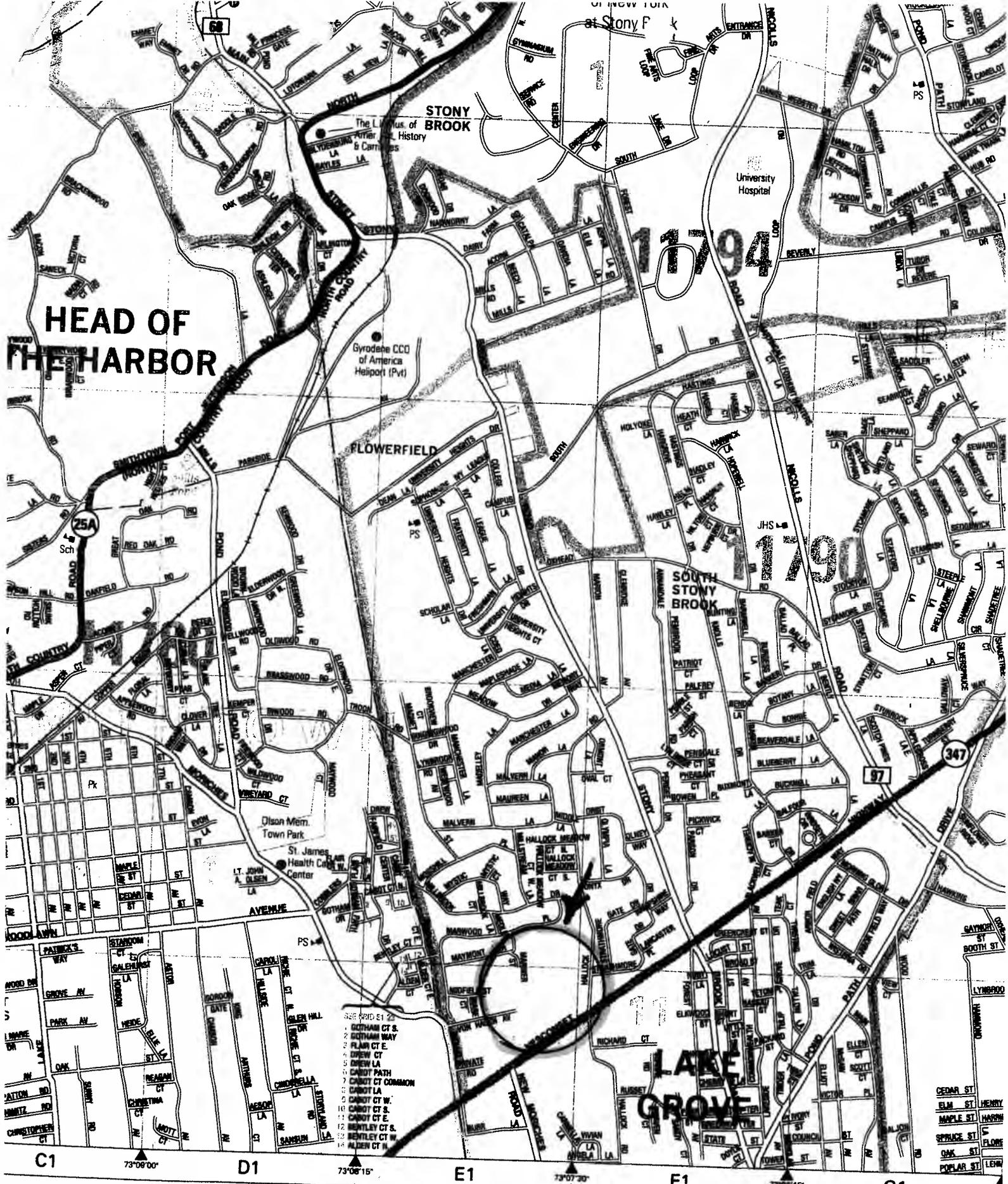
SIZE OF PARCEL: 50' x 116'
 APPRAISED VALUE: \$14,500.00
 COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
 Property Manager
 (631) 853-5971



TM# 0200-418.00-04.00-004.000





- SEE GRID E1 25
- 1 GOTHAM CT S.
 - 2 GOTHAM WAY
 - 3 PLINY CT E.
 - 4 DRYDEN CT
 - 5 DRYDEN LA
 - 6 CARROT PATH
 - 7 CARROT CT COMMON
 - 8 CARROT LA
 - 9 CARROT CT W.
 - 10 CARROT CT S.
 - 11 CARROT CT E.
 - 12 BENTLEY CT S.
 - 13 BENTLEY CT W.
 - 14 ALDEN CT W.

C1 73°08'00" D1 73°07'15" E1 73°07'30" F1 73°08'45" G1 73°09'00"

Map Company, Inc.

Joins Map 21

TM # 0200-418.00-04.00-004.000

**DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
SPONSOR'S MEMO FOR COUNTY LEGISLATION**

Resolution Title:

Sale of Suffolk County Real Property
Pursuant to Section 215 New York State County Law

Tax Map #0200-418.00-04.00-004.000

Purpose/Justification of Request:

Section 215 New York State County Law

Specify Where Applicable:

1. Is request due to change in law? Yes__ No X

If yes, please explain:

2. Has this resolution been submitted previously? Yes__ No X.

If yes, give I.R.#, attach copy and reason for resubmittal:

3. Is backup attached? Yes X No

4. Is this resolution subject to SEQRA review? Yes__ No X

Fiscal Information:

Anticipated Revenue: \$14,500.00

Contact Person:
Wayne R. Thompson

Telephone Number:
(631) 853-5971

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

1. Type of Legislation

Resolution X Local Law X Charter Law _____

2. Title of Proposed Legislation

Section 215 New York State County Law authorizing the Direct Sale of County owned Real Estate

3. Purpose of Proposed Legislation

Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

X County _____ Town _____ Economic Impact

_____ Village _____ School District Other (Specify):

_____ Library District _____ Fire District

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

Income from sale

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

Unknown

8. Proposed Source of Funding

None

9. Timing of Impact

2011

10. Name & Title of Preparer

Signature of Preparer

Date

R.J. Bhatt
Land Management Specialist

Gen 14

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

BRIAN T. CULHANE
COMMISSIONER

August 17, 2011

Ken Carnell
Deputy County Executive
H. Lee Dennison Bldg. 11th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0200-418.00-04.00-004.000

Dear Mr. Carnell:

Enclosed herewith are the original and one copy of the proposed resolution with documentation pursuant to:

Section 215 New York State County Law - Authorizing the Direct Sale of County Owned Real Estate.

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Pamela J. Greene
Director of the Division of Real Property
Acquisition and Management

PJG:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy to: Christopher E. Kent, Chief Deputy County Executive
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Sarah Lansdale, Director of Planning
CE Reso Review, via e-mail

1817

Intro. Res. No. - 2011

Laid on Table

9/15/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - ACTIVE RECREATION COMPONENT- FOR THE NORTH FORK PRESERVE, INC. PROPERTY (TOWN OF RIVERHEAD - SCTM#0600-021.00-01.00-001.002)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 686-2011, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Riverhead ("Town") has approved Resolution No. 938-2010 on December 21, 2010 and Resolution No. on , authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 1007, Active Recreation component, for a total purchase price of Nine Million Five Hundred Nine Thousand Three Hundred Two Dollars (\$9,509,302.00+), at Fifty Five Thousand Dollars (\$55,000.00) per acre, for 172.8964+ acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Nine Million Thirty Three Thousand Eight Hundred Thirty Six Dollars and 90/100

Cents (\$9,033,836.90+), for a Ninety Five percent (95%) undivided interest; and the Town's share, totaling Four Hundred Seventy Five Thousand Four Hundred Sixty Five Dollars and 10/100 Cents (\$475,465.10+), for a Five percent (5%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
No. 1	<u>TAX MAP NUMBER:</u>		172.8964+	<u>AND ADDRESS:</u>
	District	0600		North Fork Preserve, Inc.
	Section	021.00		a New York Corporation
	Block	01.00		349 Pennys Road
	Lot	001.002		Riverhead, NY 11901

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for Nine Million Thirty Three Thousand Eight Hundred Thirty Six Dollars and 90/100 Cents (\$9,033,836.90+), subject to a final survey, said amount representing the County's share of the total purchase price; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$9,033,836.90+, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County owning a ninety five percent (95%) undivided interest, and the Town owning a five percent (5%) undivided interest; and, be it further

5th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) is for the following purpose as set forth under Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER:

- i.) active recreational park

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for active recreational park use as per the concept plan approved by the Suffolk County Parks Trustees, August 2011, and the Suffolk County Council on Environmental Quality, September 2011; and, be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and, be it further

9th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and, be it further

10th RESOLVED, that the above activity is a Type I action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

11th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is active recreational park as per the concept plan approved by the Suffolk County Parks Trustees, August 2011, and the Suffolk County Council on Environmental Quality, September 2011; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact that the proposed acquisition and preservation of the site would have; and, be it further

12th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

12.21.2010
100938

ADOPTED

TOWN OF RIVERHEAD

Resolution # 938

ACCEPTS OFFER OF SALE AND APPROVES THE PURCHASE OF A PORTION OF THE PROPERTY LOCATED ON THE NORTH SIDE OF SOUND AVENUE IN THE TOWN OF RIVERHEAD KNOWN AS "THE NORTH FORK PRESERVE"

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, pursuant to the provisions of §247 of the New York State General Municipal Law, fee simple owners of lands may elect to sell and the Town of Riverhead may elect to purchase lands for open space; and

WHEREAS, North Fork Preserve, Inc. and North Fork Preserve, Co. expressed a desire to sell open space consisting of approximately 311.01 acres of land located on the north side of Sound Avenue, Riverhead, New York, described as SCTM# 0600-7-3-41 and 0600-21-1-1.2 and commonly known as "The North Fork Preserve"; and

WHEREAS, the County of Suffolk determined that the property comprising approximately 311.01 met the criteria for acquisition under the Suffolk County Drinking Water Protection Program (effective December 1, 2007) and the County of Suffolk and the Town of Riverhead are desirous of sharing the cost of purchasing a portion of the property, approximately 90.43 acres of the 311.01 acres to be preserved by the County of Suffolk, for active recreational use; and

WHEREAS, the County of Suffolk will acquire a ninety percent (90%) undivided interest in and to that portion of the property to be used for active recreation, and the Town of Riverhead will acquire a ten percent (10%) undivided interest in and to that portion of the Premises to be used for active recreation, the cost of the Town's ten percent (10%) undivided interest not to exceed \$500,000.00, as tenants in common, and the County of Suffolk shall be responsible for any such costs related to the improvement of that portion of the Premises acquired for recreational use; and

WHEREAS, the Financial Administrator for the Town of Riverhead reviewed the proposed expenditure of community preservation funds and issued a report which reflects adequate funding for the Town's 10% share of acquisition costs not to exceed \$500,000.00; and

WHEREAS, by Resolution #822 adopted on November 3, 2010, the Town Board authorized the Town Clerk to publish and post a public notice to hear all interested persons to consider the Town's joint acquisition with the County of Suffolk for the purchase of that portion of the property described as SCTM# 0600-7-3-41 and 0600-21-

1-1.2 known as "The North Fork Preserve" for open space with active recreational use, approximately 90.43 acres of the 311.01 acres, in an amount not to exceed \$500,000.00 pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 7th day of December, 2010 at 2:10 o'clock pm at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that Riverhead Town Board hereby accepts North Fork Preserve, Inc. and North Fork Preserve, Co. offer of sale and authorizes the Supervisor to execute a contract, deed and such other closing documents necessary for purchase of the Town's 10% undivided interest in and to that portion of the premises, approximately 90.43 acres of the 311.01 acres, for property located on the north side of Sound Avenue, Riverhead, New York, commonly known as "The North Fork Preserve", to be used for active recreation in an amount not to exceed \$500,000.00; and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute a municipal cooperation agreement between the County of Suffolk and Town of Riverhead related to the management of that portion of the premises acquired for recreational use; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to North Fork Preserve, Inc. and North Fork Preserve Co., 349 Pennys Road, Riverhead, NY 11901; County of Suffolk-Department of Planning and County of Suffolk Department of Environment and Energy, P.O. Box 6100, Hauppauge, NY 11788-0099; the Accounting Department and the Town Attorney's Office; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Giglio Yes No Gabrielsen Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

LSI

RECEIVED

SEP 12 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

BRIAN T. CULHANE
COMMISSIONER

PAMELA J. GREENE
DIVISION DIRECTOR

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

September 12, 2011

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the North Fork Preserve, Inc. property, in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation. The purchase price is \$9,509,302.00± for 172.8964± acres, at \$55,000.00 per acre. The County's 95% share is \$9,033,836.90.

Please contact me if you require any additional information.

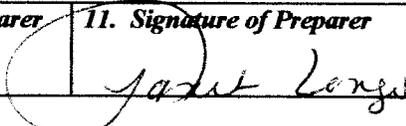
Sincerely,

Pamela J. Greene
Director

PJG:pd
Att.

- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Brian T. Culhane, Commissioner, Dept. of Environment & Energy
- Eric Kopp, Assistant Deputy County Executive
- Sarah Lansdale, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernation
- Lauretta Fischer, Chief Environmental Analyst, S.C. Planning Dept.
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Bob Zaher, Acquisition Agent
- CE Reso Review (e-mail copy only)

**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 the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation, of the North Fork Preserve, Inc. property, SCTM#0600-021.00-01.00-001.002 , (Town of Riverhead).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u> X </u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding New Suffolk County ¼% Drinking Water Protection Program-Active Recreation		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date September 12, 2011

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

County of Suffolk

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

Submitting Department
Department of Environment & Energy
Division of Real Property Acquisition & Mgmt.
H Lee Dennison Bldg., 2nd Floor, Hauppauge

Department Contact Person
Janet M. Longo
853-5947

Suggestion Involves:

Technical Amendment

New Program

Grant Award

Contract (New ___ Rev. ___)

Other

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

To authorize the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation, of the North Fork Preserve, Inc. property, SCTM#0600-021.00-01.00-001.002, in the town of Rivherhead.

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

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN FORM 175a (10/95) Prior editions of this form are obsolete.

1818

Intro. Res. No. - 2011

Laid on Table

9/15/11

Introduced by the Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011 AUTHORIZING
THE ACQUISITION OF LAND UNDER THE NEW
SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM (EFFECTIVE
DECEMBER 1, 2007) - OPEN SPACE
COMPONENT - FOR THE NORTH FORK
PRESERVE CO. PROPERTY - (TOWN OF
RIVERHEAD - SCTM#0600-007.00-03.00-041.000
p/o)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No.538-2009, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Eight Million Two Hundred Thirty Three Thousand Five Hundred Fifty Dollars (\$8,233,550.00+) at Sixty Five Thousand Dollars (\$65,0000.00) per acre for 126.67±, acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District	0600	126.67±	North Fork Preserve Co.
	Section	007.00		a New York Partnership
	Block	03.00		349 Pennys Road
	Lot	041.000 p/o		Riverhead, NY 11901

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Eight Million Two Hundred Thirty Three Thousand Five Hundred Fifty Dollars (\$8,233,550.00±), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$8,233,550.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Thirty Nine (39) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- a.) freshwater/tidal wetlands and buffer lands for same;
- h.) Wetlands, woodlands, pine barrens, and other lands which are suitable only for passive recreational use; and, be it further

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that the above activity is a Type I action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

10th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

LS2
COUNTY OF SUFFOLK

RECEIVED

SEP 12 2011

CHIEF DEPUTY
COUNTY EXECUTIVE



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

BRIAN T. CULHANE
COMMISSIONER

PAMELA J. GREENE
DIVISION DIRECTOR

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

September 12, 2011

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building - 12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the North Fork Preserve Company property, in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space. The purchase price is \$8,233,550.00± for 126.67± acres, at \$65,000.00 per acre.

Please contact me if you require any additional information.

Sincerely,


Pamela J. Greene
Director

PJG:pd

Att.

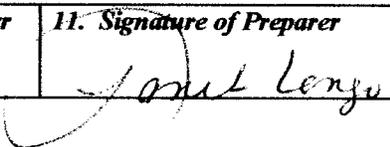
cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Brian T. Culhane, Commissioner, Dept. of Environment & Energy
Eric Kopp, Assistant Deputy County Executive
Sarah Lansdale, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernation
Lauretta Fischer, Chief Environmental Analyst, S.C. Planning Dept.
Brendan Chamberlain, Director, Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Bob Zaher, Acquisition Agent
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
Fax (631) 853-5906
Fax (631) 853-5905

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

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space, of the North Fork Preserve Company property, SCTM#0600-007.00-03.00-041.000 p/o, (Town of Riverhead).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding New Suffolk County ¼% Drinking Water Protection Program-Open Space		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date September 12, 2011

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

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

Submitting Department
Department of Environment & Energy
Division of Real Property Acquisition & Mgmt.
H Lee Dennison Bldg., 2nd Floor, Hauppauge

Department Contact Person
Janet M. Longo
853-5947

Suggestion Involves:

Technical Amendment

New Program

Grant Award

Contract (New Rev.)

Other

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

To authorize the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space, of the North Fork Preserve Company property, SCTM#0600-007.00-03.00-041.000 p/o, in the town of Riverhead.

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

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN FORM 175a (10/95) Prior editions of this form are obsolete.

1819

Intro. Res. No. - 2011

Laid on Table

9/15/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - ACTIVE RECREATION COMPONENT - FOR THE NORTH FORK PRESERVE CO. PROPERTY - (TOWN OF RIVERHEAD - SCTM#0600-007.00-03.00-041.000 p/o)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County $\frac{1}{4}$ % Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 686-2011, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Riverhead ("Town") has approved Resolution No. 938-2010 on December 21, 2010 and Resolution No. on , authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 1007, Active Recreation component, for a total purchase price of One Hundred Sixty Nine Thousand Dollars (\$169,000.00+), at Sixty Five Thousand Dollars (\$65,000.00) per acre for 2.6+ acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling One Hundred Fifty Two Thousand One Hundred Dollars (\$152,100.00+), for a ninety percent (90%) undivided interest; and the

Town's share, totaling Sixteen Thousand Nine Hundred Dollars (\$16,900.00+), for a ten percent (10%) undivided interest as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
No. 1	<u>TAX MAP NUMBER:</u>		2.6+	<u>AND ADDRESS:</u>
	District	0600		North Fork Preserve Co,
	Section	007.00		a New York Partnership
	Block	03.00		349 Pennys Road
	Lot	041.000 p/o		Riverhead, NY 11901

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for One Hundred Fifty Two Thousand One Hundred Dollars (\$152,100.00+), subject to a final survey, said amount representing the County's share of the total purchase price; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$152,100.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County owning a ninety percent (90%) undivided interest and the Town owning a ten percent (10%) undivided interest; and, be it further

5th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) is for the following purpose as set forth under Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER:

- i.) active recreational park

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for active recreational use as per the concept plan approved by the Suffolk County Parks Trustees, August 2011, and the Suffolk County Council on Environmental Quality, September 2011; and, be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and, be it further

9th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and, be it further

10th RESOLVED, that the above activity is a Type I pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

11th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is active recreation as per the concept plan approved by the Suffolk County Parks Trustees, August 2011, and the Suffolk County Council on Environmental Quality, September 2011; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact that the proposed acquisition and preservation of the site would have; and, be it further

12th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

12.21.2010
100938

ADOPTED

TOWN OF RIVERHEAD

Resolution # 938

**ACCEPTS OFFER OF SALE AND APPROVES THE PURCHASE OF A PORTION OF
THE PROPERTY LOCATED ON THE NORTH SIDE OF SOUND AVENUE IN THE
TOWN OF RIVERHEAD KNOWN AS "THE NORTH FORK PRESERVE"**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, pursuant to the provisions of §247 of the New York State General Municipal Law, fee simple owners of lands may elect to sell and the Town of Riverhead may elect to purchase lands for open space; and

WHEREAS, North Fork Preserve, Inc. and North Fork Preserve, Co. expressed a desire to sell open space consisting of approximately 311.01 acres of land located on the north side of Sound Avenue, Riverhead, New York, described as SCTM# 0600-7-3-41 and 0600-21-1-1.2 and commonly known as "The North Fork Preserve"; and

WHEREAS, the County of Suffolk determined that the property comprising approximately 311.01 met the criteria for acquisition under the Suffolk County Drinking Water Protection Program (effective December 1, 2007) and the County of Suffolk and the Town of Riverhead are desirous of sharing the cost of purchasing a portion of the property, approximately 90.43 acres of the 311.01 acres to be preserved by the County of Suffolk, for active recreational use; and

WHEREAS, the County of Suffolk will acquire a ninety percent (90%) undivided interest in and to that portion of the property to be used for active recreation, and the Town of Riverhead will acquire a ten percent (10%) undivided interest in and to that portion of the Premises to be used for active recreation, the cost of the Town's ten percent (10%) undivided interest not to exceed \$500,000.00, as tenants in common, and the County of Suffolk shall be responsible for any such costs related to the improvement of that portion of the Premises acquired for recreational use; and

WHEREAS, the Financial Administrator for the Town of Riverhead reviewed the proposed expenditure of community preservation funds and issued a report which reflects adequate funding for the Town's 10% share of acquisition costs not to exceed \$500,000.00; and

WHEREAS, by Resolution #822 adopted on November 3, 2010, the Town Board authorized the Town Clerk to publish and post a public notice to hear all interested persons to consider the Town's joint acquisition with the County of Suffolk for the purchase of that portion of the property described as SCTM# 0600-7-3-41 and 0600-21-

1-1.2 known as "The North Fork Preserve" for open space with active recreational use, approximately 90.43 acres of the 311.01 acres, in an amount not to exceed \$500,000.00 pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 7th day of December, 2010 at 2:10 o'clock pm at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that Riverhead Town Board hereby accepts North Fork Preserve, Inc. and North Fork Preserve, Co. offer of sale and authorizes the Supervisor to execute a contract, deed and such other closing documents necessary for purchase of the Town's 10% undivided interest in and to that portion of the premises, approximately 90.43 acres of the 311.01 acres, for property located on the north side of Sound Avenue, Riverhead, New York, commonly known as "The North Fork Preserve", to be used for active recreation in an amount not to exceed \$500,000.00; and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute a municipal cooperation agreement between the County of Suffolk and Town of Riverhead related to the management of that portion of the premises acquired for recreational use; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to North Fork Preserve, Inc. and North Fork Preserve Co., 349 Pennys Road, Riverhead, NY 11901; County of Suffolk-Department of Planning and County of Suffolk Department of Environment and Energy, P.O. Box 6100, Hauppauge, NY 11788-0099; the Accounting Department and the Town Attorney's Office; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Giglio Yes No Gabrielsen Yes No
Wooten Yes No Dunleavy Yes No
Walter Yes No

The Resolution Was Thereupon Duly Declared Adopted

LS3
COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

RECEIVED

SEP 12 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

BRIAN T. CULHANE
COMMISSIONER

PAMELA J. GREENE
DIVISION DIRECTOR

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

September 12, 2011

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the North Fork Preserve Company property, in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation. The purchase price is \$169,000.00± for 2.6± acres, at \$65,000.00. The County's 90% share is \$152,100.00±.

Please contact me if you require any additional information.

Sincerely,


Pamela J. Greene
Director

PJG:pd

Att.

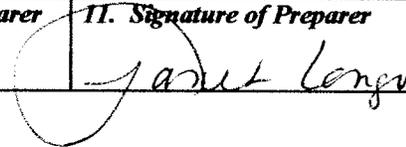
cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Brian T. Culhane, Commissioner, Dept. of Environment & Energy
Eric Kopp, Assistant Deputy County Executive
Sarah Lansdale, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condensation
Lauretta Fischer, Chief Environmental Analyst, S.C. Planning Dept.
Brendan Chamberlain, Director, Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Bob Zaher, Acquisition Agent
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
Fax (631) 853-5906
Fax (631) 853-5905

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation, of the North Fork Preserve Company property, SCTM#0600-007.00-03.00-041.000 p/o, (Town of Riverhead).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding New Suffolk County Drinking Water Protection Program-Active Recreation		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date September 12, 2011

1820

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

Laid on Table 9/15/2011

**RESOLUTION NO. -2011, AUTHORIZING SETTLEMENT
WITH DEBRA A. CUBBEDGE (A/K/A DEBRA A. PATE, A/K/A
DEBRA A. BETTIS) WITH REGARD TO SUFFOLK COUNTY
TAX MAP NO. 0400-147.00-0400-022.000**

WHEREAS, Debra A. Cubbedge (a/k/a Debra A. Pate, a/k/a Debra A. Bettis) is the owner in fee simple of the real property located at 126 Lennox Road, Huntington Station, New York, further identified as Suffolk County Tax Map No. 0400-147.00-0400-022.000, having acquired said property by deed dated April 14, 1983 and recorded in the office of the Suffolk County Clerk on April 26, 1983 in Liber 9348 at page 461; and

WHEREAS, the adjoining lot identified at Suffolk County Tax Map No. 0400-147.00-04.00-053.000 (hereinafter "Subject Parcel") was created in or about 1991 by the remapping of the filed maps of Americana Industrial Park No. 5031 and Huntington Manor Section E, Map 548; and

WHEREAS, Subject Parcel appeared on the tax rolls for the first time in the 1991/1992 tax period and was assessed to "unknown owner" ; and

WHEREAS, Debra A. Cubbedge (a/k/a Debra A. Pate, a/k/a Debra A. Bettis) was not notified of any taxes being due on the Subject Parcel; and

WHEREAS, The County of Suffolk took title to the Subject Parcel for failure to pay taxes for the 1991/1992 tax year, by tax deed issued by the County Treasurer on May 18, 1994 and recorded in the office of the Suffolk County Clerk on May 24, 1994 in Liber 11677 at page 999; and

WHEREAS, Debra A. Cubbedge (a/k/a Debra A. Pate, a/k/a Debra A. Bettis) commenced a law suit against the County of Suffolk in the Supreme Court of the State of New York, County of Suffolk bearing Index No. 10-45262, claiming that prior and subsequent to the creation of the Subject Parcel she openly and notoriously utilized the Subject Parcel by maintaining a driveway thereon, cultivating gardens thereon, installing fences thereon, expanding a cesspool thereon and generally landscaping and maintaining said Subject Parcel; and

WHEREAS, Debra A. Cubbedge (a/k/a Debra A. Pate, Debra A. Bettis) has alleged ownership of the Subject Parcel based on a claim of adverse possession in that subsequent to the County of Suffolk taking title to the Subject Parcel, she openly and notoriously utilized and maintained the Subject Parcel as stated above; and

WHEREAS, the County Attorney and Debra A. Cubbedge (a/k/a Debra A. Pate, a/k/a Debra A. Bettis) have reached a settlement, whereby Debra A. Cubbege (a/k/a Debra A. Pate, a/k/a Debra A. Bettis) would pay to the County of Suffolk by certified check or money order the sum of FOUR THOUSAND SIX HUNDRED SEVEN and 05/100 DOLLARS (\$4,607.05) representing all unpaid taxes which have accrued on the Subject Parcel from 1991/1992 through and including the 2010/2011 tax year and issue a properly executed General Release in favor of the County of Suffolk. In return the County of Suffolk will prepare and issue to Debra A. Cubbege (a/k/a Debra A. Pate, a/k/a Debra A. Bettis), a quitclaim deed for the Subject Parcel

and she will be solely responsible to pay all recording fees incurred as the result of this conveyance;

WHEREAS, it is in the best interest of both parties to resolve this dispute in an amicable and fair manner rather than incurring unnecessary costs and expenses in the continued litigation of this matter; now, therefore be it

1st RESOLVED, that the Suffolk County Legislature hereby consents to the settlement of the action bearing Index No. 10-45262 under the terms negotiated by the County Attorney; and be it further

2nd RESOLVED, that the County Executive and/or his designee is authorized and empowered to execute the stipulation of settlement in similar form as attached hereto; and be it further

3rd RESOLVED, that the Subject Parcel is no longer necessary for public use; and be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to Debra A. Cubbedge (a/k/a Debra A. Pate, a/k/a Debra A. Bettis) residing at 126 Lennox Road, Huntington Station, New York to transfer the interest of Suffolk County in the Subject Parcel on the above described terms; and be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes an Unlisted action pursuant to 6 NYCRR Section 617.4(b)(4) and Chapter 279 of the Suffolk County Code involving the sale of less than 100 acres, which will not be further developed, and that there is no significant adverse environmental impact and be it further

6th RESOLVED, 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 the law.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: _____

1821

Intro. Res. No. - 2011

Laid on Table 9/15/2011

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2011 AUTHORIZING A LEASE AGREEMENT WITH RECHLER AT GABRESKI LLC FOR THE USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT

WHEREAS: Suffolk County owns and through its Department of Economic Development and Workforce Housing operates and maintains Francis S. Gabreski Airport in Westhampton; and

WHEREAS: Rechler at Gabreski LLC has submitted an application to lease approximately 3,000 sq. ft. total of Building 90 at Gabreski Airport for the purpose of operating a real estate marketing office; and

WHEREAS: this project is in compliance with the adopted 1990 Airport Master Plan Update, the 2008 Airport Master Plan Draft Update, the 1995 Central Pine Barrens Comprehensive Land Use Plan, the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan, the 1999 Town of Southampton Comprehensive Update Implementation Strategies Plan and the Town of Southampton Aquifer Protection Overlay District requirements; and

WHEREAS: through Executive Order 26-2006, the County Executive created the Airport Conservation and Assessment Panel (ACAP), comprised mostly of local community representatives to evaluate applications for proposed leases, lease renewals, lease extensions, lease modifications and licenses and to issue formal recommendations to the County Executive, the CEQ and the County Legislature; and

WHEREAS: the Airport Conservation and Assessment Panel has reviewed the proposed use and submits its written comments as attached Exhibit A; and

WHEREAS: the lease agreement with an annual lease rate of \$36,000 is submitted for legislative consideration; now therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, has determined that the proposed action constitutes a Type II action pursuant to the provisions of Title 6 NYCRR 617.5 (c) (1)(6)(20) and (27) in that it involves adoption of a local legislative decision for routine agency administration concerning the maintenance or repair of an existing structure and its landscaping. As such, this Legislature has no further responsibilities under SEQRA; now therefore be it

2nd RESOLVED, that the County Executive or his designee, is authorized to execute a lease agreement for the use of the above described property between Rechler at Gabreski LLC and the County of Suffolk, in substantial accordance with the agreement annexed as Exhibit B.

DATED: _____

APPROVED BY:

Steve Levy
County Executive of Suffolk County

Date of Approval: _____

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

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

Submitting Department (Dept. Name & Location): Department of Economic Development and Workforce Housing H. Lee Dennison Bldg. - 2 nd Floor Hauppauge	Department Contact Person (Name & Phone No.): Carolyn E. Fahey Intergovernmental Relations Coordinator (631) 853-4833
---	--

Suggestion Involves:

Technical Amendment _____ Grant Award _____	New Program _____ Contract: New _____ Rev. _____
--	---

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

**AUTHORIZING A LEASE AGREEMENT WITH RECHLER AT GABRESKI LLC FOR
USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT**

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

None

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 A LEASE AGREEMENT WITH RECHLER AT GABRESKI LLC FOR USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT		
3. Purpose of Proposed Legislation		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District <input type="checkbox"/>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Lease Agreement Revenue \$36,000		
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)



L55
RECEIVED
SEP 12 2011

CHIEF DEPUTY
COUNTY EXECUTIVE

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: September 9, 2011

SUBJECT: **RESOLUTION AUTHORIZING A LEASE AGREEMENT
WITH RECHLER AT GABRESKI LLC FOR USE OF
PROPERTY AT FRANCIS S. GABRESKI AIRPORT**

The Department of Economic Development and Workforce Housing requests the attached resolution to be introduced at the September 15th Legislative Meeting. The resolution authorizes the use of property at Francis S. Gabreski Airport by Rechler at Gabreski LLC, for the purposes of operating a real estate marketing office.

Attached please find the draft resolution, the Lease Agreement, ACAP recommendations 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
 Connie Corso, Deputy County Executive for Finance
 Eric A. Kopp, Assistant Deputy County Executive
 Yves R. Michel, Commissioner
 Tony Ceglie, Francis S. Gabreski Airport Manager



Steve Levy

Suffolk County Executive

Yves R. Michel
Commissioner

BETTER FOR BUSINESS... BETTER FOR LIFE

1827

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

Laid on Table 9/15/11

**RESOLUTION NO. -2011, NAMING THE PRESERVE
PORTION OF FORSYTHE MEADOW IN HONOR OF NORA
BREDES**

WHEREAS, Nora Bredes, a Suffolk County Legislator from April 1992 through 1998, passed away on August 18, 2011 after a lengthy battle with breast cancer; and

WHEREAS, prior to her election as a Legislator, Bredes was an active member of the community, helping organize the Shoreham Opponents Coalition to close the Shoreham Nuclear Power Plant; and

WHEREAS, in addition to her work against nuclear power on Long Island, Bredes was an environmental activist and advocate for public health and safety; and

WHEREAS, during her tenure as a Legislator, Bredes sponsored the resolution establishing the Greenways Program; and

WHEREAS, the acquisition of Forsythe Meadow was one of the first properties purchased under the Greenways Program; and

WHEREAS, it would be fitting to name the preserve portion of Forsythe Meadows in honor of Nora Bredes to recognize her many important contributions to the County; now, therefore be it

1st RESOLVED, pursuant to Section 215(1) of New York County Law, the preserve portion of Forsythe Meadow will be hereby renamed the "Nora Bredes Preserve" in honor of Bredes' extraordinary contributions to the County; and be it further

2nd RESOLVED, that the renaming shall be effective as of February 19, 2012; and be it further

3rd RESOLVED, the Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed to take all actions necessary to effectuate this naming and dedication; 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-forsythe meadow brede

1828

Intro. Res No. -2011

Laid on Table 9 / 15 / 2011

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, AUTHORIZING THE
TRANSFER OF \$12,000,000.00 FROM THE TAX
STABILIZATION RESERVE FUND TO THE GENERAL FUND IN
THE WAKE OF TROPICAL STORM IRENE, A PUBLIC
EMERGENCY**

WHEREAS, the County of Suffolk and its citizens have suffered and continue to suffer from the devastating effects of Tropical Storm Irene; and

WHEREAS, the President of the United States of America has declared the County of Suffolk to be a federally recognized disaster area; and

WHEREAS, the Governor of the State of New York has declared the County of Suffolk to be a disaster area; and

WHEREAS, the County Executive of the County of Suffolk has declared that a state of emergency existed in the County of Suffolk; and

WHEREAS, the County response to the storm has required an unanticipated expenditure for which there is no appropriation, or for which there is only an insufficient appropriation, or for which will an appropriation for storm response is or will become insufficient; and

WHEREAS, Suffolk County has established and maintained a *Tax Stabilization Reserve Fund* (the "Fund") pursuant to § 719-6 of the Laws of Suffolk County; and

WHEREAS, while the Fund can be tapped for revenue during the 2011 fiscal year in the case of an unanticipated expenditure necessitated by a public emergency, any storm relief funding received by the County from any federal or state agencies ought to be used to replenish the Fund ; now therefore be it

1st **RESOLVED**, the County Treasurer is authorized, directed and empowered to transfer \$12 million from the Fund to the County's general fund in accordance with the provisions of § 6-e(c)(1) & (2) of the New York General Municipal Law ("GML") on the basis that the County has sustained an "unanticipated expenditure" as that term is defined in GML § 6-e(1)(k); and be it further

2nd **RESOLVED**, that the County Comptroller and the County Treasurer be and they are hereby authorized to transfer \$12 million of the Fund to the general fund as shown below:

EXPENSE:

403 IFT E001 TRANSFER TO GENERAL FUND \$12 MILLION

REVENUE:

001 IFT R403 TRANSFER FROM TAX STABILIZATION \$12 MILLION

and be it further

3rd **RESOLVED**, that any storm relief funding received by the county from federal or state sources shall be deposited to the Fund via a resolution duly adopted at the next legislative meeting following the receipt of storm relief funding; and be it further

4th **RESOLVED**, any sum appropriated herein not expended for storm response expenses shall be re-appropriated to the Fund December 31, 2012; and be it

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: 2011

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law		
2. Title of Proposed Legislation – AUTHORIZING THE TRANSFER OF \$12,000,000.00 FROM THE TAX STABILIZATION RESERVE FUND TO THE GENERAL FUND IN THE WAKE OF TROPICAL STORM IRENE, A PUBLIC EMERGENCY		
3. Purpose of Proposed Legislation –See number 2 above.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes No <u> X </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. The President of the United States of America and the Governor of the State of New York have declared the County of Suffolk to be a disaster area after suffering the devastating effects of Tropical Storm Irene. The County response to the storm requires an unanticipated expenditure for which there is no appropriation or insufficient appropriations to address. Pursuant to the Law of Suffolk County, the Tax Stabilization Reserve Fund may be tapped to cover the unanticipated expenditures necessitated by a public emergency. Suffolk County expects to receive significant reimbursement of all eligible expenses from the federal and state governments. The utilization of the tax stabilization reserve funds has no direct property tax impact.		
8. Proposed Source of Funding Tax Stabilization Reserve Fund (Fund 403)		
9. Timing of Impact - FY 2011		
10. Typed Name & Title of Preparer Kim G. Brandeau Chief Budget Examiner	11. Signature of Preparer 	12. Date: 9/14/2011

**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	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

RESOLUTION NO. -2011, AUTHORIZING TECHNICAL CORRECTIONS TO RESOLUTION NO. 482-2011 AND RATIFYING A CERTAIN QUITCLAIM DEED DULY EXECUTED THERETO BY THE DIRECTOR OF THE DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

WHEREAS, the County of Suffolk enacted Resolution No. 482-2011, which authorized a transfer of County-owned real property to the Town of Smithtown pursuant to Section 72-h of the NEW YORK GENERAL MUNICIPAL LAW; and

WHEREAS, the description of the transferred parcel set forth in the resolution's Exhibit "A" contained a technical error in that it did not provide a permanent easement guaranteeing ingress and egress to the adjoining owner; and

WHEREAS, Pamela J. Greene, Director of the Division of Real Property Acquisition and Management executed a quitclaim deed to the Town of Smithtown dated June 30, 2011, said deed containing the correct description of the subject premises as well as the permanent easement guaranteeing ingress and egress over said parcel to the adjoining owner, said deed having been recorded in the Office of the Suffolk County Clerk on July 1, 2011 at Deed Liber D00012664, Cp. 410; and

WHEREAS, this Legislature wishes to make a technical correction to Resolution No. 482-2011 to reflect the permanent easement; and

WHEREAS, this Legislature further desires to ratify the actions of the Director of Real Property Acquisition and Management in executing the quitclaim deed dated June 30, 2011, said deed containing the correct description of the subject premises as well as the permanent easement guaranteeing ingress and egress over said parcel to the adjoining owner (Exhibit "1"); now, therefore be it

1st RESOLVED, Resolution No. 482-2011 is amended by replacing the Exhibit "A" contained in said Resolution with the Exhibit "A" attached hereto; and be it further

2nd RESOLVED, that the actions of the Director of Real Property Acquisition and Management in executing that certain quitclaim deed dated June 30, 2011, said deed containing the correction description of the subject premises as well as the permanent easement guaranteeing ingress and egress over said parcel to the adjoining owner are hereby ratified and approved.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1830

Intro. Res No. -2011

Laid on Table 9 / 15 / 2011

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 2011 ADOPTING THE 2012
OPERATING BUDGET AND PRIORITIZING DELIVERY
OF SERVICES WHILE STABILIZING TAXES FOR
SUFFOLK COUNTY RESIDENTS IN FISCAL YEAR 2012
(DISCRETIONARY)**

WHEREAS, the 2012 Recommended Operating Budget and the 2012 Adopted Budget must comply with Local Law Nos. 21-1983 and 29-1985; and

WHEREAS, Local Law No. 29-1995 established the simplified dual budgetary process requiring that separate mandated and discretionary portions of the budget be adopted; and

WHEREAS, the County desires to prioritize the delivery of services in 2012 so as to minimize disruption to county residents, while remaining within the framework of no increase in the general fund property tax; and

WHEREAS, Resolution 298-2011 declared 247± acres in Yaphank as surplus to County needs; and

WHEREAS, the acreage is the subject of a land division application which divides the land into lots, one of which is 123.44 zoned industrial acres, subject to sale by competitive bid; and

WHEREAS, another lot is 175.61 zoned industrial and residential acres and is suitable for disposal at this time; and

WHEREAS, New York State Education Law section 6305 prescribes the manner in which charges for non-residents students of community colleges are administered, and

WHEREAS, pursuant to Education Law section 6305, Suffolk County has been paying all non-resident fees charged to it by local sponsors of out-of-County community colleges for Suffolk County residents, including all such fees for the Fashion Institute of Technology (FIT), notwithstanding the fact that, unlike other community colleges, FIT offers four-year and advanced degrees, and

WHEREAS, Education Law section 6305 (5) makes such charges, which include a portion of the college's operating and capital costs attributable to out-of-county students, a general county charge and authorizes a county to charge back to cities and towns in a county such costs in proportion to the number of students who, on the basis of certificates of residence issued by such county, were attending such colleges as non-residents during the terms for which the county has been charged, and who were residents of each city or town at the beginning of such terms, and

WHEREAS, the County can no longer afford to forego this town chargeback; and

WHEREAS, with the evolution of health care and Medicaid over the last hundred years, Suffolk County does not have or need an alms house and the John J. Foley Skilled Nursing Facility (JJFSNF) is no longer a "home of last resort", as residents of the facility can be cared for at any of the over 50 nursing homes in Suffolk County; and

WHEREAS, operation of the JJFSNF will always cost County taxpayers millions of dollars annually due to municipal employee costs which will always be higher than Medicaid reimbursement rates, and primarily for this reason, New York State continues to encourage counties to get out of the nursing home business, and there is no valid reason for Suffolk County to compete with the private sector to provide nursing home beds; and

WHEREAS, in recognition of this recurring expense, the Legislature adopted the 2011 Budget authorizing closure of JJFSNF as a County option; and

WHEREAS, Introductory Resolution 1474-10, "*Adopting Local Law No. 22 -2010, A Local law Authorizing the County Executive to Execute Agreements for the Sale of the John J. Foley Skilled Nursing Facility*" was approved by the Legislature on March 4, 2011, but shortly thereafter the prospective buyer repudiated the transaction; and

WHEREAS, as a result the County lost \$20 million in net proceeds in 2011, but the County is still able to realize some of these savings by closing the facility as of December 31, 2011 as included in the 2012 Recommended Budget and selling the real and personal property utilized at the facility; and

WHEREAS, the County currently holds an operating certificate from the New York State Department of Health, Office of Health Systems Management for a Certified Home Health Agency (CHHA); and

WHEREAS, the services delivered by CHHA can be delivered efficiently and competently by private sector agencies; and

WHEREAS, the operation of CHHA will always cost County taxpayers millions of dollars annually, and there is no valid reason for Suffolk County to continue to deliver these services since they are available through private sector nursing services; and

WHEREAS, the County is able to realize \$885,315 in savings by eliminating CHHA services; and

WHEREAS, the County has issued a request for proposals from qualified health care providers interested in providing health care services for inmates in custody of the Suffolk County Sheriff's Office and incarcerated at Suffolk County Correctional Facilities; and

WHEREAS, an award under the request for proposals is pending and subject to future legislative approval; and

WHEREAS, it is necessary to make certain cuts in appropriations, including salaries, equipment and supplies, and to reduce program expenses to facilitate the reordering of priorities; and

WHEREAS section A6-4 of the Suffolk County Administrative Code requires the County Department of Civil Service to implement layoffs and bump-and-retreat provisions by treating vacancies as having been abolished first before a filled position in the same title is abolished; and

WHEREAS, the County wishes to continue responsible administration of government; now therefore let it be resolved

1st **RESOLVED**, that the proposed 2012 Suffolk County Discretionary Expense Budget is hereby adopted, pursuant to Section 4-8(A) of the SUFFOLK COUNTY CHARTER; Local Law 38-1989, "Charter Law to Establish Consolidated Tax Levy Cap for County of Suffolk"; and Local Law 29- 1995, "Charter Law to Establish a Simplified Dual Budgetary Process containing the following Appropriations, Revenues, Positions, Reserve Funds, Line Items, Transfer of Funds, and Clauses as set forth in this document and made a part hereof; and be it further

TAX STABILIZATION RESERVE

2nd **RESOLVED**, that the Contingency and Tax Stabilization Reserve Fund, heretofore established pursuant to Section 6-e of the NEW YORK GENERAL MUNICIPAL LAW, Article II of Chapter 719 of the SUFFOLK COUNTY CODE and Section C4-10(F)(2) of the SUFFOLK COUNTY CHARTER, is hereby reaffirmed and extended for the purpose of accumulating and providing moneys to be used for those lawful purposes enumerated in law, and is hereby reestablished for fiscal year 2012 and for each and every subsequent fiscal year, if necessary, subject to the permissive referendum requirements of Sections 101-103 of the NEW YORK COUNTY LAW, the substantive effect of which shall be to moderate and stabilize real property taxes in Suffolk County; and be it further

3rd **RESOLVED**, that the Clerk of the County Legislature is hereby authorized, empowered, and directed, pursuant to Section 101(1) of the NEW YORK COUNTY LAW to cause a notice to be published at least once in the official newspapers of the County of Suffolk, containing the number, date of adoption, and true copy of the **2nd** and **4th** **RESOLVED** clauses of this proposed budget (together with Reserve Fund line items, if any) and a statement that such provision is subject to a permissive referendum; and be it further

4th **RESOLVED**, that the **2nd** **RESOLVED** clause of this proposed budget shall not take effect until forty-five (45) days after its adoption nor unless it is approved by the affirmative vote of a majority of the qualified electors of the county voting on a proposition therefore, if within forty-five days after its adoption there be filed with the Clerk of the County Legislature a petition signed by qualified electors of the County in number of not less than ten per cent of the total vote cast for Governor in Suffolk County at the last general election held for the election of state officers; and be it further

RETIREMENT CONTRIBUTION RESERVE FUND

5th **RESOLVED**, that a Retirement Contribution Reserve Fund is hereby reaffirmed and extended pursuant to section 6-r of the New York General Municipal Law and Suffolk County Legislative Resolution No. 1020-2004, for the purpose of financing future payments of retirement contributions, and is hereby reestablished for fiscal year 2012; and be it further

6th **RESOLVED**, subject to the provisions of § 6-r of the General Municipal Law, and not sooner than the effective date of Suffolk County Legislative Resolution 625-2011, the County Treasurer is authorized, directed and empowered to transfer \$15,556,534 Million from the *Assessment Stabilization Reserve Fund* to the *Retirement Contribution Reserve Fund* pursuant to; and be it further

RESERVE FUND FOR PAYMENT OF BONDED INDEBTEDNESS

7th **RESOLVED**, that a Reserve Fund for Payment of Bonded Indebtedness is hereby reaffirmed and extended pursuant to Section 6-h of the NEW YORK GENERAL MUNICIPAL LAW for the purpose of accumulating and providing moneys to be used for those lawful purposes enumerated in law, for fiscal year 2012 and for each and every subsequent fiscal year, if necessary, the substantive effect of which shall be to moderate and stabilize real property taxes in Suffolk County; and be it further

YAPHANK LAND DIVISION

8th **RESOLVED**, that the Division of Real Property Acquisition and Management of the Department of Energy and Environment is hereby directed, authorized and empowered to determine how any unsold lots of the property described in Suffolk County Legislative resolution 298-2011 should be offered for sale or lease in order to maximize the monetary return to the County and is authorized to offer the lot(s) for sale and/or lease with all deliberate speed; and be it further

POSITION CONTROL

9th **RESOLVED**, all vacant positions in the department layoff unit, if any, for a title slated to be abolished as set forth in this budget document are hereby abolished; and be it further

10th **RESOLVED**, the County Executive is hereby authorized and empowered to implement work force reductions for the currently filled authorized positions as set forth in this budget document; and be it further

11th **RESOLVED**, that those filled positions as set forth in this budget document are hereby abolished in accordance with state and local laws and applicable collective bargaining agreements; and be it further

12th **RESOLVED**, the Director of Civil Service is hereby authorized, directed and empowered to implement the layoff and bump and retreat provisions by treating vacant positions in the department layoff unit as having been abolished first before a filled position in the same title is abolished; and be it further

COMMUNITY COLLEGE CHARGEBACK

13th **RESOLVED**, commencing in fiscal year 2012, and every year thereafter, all bills and invoices reflecting non-resident fees that were charged to and paid by Suffolk County to out-of-County community colleges shall be apportioned and billed to each town in Suffolk County in proportion to the number of students who, on the basis of certificates of residence issued by Suffolk County, were attending such colleges as non-residents during the terms of enrollment for which Suffolk County has been charged, and who were residents of such towns at the beginning of such terms; and be it further

14th **RESOLVED**, commencing in fiscal year 2012, and every year thereafter, all bills and invoices reflecting non-resident fees that were paid by Suffolk County to the Fashion Institute of Technology (FIT) shall be apportioned and billed to each town in Suffolk County in proportion to the number of students who, on the basis of certificates of residence issued by Suffolk County, were attending FIT as non-residents enrolled in two-year education programs and those seeking two-year associate degrees during the terms of enrollment for which Suffolk County has been charged, and who were residents of such towns at the beginning of such terms, and be it further

15th **RESOLVED**, commencing in fiscal year 2012, and every year thereafter, bills and invoices presented by the County to the Towns for payment shall be issued in a manner that will enable such Towns to identify the students as residents of the Town from which payment is due, and be it further

CERTIFIED HOME HEALTH AGENCY

17th **RESOLVED**, it is a policy determination of the County to eliminate all funding for CHHA in this 2012 Recommended Budget and 2012 Adopted Budget, and all subsequent recommended and adopted budgets; and be it further

JAIL MEDICAL UNIT

18th **RESOLVED**, there is hereby created a Jail Medical Unit contingency fund; and be it further

19th **RESOLVED**, that any appropriation to Jail Medical Unit contingency account **001-MS-1999** under this 2012 Recommended Budget and 2012 Adopted Budget may only be transferred, expended or utilized for operations of the jail medical unit for the purpose of providing these services through employees of the County or through entities other than Suffolk County government and/or the County Department of Health Services, using employees other than employees of the County of Suffolk, and be it further

EMHP CHARGEBACK

20th **RESOLVED**, that the Suffolk County Employee Medical Health Plan (EMHP) costs for 2012 shall be charged back on the basis of enrollees, rather than budgeted appropriations, by the County Department of Audit and Control which shall also establish an annual reserve and/or accrual to preserve appropriations to prevent IBNR from closing to the fund balance; and be it further

BIO-TERRORISM

21st **RESOLVED**, that the authority to accept and appropriate federal or State grants of funds for activities designed to combat Bio-Terrorism is hereby delegated to the Suffolk County Executive, subject to the restriction that such funds only be allocated to the Bio-Terrorism Unit in the County Department of Health Services, Emergency Medical Services in the County Department of Health Services, the County Department of Fire, Rescue, and Emergency Services, and/or the Anti-Terrorism Unit of the Suffolk County Police Department; and be it further

POLICE DISTRICT TAX ALLOCATION

22nd **RESOLVED**, that the amount of sales tax revenue allocated to the Suffolk County Police District under this Discretionary Expense Budget from the sales tax revenues generated by Resolution No. 745-1968 "Imposing Taxes on Sales and Uses of Tangible Personal Property and on Certain Services, and on Occupancy of Hotel Rooms, Admission Charges and Club Dues, pursuant to Article 29 of the Tax Law of the State of New York," as amended, shall be the sum certain of \$93,516,511 as set forth in item "115-FIN-1110 State Administered Sales and Use" of this document, and the County Department of Finance and Taxation is hereby authorized, empowered, and directed, pursuant to Section 15-2(G) of the SUFFOLK COUNTY CHARTER, to deposit the entire amount in Fund 115; and be it further

PROGRAMMATIC CONTINGENCY FUNDS

23rd **RESOLVED**, that any appropriations placed in Contingency Account No. 115-MS-1991 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only be transferred, expended, or utilized for the specified purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

24th **RESOLVED**, that any appropriations placed in Contingency Account No. 001-MS-1991 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only be transferred, expended, or utilized for the specified purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

25th **RESOLVED**, that any appropriations placed in a Programmatic Contingency Account i.e., Living Wage Contingency Account No. 001-MS-1998 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only be transferred, expended, or utilized for the specified purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

26th **RESOLVED**, that any appropriations placed in a Programmatic Contingency Account i.e., Jail Medical Contingency Account No. 001-MS-1999 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only

be transferred, expended, or utilized for the specified purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

SEVERABILITY

26th **RESOLVED**, that if any clause, sentence, paragraph, subdivision, section, or part of this Expense Budget 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 Expense Budget, 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; and be it further

MISCELLANEOUS

27th **RESOLVED**, that any "Pseudo Code Index Numbers" contained in this proposed Discretionary Expense Budget shall be deemed approved by virtue of their inclusion as line items herein; and be it further

28th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this budget document constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

29th **RESOLVED**, that the **3rd RESOLVED** clause of this budget document shall take effect immediately, and the transfer authorized by the **6th RESOLVED** clause of this budget document shall take place on the effective date of the **5th RESOLVED** clause of this proposed resolution.

DATED: 2011

APPROVED BY:

County Executive of Suffolk County

1831

Intro. Res No. -2011

Laid on Table 9/15/2011

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 2011 ADOPTING THE 2012 OPERATING BUDGET AND PRIORITIZING DELIVERY OF SERVICES WHILE STABILIZING TAXES FOR SUFFOLK COUNTY RESIDENTS IN FISCAL YEAR 2012 (MANDATED)

WHEREAS, the 2012 Recommended Operating Budget and the 2012 Adopted Budget must comply with Local Law Nos. 21-1983 and 29-1985; and

WHEREAS, Local Law No. 29-1995 established the simplified dual budgetary process requiring that separate mandated and discretionary portions of the budget be adopted; and

WHEREAS, the County desires to prioritize the delivery of services in 2012 so as to minimize disruption to county residents, while remaining within the framework of no increase in the general fund property tax; and

WHEREAS, with the evolution of health care and Medicaid over the last hundred years, Suffolk County does not have or need an alms house and the John J. Foley Skilled Nursing Facility (JJFSNF) is no longer a "home of last resort", as residents of the facility can be cared for at any of the over 50 nursing homes in Suffolk County; and

WHEREAS, operation of the JJFSNF will always cost County taxpayers millions of dollars annually due to municipal employee costs which will always be higher than Medicaid reimbursement rates, and primarily for this reason, New York State continues to encourage counties to get out of the nursing home business, and there is no valid reason for Suffolk County to compete with the private sector to provide nursing home beds; and

WHEREAS, in recognition of this recurring expense, the Legislature adopted the 2011 Budget authorizing closure of JJFSNF as a County option; and

WHEREAS, Introductory Resolution 1474-10, "*Adopting Local Law No. 22 -2010, A Local law Authorizing the County Executive to Execute Agreements for the Sale of the John J. Foley Skilled Nursing Facility*" was approved by the Legislature on March 4, 2011, but shortly thereafter the prospective buyer repudiated the transaction; and

WHEREAS, as a result the County lost \$20 million in net proceeds in 2011, but the County is still able to realize some of these savings by closing the facility as of December 31, 2011 as included in the 2012 Recommended Budget and selling the real and personal property utilized at the facility; and

WHEREAS, the County has issued a request for proposals from qualified health care providers interested in providing health care services for inmates in custody of the Suffolk County Sheriff's Office and incarcerated at Suffolk County Correctional Facilities; and

WHEREAS, an award under the request for proposals is pending and subject to future legislative approval; and

WHEREAS, it is necessary to make certain cuts in appropriations, including salaries, equipment and supplies, and to reduce program expenses to facilitate the reordering of priorities; and

WHEREAS section A6-4 of the Suffolk County Administrative Code requires the County Department of Civil Service to implement layoffs and bump-and-retreat provisions by treating vacancies as having been abolished first before a filled position in the same title is abolished; and

WHEREAS, the County wishes to continue responsible administration of government; now therefore let it be resolved

1st **RESOLVED**, that the proposed 2012 Suffolk County Discretionary Expense Budget is hereby adopted, pursuant to Section 4-8(A) of the SUFFOLK COUNTY CHARTER; Local Law 38-1989, "Charter Law to Establish Consolidated Tax Levy Cap for County of Suffolk"; and Local Law 29- 1995, "Charter Law to Establish a Simplified Dual Budgetary Process containing the following Appropriations, Revenues, Positions, Reserve Funds, Line Items, Transfer of Funds, and Clauses as set forth in this document and made a part hereof; and be it further

TAX STABILIZATION RESERVE

2nd **RESOLVED**, that the Contingency and Tax Stabilization Reserve Fund, heretofore established pursuant to Section 6-e of the NEW YORK GENERAL MUNICIPAL LAW, Article II of Chapter 719 of the SUFFOLK COUNTY CODE and Section C4-10(F)(2) of the SUFFOLK COUNTY CHARTER, is hereby reaffirmed and extended for the purpose of accumulating and providing moneys to be used for those lawful purposes enumerated in law, and is hereby reestablished for fiscal year 2012 and for each and every subsequent fiscal year, if necessary, subject to the permissive referendum requirements of Sections 101-103 of the NEW YORK COUNTY LAW, the substantive effect of which shall be to moderate and stabilize real property taxes in Suffolk County; and be it further

3rd **RESOLVED**, that the Clerk of the County Legislature is hereby authorized, empowered, and directed, pursuant to Section 101(1) of the NEW YORK COUNTY LAW to cause a notice to be published at least once in the official newspapers of the County of Suffolk, containing the number, date of adoption, and true copy of the **2nd** and **4th** **RESOLVED** clauses of this proposed budget (together with Reserve Fund line items, if any) and a statement that such provision is subject to a permissive referendum; and be it further

4th **RESOLVED**, that the **2nd** **RESOLVED** clause of this proposed budget shall not take effect until forty-five (45) days after its adoption nor unless it is approved by the affirmative vote of a majority of the qualified electors of the county voting on a proposition therefore, if within forty-five days after its adoption there be filed with the Clerk of the County Legislature a petition signed by qualified electors of the County in number of not less than ten per cent of the total vote cast for Governor in Suffolk County at the last general election held for the election of state officers; and be it further

RETIREMENT CONTRIBUTION RESERVE FUND

5th **RESOLVED**, that a Retirement Contribution Reserve Fund is hereby reaffirmed and extended pursuant to section 6-r of the New York General Municipal Law and Suffolk County Legislative Resolution No. 1020-2004, for the purpose of financing future payments of retirement contributions, and is hereby reestablished for fiscal year 2012; and be it further

6th **RESOLVED**, subject to the provisions of § 6-r of the General Municipal Law, and not sooner than the effective date of Suffolk County Legislative Resolution 625-2011, the County Treasurer is authorized, directed and empowered to transfer \$15,556,534 Million from the *Assessment Stabilization Reserve Fund* to the *Retirement Contribution Reserve Fund* pursuant to; and be it further

RESERVE FUND FOR PAYMENT OF BONDED INDEBTEDNESS

7th **RESOLVED**, that a Reserve Fund for Payment of Bonded Indebtedness is hereby reaffirmed and extended pursuant to Section 6-h of the NEW YORK GENERAL MUNICIPAL LAW for the purpose of accumulating and providing moneys to be used for those lawful purposes enumerated in law, for fiscal year 2012 and for each and every subsequent fiscal year, if necessary, the substantive effect of which shall be to moderate and stabilize real property taxes in Suffolk County; and be it further

POSITION CONTROL

8th **RESOLVED**, all vacant positions in the department layoff unit, if any, for a title slated to be abolished as set forth in this budget document are hereby abolished; and be it further

9th **RESOLVED**, the County Executive is hereby authorized and empowered to implement work force reductions for the currently filled authorized positions as set forth in this budget document; and be it further

10th **RESOLVED**, that those filled positions as set forth in this budget document are hereby abolished in accordance with state and local laws and applicable collective bargaining agreements; and be it further

11th **RESOLVED**, the Director of Civil Service is hereby authorized, directed and empowered to implement the layoff and bump and retreat provisions by treating vacant positions in the department layoff unit as having been abolished first before a filled position in the same title is abolished; and be it further

JAIL MEDICAL UNIT

12th **RESOLVED**, there is hereby created a Jail Medical Unit contingency fund; and be it further

13th **RESOLVED**, that any appropriation to Jail Medical Unit contingency account **001-MS-1999** under this 2012 Recommended Budget and 2012 Adopted Budget may only be transferred, expended or utilized for operations of the jail medical unit for the purpose of providing these services through employees of the County or through entities other than Suffolk County government and/or the County Department of

Health Services, using employees other than employees of the County of Suffolk, and be it further

EMHP CHARGEBACK

14th **RESOLVED**, that the Suffolk County Employee Medical Health Plan (EMHP) costs for 2012 shall be charged back on the basis of enrollees, rather than budgeted appropriations, by the County Department of Audit and Control which shall also establish an annual reserve and/or accrual to preserve appropriations to prevent IBNR from closing to the fund balance; and be it further

BIO-TERRORISM

15th **RESOLVED**, that the authority to accept and appropriate federal or State grants of funds for activities designed to combat Bio-Terrorism is hereby delegated to the Suffolk County Executive, subject to the restriction that such funds only be allocated to the Bio-Terrorism Unit in the County Department of Health Services, Emergency Medical Services in the County Department of Health Services, the County Department of Fire, Rescue, and Emergency Services, and/or the Anti-Terrorism Unit of the Suffolk County Police Department; and be it further

POLICE DISTRICT TAX ALLOCATION

16th **RESOLVED**, that the amount of sales tax revenue allocated to the Suffolk County Police District under this Discretionary Expense Budget from the sales tax revenues generated by Resolution No. 745-1968 "Imposing Taxes on Sales and Uses of Tangible Personal Property and on Certain Services, and on Occupancy of Hotel Rooms, Admission Charges and Club Dues, pursuant to Article 29 of the Tax Law of the State of New York," as amended, shall be the sum certain of \$93,516,511 as set forth in item "115-FIN-1110 State Administered Sales and Use" of this document, and the County Department of Finance and Taxation is hereby authorized, empowered, and directed, pursuant to Section 15-2(G) of the SUFFOLK COUNTY CHARTER, to deposit the entire amount in Fund 115; and be it further

PROGRAMMATIC CONTINGENCY FUNDS

17th **RESOLVED**, that any appropriations placed in Contingency Account No. 115-MS-1991 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only be transferred, expended, or utilized for the specified purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

18th **RESOLVED**, that any appropriations placed in Contingency Account No. 001-MS-1991 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only be transferred, expended, or utilized for the specified purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

19th **RESOLVED**, that any appropriations placed in a Programmatic Contingency Account i.e., Living Wage Contingency Account No. 001-MS-1998 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only

be transferred, expended, or utilized for the specified purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

20th **RESOLVED**, that any appropriations placed in a Programmatic Contingency Account i.e., Jail Medical Contingency Account No. 001-MS-1999 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only be transferred, expended, or utilized for the specified purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

21st **RESOLVED**, that pursuant to 8 NYCRR § 603.7(e), *Capital Cost Chargeback for Nonresident Students*, Suffolk County Community College is authorized and collects \$300 per full time equivalent student from counties outside of Suffolk County as their share toward payment of debt service and this amount has accumulated to \$40,000 and therefore the Treasurer is hereby authorized to coordinate the transfer of this amount from the College to the County to offset the college's debt service which is paid from the General Fund; and be it further resolved

SEVERABILITY

22nd **RESOLVED**, that if any clause, sentence, paragraph, subdivision, section, or part of this Expense Budget 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 Expense Budget, 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; and be it further

MISCELLANEOUS

23rd **RESOLVED**, that any "Pseudo Code Index Numbers" contained in this proposed Discretionary Expense Budget shall be deemed approved by virtue of their inclusion as line items herein; and be it further

24th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this budget document constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

25th **RESOLVED**, that the **3rd RESOLVED** clause of this budget document shall take effect immediately, and the transfer authorized by the **6th RESOLVED** clause

of this budget document shall take place on the effective date of the 5th **RESOLVED** clause of this proposed resolution.

DATED: 2011

APPROVED BY:

County Executive of Suffolk County

Date:

1832

Intro. Res No. -2011

Laid on Table 9/15/2011

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, REPLACING STATE FUNDING
FOR THE MEDICAL EXAMINER WITH LOCAL FUNDING**

WHEREAS, Section 4-31 of the SUFFOLK COUNTY CHARTER, contains an ironclad restriction on the use of county funding to continue programs where the cost of such program was shifted from the State level to the local level; and

WHEREAS, in the event that the state government eliminates, abolishes, terminates or defunds, in whole or in part, any program, contract, project, grant, aid or funding, the County of Suffolk shall not reinstate such program, contract, project, grant, aid or funding through local funding unless such funding is approved by at least 3/4 of the entire membership of the County Legislature via a resolution directed solely and explicitly to the specific purpose of so reinstating such funding; and

WHEREAS, Article 6 of the New York State Public Health Law provides statutory authority for state aid for general public health work (GPHW); and

WHEREAS, the 2011-12 Enacted New York State Budget modified the GPHW Program to limit state reimbursement to basic services and eliminate reimbursement for all optional services, including the Medical Examiner; and

WHEREAS, the County Legislature believes the Medical Examiner is an important service provided by the County and that the County should continue to fund this service absent the State Public Health Law reimbursement; now therefore be it

1st **RESOLVED**, resolved that pursuant to Section 4-37 of the SUFFOLK COUNTY CHARTER that the County Legislature, hereby authorizes the replacement of Public Health Law State Aid for the Medical Examiner with local funding; and

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: 2011

APPROVED BY:

County Executive of Suffolk County

Date:

1833

Intro. Res No. -2011

Laid on Table 9/15/2011

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, REPLACING STATE FUNDING
FOR EMERGENCY MEDICAL SERVICES COORDINATION
WITH LOCAL FUNDING**

WHEREAS, Section 4-31 of the SUFFOLK COUNTY CHARTER, contains an ironclad restriction on the use of county funding to continue programs where the cost of such program was shifted from the State level to the local level; and

WHEREAS, in the event that the state government eliminates, abolishes, terminates or defunds, in whole or in part, any program, contract, project, grant, aid or funding, the County of Suffolk shall not reinstate such program, contract, project, grant, aid or funding through local funding unless such funding is approved by at least 3/4 of the entire membership of the County Legislature via a resolution directed solely and explicitly to the specific purpose of so reinstating such funding; and

WHEREAS, Article 6 of the New York State Public Health Law provides statutory authority for state aid for general public health work (GPHW); and

WHEREAS, the 2011-12 Enacted New York State Budget modified the GPHW Program to limit state reimbursement to basic services and eliminate reimbursement for all optional services, including Emergency Medical Services Coordination; and

WHEREAS, the County Legislature believes the delivery of Emergency Medical Services Coordination is an important service provided by the County and that the County should continue to fund this service absent the State Public Health Law reimbursement; now therefore be it

1st RESOVLED, resolved that pursuant to Section 4-37 of the SUFFOLK COUNTY CHARTER that the County Legislature, hereby authorizes the replacement of Public Health Law State Aid for Emergency Medical Services Coordination with local funding; and

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: 2011

APPROVED BY:

County Executive of Suffolk County

Date:

1834

Intro. Res. No. -2011
Introduced by Legislator D'Amaro

Laid on Table 9/15/11

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO.
-2011, A LOCAL LAW TO LOWER THE SEWER CONNECTION
FEE FOR CANON USA, INC.**

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 LOWER THE SEWER CONNECTION FEE FOR CANON USA, INC.**" 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 TO LOWER THE SEWER CONNECTION FEE FOR
CANON USA, INC.**

**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 Local Law No. 38-2007 increased the connection fees for sewer district contractees located outside the geographic boundary of a sewer district from \$15.00 per gallon per day to \$30.00 per gallon per day.

This Legislature also finds and determines that Canon USA, Inc. ("Canon") is moving its headquarters to Melville, New York, outside the boundaries of Suffolk County Sewer District No. 3 – Southwest ("the District").

This Legislature further finds and determines that Resolution No. 1038-2010 authorized the execution of a connection agreement between Canon and the District at a rate of \$30.00 per gallon per day for 45,381 gallons per day, at a total cost to Canon of \$1,361,430.00.

This Legislature finds that the connection fee agreement executed authorized Canon to seek a resolution of this Legislature to decrease the connection fee.

This Legislature also finds that six other proposed projects at the same location as Canon have received prior approvals to connect to the District, some of which were approved at a higher flow rate than Canon, and all of which were approved at a rate of \$15.00 per gallon.

This Legislature determines that the sewer connection rate for the Canon property should be reduced from \$30.00 per gallon per day to \$15.00 in consideration for the significant economic benefit their business will bring to Suffolk County.

Therefore, the purpose of this law is to reduce the sewer connection fee established in an agreement between Canon USA, Inc. and Suffolk County Sewer District No. 3 – Southwest from \$30.00 per gallon per day to \$15 per gallon per day.

Section 2. Fees.

Notwithstanding the provisions of Chapter 724 of the SUFFOLK COUNTY CODE, § 424-38 of the SUFFOLK COUNTY CODE and Resolution No. 1038-2010, and pursuant to paragraphs 2 and 3 of the Suffolk County Sewer District No. 3 – Southwest’s connection fee agreement with Canon USA, Inc., the sewer connection fee rate shall be reduced from \$30 per gallon per day to \$15 per gallon per day, reducing the gross fee to \$680,715.00.

Section 3. Applicability.

This law shall apply only to the sewer connection agreement between Canon USA, Inc. and Suffolk County Sewer District No. 3 – Southwest for the Canon facility in Melville, New York.

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.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-canon sewer hookup fee reduction

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: September 15, 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 LOWER THE SEWER CONNECTION FEE FOR CANON USA, INC.

SPONSOR: LEGISLATOR D'AMARO

DATE OF RECEIPT BY COUNSEL: 9/14/11

PUBLIC HEARING: 10/11/11

DATE ADOPTED/NOT ADOPTED: _____

CERTIFIED COPY RECEIVED: _____

Canon USA, Inc. has entered into an agreement to connect with Suffolk County Sewer District No. 3 – Southwest at a connection fee of \$30 per gallon per day, the standard rate for a connection to a sewer district pursuant to §424-38 of the SUFFOLK COUNTY CODE. This local law would decrease the sewer connection fee from \$30 per gallon per day to \$15 per gallon per day.

This law would apply solely to this agreement.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-canon sewer connection

1835

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

Laid on Table 9/15/11

**RESOLUTION NO. -2011, AMENDING RESOLUTION NO.
68-2011, DESIGNATING LOCAL NEWSPAPERS IN WHICH
COUNTY NOTICES MAY BE PUBLISHED**

WHEREAS, various statutes, laws and rules require Suffolk County or its departments or agents to publish certain notices in town newspapers other than the newspapers designated for the publication of resolutions and local laws; and

WHEREAS, Resolution No. 68-2011 designated the Long Island Advance to publish legal notices in the town of Brookhaven; and

WHEREAS, this Legislature wishes to designate a new newspaper to publish the Brookhaven notices; now, therefore be it

1st RESOLVED, that, upon the effective date of this resolution, the South Shore Press shall replace the Long Island Advance as the newspaper for the publication of notices in Brookhaven town through the end of 2011.

DATED:

EFFECTIVE PURSUANT TO SECTION 214 OF THE NEW YORK COUNTY LAW.

s:\res\r-amend-local-newspapers

Intro. Res. No. ¹⁸³⁶ -2011

Laid on the Table 9/15/11

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

**RESOLUTION NO. -2011 TO APPOINT
MEMBER OF COUNTY PLANNING
COMMISSION (GLYNIS MARGARET BERRY)**

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

WHEREAS, the term of office of one of the members at large, Charla Bolton, remains vacant due to her term expiration: and

WHEREAS, Steve Levy, the County Executive of Suffolk has appointed Glynis Berry, currently residing at 24190 Main Road, Orient, NY 11957, as a member of the County Planning Commission, now, therefore be it

RESOLVED, that Glynis Berry, currently residing at 24190 Main Road, Orient, NY 11957, is hereby appointed as a member of the Suffolk County Planning Commission at large for a four-(4)-year term, said term to expire December 31, 2014, pursuant to Section 14-2(A) of the SUFFOLK COUNTY CHARTER.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

GLYNIS MARGARET BERRY, AIA, LEED AP

EDUCATION:

Tokyo Institute of Technology, Tokyo, Japan, 1985-88
Research student, Shinohara/Sakamoto Laboratories.

Yale University, School of Architecture, New Haven, CT., 1982-85.
Master of Architecture, Teaching assistant in structures.
Real estate finance, S.O.M., Yale University.

Smith College, Northampton, Massachusetts, 1970-74.
B.A., double major in English and studio art.
Bowdoin College on exchange, 1973, honors.

WORK EXPERIENCE:

studio a/b architects, New York, Architect 1992-
Work with husband on a variety of architectural and urban design projects.
2004, full-time as partnership.
One design received a platinum rating with USGBC LEED for Homes.

Art Sites, Greenport, New York, owner/curator, 2/2000-2003, reopened in 2006 in
Riverhead, NY conceive shows of contemporary and environmental art.

Kapell and Kostow Architects, New York, 2000-2003
Project Manager for all school projects, including rehabilitation of PS95,
Queens and top floor addition of Manhattan Day and Night HS

New York City, Department of Transportation, 3/1989-9/2000
Chief of Capital Planning and Project Development, 10/1999-9/2000
Responsible for identifying, planning and shepherding all roadway capital
projects through the design process. Designed template for computerized
analysis for project identification and prioritization.

Director of Pedestrian Projects, 5/1992-8/1997:
Initiated office; supervised 20 staff.
Raised funds and supervised \$17 million program--planning and design.
Outstanding Employee Award for Productivity '93.
Initiated, designed, and administered pedestrian program, including general
research and specific projects.
Wrote policies on pedestrian issues.
Orchestrated traffic-calming agenda for NYC.
Organized Traffic Calming Seminar, 1993.
Supervised planning program involving the public, including a city-wide
pedestrian plan and community board plans prioritizing projects. Conceived
second project within the NYSDOT to use GIS mapping, including an
analysis of all accident data (large data set).
Introduced new design techniques to New York City: speed humps, circles,
neckdowns, low speed zones, and crosswalks.
Supervised bicycle program, including the design and installation of lanes

Grants initiated and administered:
Pedestrian Network Development I and II
Intermodal Nodes
Grand Concourse
East Village Pedestrian Improvements
St. George Ferry Terminal
Lower East Side Artscape

Office of Urban Design, Associate Urban Designer,
Deputy Director, 7/89-5/92:
Responsible for approximately 30 projects (design and execution),
Supervised up to 12 people, budget preparation/presentation/

justification of all projects in office, consultant selection. Interagency liaison.
Shinohara Atelier, 1622 Futoh-cho, Kohoku-ku, Yokohama, JAPAN.
Construction drawings, design study, 1985-87.

Archaeological expeditions
Hierakonpolis, Egypt and Lachish, Egypt, 1/1981-8/1981.

American Museum of Natural History, New York, New York, 1979-80.
Exhibit design and preparation.

Lutz Junior Museum, Manchester, Connecticut, 1977-79.
Director of Children's Museum.
Accomplishments: Increased staff from 4 to 13 members.
Raised and administered funding.
Developed program interpreting industrial history for children through a grant
from the Connecticut Humanities Council (incorporated into school curricula),
Renovated educational loan kit program.

Alaska State Museum, Juneau, Alaska, 1974-75.
Assistant Curator of Exhibits.

TEACHING EXPERIENCE:

Design Concepts for Sustainable Sites, 2011 for Master Gardening program
Principles of Japanese Architecture, Barnard College, 1993-94

LICENSE/CERTIFICATES:

Architectural License, New York State, 1991
NYS Code Enforcement Official, 2004
LEED accredited professional with US Green Building Council, 2004
HERS rater, energy efficiency, 2007
Master Gardener, 2010

AWARDS:

AIA Peconic Chapter awards for architecture in 2007, 2009, and 2010
NYS Council on the Arts: Independent Projects Award for "Reflective Light on
Suburban and Rural Streets", 1999-00
Monbusho Fellowship to Japan, 1985-88.
Henry A. Pfisterer Scholarship for structures, Yale Univ., 1985.
Kenneth A. Housholder Scholarship, Yale School of Architecture.
Honorary award for outstanding first year student, 1983 (Yale University).

ADVISORY COMMITTEES and BOARDS:

Member, Peconic Estuary Program Management Committee, 2011-
Citizens Advisory Committee representing AIA, Peconic for the CR 39 Study and
LWRP, Town of Southampton, 2010-
Chair, Planning Committee of AIA, Peconic Chapter, 2010 –
Organized "Symposium on New Solutions to Decentralized Wastewater
Treatment," April 6, 2011. (Program is finalist for State AIA award for chapter
community leadership.) As a result of the symposium, cofounding a coalition
on clean water issues.
Regional Coordinator for East End Transportation Study, 2009
US Green Building Council, National Code Committee, 2006---present
US Green Building Council, LI Chapter, Board member, 2007
US Green Building Council, LI Regional Representative, 2006-7
New York New Visions, transportation and WTC review committees, 2002
Southold Transportation Committee, 2000
Monmouth County Pedestrian Task Force
NYC Mayoral Pedestrian and Bicycle Advisory Committee
NYMTCC Pedestrian and Bicycle Advisory Committee

ARTICLES and PUBLICATIONS:

Article regarding zoning impacts on community character (in process).

Article and comments in local papers re: decentralized wastewater treatment.

Catalog for the exhibition

Called to Action: Environmental Restoration by Artists, 2007.

"Chieko Katsumata's Ceramics," CERAMICS TECHNICAL, #15, 2002 p 22f

"Pedestrian Projects in New York City," PLACES MAGAZINE, 9/1997.

"Nature and Architecture in Japan," PROGRESSIVE ARCHITECTURE, 11/1991.

Project description: Kazunari Sakamoto in *THE NEW JAPANESE ARCHITECTURE* by Botond Bogner, 1990.

"Kazunari Sakamoto--Space as an Environment," JAPAN ARCHITECT, 1/1989.

Exhibit of photographs, Alaska State Museum, 1975.

In addition there have been numerous articles written by others on the exhibitions of Art Sites in the New York Times, Southampton Press, Dans Papers and Times/Review papers.

BIBLIOGRAPHY OF ARCHITECTURAL WORKS PUBLISHED, DESIGNED WITH HIDEAKI ARIIZUMI:

General:

Design through Dialogue by Karen A. Franck, 2010 (Gordon Residence)

Between Mobility and Immobility, works of Hideaki Ariizumi, 2007

"NEW YORK ARCHITECTS" (paper,) www.newyork-architects.com (web,) PSA Publishers, NY, 2001

DICTIONNAIRE DE L'ARCHITECTURE, MODERNE ET CONTEMPORAINE, Editions Hazan/ Institut Francais, D'Architecture, France, 1996.

Partition of Light (Barn Studio):

www.architecturalrecord.com (web magazine,) 11/2001

Studio in a Concrete Country House:

KENCHIKU BUNKA Vol.55 No.647, Shokokusha Publishing Co., Ltd. Japan, 9/2000

Regaining Topography:

JAE Vol. 54, No. 4, May 2001

PLACES Vol. 13-3, 2000

METROPOLIS, Feb./Mar. 2000

OCULUS, AIA New York, 1/2000

Greenhouse/Garage:

ARCHITECTURE INSIDE-OUT, by Karen Frank and Bianca Lepori, 2000

A MODERN AMERICAN RESIDENTIAL ARCHITECTURE, Yugoslavia, 1998.

OUTDOOR ROOMS, Rockport Publishers, USA, 1998

THE NEW YORK TIMES 3/13/1997.

House on North Fork:

THE NEW YORK TIMES, 8/29/2007

HOUSE 2000, PBC International, NY, 2000

NEW AMERICAN HOUSES, Edizioni L'Archivolto, Milano, 1998.

DESIGN/BUILD BUSINESS MAGAZINE, 6/1998.

A MODERN AMERICAN RESIDENTIAL ARCHITECTURE, Yugoslavia, 1998.

FIRST HOUSES, Princeton Architectural Press, 1999.

OUTDOOR ROOMS, Rockport Publishers, USA, 1998.

COSTRUIRE magazine, 1997.
OCULUS, AIA New York, 10/1997.
THE SUFFOLK TIMES, 7/31/1997.
ARCHITECTURAL DIGEST, 6/1997.
KENCHIKU BUNKA VOL.51 No.596, Shokokusha Publishing Co., Ltd. 6/1996.
JT 9606, Shinkenchiku Sha Co., Ltd. 6/1996.
SPACE DESIGN 9412, 9801, Kajima Institute Publishing Co., 12/1994.

Box Furniture:

SPACE DESIGN 9406, Kajima Institute Publishing Co., 6/1994.
NEW YORK, nomadic design; by Ronald Christ/Dennis Dollens,
Editorial Gustavo Gili S.A., Barcelona, 1993.
THE NEW YORK TIMES 10/8/1992.

TV

Featured home on "Amazing Vacation Homes," Travel Channel, September, '2004

LECTURES:

New Solutions for Community Wastewater Treatment, 2011
Design Concepts for Sustainable Sites, 2011 (Master Gardener Program)
Green Building with LEED, Southold Town Hall, 2007
"Pedestrians" at NJIT, annually, 2004- 2007
"Transformation, Physically and Metaphysically" at Barcelona Institute of Architecture,
2000
"Tempting Walkers by Design," ProBike, ProWalk; Santa Barbara, CA 9/98
"Small Steps," Transportation Research Board, Washington DC, 1/1998.
"ProBike, ProWalk Conference," Washington DC, Guest Speaker, 9/97.
"Grand Concourse Project," ITE Conference, Boston, 8/1997.
Panel speaker, ITE Conference, Minneapolis 9/1996, Boston 8/1997.
"New Jersey Transaction," pedestrian seminar, speaker, Atlantic City 4/1997.
Guest lecturer on traffic calming, annually at Polytechnic University.
"Streets" Conference for *Places Magazine*, Guest Speaker, 4/1996.
NYS Bicycle/Pedestrian Conference, Guest Speaker, 1994.
"ProBike, ProWalk Conference," Portland, Oregon, Guest Speaker, 1994.
American Planning Association, "Re-thinking City Streets," Guest Lecturer at
Conference: "Women Planning for Change," 1993.
The Architecture Department at Vermont College of Norwich University, "Nature
and Contemporary Architecture in Japan," 1992.
Barnard College, "Traditional Vernacular Architecture in Japan," 1991.

MEMBERSHIP:

US Green Building Council
American Institute of Architects

CONTACT:

PO BOX Orient, NY 11957
Telephone:

1837

Intro. Res. No. -2011

Laid on Table: 9 / 15 / 2011

Introduced by the Presiding Officer on Request of the County Executive

RESOLUTION NO. -2011 AUTHORIZING THE
COMMISSIONER OF THE SUFFOLK COUNTY
DEPARTMENT OF PUBLIC WORKS TO TAKE MEASURES
TO REMOVE CERTAIN ROADS FROM THE SUFFOLK
COUNTY ROAD SYSTEM

WHEREAS, New York State Highway Law § 115-b prescribes the manner in which a County may remove a road or part of a road from its county road system; and

WHEREAS, certain roadways that were placed in the county road system were owned by the Towns or Villages in which those roadways are situated; and

WHEREAS, duly authorized representatives from the Towns and Villages in Suffolk County requested that certain roadways be placed in the county road system to make those roadways eligible for state and federal aid that is only available to roadways in the county road system; and

WHEREAS, the Suffolk County Commissioner of Public Works is also Suffolk County's Superintendent of Highways; and

WHEREAS, the Suffolk County Commissioner of Public Works has received and dispersed all available state and federal aid for roadways in the county road system; and

WHEREAS, the amount of state and federal aid for roadways in the county road system has become insufficient to reconstruct, improve, and maintain certain roadways in the county road system; and

WHEREAS, the additional cost for reconstruction, improvement, and maintenance of certain roadways that were placed in the county road system was funded, in whole or in part, by the Towns and Villages in which those roadways are situated; and

WHEREAS, duly authorized representatives from the Towns and Villages have acknowledged to the State of New York Department of Transportation that certain roadways that were placed on the county road system are owned by the Towns and Villages in which those roadways are situated; and

WHEREAS, Towns and Villages have been receiving funding from the New York State Consolidated Local Street and Highway Improvement Program for certain roadways that were placed on the county road system; and

WHEREAS, duly authorized representatives from the Towns and Villages have requested that the County of Suffolk pay the entire cost of reconstruction, improvement, and

maintenance of certain roadways that were placed on the county road system where there is insufficient state and federal aid to pay for such costs, and

WHEREAS, the County of Suffolk cannot afford to pay the costs associated with the reconstruction, improvement, and maintenance of certain roadways that were placed in the county road system; and

WHEREAS, New York State Highway Law § 115-b permits roadways to be removed from the county road system “upon the recommendation of the County Superintendent of Highways pursuant to a written agreement with the governing body of a town, village or city, or in the event that such an agreement cannot be reached with the approval of the commissioner of transportation, the board of supervisors of any county may remove a road or part of a road from the county road system”; now therefore be it

1st RESOLVED, that pursuant to New York State Highway Law § 115-b, the Suffolk County Commissioner of Public Works is hereby authorized to issue recommendations concerning any roadway(s) contained in the county road system that should be removed from the county road system and returned to the Towns or Villages in which it/they is/are situated for reconstruction, improvement, and maintenance; and be it further

2nd RESOLVED, that pursuant to New York State Highway Law § 115-b, the Suffolk County Commissioner of Public Works is hereby authorized to enter into any necessary written agreements with the governing body of any Towns or Villages for roadway(s) that are recommended to be removed from the county road system and returned to the Towns or Villages in which it/they is/are situated for reconstruction, improvement, and maintenance; and be it further

3rd RESOLVED, that pursuant to New York State Highway Law § 115-b, the Suffolk County Commissioner of Public Works may make any necessary applications to the New York State Commissioner of Transportation for roadway(s) that are recommended to be removed from the county road system and returned to the Towns or Villages in which it/they is/are situated for reconstruction, improvement, and maintenance; and be it further

4th RESOLVED, that the Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this action constitutes a Type II action pursuant to Section 617.5(c)(2) and/or 27 of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

DATED: , 2011

APPROVED BY:

County Executive of Suffolk County

Date: , 2011

1838

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

Laid on Table 9/15/2011

**RESOLUTION NO. -2011, AMENDING THE 2011
OPERATING BUDGET TO TRANSFER FUNDS TO THE
SUFFOLK COUNTY ASSIGNED COUNSEL DEFENDER
PLAN**

WHEREAS, Suffolk County is obligated to provide counsel to persons charged with a crime or who are entitled to counsel pursuant to certain sections of the Family Court Act, the Corrections Law, the Surrogate's Court Procedure Act and the Mental Hygiene Law; and

WHEREAS, the County contracts with the Suffolk County Bar Association, which administers the Suffolk County Assigned Counsel Defender Plan to provide legal services pursuant to County Law Article 18-B; and

WHEREAS, the 2011 Adopted Operating Budget does not include sufficient funds to pay the attorneys that perform this mandated function; and

WHEREAS, it is the desire of this Legislature to provide an additional \$500,000 for the Suffolk County Assigned Counsel Defender Plan; 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 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.

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT</u>	<u>AMOUNT</u>
001	DPW	1496	0000	4560	Red Light Cameras	-\$500,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT</u>	<u>AMOUNT</u>
001	LAW	1171	0000	4770	Bar Assn Indigent Defendants	+\$500,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Suffolk County Assigned Counsel Defender Plan.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

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1839

9/15/11

Intro. Res. No. -2011
Introduced by Legislators Schneiderman and Romaine

Laid on Table

RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A CHARTER LAW TO PROVIDE FOR FAIR AND EQUITABLE DISTRIBUTION OF PUBLIC SAFETY SALES AND COMPENSATING USE TAX REVENUES

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2011, a proposed local law entitled, "**A CHARTER LAW TO PROVIDE FOR FAIR AND EQUITABLE DISTRIBUTION OF PUBLIC SAFETY SALES AND COMPENSATING USE TAX REVENUES**;" 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 CHARTER LAW TO PROVIDE FOR FAIR AND EQUITABLE DISTRIBUTION OF PUBLIC SAFETY SALES AND COMPENSATING USE TAX REVENUES

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 is authorized to allocate between one-eighth and three-eighths of the revenue generated from the County's additional 1% sales and compensating use tax for public safety purposes.

This Legislature also finds that because sales taxes are collected from all over Suffolk County, sales tax revenue generated for public safety purposes should be allocated equitably between the Suffolk County Police District and those towns and villages that maintain their own police forces.

This Legislature determines that Local Law No. 18-1998 attempted to establish an equitable formula for distributing public safety sales tax revenues but, unfortunately, the formula was confusing and compliance with the law has been uneven, at best.

This Legislature also determines that it is necessary to update and clarify the County's formula for allocating public safety sales tax revenues.

This Legislature also determines that in order to assure adequate funding for public safety, at least one-quarter of the revenues generated by the County's additional 1% sales and compensating use tax should be dedicated to police services on an annual basis.

Therefore, the purpose of this law is to amend the Suffolk County Charter to require that at least one-quarter of the revenues generated by the County's additional 1% sales and compensating use tax be dedicated to police services and to establish a fair, population-based formula that will ensure that public safety sales tax revenues are shared equitably between the Suffolk County Police District and the towns and villages lying outside the district.

Section 2. Amendments.

I. Section C4-6(J) of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

* * * *

§ C4-6. Submission of proposed County budget by County Executive.

* * * *

J. The proposed expense budget for any fiscal year shall allocate, as authorized by §1262-j of NEW YORK TAX LAW, no less than one-fourth of the revenues generated by the County's additional 1% sales and compensating use tax to the Suffolk County Police District to support the operations of the Suffolk County Police Department and to make special payments to the following municipalities to support their police services: Towns of Riverhead, Southampton, Shelter Island, Southold and East Hampton and the Villages of Amityville, Ocean Beach, Saltaire, Head of Harbor, Nissequogue, Asharoken, Huntington Bay, Lloyd Harbor, Northport, Westhampton Beach, Quogue, Sag Harbor, Southampton, and East Hampton. The special payments shall be computed by multiplying the amount of sales tax revenue allocated to the Police District Fund by a fraction equal to the total population residing within the aforesaid municipalities divided by the total population of the County. This amount shall then be divided among the municipalities based upon the respective percentage that the population of each municipality bears to all others as determined by the most recent published federal census.

* * * *

II. Section C4-10 of the SUFFOLK COUNTY CODE is hereby amended to include a new subsection (k) to read as follows:

C4-10. Action by County Legislature on proposed budget.

* * * *

K. The adopted expense budget for any fiscal year shall allocate, as authorized by §1262-j of NEW YORK TAX LAW, no less than one-fourth of the revenues generated by the County's additional 1% sales and compensating use tax to the Suffolk County Police District to support the operations of the Suffolk County Police Department and to make special payments to the following municipalities to support their police services: Towns of Riverhead, Southampton, Shelter Island, Southold and East Hampton and the Villages of Amityville, Ocean Beach, Saltaire, Head of Harbor, Nissequogue, Asharoken, Huntington Bay, Lloyd Harbor, Northport, Westhampton Beach, Quogue, Sag Harbor, Southampton, and East Hampton. The special payments shall be computed by multiplying the amount of sales tax revenue allocated to the Police District Fund by a fraction equal to the total population residing within the aforesaid municipalities divided by the total population of the County. This amount shall then be divided among the municipalities based upon the respective percentage that the population of each municipality bears to all others as determined by the most recent published federal census.

Section 3. Applicability.

This law shall apply to expense budgets proposed and adopted on or after January 1, 2012.

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) 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 not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the office of the Secretary of State.

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: SEPTEMBER 15, 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 PROVIDE FOR FAIR AND EQUITABLE DISTRIBUTION OF PUBLIC SAFETY SALES AND COMPENSATING USE TAX REVENUES

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 9/15/2011 PUBLIC HEARING: 10/11/2011

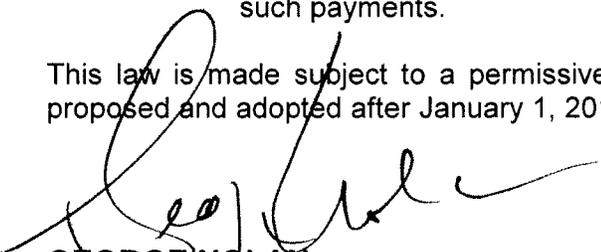
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed law would amend and clarify the County's charter provisions relating to the allocation of public safety revenues generated by the County's additional 1% sales tax for public safety purposes.¹

Specifically, this law would require:

- 1) that no less than one-fourth of the revenues generated by the County's additional 1% sales tax go to support the operations of the Suffolk County Police Department and to make special payments to the towns and villages outside the Police District to support their police services; and
- 2) that the towns and villages located outside the Suffolk County Police District receive a proportionate share of the public safety sales tax revenues, based on population.² The County Executive would be required to propose, and the Legislature would be required to adopt, an operating budget that provides for such payments.

This law is made subject to a permissive referendum and would apply to operating budgets proposed and adopted after January 1, 2012.


GEORGE NOLAN
Counsel to the Legislature

¹ Section 1262-j of NEW YORK TAX LAW authorizes the County to use between one-eighth and three-eighths of the revenue generated by the additional 1% sales and compensating use tax for public safety purposes.

² The payments to towns and villages will be calculated by multiplying the amount of sales tax revenues allocated to the Police District by a fraction equal to the population residing within these municipalities divided by the total population of Suffolk County. This amount will then be divided among the towns and villages based upon their respective populations.

1840

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

Laid on Table 9/15/2011

**RESOLUTION NO. -2011, AMENDING THE 2011
OPERATING BUDGET AND RESTORING CURRENTLY
FILLED POSTIONS AT THE JOHN J. FOLEY SKILLED
NURSING FACILITY**

WHEREAS, Resolution No. 523-2011 amended the 2011 Operating Budget to fund operation of the John J. Foley Skilled Nursing Facility for the remainder of 2011, including current personnel costs; and

WHEREAS, the County of Suffolk has been unable to consummate the sale due to the withdrawal of the prospective buyer; and

WHEREAS, the health and safety of the patients requires the appropriate staffing 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, all positions at the John J. Foley Skilled Nursing Facility were abolished in the adoption of the 2011 Operating Budget; and

WHEREAS, all positions in the facility have been considered interim since the adoption of the 2011 operating budget, and are automatically abolished in the County's personnel system if they become vacant; 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 the following positions of employment be restored to the John J. Foley Skilled Nursing Facility and that there are sufficient appropriations to fill the positions in accordance with the hiring plan proposed by the current administrator/consultant of the John J. Foley Skilled Nursing Facility;

<u>Position Number</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>
632- 4530- 3600- 0050 0727		HEALTH PROGRAM ANALYST I	C	20
632- 4530- 3600- 0055 0013		PRINCIPAL CLERK	C	14
632- 4530- 3600- 0057 0213		SENIOR ACCOUNT CLERK TYPIST	C	14
632- 4530- 3700- 0010 0262		FINANCIAL DIRECTOR (NURSG HOM)	C	28
632- 4530- 3700- 0030 0766		OFFICE SYSTEMS ANALYST I	C	19
632- 4530- 3700- 0069 0206		SENIOR ACCOUNT CLERK	C	14
632- 4530- 3700- 0071 0205		ACCOUNT CLERK	C	11
632- 4530- 3700- 0079 0205		ACCOUNT CLERK	C	11
632- 4530- 3701- 0250 2041		CLINICAL NURSE PRACTITIONER	C	27
632- 4530- 3701- 0251 2041		CLINICAL NURSE PRACTITIONER	C	27

<u>Position Number</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>
632- 4530- 3701- 0277 0070		MEDICAL RECORDS CLERK	C	11
632- 4530- 3701- 0279 0070		MEDICAL RECORDS CLERK	C	11
632- 4530- 3701- 0283 0070		MEDICAL RECORDS CLERK	C	11
632- 4530- 3701- 0284 0070		MEDICAL RECORDS CLERK	C	11
632- 4530- 3702- 0487 2404		PHYSICIAN III	N	38
632- 4530- 3702- 0340 2034		ASST NURSING CARE DIR	C	23
632- 4530- 3702- 0335 2016		REG NURSE SUPVR-NRSNG HME	C	22
632- 4530- 3702- 0339 2016		REG NURSE SUPVR-NRSNG HME	C	22
632- 4530- 3702- 0341 2016		REG NURSE SUPVR-NRSNG HME	C	22
632- 4530- 3702- 0342 2016		REG NURSE SUPVR-NRSNG HME	C	22
632- 4530- 3702- 0379 2011		REGISTERED NURSE	N	19
632- 4530- 3702- 0382 2011		REGISTERED NURSE	N	19
632- 4530- 3702- 0383 2011		REGISTERED NURSE	N	19
632- 4530- 3702- 0390 2011		REGISTERED NURSE	N	19
632- 4530- 3702- 0391 2011		REGISTERED NURSE	N	19
632- 4530- 3702- 0427 2011		REGISTERED NURSE	N	19
632- 4530- 3702- 0428 2011		REGISTERED NURSE	N	19
632- 4530- 3702- 0431 2011		REGISTERED NURSE	N	19
632- 4530- 3702- 0469 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0471 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0472 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0474 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0475 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0476 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0477 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0478 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0479 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0480 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0481 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0482 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0483 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0485 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0486 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0488 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0489 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0492 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0494 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0495 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0496 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0497 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0498 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0499 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0501 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0502 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0503 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0554 2005		LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0556 2005		LICENSED PRACTICAL NURSE	N	14

<u>Position Number</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>
632- 4530- 3702- 0557	2005	LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0560	2005	LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0562	2005	LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0564	2005	LICENSED PRACTICAL NURSE	N	14
632- 4530- 3702- 0600	0022	SENIOR CLERK TYPIST	C	12
632- 4530- 3702- 0622	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0624	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0625	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0626	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0628	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0629	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0630	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0631	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0632	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0633	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0634	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0635	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0636	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0641	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0642	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0643	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0644	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0645	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0647	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0649	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0650	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0653	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0655	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0656	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0657	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0658	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0662	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0667	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0668	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0670	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0672	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0673	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0674	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0675	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0676	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0677	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0678	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0681	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0682	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0685	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0686	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0688	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0689	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0690	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0691	2003	NURSES' AIDE	L	09

<u>Position Number</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>
632- 4530- 3702- 0692	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0693	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0694	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0695	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0696	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0698	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0703	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0706	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0708	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0710	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0711	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0713	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0718	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0719	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0720	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0721	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0724	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0725	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0726	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0730	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0731	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0732	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0733	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0735	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0736	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0740	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0742	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0744	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0752	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0755	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0756	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0757	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0775	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0776	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0777	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0781	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0785	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0829	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0832	2003	NURSES' AIDE	L	09
632- 4530- 3702- 0834	2003	NURSES' AIDE	L	09
632- 4530- 3703- 0913	8131	DIETICIAN	C	19
632- 4530- 3703- 0908	8140	ASST FOOD SERVICE SUPVR	C	16
632- 4530- 3703- 0909	8140	ASST FOOD SERVICE SUPVR	C	16
632- 4530- 3703- 0921	8112	SENIOR COOK	N	14
632- 4530- 3703- 0916	8125	DIETETIC TECHNICIAN	C	13
632- 4530- 3703- 0930	8111	COOK	N	12
632- 4530- 3703- 0931	8111	COOK	N	12
632- 4530- 3703- 0950	0022	SENIOR CLERK TYPIST	C	12
632- 4530- 3703- 0955	0316	WAREHOUSE WORKER II	N	10
632- 4530- 3703- 0961	8110	ASSISTANT COOK	N	09

<u>Position Number</u>			<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	
632-	4530-	3703-	0962	8110	ASSISTANT COOK	N	09
632-	4530-	3703-	0963	8110	ASSISTANT COOK	N	09
632-	4530-	3703-	0981	8102	FOOD SERVICE WORKER II	N	09
632-	4530-	3703-	0982	8102	FOOD SERVICE WORKER II	N	09
632-	4530-	3703-	0991	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	0992	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	0995	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	0996	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	0998	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1000	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1005	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1006	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1007	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1008	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1012	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1019	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1022	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1026	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1027	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3703-	1028	8101	FOOD SERVICE WORKER	L	07
632-	4530-	3704-	1105	8021	HOUSEKEEPER	N	18
632-	4530-	3704-	1117	8053	CUSTODIAL WORKER III	N	16
632-	4530-	3704-	1107	8020	ASSISTANT HOUSEKEEPER	N	14
632-	4530-	3704-	1112	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1123	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1124	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1128	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1130	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1131	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1132	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1133	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1136	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1139	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1140	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1145	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1148	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1150	8052	CUSTODIAL WORKER II	N	11
632-	4530-	3704-	1114	8212	NEEDLE TRADES SPECIALIST	N	10
632-	4530-	3704-	1222	8201	LAUNDRY WORKER	L	06
632-	4530-	3705-	1270	2312	THERAPEUTIC ACTIVITIES SP	C	21
632-	4530-	3705-	1275	4008	RECREATION INSTRUCTOR	C	17
632-	4530-	3705-	1277	2309	THERAPEUTIC ACTIVITIES WORKER	N	10
632-	4530-	3705-	1278	2309	THERAPEUTIC ACTIVITIES WORKER	N	10
632-	4530-	3705-	1279	2309	THERAPEUTIC ACTIVITIES WORKER	N	10
632-	4530-	3705-	1280	2309	THERAPEUTIC ACTIVITIES WORKER	N	10
632-	4530-	3705-	1281	2309	THERAPEUTIC ACTIVITIES WORKER	N	10

<u>Position Number</u>				<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>
632-	4530-	3705-	1282	2309	THERAPEUTIC ACTIVITIES WORKER	N	10
632-	4530-	3706-	0102	2321	PHYSICAL THERAPIST	C	21
632-	4530-	3706-	0111	2320	PHYSICAL THERAPIST ASST	C	17
632-	4530-	3707-	0100	2663	MEDICAL SOCIAL WORKER II	C	23
632-	4530-	3707-	0103	2660	MED SOCIAL WORKER ASST	C	18
632-	4530-	3710-	0015	7004	MAINTENANCE MECHANIC III	N	15
632-	4530-	3710-	0016	7004	MAINTENANCE MECHANIC III	N	15
632-	4530-	3710-	0020	7003	MAINTENANCE MECHANIC II	N	12
632-	4530-	3710-	0021	7003	MAINTENANCE MECHANIC II	N	12
632-	4530-	3710-	0022	7003	MAINTENANCE MECHANIC II	N	12
632-	4530-	3710-	0023	7003	MAINTENANCE MECHANIC II	N	12
632-	4530-	3711-	0010	2661	MEDICAL SOCIAL WORKER	C	21
632-	4530-	3711-	0022	2011	REGISTERED NURSE	N	19
632-	4530-	3711-	0033	2005	LICENSED PRACTICAL NURSE	N	14
632-	4530-	3711-	0035	0022	SENIOR CLERK TYPIST	C	12
632-	4530-	3711-	0058	2003	NURSES' AIDE	L	09
632-	4530-	3711-	0059	2003	NURSES' AIDE	L	09
632-	4530-	3711-	0060	2003	NURSES' AIDE	L	09
632-	4530-	3711-	0062	2003	NURSES' AIDE	L	09
632-	4530-	3711-	0064	2003	NURSES' AIDE	L	09

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 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:

T:\BRO\Restore Foley Positions Amend 2011 Kennedy.doc

Introduced by Presiding Officer Lindsay

Laid on Table 9/16/2011

**PROCEDURAL RESOLUTION NO. 27 - 2011 APPORTIONING
MORTGAGE TAX BY: COUNTY TREASURER**

1st **RESOLVED**, that the joint reports of the Recording Officer and the County Treasurer as filed with this Legislature on August 23, 2011 relative to the distribution of mortgage taxes for the three month period ending June 30, 2011, be accepted and that the amounts specified therein as Exhibit "A" be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

2nd **RESOLVED**, that the Presiding Officer and Clerk of this Legislature be authorized to execute and deliver to the County Treasurer a warrant of this Legislature directing him to make the payments therein specified in the report in accordance with the provisions of Section 261 of the Tax Law.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY
ADMINISTRATIVE CODE

OFFICE OF THE COUNTY LEGISLATURE
Riverhead, New York

TO THE TREASURER OF SUFFOLK COUNTY:

Pursuant to the authority conferred by Section 261 of the New York State Tax Law and a resolution adopted this day relative to the distribution of mortgage taxes to the several tax districts of this County for the six-month period ending June 30, 2011, the County Legislature of this County this day assembled hereby directs you to pay the Supervisors of the several Towns and to the Treasurers of the several Villages, as herein after specified, such sums as are listed in the schedule following:

To the Supervisors of the Towns of:

Babylon	\$818,836.66
Brookhaven	2,048,730.56
East Hampton	749,197.60
Huntington	1,373,515.65
Islip	1,368,734.32
Riverhead	168,097.76
Shelter Island	79,297.23
Smithtown	816,960.85
Southampton	1,581,611.63
Southold	222,155.20
Total Towns:	<u>\$ 9,227,137.46</u>

To the Treasurers of the Villages of:

Amityville	\$26,947.13
Babylon	33,456.08
Lindenhurst	53,541.66
Belle Terre	5,670.89
Bellport	9,564.44
Lake Grove	31,589.97
Old Field	8,383.91
Patchogue	22,342.52
Poquott	4,142.77
Port Jefferson	53,357.53
Shoreham	2,374.17
East Hampton	92,018.47
Sag Harbor	9,711.64

Asharoken	5,898.24
Huntington Bay	9,284.75
Lloyd Harbor	30,920.31
Northport	23,906.22
Brightwaters	9,747.84
Islandia	20,804.82
Ocean Beach	6,843.99
Saltaire	7,624.38
Dering Harbor	1,599.08
Head of the Harbor	10,233.03
Nissequogue	13,250.54
Village of the Branch	8,840.20
North Haven	26,490.62
Quogue	58,917.71
Sagaponack	74,441.54
Sag Harbor	21,844.60
Southampton	196,419.35
Westhampton Beach	52,184.32
Westhampton Dunes	10,738.24
Greenport	5,183.55

Total Villages:	<u>\$948,274.51</u>
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Grand Total:	<u><u>\$10,175,411.97</u></u>
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Presiding Officer, County Legislature

Clerk, County Legislature

**MOTION NO. 28 – 2011, PROCEDURAL RESOLUTION
AUTHORIZING FUNDING FOR COMMUNITY SUPPORT
INITIATIVES (PHASE VIII)**

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:

<u>AGENCY</u>	<u>SPONSOR</u>	<u>AMOUNT</u>
Am Vets Post 48	Kennedy	\$1,500
Amityville American Legion Post #1015	Gregory	\$1,000
Atlantic Boxing Club, Inc.	Browning	\$1,500
Bay Shore Historical Society	Barraga	\$1,000
Birchwood Park Civic Association	Lindsay	\$1,000
Bohemia Civic Association	Lindsay	\$1,000
Brentwood Youth Activities, Inc.	Montano	\$3,000
Central Islip Little League	Montano	\$2,000
Communities that Care of Shelter Island, Inc.	Romaine	\$2,000
Coram Civic Association	Anker	\$1,000
Deer Park Lions Club	Stern	\$1,000
Eastern Suffolk BOCES	Barraga	\$2,500
Family Service League	Cooper	\$6,000
Federation of Organizations for the NYS Mentally Disabled,	Stern	\$1,000
Flanders Fire District	Schneiderman	\$1,500
Frank Melville Memorial Foundation	Viloria-Fisher	\$1,000
Friends of St. Patrick, Inc.	Anker	\$2,000
Friends of the Smithtown Library	Nowick	\$1,500
Gatelot Avenue PTA	Muratore	\$2,000
George Washington Carver Community Coalition, Inc.	Gregory	\$1,000
Girl Scouts of Suffolk County, Inc.	Cooper	\$1,000
Greater Long Island Running Club, Inc.	Cooper	\$1,000
Half Hollow Hills Youth Football League, Inc.	Stern	\$2,000
Hands Across Long Island	Montano	\$2,000
Harborfields Council of Parents & Teachers	Stern	\$3,000
Hobbs Community Farm, Inc.	Muratore	\$1,500
Huntington Community First Aid Squad	Cooper	\$1,500
Huntington Human Services Institute, Inc.	Cooper	\$1,000
Island Harvest	Horsley	\$6,000
Jericho Elementary School PTA	Muratore	\$1,000
League of Women Voters of Huntington	Stern	\$1,000

AGENCY	SPONSOR	AMOUNT
Long Island Gay and Lesbian Youth	Cooper	\$1,000
Long Island Latino Teachers Association	Montano	\$2,000
Middle Country Girls Youth Lacrosse Association, Inc.	Muratore	\$1,000
Nesconset Athletic Association	Kennedy	\$3,000
North Shore Holiday House	Cooper	\$1,000
North Shore Youth Council, Inc.	Anker	\$5,000
Parents for Megan's Law, Inc.	Anker	\$1,000
Parents for Megan's Law, Inc.	Stern	\$2,000
RESPONSE of Suffolk County	D'Amaro	\$1,000
Sachem Teen Center, Inc.	Muratore	\$1,000
Sayville Village Improvement Society	Lindsay	\$1,500
SeniorNet at Family Service League	Cooper	\$1,000
SeniorNet at Family Services League, LI Computer Learning	Stern	\$1,000
Shinnecock Senior Citizen Nutrition Program	Schneiderman	\$1,000
Smithtown Township Arts Council, Inc.	Nowick	\$3,000
St. Vincent De Paul Society	Nowick	\$3,000
Suffolk County Council-Veterans of Foreign Wars	Browning	\$1,500
Suffolk County Council-Veterans of Foreign Wars	Muratore	\$1,500
The Longwood Alliance	Anker	\$1,000
The Ministry for Hope Inc. d/b/a/ Hope House Ministries	Anker	\$1,000
Theatre Three	Viloria-Fisher	\$1,000
Training Orchestra, Inc.	Stern	\$1,500
VFW Post 10870	Kennedy	\$1,500
West Islip Public Library	Barraga	\$2,500
William F. Taylor VFW Post 9486	Kennedy	\$1,500

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. 29-2011, TO
AUTHORIZE A PUBLIC HEARING FOR TRANSFER TO
RETIREMENT RESERVE FUND**

WHEREAS, this Legislature will soon be begin the task of amending the 2012 Operating Budget proposed by the County Executive; and

WHEREAS, the deliberations over the 2012 Operating Budget promise to be extraordinarily difficult as the County needs to close a projected deficit that exceeds \$150 Million; and

WHEREAS, one of the biggest problems facing the County is the explosive growth in mandated payments to the New York State Retirement System; and

WHEREAS, the County has the option of transferring monies from the Tax Stabilization Reserve Fund to the Retirement Reserve Fund, for the purpose of meeting raising pension obligations; and

WHEREAS, all options must be open and available to the County Legislature as it prepares the 2012 Operating Budget; now, therefore, be it

1st RESOLVED, that pursuant to Section 6-r of the NEW YORK GENERAL MUNICIPAL LAW, a public hearing shall be held by the Suffolk County Legislature at 2:30 p.m. on October 11, 2011 at the Maxine S. Postal Auditorium, Evans K. Griffing Building, 300 Center Drive, Riverhead, NY 11901 upon the issue of transferring an amount not to exceed \$40 Million from the County's Tax Stabilization Reserve Fund to the Retirement Reserve Fund; and be it further

2nd RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the County's official newspapers, said publication to be made in each of such newspapers not less than fifteen (15) days before the day set herein for said public hearing. Such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the County Legislature of the County of Suffolk, New York will meet at the Maxine S. Postal Auditorium, Evans K. Griffing Building, 300 Center Drive, Riverhead, NY 11901 on the 11th day of October, 2011 at 2:30 p.m. for the purpose of conducting a public hearing upon the issue of transferring an amount not to exceed \$40 Million from the County's Tax Stabilization Reserve Fund (403) to the County's Retirement Reserve Fund (420).

DATED:

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

s:\procedural motions\pm-transfer-money-retirement-fund

Introduced by Presiding Officer Lindsay

Laid on Table 9/15/11

**MOTION NO. 30 - 2011, TECHNICAL CORRECTION TO
PROCEDURAL MOTION 23-2011**

WHEREAS, Procedural Motion 23-2011 contained a technical error misstating the amount of funding for a Community Support Initiative; now, therefore, be it

1st RESOLVED, that the first RESOLVED clause of Procedural Motion 23-2011 is hereby amended as follows:

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

<u>AGENCY</u>	<u>SPONSOR</u>	<u>AMOUNT</u>
	* * * *	
Holbrook Road PTA	Muratore	[\$1,350] <u>\$1,000</u>

* * * *

and be it further

2nd RESOLVED, that all other terms and provisions of Procedural Motion 23-2011 shall remain in full force and effect.

DATED:

**EFFECTIVE IMMEDIATELY PURSUANT TO SECTION 2-15 OF THE SUFFOLK
COUNTY CHARTER**