

2023
Introductory Resolution No. -2011

Laid on Table 11/22/11

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

RESOLUTION NO. -2011, AUTHORIZING THE SALES OF SURPLUS PROPERTY SOLD AT THE November 15, 2011 AUCTION PURSUANT TO LOCAL LAW 13-1976 AS PER EXHIBIT "A" (OMNIBUS RESOLUTION)

WHEREAS, in accordance with Suffolk County Local Law 13-1976, provision is made for disposition by Auction of certain County owned real property which is surplus to the needs of said County; and

WHEREAS, pursuant to Section 9 of said Local Law the Department of Environment and Energy, Division of Real Property Acquisition and Management, on November 15, 2011, offered at auction certain parcels at the minimum upset price set opposite their tax map designation and accepted the highest bid for such parcel set next to said respective upset prices as shown on listing annexed hereto and made a part hereof as Exhibit "A".

WHEREAS, pursuant to Section 11 of said Local Law 13-1976, the Department of Environment and Energy, Division of Real Property Acquisition and Management is authorized to deliver, by a Bargain and Sale Deed, without covenants or such deed as further restricted by the parcel listings in the auction booklet, any deeds which are the subject matter of said Local Law, subject to Legislative approval; and

WHEREAS, section A42-4[G] of the Suffolk County Administrative Code provides that the County Commissioner of Environment and Energy shall deliver to the County Legislature, in resolution for approval, a list of properties proposed to be sold, together with the bid price; and

WHEREAS, the Department of Environment and Energy, Division of Real Property Acquisition and Management, requests authority to execute a Bargain and Sale Deed, without Covenants, or such deed as further restricted by the parcel listing in the auction booklet, on the said designated parcels to the successful bidder thereon; now, therefore, be it

RESOLVED, that the said described parcels are surplus to the needs of Suffolk County; and be it further

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

RESOLVED, that the Director of the Department of Environment and Energy, Division of Real Property Acquisition and Management, be and hereby is authorized to execute and deliver a Bargain and Sale Deed, without Covenants, or such deed as further restricted by the parcel listing in the auction booklet, to each of the listed successful bidders for the tax map parcel, for the bid price set opposite their names, plus or minus usual closing adjustments;

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval: _____

November 16, 2011

Ken Crannell
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Resolution Authorizing the Sales of Surplus Property
Sold at the November 15, 2011 Auction
Local Law 13 Resolution Authorizing Sale of
Auctioned Properties as per Exhibit "A"
(Omnibus Resolution)

Dear Mr. Crannell:

We are pleased to enclose for your approval the original and one copy of the above proposed resolution with documentation pursuant to Local Law 13-1976 which authorizes the sale of County owned real estate.

At our November 15, 2011 auction we sold 94 parcels for \$2,958,010.00. Only four parcels did not sell. Three of which were residential homes subject to the 10 year restriction owner occupancy. The minimum total sales loss on said restriction was a \$230,000.00 upset value.

Please have the enclosed resolution introduced at the next meeting so that we may proceed with closings on these parcels sold at auction.

Very truly yours,

Pamela J. Greene, Director
Department of Environment and Energy
Division of Real Property
Acquisition and Management

PJG:WRT:slb

cc: Connie Corso, Budget Director
Brendan Chamberlain, County Executive Assistant (2 hard copies)
CE Reso Review, via e-mail

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

S U M M A R Y S T A T E M E N T

AUCTION SALES TO PRIVATE INDIVIDUALS AND CORPORATIONS
LOCAL LAW 13-1976

	<u>Amount</u>
County Investment	\$2,088,594.58

PURPOSE:

A. Affordable Housing	_____
B. Town Parks	_____
C. Road/Highway	_____
D. Drainage/Recharge Basin	_____
E. Other	<u> X </u>

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

WRT:slb

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

Resolution Title:

**TAX MAP NO.: RESOLUTION NO. -2011, AUTHORIZING THE
SALES OF SURPLUS PROPERTY SOLD AT THE
NOVEMBER 15, 2011 AUCTION PURSUANT
TO LOCAL LAW 13-1976 AS PER EXHIBIT "A"
(OMINUBUS RESOLUTION)**

Purpose/Justification of Request:

Local Law 13-1976

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 re-submittal:
 3. Is backup attached? Yes X No
 4. Is this resolution subject to SEQRA review? Yes___ No X
-

Fiscal Information:

Anticipated Revenue: \$ 2,958,010.00
County Investment: \$ 2,088,594.58
Statistics- sold 94 of 98 offered parcels. Four unsold parcels, three of which are subject to a 10 year owner occupancy- loss upset value of \$230,000.00 with a total investment of \$131,307.18.

Contact Person:
Wayne R. Thompson

Telephone Number:
(631) 853-5971

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

1. Type of Legislation

Resolution Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. _____ -2011, AUTHORIZING THE SALES OF SURPLUS
PROPERTY SOLD AT THE NOVEMBER 15, 2011 AUCTION PURSUANT
TO LOCAL LAW 13-1976 AS PER EXHIBIT "A"
(OMNIBUS RESOLUTION)

3. Purpose of Proposed Legislation

Approval of Auction Sales.

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

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

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

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

Reduced County tax burden.

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

Unknown

8. Proposed Source of Funding

Not applicable.

9. Timing of Impact

2012

10. Typed Name & Title of Preparer

Signature of Preparer

Date

Wayne R. Thompson
Property Manager

Intro. Res. No 2024-11
Introduced by the Presiding Officer on request of County Executive

Laid on Table 11/22/11

**RESOLUTION NO. _____, APPROVING THE
REAPPOINTMENT OF RABBI STEVEN A. MOSS AS CHAIR OF THE
SUFFOLK COUNTY HUMAN RIGHTS COMMISSION.**

WHEREAS, the term of office as Chair of the Suffolk County Human Rights Commission has expired now therefore be it

RESOLVED, that the reappointment of Rabbi Steven A. Moss as the Chair of the Suffolk County Human Rights Commission, for a term of office expiring November, 2012, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Chapter 89-4A of the Suffolk County Code.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Intro. Reso. No. 2025-11
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 11/22/11

RESOLUTION NO. -2011, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$28,900 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE ATF TASK FORCE WITH 81.53% SUPPORT.

WHEREAS, the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives has made available \$28,900 in Federal funding to Suffolk County for participation of the Suffolk County Police Department in the ATF Task Force; and

WHEREAS, said project is part of a multi-agency task force designed to assist ATF in investigations and enforcement of Federal, State, and Local Laws; and

WHEREAS, the operational period of the Program is from October 1, 2011 through September 30, 2012; and

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

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

REVENUE:	<u>Amount</u>
001-4363-Federal Aid: ATF Task Force FFY12	\$28,900
ORGANIZATIONS:	
	Police Department (POL)
	ATF Task Force FFY12
	001-POL-3679
<u>1000-Personal Services</u>	<u>\$28,900</u>
1120-Overtime Salaries	28,900

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately \$6,546 associated with the overtime salaries for this program are included in the 2011 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

MEMORANDUM

**TO: Ken Crannell, Deputy County Executive
Suffolk County Executive's Office**

**FROM: Edward Webber, Chief of Support Services
Suffolk County Police Department**

DATE: November 14, 2011

**SUBJECT: Resolution Packets & SCIN Forms for
The Bureau of Alcohol, Tobacco, Firearms and Explosives'
ATF Task Force FFY12 Reimbursement Program
Agreement # 12-NYC-142-AFF**

Attached please find two copies of the following for the **ATF Task Force FFY12** program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Memorandum of Agreement between the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Suffolk County Police Department and the funding document for the 2011-2012 fiscal year.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

We are not requesting a CN, but would appreciate it if this resolution could be put on the agenda for the November 22, 2011 meeting as a late starter. Unfortunately, we did not receive the funding obligation document in time to prepare and submit the resolution prior to the October 21, 2011 deadline. We will be unable to charge back any overtime incurred during 2011 pursuant to this program, if the resolution is not passed during the 2011 year. Thank you very much for your consideration of this request.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601

Thank you as always for your assistance with this project.

EW/sck

Att.

cc: Evelyn Creen, Senior Federal & State Aid Claims Examiner
Christopher Kent, Chief Deputy County Executive

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

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Resolution

Accepting & appropriating Federal funding in the amount of \$28,900 from the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, for the Suffolk County Police Department's participation in the ATF Task Force with 81.53% support.

3. Purpose of Proposed Legislation

To accept \$28,900 from the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives for the Suffolk County Police Department's participation in the ATF Task Force FFY12.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

Non-reimbursable employee fringe benefit costs of approximately \$6,546 will be incurred through September 30, 2012. Additional costs will only be incurred if the program receives funding in subsequent years.

8. Proposed Source of Funding

The United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives.

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date

Susan C. Krause
Grants Technician

11/14/11

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 11/14/11
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980	
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION	
1. Grant Title: ATF Task Force FFY12	
2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)) P.L. 112-36, Continuing Appropriations Act, 2012, U. S. Department of Justice, Administered by the Bureau of Alcohol, Tobacco, Firearms and Explosives	
3. Grant/Contract Status (Check One Box) A. <input type="checkbox"/> New Program Application B. <input checked="" type="checkbox"/> Renewal Application C. <input type="checkbox"/> Supplemental (Specify) _____ D. <input type="checkbox"/> Extension of Funding Period E. <input type="checkbox"/> Contract	
4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.) This funding will provide reimbursement for the Suffolk County Police Department's participation in the AFT Task Force Operation.	
5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)	

II. BUDGET INFORMATION	
-------------------------------	--

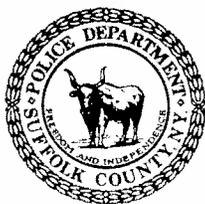
1. Term of Contract	From: 10/1/11	To: 09/30/12
---------------------	---------------	--------------

2. Financial Assistance Requested						
SOURCE	SECOND FUNDING CYCLE Additional Award		THIRD FUNDING CYCLE		FOURTH FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$20,263.99	83.37%	\$22,483.67	83.37%	\$28,900	81.53%
State	\$		\$			
Private	\$		\$			
County	\$4,043	16.63%	\$4,485	16.63%	\$6,546	18.47%
Total	\$24,306.99	100%	\$26,968.67	100%	\$35,446	100%

3. Explanation of Requested County Financial Assistance			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$6,546	\$	\$6,546
A. Cash Contribution	\$6,546	\$	\$6,546
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X YES	NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).			
N/A			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved _____	2. Signature of Coordinator	3. Date
	Disapproved _____		
4. Comments			
5. Budget Office Review:	Approved _____	6. Signature of Budget Director	7. Date
	Disapproved _____		
8. Comments			

GRANT BUDGET ANALYSIS		COUNTY BUDGET YEAR 2011			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS	
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	28,900.00 28,900.00				
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles & Motorcycles 2070 Cameras and Photographic 2500 Other Equip Not Otherwise					
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment					
4000 UTILITIES: 4010 Telephone & Telegraph					
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts					

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: Ken Crannell, Deputy County Executive
Suffolk County Executive's Office

FROM: Richard Dormer, Police Commissioner 

DATE: November 9, 2011

SUBJECT: INTRODUCTORY RESOLUTION REQUEST

Per the 2011 Adopted Capital Budget, the Police Department requests again the introduction of a resolution to appropriate funds in connection with the planning and maintenance of Yaphank Tower under Capital Project No. 3239.

Copies of a draft resolution, impact statement and introduction form were previously submitted. An e-mail version was also previously sent to CE RESO REVIEW under the titles "Reso-POL-C.P. 3239-2011"; "Backup-POL-C.P. 3239-SCIN 175A"; "Backup-POL-C.P. 3239-SCIN 175B"; and "Back-up POL-C.P. 3239-cover letter-2011.

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

/ms
Att.

cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations
Roger K. Shannon, Deputy Police Commissioner
Robert Anthony Moore, Chief of Department
Edward Webber, Chief, Support Services Division
James Connell, Captain, C.O., Communications, Records & Data Bureau
Mark Fisher, Lieutenant, C.O., Communications Section
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau

ACCREDITED LAW ENFORCEMENT AGENCY

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



2026

Intro. Res. No. - 2011

Laid on the Table 11/22/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE REPAIR OF THE JETTIES AND/OR THE DREDGING OF MOUNT SINAI HARBOR, TOWN OF BROOKHAVEN (CP 5200)

WHEREAS, the Commissioner of Public Works has requested funds for site improvements in connection with the Repair of the Jetties and/or the Dredging of Mount Sinai Harbor; and

WHEREAS, sufficient funds are not included in the 2011 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

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

WHEREAS, as the New York State Department of Environmental Conservation is the SEQRA lead agency for all dredging project, this project is not reviewed by the Suffolk County Council on Environmental Quality; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$2,100,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Repair of the Jetties and/or the Dredging of Mount Sinai Harbor, pursuant to Section C8-2 (F) of the Suffolk County Charter; and be it further

3rd RESOLVED, that the 2011 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 1737
Project Title: Replacement of Major Buildings Operations Equipment at Various County Facilities

	Total Est'd Cost	Current 2011 Capital Budget & Program	Revised 2011 Capital Budget & Program
3. Construction	<u>\$3,350,000</u>	<u>\$450,000B</u>	<u>\$350,000B</u>
TOTAL	\$3,565,000	\$450,000	\$350,000

Project No.: 1760
 Project Title: Elevator Controls and Safety Upgrading at Various County Facilities

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
3. Construction	<u>\$2,395,000</u>	<u>\$450,000B</u>	<u>\$250,000B</u>
TOTAL	\$2,395,000	\$450,000	\$250,000

Project No.: 3301
 Project Title: Safety Improvements at Various Intersections

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
3. Construction	<u>\$4,875,000</u>	<u>\$100,000B</u>	<u>\$0</u>
TOTAL	\$12,337,000	\$500,000	\$400,000

Project No.: 5048
 Project Title: Construction and Rehabilitation of Highway Maintenance Facilities

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
3. Construction	<u>\$3,974,500</u>	<u>\$362,250B</u>	<u>\$262,250B</u>
TOTAL	\$4,214,500	\$362,250	\$262,250

Project No.: 5138
 Project Title: Safety Improvements to CR 21, Main Street in Yaphank

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
3. Construction	<u>\$500,000</u>	<u>\$600,000B</u>	<u>\$500,000B</u>
TOTAL	\$500,000	\$600,000	\$500,000

Project No.: 5548
 Project Title: Reconstruction of CR 83, Patchogue-Mt. Sinai Rd, Town of Brookhaven

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
2. Land Acquisition	<u>\$1,500,000</u>	<u>\$50,000B</u>	<u>\$0</u>
TOTAL	\$4,900,000	\$50,000	\$0

Project No.: 5554
 Project Title: improvements to CR 85, Montauk Highway at Atlantic Street

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
2. Land Acquisition	\$15,000	\$10,000B	\$0
3. Construction	<u>\$0</u>	<u>\$50,000B</u>	<u>\$0</u>
TOTAL	\$15,000	\$60,000	\$0

Project No.: 5565
 Project Title: Sagtikos Corridor

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
3. Construction	<u>\$1,500,000</u>	<u>\$1,000,000B</u>	<u>\$200,000B</u>
TOTAL	\$1,850,000	\$1,300,000	\$500,000

Project No.: 5651
 Project Title: Purchase of Signs and Street Furniture

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
1. Planning	\$151,965	\$3,859B	\$1,109B
5. Equipment	<u>\$1,908,625</u>	<u>\$47,250B</u>	<u>\$0</u>
TOTAL	\$2,060,591	\$511,088	\$461,088

Project No.: 5658
 Project Title: Purchase of Public Transit Vehicles

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
5. Equipment	\$ <u>50,369,557</u>	\$ <u>561,526B</u>	\$ <u>161,526B</u>
TOTAL	\$50,369,557	\$5,615,254B	\$5,215,254

Project No.: 8730
 Project Title: Restoration of Wetlands

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
1. Planning	\$ <u>784,000</u>	\$ <u>141,000B</u>	\$ <u>1,000B</u>
TOTAL	\$784,000	\$141,000	\$1,000

Project No.: 5200
 Project Title: Repair of the Jetties and/or the Dredging of Mount Sinai Harbor

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
4. Site Improvements	\$ <u>31,580,000</u>	\$ <u>1,500,000B</u>	\$ <u>3,600,000B</u>
TOTAL	\$35,920,000	\$1,700,000	\$3,800,000

and be it further

5th RESOLVED, that the proceeds of \$2,100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5200.445 (Fund 001 Debt Service)	50	Repair of the Jetties and/or the Dredging of Mount Sinai Harbor, Town of Brookhaven	\$2,100,000

Dated:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. 2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE REPAIR OF THE JETTIES AND/OR THE DREDGING OF MOUNT SINAI HARBOR, TOWN OF BROOKHAVEN (CP 5200)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 3rd, 2011

SCIN FORM 175b (10/95)

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

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$211,367	\$0.38		\$0.001

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$211,367	\$0.39		\$0.001

NOTES:

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

Suffolk County
General Obligation Serial Bonds
Level Debt

Term of Bonds Amount to Bond:					
Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2012		\$133,155.47	\$78,211.74	\$211,367.22	\$211,367.22
			\$37,023.01	\$37,023.01	
11/1/2013		\$137,321.20	\$37,023.01	\$174,344.21	\$211,367.22
			\$34,874.98	\$34,874.98	
11/1/2014		\$141,617.26	\$34,874.98	\$176,492.24	\$211,367.22
			\$32,659.76	\$32,659.76	
11/1/2015		\$146,047.71	\$32,659.76	\$178,707.46	\$211,367.22
			\$30,375.23	\$30,375.23	
11/1/2016		\$150,616.77	\$30,375.23	\$180,991.99	\$211,367.22
			\$28,019.23	\$28,019.23	
11/1/2017		\$155,328.77	\$28,019.23	\$183,347.99	\$211,367.22
			\$25,589.52	\$25,589.52	
11/1/2018		\$160,188.18	\$25,589.52	\$185,777.70	\$211,367.22
			\$23,083.80	\$23,083.80	
11/1/2019		\$165,199.62	\$23,083.80	\$188,283.42	\$211,367.22
			\$20,499.69	\$20,499.69	
11/1/2020		\$170,367.84	\$20,499.69	\$190,867.53	\$211,367.22
			\$17,834.74	\$17,834.74	
11/1/2021		\$175,697.75	\$17,834.74	\$193,532.48	\$211,367.22
			\$15,086.41	\$15,086.41	
11/1/2022		\$181,194.40	\$15,086.41	\$196,280.81	\$211,367.22
			\$12,252.10	\$12,252.10	
11/1/2023		\$186,863.01	\$12,252.10	\$199,115.11	\$211,367.22
			\$9,329.13	\$9,329.13	
11/1/2024		\$192,708.96	\$9,329.13	\$202,038.09	\$211,367.22
			\$6,314.71	\$6,314.71	
11/1/2025		\$198,737.80	\$6,314.71	\$205,052.51	\$211,367.22
			\$3,205.98	\$3,205.98	
11/1/2026		\$204,955.26	\$3,205.98	\$208,161.24	\$211,367.22
		\$2,500,000.00	\$670,508.30	\$3,170,508.30	\$3,170,508.30

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES PETERMAN, P.E.
ACTING CHIEF DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

FROM: James K. Peterman, P.E., Acting Chief Deputy Commissioner 

DATE: November 14, 2011

RE: **Appropriating Funds in Connection with the County Share for the Repair of the Jetties and/or the Dredging of Mount Sinai Harbor, Town of Brookhaven (CP 5200)**

Attached is a draft resolution and duplicate copy to appropriate the sum of \$2,100,000 for construction in connection with the above referenced project. There are insufficient funds included in the 2011 Capital Budget and Program for this project and, as such, an offset must be provided.

It is our intent to utilize CP 1737 - Replacement of Equipment at Various County Facilities (\$100,000) - there are no major equipment replacements at this time; CP 1760 - Elevator Controls and Safety Upgrading at Various County Facilities (\$200,000) - there are no elevator control replacements or upgrading at this time; CP 3301 - Safety Improvements at Various Intersections (\$100,000) - we will be able to fund safety improvements with existing funds; CP 5048 - Construction/Rehabilitation of Highway Maintenance Facilities (\$100,000) - construction/rehabilitation of highway maintenance facilities are not required at this time; CP 5138 - Safety Improvements to CR 21, Main Street in Yaphank (\$100,000) - these funds are not needed at this time; CP 5548 - Right-of-Way Acquisition for CR 83, Patchogue-Mt Sinai Road (\$50,000) - the Department is not ready to proceed with acquisition of property at this time; CP 5554 - Right-of-Way Acquisition for CR 85, Montauk Hwy @ Atlantic St (\$10,000) - the Department is not ready to proceed with acquisition of property at this time; CP 5554 - Construction for CR 85, Montauk Hwy @ Atlantic St (\$50,000) - as acquisition of property is required before construction, the Department is not ready to proceed with construction at this time; CP 5565 - Sagtikos Corridor (\$800,000) - these funds are not needed at this time; CP 5651 - Purchase of Signs and Street Furniture (\$50,000) - there are no signs or street furniture purchases required at this time; CP 5658 - Purchase of Public Transit Vehicles (\$400,000) - there are no purchase of transit vehicles at this time; CP 8730 - Restoration of Wetlands (\$140,000) - there are no restoration of wetlands projects at this time.

The jetties at Mount Sinai Harbor that are owned by the Town of Brookhaven have failed and permit sand to readily enter the harbor. The frequency in which Suffolk County has had to dredge this harbor to maintain safe navigation for the boating public has increased from once every 10 to 12

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

years to once every 4 to 5 years. Both Suffolk County and the Town of Brookhaven desire to repair the jetties to limit the flow of sand into the harbor, reducing the frequency of dredging, and will partner on this project. The overall cost of the project will likely range from \$6,000,000 to \$8,000,000. This funding will provide the County's share for a combination of jetty repair and/or dredging of the navigational channel. The Town expects to progress this project in 2012.

As the New York State Department of Environmental Conservation is SEQRA lead agency for all dredging projects, this project is not reviewed by the Suffolk County Council on Environmental Quality.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP5200(Cty Share Mt Sinai Harbor).doc".

JKP/WH/td
attach.

cc: Brendan Chamberlain, County Executive Assistant
Nick Paglia, Assistant Executive Analyst
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Kathy LaGuardia, Capital Accounting
Michael Monaghan, P.E., Chief Engineer, Facilities Engineering
Craig Rhodes, Director of Buildings Operations and Maintenance
Garry Lenberger, Acting Director of Transportation
Frank Castelli, Director, Water Quality Improvement Division, Dept. of Energy & Environment
Robert Murphy, Public Works Capital Project Manager
Theresa D'Angelo, Principal Clerk

Intro. Reso. No. **2027-11**
Introduced by the Presiding Officer on request of the County Executive

Laid on Table

11/22/11

**RESOLUTION NO. -2011, APPROPRIATING FUNDS
IN CONNECTION WITH THE PURCHASE OF
MARINE BUREAU DIESEL ENGINES (CP 3198)**

WHEREAS, the Police Commissioner has requested funds to purchase diesel propulsion engines used in the Marine Bureau's thirty eight foot patrol boats; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said purchase under Capital Project No. 3198; and

WHEREAS, Resolution No. 471-1994, as amended by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2011 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$104,112 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conversation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5(c)(25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is determined that this program with a priority ranking of fifty-two (52) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$104,112 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3198.510 (Fund 115-Debt Service)	07	Purchase of Marine Bureau Diesel Engines	\$104,112

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2011, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF MARINE BUREAU DIESEL ENGINES (CP 3198)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 7th, 2011

SCIN FORM 175b (10/95)

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$22,733	\$0.05		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$22,733	\$0.04		\$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.

Suffolk County
 General Obligation Serial Bonds
 Level Debt

Term of Bonds 5
 Amount to Bond: \$104,112

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$19,609.97	\$3,123.36	\$22,733.33	\$22,733.33
			\$1,267.53	\$1,267.53	
11/1/2013	3.000%	\$20,198.27	\$1,267.53	\$21,465.80	\$22,733.33
			\$964.56	\$964.56	
11/1/2014	3.000%	\$20,804.22	\$964.56	\$21,768.77	\$22,733.33
			\$652.49	\$652.49	
11/1/2015	3.000%	\$21,428.34	\$652.49	\$22,080.84	\$22,733.33
			\$331.07	\$331.07	
11/1/2016	3.000%	\$22,071.20	\$331.07	\$22,402.26	\$22,733.33
		\$104,112.00	\$9,554.66	\$113,666.66	\$113,666.66

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

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

Submitting Department
(Dept. Name & Location)

Department Contact Person
(Name & Phone No.)

Police Dept.
Yaphank

Patricia E. Sitler
Principal Program Examiner
852-6504

Suggestion Involves:

Technical Amendment

New Program

Grant Award

Contract (New__ Rev.__)

Explanation of Proposed Resolution

This resolution provides funds for the purchase of diesel propulsion engines used in the Marine Bureau's 38 foot patrol boats.

Summary of Resolution Benefits

COUNTY OF SUFFOLK



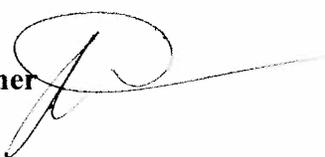
STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: Ken Crannell, Deputy County Executive
Suffolk County Executive's Office

FROM: Richard Dormer, Police Commissioner 

DATE: November 9, 2011

SUBJECT: INTRODUCTORY RESOLUTION REQUEST

Per the 2011 Adopted Capital Budget, the Police Department requests again the introduction of a resolution to appropriate funds in connection with the purchase of diesel propulsion engines for Marine Bureau under Capital Project No. 3198.

Copies of a draft resolution, impact statement and introduction form were previously submitted. An e-mail version was also previously sent to CE RESO REVIEW under the titles "Reso-POL-C.P. 3198-2011"; "Backup-POL-C.P. 3198-SCIN 175A"; "Backup-POL-C.P. 3198-SCIN 175B"; and "Back-up POL-C.P. 3198-cover letter-2011.

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

/ms
Att.

cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations
Roger K. Shannon, Deputy Police Commissioner
Robert Anthony Moore, Chief of Department
Edward Webber, Chief, Support Services Division
Harold Jantzen, Deputy Inspector, C.O., Marine Bureau
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau



ACCREDITED LAW ENFORCEMENT AGENCY

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



Intro. Reso. No. 2028-11

Laid on Table 11/22/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011 AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE REPAIR OF YAPHANK TOWER (CP 3239)

WHEREAS, the Police Commissioner has requested funds for planning and repair of the Yaphank tower site; and

WHEREAS, this tower site is used by federal agencies and local public safety including the police communications and the microwave network system, as well as Fire, Rescue and Emergency Service and volunteer fire departments; and

WHEREAS, there are sufficient funds within the 2011 Capital Budget and Program to cover the cost of said planning and repair under Capital Project No. 3239; and

WHEREAS, Resolution No. 471-1994, as amended by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2011 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$572,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2)(21) and (25) since it involves rehabilitation of an existing structure with no substantial changes as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is determined that this program with a priority ranking of fifty-two (52) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2011 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 3239
Project Title: Repair of the Yaphank Tower

	Current 2011 Capital Budget & Program	Revised 2011 Capital Budget & Program
Total Est'd <u>Cost</u>		

1. Planning	\$52,000	\$52,000B	\$52,000B
3. Construction	\$520,000	\$0	\$520,000B
5. Equipment	\$0	<u>\$520,000B</u>	<u>\$0</u>
TOTAL	\$572,000	\$572,000	\$572,000

and be it further

4th RESOLVED, that the proceeds of \$572,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3239.110 (Fund 001-Debt Service)	21	Repair of Yaphank Tower-- Planning	\$ 52,000
525-CAP-3239.310 (Fund 001-Debt Service)	21	Repair of Yaphank Tower-- Equipment	\$520,000

DATED:

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 <u> </u>		
2. Title of Proposed Legislation RESOLUTION NO. -2011 APPROPRIATING FUNDS IN CONNECTION WITH THE REPAIR OF YAPHANK TOWER (CP 3239)		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding SERIAL BONDS		
9. Timing of Impact 2012		
10. Typed Name & Title of Preparer Nicholas E. Paglia Jr. Asst Executive Analyst	11. Signature of Preparer 	12. Date November 7th, 2011

SCIN FORM 175b (10/95)

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

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$67,296	\$0.12		\$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$67,296	\$0.12		\$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.

Suffolk County
General Obligation Serial Bonds
Level Debt

Term of Bonds 10
Amount to Bond: \$572,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2011					
11/1/2012	3.000%	\$49,734.91	\$17,561.18	\$67,296.09	\$67,296.09
			\$8,017.13	\$8,017.13	
11/1/2013	3.000%	\$51,261.83	\$8,017.13	\$59,278.96	\$67,296.09
			\$7,230.22	\$7,230.22	
11/1/2014	3.000%	\$52,835.64	\$7,230.22	\$60,065.86	\$67,296.09
			\$6,419.16	\$6,419.16	
11/1/2015	3.000%	\$54,457.77	\$6,419.16	\$60,876.93	\$67,296.09
			\$5,583.19	\$5,583.19	
11/1/2016	3.000%	\$56,129.70	\$5,583.19	\$61,712.89	\$67,296.09
			\$4,721.57	\$4,721.57	
11/1/2017	3.000%	\$57,852.96	\$4,721.57	\$62,574.52	\$67,296.09
			\$3,833.48	\$3,833.48	
11/1/2018	3.000%	\$59,629.12	\$3,833.48	\$63,462.60	\$67,296.09
			\$2,918.14	\$2,918.14	
11/1/2019	3.000%	\$61,459.82	\$2,918.14	\$64,377.95	\$67,296.09
			\$1,974.69	\$1,974.69	
11/1/2020	3.000%	\$63,346.72	\$1,974.69	\$65,321.40	\$67,296.09
			\$1,002.27	\$1,002.27	
11/1/2021	3.000%	\$65,291.55	\$1,002.27	\$66,293.82	\$67,296.09
		\$572,000.00	\$100,960.86	\$672,960.86	\$672,960.86

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

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

Submitting Department
(Dept. Name & Location)

Department Contact Person
(Name & Phone No.)

Police Dept.
Yaphank

Patricia E. Sitler
Principal Program Examiner
852-6504

Suggestion Involves:

Technical Amendment

New Program

Grant Award

Contract (New__ Rev.__)

Explanation of Proposed Resolution

This resolution provides funds for the planning and maintenance of the Yaphank Tower for the Police Department.

Summary of Resolution Benefits

2029

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

Laid on Table 11/22/11

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO.
-2011, A LOCAL LAW TO PROTECT AIR QUALITY IN
SUFFOLK COUNTY**

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 PROTECT AIR QUALITY IN SUFFOLK COUNTY**" 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 PROTECT AIR QUALITY IN SUFFOLK COUNTY

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 Suffolk County is a leader in environmental protection and has several programs to protect soil and groundwater from contamination.

This Legislature also finds and determines that air pollution is another environmental issue that can impact the health and safety of County residents and may also contaminate soil and groundwater.

This Legislature further finds and determines that concerns have been raised that business and government entities may be discharging polluting chemicals, including barium, sulfur, salts, and aluminum oxide, into the air, which may impact weather and other environmental elements.

This Legislature finds that such particulates eventually fall from the atmosphere, exposing the public to these air pollutants and, upon landing, may contaminate soil and water.

This Legislature determines that County residents may be exposed to these chemicals while they are in the atmosphere, which can cause respiratory and other health problems.

This Legislature also finds that, to protect County residents from potential harm, any person who plans to discharge these chemicals into the airspace over Suffolk County should first file an Environmental Impact Statement with and receive approval from the Department of Health Services, Division of Environmental Quality.

Therefore, the purpose of this law is to require any person who plans to discharge sulfur, barium, salts or aluminum oxide into the airspace above the County of Suffolk to file a complete Environmental Impact Statement with the County prior to taking such action.

Section 2. Definitions.

As used in this law, the following terms shall have the meanings indicated:

“PERSON” shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business of any kind.

Section 3. Requirements.

Any person who plans to discharge sulfur, barium, salts or aluminum oxide into the airspace above the County of Suffolk must file a completed environmental impact form, as established in Section 4 of this law, with the Suffolk County Department of Health Services, Division of Environmental Quality and with the Clerk of the Suffolk County Legislature and receive the approval of the Division of Environmental Quality prior to engaging in such discharge.

Section 4. Form Established.

The Department of Health Services, Division of Environmental Quality is hereby authorized, empowered and directed to develop an environmental impact form to be used by persons wishing to discharge sulfur, barium, salts or aluminum oxide into the airspace above the County of Suffolk. Such form shall require applicants to detail the nature and purpose of their proposed discharge and any potential environmental and/or public health impacts that may result from such discharge.

Section 5. Exemption.

The requirements set forth in this law shall not apply to any person engaging in aerosol spraying for agricultural or vector control purposes.

Section 6. Penalties.

- A. Any person who violates any provision of this law shall be liable for a civil penalty of up to \$2,500 for an initial violation, with a fine of \$5,000 for each subsequent violation.
- B. Any civil penalty may only be assessed by the Commissioner of Health Services following a hearing and opportunity for an alleged violator to be heard.

Section 7. Rules and Regulations.

The Commissioner of the County Department of Health Services is hereby authorized and empowered to issue and promulgate such rules and regulations as he or she deems necessary to implement and carry out the provisions of this law.

Section 8. Applicability.

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

Section 9. 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 10. 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 11. 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-air quality chemtrails

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: November 21, 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 PROTECT AIR QUALITY IN SUFFOLK COUNTY

SPONSOR: LEGISLATOR ROMAINE

DATE OF RECEIPT BY COUNSEL: 11/21/11 PUBLIC HEARING: 12/6/11

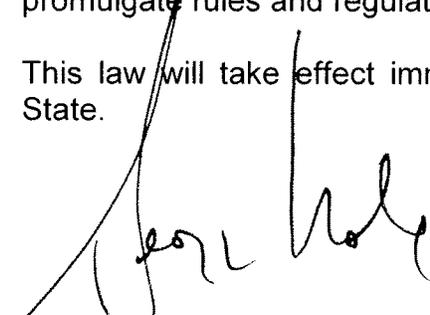
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law would require persons and entities which plan to discharge sulfur, barium, salts or aluminum oxide into the airspace above Suffolk County to file a completed environmental impact form with the Department of Health Services, Division of Environmental Quality ("Division") and the Clerk of the Legislature. The Division will develop the required form and approve all submitted applications prior to the discharge of such materials.

This local law will not apply to persons or entities engaging in aerosol spraying for agricultural or vector control purposes.

Violators of this law shall be subject to a civil penalty of up to \$2,500 for an initial violation, with a penalty of up to \$5,000 for each subsequent violation. Civil penalties will be assessed by the Commissioner of the Department of Health Services following a hearing. The Commissioner of the Department of Health Services is authorized to promulgate rules and regulations necessary for the implementation of this law.

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


GEORGE NOLAN
Counsel to the Legislature

GN:

2030

Intro. Res. No. -2011

Laid on Table

11/22/11

Introduced by Legislators Romaine, Kennedy, Nowick and Muratore

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW
NO. -2011, A CHARTER LAW TO IMPROVE THE
PROCESS FOR ADOPTING THE COUNTY'S OPERATING
BUDGET**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2011 a proposed local law entitled, "**A CHARTER LAW TO IMPROVE THE PROCESS FOR ADOPTING THE COUNTY'S OPERATING BUDGET**"; 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 IMPROVE THE PROCESS FOR ADOPTING THE
COUNTY'S OPERATING BUDGET**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the SUFFOLK COUNTY CHARTER requires the County Executive to present his or her budget to the County Legislature on or before the third Friday of September each year.

This Legislature further finds that the budget should be presented to the Legislature earlier to provide the Legislature with sufficient time to review the budget and draft amendments.

This Legislature finds that, pursuant to the SUFFOLK COUNTY CHARTER, the County Legislature is required to adopt an operating budget by November 10th each year.

This Legislature further finds that the County Legislature traditionally votes on budget amending resolutions the day after Election Day.

This Legislature determines that the County Legislature should adopt an operating budget prior to Election Day so that Suffolk residents know where their legislators stand on critical spending and taxing issues before they cast their votes.

Therefore, the purpose of this law is to change the County's budget timeline to ensure that the County Legislature adopts an operating budget prior to Election Day each year.

Section 2. Amendment.

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

Article IV, County Budget and Capital Program

* * * *

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

On or before noon on the third [Friday] Monday of September in each year, the County Executive shall submit to the County Legislature a proposed budget, consisting of a proposed expense budget and proposed capital budget for the ensuing year. The expense budget shall consist of two separate documents, as follows:

* * * *

§ C4-9. Public hearings on proposed budget.

- A. The County Legislature shall hold at least two public hearings on the proposed county budget not later than the [31st] 20th day of October in each year [or the 42nd day after the County Executive has actually submitted the proposed budget required by § C4-6 to the County Legislature, whichever is later]. The County Legislature shall have available for the public in advance of the hearings a reasonable number of copies of the tentative budget.

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

- A. Not [less] later than [10 days after public hearings required by § C4-9 and not later than the 10th day of November or the 52nd day after the County Executive has actually submitted the proposed budget required by § 4-6 to the County Legislature, whichever is later,] the day before Election Day of each year, the County Legislature shall adopt the proposed county budget consisting of an expense budget by voting to approve a separate mandated portion and a separate nonmandated portion, with or without amendment. If the County Legislature does not adopt a county budget on or before the [10th day of November or the 52nd day after the County Executive has actually submitted the proposed budget required by § C4-6 to the County Legislature, whichever is later,] day before Election Day, the proposed county budget shall be deemed adopted as submitted. The Suffolk County Legislature's Budget Review Office shall prepare budgetary and financial forecasts of cost to continue expenditures and revenues for major omnibus-type budget amending resolutions for the following year.

* * * *

Section 3. Applicability.

This law shall apply to all operating budgets adopted on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\cl-adopt operating budget prior to election day

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: November 21, 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 IMPROVE THE PROCESS FOR ADOPTING THE COUNTY'S OPERATING BUDGET

SPONSOR: LEGISLATOR ROMAINE

DATE OF RECEIPT BY COUNSEL: 11/21/11 PUBLIC HEARING: 12/6/11

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

This proposed Charter law would amend Article IV of the SUFFOLK COUNTY CHARTER to change the date by which the County Executive must present and the Legislature must adopt an operating budget each year.

Currently, the County Executive must present his recommended operating budget to the Legislature by the third Friday of September of each year. This law will move the County Executive's deadline up to noon on the third Monday of September. This law will also require the County Legislature to hold its required budget public hearings by October 20th of each year; currently hearings must be held by October 31st.

This law will also require the Legislature vote to adopt an operating budget no later than the day before Election Day each year. Presently, the Charter requires the Legislature to adopt an operating budget by November 10th.

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

A handwritten signature in black ink, appearing to read "George Nolan".

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-operating budget romaine

2031

Intro. Res. No. -2011

Laid on Table 11/22/11

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Vilorio-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick and Schneiderman

RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO INCREASE TAX MAP VERIFICATION FEES

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 INCREASE TAX MAP VERIFICATION FEES**" 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 INCREASE TAX MAP VERIFICATION FEES

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 2012 Operating Budget includes revenue from increased tax map verification fees charged by the County Clerk.

Therefore, the purpose of this law is increase tax map verification fees to offset administration expenses in the Office of the County Clerk.

Section 2. Amendments.

Section A18-3 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

§ A18-3. Verified identification numbers required no all instruments filed pertaining to title of land.

G. The Director of the Real Property Tax Service Agency is entitled, for the verification of Tax Map numbers upon instruments presented for recording or filing, to [the following] a fee of \$60.00 per parcel, payable to the County Clerk at the time of recording or filing. For each temporary or dummy number assigned, the fees will be charged as outlined in Subsections C(1) and (2) above.

- (1) [Where the instrument refers to but one identifiable parcel and one parcel number is endorsed: \$30.
- (2) For each additional parcel, up to \$20.00 for each such parcel, up to a total dollar amount not to exceed \$1,400.

(3) For each temporary or dummy number assigned, the fees will be charged as outlined in Subsection C(1) and (2) above.]

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



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

DATE: NOVEMBER 21, 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 INCREASE TAX MAP VERIFICATION FEES

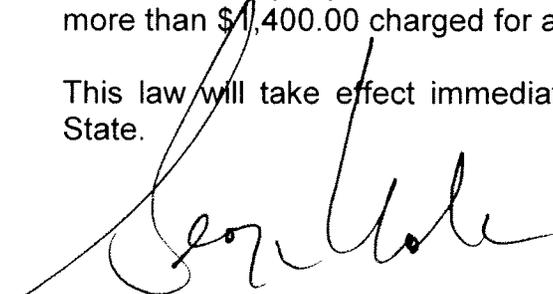
SPONSOR: PRESIDING OFFICER LINDSAY, DEPUTY PRESIDING OFFICER VILORIA-FISHER, AND
LEGISLATORS COOPER, GREGORY, KENNEDY, MONTANO, NOWICK AND
SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 11/21/2011 PUBLIC HEARING: 12/6/2011

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

In accordance with the 2012 Operating Budget, this proposed local law would amend § A18-3 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to increase the fee the Real Property Tax Service Agency charges for the verification of Tax Map numbers from \$30.00 to \$60.00 for any parcel. This local law will also eliminates the discounted rate of \$20.00 per parcel for additional parcels. Said discount presently has a cap of no more than \$1,400.00 charged for additional parcels, which will also be eliminated.

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-increase-tax-map-verification-fee

2032

11/22/11

Intro. Res. No. -2011 Laid on Table
Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Viloría-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick and Schneiderman

RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO INCREASE MEDICAL EXAMINER FEES

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 INCREASE MEDICAL EXAMINER FEES**" 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 INCREASE MEDICAL EXAMINER FEES

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines the 2012 Operating Budget authorizes the Chief Medical Examiner, in cooperation and consultation with the Commissioner of Health Services, to increase the County's cremation clearance fees from \$30.00 to \$60.00 to offset the Department's administrative expenses.

This Legislature also finds and determines that cremation clearance fees are established in § A9-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

Therefore, the purpose of this law is amend § A9-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to increase cremation clearance fees from \$30.00 to \$60.00.

Section 2. Amendments.

Section A9-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

§ A9-2. Organization of Department; powers and duties of Divisions.

The Department shall have the following divisions, which shall have the powers and duties enumerated herein:

D. Division of Medical-Legal Investigations and Forensic Sciences.

(7) Records and Reports.

- (d) Each request for cremation approval from the Division of Medical-Legal Investigations and Forensic Sciences for which an application for a permit to cremate a body has been filed must be accompanied by a cremation approval fee in the amount of ~~[\$30]~~ \$60.00, which fee may be waived by the Commissioner of the County Department of Health Services where the relatives or other persons requesting the cremation approval are acting for a deceased recipient of public assistance or care, as defined in New York Social Services law § 141, and are unable to pay said amount.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-increase cremation fees

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: NOVEMBER 21, 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 INCREASE MEDICAL EXAMINER FEES

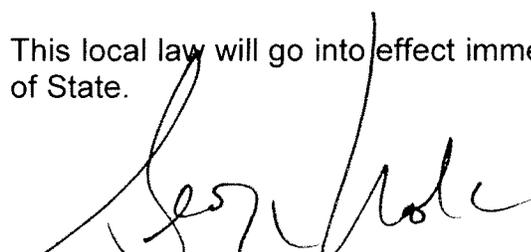
SPONSOR: PRESIDING OFFICER LINDSAY, DEPUTY PRESIDING OFFICER VILORIA-FISHER, AND LEGISLATORS COOPER, GREGORY, KENNEDY, MONTANO, NOWICK AND SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 11/21/2011 **PUBLIC HEARING:** 12/6/2011

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

This proposed local law would amend § A9-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE in accordance with the 2012 Operating Budget to increase the cremation clearance fee from \$30.00 to \$60.00.

This local law will go into effect immediately upon its filing in the Office of the Secretary of State.


GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-increase-cremation-fees

2033

Intro. Res. No. -2011

Laid on Table 11/22/11

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Vilorio-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick and Schneiderman

RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO INCREASE CERTAIN SUBSCRIPTION SERVICE FEES

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 INCREASE CERTAIN SUBSCRIPTION SERVICE FEES**" 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 INCREASE CERTAIN SUBSCRIPTION SERVICE FEES

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 2012 Operating Budget increases revenues generated by certain subscription service fees charged by the Real Property Tax Service Agency and the Suffolk County Clerk.

Therefore, the purpose of this law is to amend Chapter 767 of the SUFFOLK COUNTY CODE to increase certain subscription service fees charged by the Real Property Tax Service Agency and the County Clerk to offset their administration expenses.

Section 2. Amendments.

Chapter 767 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 767, SUBSCRIPTION SERVICE FEES

ARTICLE I, Access to Real Estate Information System Via Internet.

§ 767-2. Establishment of convenience fees.

A schedule of fees for Internet subscription services within the Suffolk County Real Property Tax Service Agency is hereby established as follows. The annual convenience fees described below shall be paid at the time of subscription. The annual subscriptions for access to AREIS via the Internet, authorized below, shall run on a term of one year from the commencement date of the subscription. Convenience fees to be charged municipalities, other than tax assessors, shall be a reduced fee from those listed below. Suffolk County's Town and Village Tax Assessors shall not be charged a fee for the below services.

A. Annual convenience fee for connection to Suffolk County Real Property Tax Service Agency's Advanced Real Estate Information System, AREIS, via the internet:

Detail

Fee

Access is for information via the Internet on parcel ownership and address, historic ownership information, tax map viewing and printing, and other information as it is made available, i.e., sales price

[\$2,500 per annum for unlimited AREIS viewing and printing for one user via the Internet; \$500 per annum for each additional user at the same location within the same firm, company or organization]

\$250 for access to information on East End towns, including the Towns of Southampton, Southold, Shelter Island, East Hampton, and Riverhead.

\$250 for access to Town of Brookhaven information.

\$250 for access to information on West End towns, including the Towns of Babylon, Huntington, Smithtown, and Islip.

\$500 for access to information on the entire County.

\$25 for each additional user at the same location within the same firm, company or organization.

ARTICLE II, On-Line Records of County Clerk.

§ 767-6. Establishment of fees.

A fee schedule for Internet access services, within the Office of the Suffolk County Clerk, is hereby established as follows:

A. The fee schedule established in this section shall be increased on an annual basis in the amount of 3% [or the increase in the Consumer Price Index for Urban Consumers (all items), or any successor index thereto, whichever is greater.]

Records/Service	Time Period	Fee
Lis Pendens access - All 10 towns	Annually	[\$2,500.00] <u>\$2,838.36</u>

	Monthly	[\$250.00] <u>\$283.84</u>
	Daily	[\$30.00] <u>\$34.06</u>
Land records search (with enhanced search capability)	Annually	[\$1,500.00] <u>\$1,703.02</u>
	Monthly	[\$150.00] <u>\$170.30</u>
	Daily	[\$30.00] <u>\$34.06</u>
Judgment, liens, miscellaneous	Annually	[\$3,000.00] <u>\$3,406.03</u>
	Monthly	[\$300.00] <u>\$340.60</u>
	Daily	[\$60.00] <u>\$68.12</u>
Uniform Commercial Codes (UCC)	Annually	[\$1,500.00] <u>\$1,703.02</u>
	Monthly	[\$150.00] <u>\$170.30</u>
	Daily	[\$30.00] <u>\$34.06</u>
Full subscription service Access to all on-line imaged material and indices (There will be a downloading fee of [\$0.65] <u>\$0.74</u> per page, per image.)	Annually	[\$6,000.00] <u>\$6,812.06</u>
Subdivision maps (images)	Annually	[\$2,000.00] <u>\$2,270.69</u>
	Monthly	[\$200.00] <u>\$227.07</u>

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies,

procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-subscription service fee increases

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: NOVEMBER 21, 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 INCREASE CERTAIN SUBSCRIPTION SERVICE FEES

SPONSOR: PRESIDING OFFICER LINDSAY, DEPUTY PRESIDING OFFICER VILORIA-FISHER, AND
LEGISLATORS COOPER, GREGORY, KENNEDY, MONTANO, NOWICK AND
SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 11/21/2011 PUBLIC HEARING: 12/6/2011
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law would amend Chapter 767 of the SUFFOLK COUNTY CODE to modify the subscription service fees charged by the Real Property Tax Service Agency in accordance with the 2012 Operating Budget.

The fees for the Real Property Tax Service Agency's internet subscription will be decreased from \$2,500.00 for unlimited viewing and printing to a tiered system. For \$250, a subscriber may access the information of one of the following three geographic regions: the 5 East End Towns, the Town of Brookhaven, the remaining 4 West End Towns. For \$500, a subscriber may access information for the entire County. The additional user fees for subscribing entities will also be decreased from \$500 per year to \$5 per year per additional user.

This local law will also update the current fees charged and change the calculation of fee increases for accessing online records systems. Currently, the price increases on an annual basis in the amount of 3% or the increase of the Consumer Price Index for Urban Consumers, whichever is greater. This law will remove the variation and call for a flat increase of 3% per year.

This local 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-subscription-service-fee-increases

2034

Intro. Res. No. -2011

Laid on Table

11/22/11

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Viloría-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick and Schneiderman

RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO INCREASE APPLICATION FEES TO THE SUFFOLK COUNTY PLANNING COMMISSION

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 INCREASE APPLICATION FEES TO THE SUFFOLK COUNTY PLANNING COMMISSION**" 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 INCREASE APPLICATION FEES TO THE SUFFOLK COUNTY PLANNING COMMISSION

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 Article 12-B of the New York General Municipal Law requires towns and villages to refer certain zoning, subdivision and planning-related actions to the Suffolk County Planning Commission.

This Legislature also finds and determines that The County of Suffolk, in accordance with state law, has adopted local laws requiring towns and villages to refer certain zoning, subdivision and planning matters to the Planning Commission. These laws are codified in Article 14 of the Suffolk County Administrative code.

This Legislature further finds and determines that Local Law 30-1991 authorized the Suffolk County Department of Planning to charge application fees in connection with certain applications for municipal zoning and subdivision actions referred to the Suffolk County Planning Commission.

This Legislature finds that the fee schedule established in the Administrative Code has not been updated since 1995.

This Legislature determines that the Department of Planning has conducted a review of fee schedules of other counties in the region and has proposed revisions to § A14-26 of the Suffolk County Administrative Code.

Therefore, the purpose of this law is to amend §A14-26 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to set a new fee schedule for the Planning Commission that is consistent with the fees charged by other counties.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-increase planning commission fees

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: NOVEMBER 16, 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 INCREASE APPLICATION FEES TO THE SUFFOLK COUNTY PLANNING COMMISSION

SPONSOR: PRESIDING OFFICER LINDSAY, DEPUTY PRESIDING OFFICER VILORIA-FISHER, AND LEGISLATORS COOPER, GREGORY, KENNEDY, MONTANO, NOWICK AND SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 11/16/2011 PUBLIC HEARING: 12/6/2011

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

This proposed local law would amend Article XIV of the SUFFOLK COUNTY ADMINISTRATIVE CODE to establish a new fee schedule for applications referred to the Suffolk County Planning Commission.

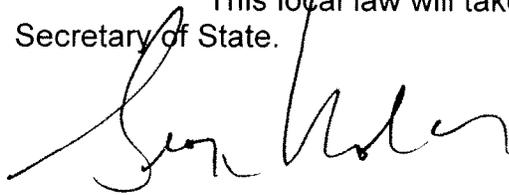
Currently, the fee for actions referred to the Planning Commission is \$100 plus \$10 for each acre, or fraction thereof, over 10 acres. This local law would set up a fee schedule based upon the type of action being reviewed. The fee schedule is as follows:

Referral Action:	Review Fee
Subdivision/residential	
Minor	\$50 per lot
Major	85 per lot
Condominium	50 per unit
Subdivision/non-residential	
Minor	\$55 per lot
Major	95 per lot
Attached unit projects (apartments)	\$50 per unit
Zoning Action	\$200 for first 5 acres + \$20/each additional acre
Change of zone	200 for first 5 acres + \$20/each additional acre
Site plan	200 for first 5 acres + \$20/each additional acre
Conditional Use	200 for first 5 acres + \$20/each additional acre

Variance	200 for first 5 acres + \$20/each additional acre
Area	200 for first 5 acres + \$20/each additional acre
Use	200 for first 5 acres + \$20/each additional acre

Resubmissions	50% of original fee.
---------------	----------------------

This local 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-increase-planning-commission-fees

2035

11/22/11

Intro. Res. No. -2011

Laid on Table

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Viloria-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick and Schneiderman

RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO INCREASE CERTAIN ADMINISTRATIVE FEES FOR PROBATION DEPARTMENT

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 INCREASE CERTAIN ADMINISTRATIVE FEES FOR PROBATION DEPARTMENT" 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 INCREASE CERTAIN ADMINISTRATIVE FEES FOR PROBATION DEPARTMENT

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 2012 Operating Budget includes revenues from increased fees in the Probation Department to offset the Department's administrative expenses.

Therefore, the purpose of this law is to increase certain administrative fees in the Probation Department.

Section 2. Amendments.

Section 677-1 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 677, PROBATION DEPARTMENT FEES.

§ 677-1. Fee schedule.

The following fee schedule is established for investigations by the Probation Department:

- D. An individual awaiting sentencing or who shall be sentenced to a period of probation or who is currently serving a period of probation shall pay the Department of Probation the following:
 - (1) An administrative fee of \$30 per month for any such individual convicted of any crime under Article 31 of the New York Vehicle and Traffic Law and an administrative fee of ~~[\$50]~~ \$60 per month for all other such

individuals for probation services from the time the probation period is commenced until said period is terminated;

- (2) A fee of [~~\$200~~] \$375 shall be collected for presentence investigations, where applicable;
- (3) A fee of [~~\$10~~] \$12.50 per test shall be collected for all court-ordered drug testing, where applicable; [and]
- (4) A daily fee per probationer of \$5 shall be collected for the costs associated with the costs of electronic monitoring, GPS and SCRAM, where applicable[.]; and
- (5) A fee of \$187.50 shall be collected for community service placement.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-increase probation fees

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: NOVEMBER 16, 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 INCREASE CERTAIN ADMINISTRATIVE FEES FOR PROBATION DEPARTMENT

SPONSOR: PRESIDING OFFICER LINDSAY, DEPUTY PRESIDING OFFICER VILORIA-FISHER, AND LEGISLATORS COOPER, GREGORY, KENNEDY, MONTANO, NOWICK AND SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 11/16/2011 PUBLIC HEARING: 12/6/2011

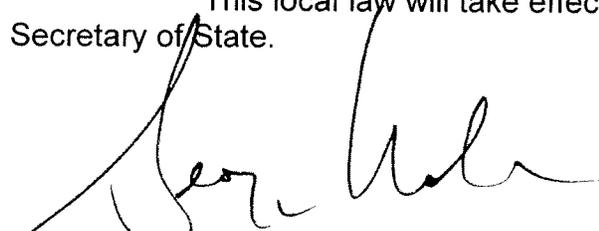
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law would amend Chapter 677 of the SUFFOLK COUNTY CODE to increase the fees charged to probationers in accordance with the 2012 Operating Budget. The following fees are increased in the amount stated:

1. The administrative fee is increased from \$50 to \$60.
2. The presentence investigation fee is increased from \$200 to \$375.
3. Court ordered drug testing is increased from \$10 to \$12.50.

This local law will also create a new fee of \$187.50 for probationers who obtain a community service placement through the Department of Probation.

This local 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-increase-probation-fees

2036

Intro. Res. No. -2011

Laid on Table 11/22/11

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Vilorio-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick and Schneiderman

RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO. -2011, A LOCAL LAW TO AUTHORIZE ADVERTISING IN THE COUNTY TAX MAP ALBUM AND SET ADVERTISING RATES

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 AUTHORIZE ADVERTISING IN THE COUNTY TAX MAP ALBUM AND SET ADVERTISING RATES**" 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 AUTHORIZE ADVERTISING IN THE COUNTY TAX MAP ALBUM AND SET ADVERTISING RATES

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 2012 Operating Budget was amended to authorize advertising in the County's tax map album and to set rates for such advertisements.

This Legislature also finds and determines that advertisements in the tax map albums will provide needed revenue to ensure that the budget remains in balance.

Therefore, the purpose of this law is to authorize the sale of advertisements in the County's tax map album and set the rates for such advertisements.

Section 2. Advertising Authorized.

The Suffolk County Real Property Tax Service Agency is hereby authorized to sell advertising space in the County's annual tax map albums.

Section 3. Advertising Rates Established.

A schedule of rates for the display of advertising on the County Real Property Tax Service Agency tax map albums is hereby established as follows:

Annual Display Advertising Rates for Annual Suffolk County Tax Map Albums			
	Back Cover	Inside Front Cover	Inside Back Cover
Full Page	\$1,000	\$1,500	\$1,250

Half Page	\$600	\$1,000	\$750
Quarter Page	\$300	\$750	\$500

***Shelter Island Rates:**

Full Page Only	\$500	\$750	\$650
-----------------------	-------	-------	-------

All rates are black and white.

Advertising Closing Date - Final March 1

Various digital sponsorships are also available. Contact the Director (631) 852-1555 for details.

Section 4. Review of Proposed Advertisements.

The Director of the Real Property Tax Service Agency, in consultation with the County Attorney, shall review all proposed advertisements to determine appropriate content.

Section 5. Timeline for Purchase of Advertisements.

- A. All display advertisements are due to the Real Property Tax Service Agency on or before January 1st of each calendar year.
- B. The Director of the Real Property Tax Service Agency, in consultation with the County Attorney, shall approve or disapprove proposed advertisements, or recommend changes to the prospective advertiser by the 15th day of January of each calendar year.
- C. All subsequent advertisements, new or revised, shall be due on or before February 1 of each calendar year.
- D. The Director of the Real Property Tax Service Agency, in consultation with the County Attorney, shall approve or disapprove of all submitted advertisements by the 15th day of February of each calendar year.
- E. Advertisements in final form must be submitted to the Real Property Tax Service Agency on or before March 1st of each calendar year.

Section 6. Rules and Regulations.

The Director of the Real Property Tax Service Agency is hereby authorized and empowered to issue and promulgate such rules and regulations as he or she deems necessary to implement and carry out the provisions of this law.

Section 7. Applicability.

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

Section 8. 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 9. 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 10. 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:

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: November 18, 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 AUTHORIZE ADVERTISING IN THE COUNTY TAX MAP ALBUM AND SET ADVERTISING RATES

SPONSOR: PRESIDING OFFICER LINDSAY, DEPUTY PRESIDING OFFICER VILORIA-FISHER, AND LEGISLATORS COOPER, GREGORY, KENNEDY, MONTANO, NOWICK AND SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 11/18/11 **PUBLIC HEARING:** 12/6/11

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

This proposed local law would authorize the Real Property Tax Service Agency to sell advertising space in the County's annual tax map albums. The fees associated with advertisements will be based on the size of the ad and its location in the album. Rates for the Shelter Island tax map albums are reduced.

The Director of the Real Property Tax Service Agency is authorized to promulgate all rules and regulations associated with this law and shall, in conjunction with the County Attorney, review all proposed advertisements for appropriate content. Advertisements must be submitted by January 1st of each calendar year, with the ads in final form by March 1st of same.

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

A handwritten signature in black ink, appearing to read "George Nolan", written over a large, faint watermark of the same signature.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-tax map album ads

2037

Intro. Res. No. -2011

Laid on Table 11/22/11

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Viloría-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick and Schneiderman

RESOLUTION NO. -2011, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO HOLD PUBLIC HEARINGS ON NEW BUS FARES

WHEREAS, the 2012 Adopted Operating Budget includes revenue from an increase in the County's full bus fare from \$1.50 to \$2.00; and

WHEREAS, the County's bus fares have not been increased in many years and are significantly lower than regional standards; and

WHEREAS, the proposed increase does not apply to any discounted fare; and

WHEREAS, the Department of Public Works should hold public hearings on increasing full bus fares prior to implementation; now, therefore be it

1st RESOLVED, that the Director of Transportation Operations in the Department of Public Works is hereby directed to hold, as soon as possible, public hearings to consider raising full bus fares from \$1.50 to \$2.00; and be it further

2nd RESOLVED, that the Director of Transportation Operations written report on the findings of the public hearings and recommendations regarding an increase in bus fares shall be submitted to the County Executive and each member of the Suffolk County Legislature no later than ninety (90) days subsequent to the conclusion of the Public Hearings; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-hearings increased bus fare

2038

11/22/11

Intro. Res. No. -2011

Laid on Table

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Viloría-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick and Schneiderman

RESOLUTION NO. -2011, AMENDING THE SCHEDULE OF FEES IN CONNECTION WITH THE PURCHASE OF THE SUFFOLK COUNTY TAX MAP AND OTHER ITEMS PERTAINING THERETO

WHEREAS, the fee schedule for charges in connection with the purchase of tax map sections and subdivision maps have been established via Resolution Nos. 890-1972, 477-1974, 752-1976, 837-1976, 826-1989, 808-1991, and 161-2003; and

WHEREAS, the 2012 Operating Budget includes revenue from increased printing and certification charges for the purchase of tax map sections and subdivision maps to offset the administrative expenses for the Real Property Tax Service Agency; and

WHEREAS, the Director of the Real Property Tax Service Agency has recommended the changes contained herein; now, therefore be it

1st RESOLVED, that the fee schedule connected with the Suffolk County Tax Map and other items pertaining thereto is hereby amended as follows:

TAX MAP ORDER PRICES ARE AS FOLLOWS:

Section Sheets:		Complete Town/Village	Certified Sections
Size B (12" x 18")	\$5.00	\$2.50 per section	\$50.00 plus price of map
Size C (18" x 24")	\$7.00	\$3.50 per section	\$50.00 plus price of map
Size D (24" x 36")	\$16.00		\$50.00 plus price of map
Key Map (Wall Size)			
Babylon	\$100.00	Riverhead	\$100.00
Brookhaven (East)	\$100.00	Shelter Island	\$75.00
Brookhaven (West)	\$100.00	Smithtown	\$100.00
East Hampton	\$100.00	Southampton	\$100.00
Huntington	\$100.00	Southold	\$100.00
Islip	\$100.00	All Ten Towns (42")	\$750.00

Custom Maps

1st is a \$30.00 processing fee plus \$7.00 for each Tax Map Section Assembled.

Custom Map Size	Cost per additional copies of same map
Letter Size	\$5.00
B Size	\$5.00
C Size	\$7.50
D Size	\$15.00

Colored Aerial Maps

Map Size	Cost	Cost per additional copies of same map
Letter Size	\$35.00	\$7.50
B Size	\$35.00	\$7.50
C Size	\$55.00	\$15.00

D Size \$75.00 \$25.00

Tax Map Maintenance (Filed Maps)

Number of parcels	Cost
1 to 3 parcels	\$75.00
4 to 6 parcels	\$150.00
7 to 9 parcels	\$200.00
10 to 20 parcels	\$250.00
21 or more	\$400.00
Pine Barrens Map (Size D)	\$25.00
School District Map	\$25.00

Postage

Size	Cost
B and C sizes, 1 to 10	\$4.50
11 or more B or C size maps	\$8.00
D and custom sized maps	\$8.00

; and be it further

2nd RESOLVED, all other fees for the Real Property Tax Service Agency not mentioned herein remain the same; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\l-printing and certifying tax map fees

2039

11/22/11

Intro. Res. No. -2011

Laid on Table

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Viloria-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick and Schneiderman

RESOLUTION NO. -2011, INCREASING THE VEHICLE USE FEES AT COUNTY PARKS

WHEREAS, the 2012 Operating Budget includes revenues from increased vehicle fees at County Parks to offset the Department of Parks, Recreation and Conservation's administrative expenses; and

WHEREAS, the fee schedule of the Department of Parks, Recreation and Conservation must be amended to reflect the policies adopted in the 2012 Operating Budget; now, therefore be it

1st RESOLVED, Section 688-3 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 948, FEES AND CHARGES

ARTICLE X, Parks and Recreation Fees.

§ 948-26. Fee Schedule.

The fee schedule shall be as follows and, where indicated, "weekday" is Monday through Friday and "weekend" is Saturday, Sunday and holidays, except for marina fees, where "weekday" is Sunday through Thursday and "weekend" is Friday, Saturday and holidays:

Vehicle Use Fees

Daily parking (7 days/week)

Parks with Lifeguards (Smith Point, Cupsogue, Meschutt, Sears Bellows):

Resident with green key	[\$5.00] <u>\$8.00</u>
Discounted rate (weekday, excluding holidays) for senior citizen; veteran; CERT volunteer; handicapped; volunteer fire fighter and ambulance workers; auxiliary police	Free
Discounted rate for (7 days/week) for disabled veteran; members and spouses and children of members of Armed Forces on active duty	Free
Nonresident	[\$12.00] <u>\$15.00</u>

Parks without Lifeguards (Southaven, Indian Island, Blydenburgh, West Hills, Lake Ronkonkoma, Cathedral Pines):

Resident with green key	[\$3.00] <u>\$6.00</u>
Discounted rate (weekday, excluding holidays) for senior citizen; veteran; CERT volunteer; handicapped; volunteer fire fighter and ambulance workers; auxiliary police	Free
Discounted rate for disabled veteran; members and spouses and children of members of Armed Forces on active duty (7 days/week)	Free
Nonresident	[\$10.00] <u>\$13.00</u>

Seasonal parking (NOTE: green-key holders only):

Limited-access parking pass	[\$30.00] <u>\$40.00</u>
Unlimited access, resident	[\$55.00] <u>\$65.00</u>

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-parks vehicle use fees

2040

Intro. Res. No. -2011

Laid on Table 11/22/11

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Vilorio-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick and Schneiderman

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW
NO. -2011, A CHARTER LAW CONSOLIDATING
FUNCTIONS WITHIN THE DEPARTMENT OF PLANNING**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2011 a proposed local law entitled, "**A CHARTER LAW CONSOLIDATING FUNCTIONS WITHIN THE DEPARTMENT OF PLANNING**"; 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 CONSOLIDATING FUNCTIONS WITHIN THE
DEPARTMENT OF PLANNING**

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 continues to confront a large structural budget deficit as mandated costs increase and tax collections lag.

This Legislature finds that the County of Suffolk must reduce expenses by streamlining government and consolidating governmental functions.

This Legislature determines that the County's adopted 2012 operating budget eliminates the Department of Economic Development and Workforce Housing and the Department of Environment and Energy and consolidates their functions within the Department of Planning.

This Legislature also finds that the SUFFOLK COUNTY CHARTER and ADMINISTRATIVE CODE must be amended to effectuate the consolidations called for in the 2012 operating budget.

Therefore, the purpose of this law is to abolish the Department of Economic Development and Workforce Housing and the Department of Environment and Energy and transfer the functions currently performed by these departments to the Department of Planning.

Section 2. Repealed.

Articles 35 and 42 of the SUFFOLK COUNTY CHARTER are hereby repealed in their entirety. Article 42 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby repealed.

Section 3. Amendments.

I. Article XIV of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

ARTICLE XIV, County Planning

§ C14-1. Department of Planning established; Director to be Department Head.

There shall be a Department of Planning, the head of which shall be the Planning Director. The Planning Director shall be appointed by the County Executive, subject to the approval of the County Legislature, and serve at the pleasure of the County Executive. The Planning Director shall be advised by the Planning Commission.

§ C14-2. Powers and duties of Department.

- A. The Department of Planning shall have the following powers, duties and responsibilities:
- (1) To prepare a Comprehensive Plan for Suffolk County, as provided in §§ A14-7 through A14-11 of the Administrative Code.
 - (2) To make recommendations relating to planning functions of municipalities, as provided in § A14-12 of the Administrative Code.
 - (3) At the request of municipalities within the County, to render planning services for the municipalities, as provided in § 14-13 of the Administrative Code.
 - (4) To consider certain proposed municipal zoning actions, applications for variances and special permits and subdivision plats as provided in § A14-14 et seq. of the Administrative Code.
 - (5) To advise local, state and federal government on development projects, plans and activities having an environmental impact.
 - (6) To implement the directives of the Council on Environmental Quality.
 - (7) To formulate and coordinate all long-range facilities planning among County departments.
 - (8) To advise and assist any department, board, division, or agency of the government of the County of Suffolk, including the County Legislature and office of the County Executive, on matters pertaining to the environment or energy, except those matters currently handled by the Council on Environmental Quality and the Office of Ecology of the Suffolk County Department of Health Services.

- (9) To make recommendations to the County Legislature and County Executive as to what county-owned properties should be dedicated to the County nature preserve, historic trust, conservation of agricultural lands, or bird sanctuary, and what properties not owned by the County should be acquired for environmental, health or open space purposes.
- (10) To implement and administer Chapter 42 of the Suffolk County Code;
- (11) To oversee energy conservation programs for County offices, buildings and/or facilities;
- (12) To oversee and manage the Suffolk County brownfields program; open space acquisitions; farmland rights acquisitions and conservation easements.
- (13) To concern itself with any and all matters pertaining to the economic development of the County.
- (14) To encourage, promote and assist in the establishment, location, preservation and expansion within the county of enterprises which are beneficial to the general welfare of the people of the county.
- (15) To supervise and conduct the management of the Francis S. Gabreski Airport at Westhampton Beach and to accept and review requests for the lease of space at Francis S. Gabreski Airport, and to make recommendations on such requests for the lease of space at Francis S. Gabreski Airport to the County Executive and County Legislature.
- (16) To supervise and manage the Affordable Housing Program established under Article XXXVI of the Suffolk County Administrative Code.
- (17) To supervise and manage Suffolk County's Community Development Agency.
- (18) To perform such other responsibilities and duties as may be assigned by law or by the County Executive or the County Legislature.

§ C14-3. Appointment of departmental employees and consultants.

The Planning Director may, within the appropriations therefor, appoint and remove a Deputy Director, who shall act generally for and on behalf of the Director in all matters, and such other officers and employees as may be likewise provided.

§ C14-4. Division of Real Property Acquisition and Management

- A. There shall be a Division of Real Property Acquisition and Management, the head of which shall be by appointed by the Director. No individual shall be considered for appointment as the Director of the Division of Real Property Acquisition and Management unless and until he or she has at least ten (10) years of prior experience managing the lease, acquisition, sale, and/or use of interests in real property in the private sector and/or government sector or he or she has engaged in the practice of real estate law, as a specialty, for at least five (5) years.
- B. At least one staff member of the Division of Real Property Acquisition and Management shall be a New York State certified general appraiser in good standing.
- C. In addition to discharging such other functions as may be assigned, the Division of Real Property Acquisition and Management shall maintain current records of all real property in which the County has any interest and manage all such property other than that assigned to the Trustees of the College or Parks, Recreation, and Conservation; property acquired for sewers as provided in § 272 of the New York County Law; or property acquired for the County Department of Public Works. Real property acquired through tax sale shall be under the jurisdiction of the Division of Real Property Acquisition and Management which shall have the responsibility for the repair or demolition of unsafe structures, insuring the safety and security of the property, and determining whether there should be disposal of any property not currently used for County purposes. Where a determination to dispose of property has been made, the Division of Real Property Acquisition and Management shall forward such report to the County Executive and the County Legislature with its comments. The Division of Real Property Acquisition and Management shall also:
 - 1. Let all contracts for outside surveys and appraisals, except for those concerned with highways, bridges, or erosion control works, and the rental, repair, demolition, or disposal of real property on behalf of the County.
 - 2. Negotiate all leases, lease renewals, licenses, license renewals, and user agreements for any interest in real property, within appropriations provided therefor at the request of the County departments, offices, boards, commissions, Legislators and the Administrative Judge of the Supreme Court. Such leases, licenses and agreements shall be executed by the Director of the Division of Real Property Acquisition and Management or his or her designee, on behalf of the County. No lease, lease renewal, license, license renewal, or user agreement for any interest in real estate, other than for executive, legislative, or judicial office space, may be executed, unless such lease, lease renewal, license, license renewal, or user agreement is authorized by the County Legislature. For the purpose of this subsection, "executive office space" shall include only that office

space which is necessary for the budgeted functions of the office of the County Executive. The Division of Real Property Acquisition and Management shall prepare a rent survey and fair market analysis for each proposed lease or lease renewal of space for County use.

3. Prepare title abstracts and prepare in-house appraisals or in-house review appraisals for lands to be acquired by the County or of lands actually acquired by the County.
 4. Perform such other duties as may be assigned by the County Executive and/or County Legislature.
- D. In the performance of its functions, duly designated employees of the Division shall also have the power and duty to enter upon any real property for the purpose of inspection, making surveys, examinations, investigations, preparing maps and for such other purposes as may be necessary in the performance of its duties under this Charter or the New York Eminent Domain Procedure Law.
- E. In the event consideration is given to an application affecting an interest in real property which the County of Suffolk has been authorized to commence a process for the acquisition thereof, which application is for a special permit, variance, municipal zoning, or subdivision plat, the contract of sale for such acquisition shall contain a provision that no such acquisition shall be consummated nor payment made for such acquisition unless the application for the special permit, variance, municipal zoning, or subdivision plat which is the subject of the application has been approved.

§ C14-5. Office of Energy.

There shall be an Office of Energy within the Department which shall be responsible for the Suffolk County Electrical Agency's application for low-cost power to FERC and the implementation thereof; the implementation and administration of Chapter 42 of the Suffolk County Code; energy conservation and resource programs for County offices, buildings, and/or facilities; and the Energy Advisory Committee and the functions described in Chapter 172 of the Suffolk County Code.

§ C14-6. Division of Water Quality.

There shall be a Division of Water Quality within the Department which shall be responsible for the supervision, administration, and implementation of the water quality protection and restoration program under § C12-2B of the Suffolk County Charter; the remediation and redevelopment of all brownfield sites; and the coordination of activities performed by the County Department of Public Works and the County Department of Parks, Recreation and Conservation under the Suffolk County Drinking Water Protection Program, Fund 477.

§ C14-7. Membership of Planning Commission.

- A. The Planning Commission shall consist of 15 members, as follows: one member from each of the ten 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, subject to the qualifications set forth in § C14-9 of this article.
- B. The Planning Commission may invite any officials of government to participate in its deliberations or otherwise assist it in discharging its functions under this article.

§ C14-8. Appointment of members of Planning Commission.

The members of the Planning Commission shall be appointed by the County Executive with the approval of the County Legislature.

§ C14-9. Qualifications for membership on Planning Commission.

- A. A Planning Commissioner shall be a resident of Suffolk County at the time of his or her appointment and while holding office as a member of the Planning Commission.
- B. In selecting the twelve (12) members who are not chosen from the County at large, the following criteria shall apply:
 - (1) At least one (1) member shall be a representative from a nationally renowned and/or publicly acknowledged environmental organization and/or from a nationally renowned and/or publicly recognized civic association;
 - (2) At least one (1) member shall be an individual with a background or expertise in municipal planning and/or an individual with a law degree and experience in land-use litigation, the law of land-use regulation, or environmental law;
 - (3) At least one (1) member shall be a representative from the real estate industry and/or from the business community;
 - (4) At least one (1) member shall be a representative from a labor organization;
 - (5) At least one (1) member shall be an individual with a background in the field of transportation;
 - (6) At least one (1) member shall be an individual with a background or expertise in workforce housing; and

- (7) At least one (1) member shall be an individual recommended by the Association of Town Supervisors.
- C. No party officer shall be appointed or reappointed to the Planning Commission. For the purposes of this section, "party officer" shall mean an individual who holds any party position or any party office, whether by election, appointment, or otherwise, including committeemen, and "party" shall mean any political organization which, at the last preceding election for Governor, polled at least fifty thousand (50,000) votes for its candidate for Governor.
- D. To continue in office, a member of the Planning Commission shall continue to satisfy the requirements of this section with respect to eligibility for appointment to the office.
- E. No person shall be reappointed to the Planning Commission unless and until such person shall have attended at least 75% of the regular and/or special meetings held by said Commission. Absences from such meetings caused by death in the immediate family of the members (i.e., spouse, children, parents, brothers, sisters, in-laws and/or grandparents) caused by a verifiable illness or caused by a verifiable accident shall not be counted for the purpose of this calculation of attendance.
- F. No person shall be appointed or reappointed to the Planning Commission unless and until such person shall first appear at least once before the pertinent legislative committee of the County Legislature having primary jurisdiction over such resolution naming such person for approval to such appointment or reappointment and before such other legislative committees of the County Legislature as shall request an appearance by such person.
- G. No person shall be appointed to the Planning Commission who is an elected official of the State of New York or of any political subdivision thereof; who is an appointee to a position of employment with the State of New York or any political subdivision thereof including the County of Suffolk, which position does not require a competitive civil service examination for appointment thereto; or who is appointed to a town or a village board, commission, or agency which is charged with the responsibility of making planning and/or land-use decisions regarding real property.
- H. No person shall serve as a Planning Commissioner for more than twelve (12) consecutive years.

§ C14-10. Term of office for members of Planning Commission.

- A. The term of office of each Commissioner shall be four years, except that the term of office of the members first appointed from the County at large shall commence January 1, 1971, and terminate on December 31, 1971, and except that, of the remaining 12 members first appointed for terms of office commencing January 1, 1971, three shall be

appointed for terms of one year, three shall be appointed for terms of two years, three shall be appointed for terms of three years and three shall be appointed for terms of five years.

- B. This staggering of terms shall continue and remain in full force and effect and apply to all appointments made on or after the effective date of this law.
- C. In connection with any proposed project under consideration by the Commission, an appointee shall take into account the potential of any such project to have a disproportionately high and adverse health and/or environmental impact on a minority or economically distressed community.

§ C14-11. Compensation of members of Planning Commission.

Members of the Planning Commission shall not be compensated for their services but shall be reimbursed for their necessary and proper expenses incurred in the performance of their functions.

§ C14-12. Studies and reports.

The Planning Commission, within the appropriations therefor, shall conduct such studies and render such reports as are needed in the performance of its functions under this article.

- II. **Article XIV of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended by the addition of a new sections A14-27, A14-28 and A14-29 which shall read as follows:**

§ A14-27. Creation of Suffolk County Pine Barrens Zone.

The Suffolk County Pine Barrens Zone is hereby created, lying and being in the County of Suffolk, which zone is more particularly described and bounded as follows:

- A. Beginning at a point where the southerly side of Route 25A intersects the easterly side of Miller Place Road; thence southward along the easterly boundary of Miller Place Road to Helme Avenue; thence southward along the easterly boundary of Helme Avenue to Miller Place-Middle Island Road; thence southward along the easterly boundary of Miller Place-Middle Island Road to Whiskey Road; thence westward along the southerly boundary of Whiskey Road to Mount Sinai-Coram Road; thence southward along the easterly boundary of Mount Sinai-Coram Road to Middle Country Road (Route 25); thence westward along the southerly boundary of Route 25 to Patchogue-Mount Sinai Road (County Route 83); thence southward along the easterly boundary of County Route 83 to Bicycle Path Drive; thence southeastward along the easterly side of Bicycle Path Drive to Mt. McKinley Avenue; thence southward along the easterly boundary of Mt. McKinley Avenue to Granny Road; thence northeastward along the northerly

boundary of Granny Road to Port Jefferson-Patchogue Road (Route 112); thence southward along the easterly boundary of Route 112 to Horse Block Road (County Route 16); thence eastward along the northerly boundary of County Route 16 to Maine Avenue; thence northward along the westerly boundary of Maine Avenue to Fire Avenue; thence eastward along the northerly boundary of Fire Avenue to John Roe Smith Avenue; thence southward along the easterly boundary of John Roe Smith Avenue to Jeff Street; thence eastward along the northerly boundary of Jeff Street to Hagerman Avenue; thence southward along the easterly boundary of Hagerman Avenue to the Long Island Expressway (Route 495); thence eastward along the northerly boundary of Route 495 to Southaven County Park; thence southward along the westerly boundary of Southaven County Park to Gerard Road; thence southward along the easterly boundary of Gerard Road to Route 27; thence eastward along the northerly boundary of Route 27 to the easterly boundary of Southaven County Park; thence northward along the easterly boundary of Southaven County Park to Route 495; thence eastward along the northerly boundary of Route 495 to the William Floyd Parkway (County Route 46); thence southward along the easterly boundary of County Route 46 to the Long Island Railroad tracks; thence eastward along the northerly boundary of the Long Island Railroad tracks 7,500 feet; thence southward 500 feet; thence eastward 525 feet to the intersection of North Street and Manor-Yaphank Road; thence southward along the easterly boundary of Manor-Yaphank Road to Moriches-Middle Island Road; thence eastward along the northerly boundary of Moriches-Middle Island Road to Sunrise Highway (Route 27); thence eastward along the northerly boundary of Route 27 to an old railroad grade (unpaved); thence southeastward along the northerly boundary of the old railroad grade (unpaved) to Old Country Road (Route 71); thence eastward along the northerly boundary of Route 71 to the Long Island Railroad tracks; thence eastward along the northerly boundary of the Long Island Railroad tracks to Montauk Highway (Route 24); thence northward along the westerly boundary of Route 24 to Sunrise Highway (Route 27); thence eastward along the northerly boundary of Route 27 to Squiretown Road; thence northward along the westerly boundary of Squiretown Road to Upper Red Creek Road; thence westward along the southern boundary of Upper Red Creek to Lower Red Creek Road; thence southward along the easterly boundary of Lower Red Creek Road to Hubbard County Park; thence westward along the northern boundary of Hubbard County Park to Riverhead-Hampton Bays Road (Route 24); thence westward along the southerly boundary of Route 24 to Peconic Avenue; thence northward along the westerly boundary of Peconic Avenue to the centerline of the Peconic River; thence westward along the centerline of the Peconic River to the Forge Road Bridge; thence northward along the westerly boundary of the Forge Road Bridge to Forge Road; thence northwestward along the westerly boundary of Forge Road to the railroad tracks; thence northward along the westerly boundary of Forge Road (unpaved) to the intersection of Route 25 and River Road; thence westward along the southerly boundary of River Road to Edwards Avenue; thence northward along the westerly boundary of Edwards Avenue 3,800 feet; thence westward 4,400 feet to an unnamed, unpaved road; thence northward along the westerly boundary of the unnamed, unpaved road 150 feet; thence westward and northwestward along the eastern boundary of the

U.S. Navy/Grumman Aerospace Corporation property (as of 1982) up to the intersection of North Country Road and Sound Avenue (Route 25A); thence westward along the southerly boundary of Route 25A to the point or place of beginning.

- B. Beginning at a point where the westerly boundary of Old Town Road intersects the southerly boundary of Lower Sheep Pasture Road; thence westward along the southerly boundary of Lower Sheep Pasture Road to Upper Sheep Pasture Road; thence westerly along the southerly boundary of Upper Sheep Pasture Road to King Arthurs Court; thence southward along the easterly boundary of King Arthurs Court to Cinderella Lane; thence westward along the southerly boundary of Cinderella Lane to Robin Hood Lane; thence southward along the easterly boundary of Robin Hood Lane to Storyland Lane; thence westward along the southerly boundary of Storyland Lane to Pond Path Drive; thence southward along the easterly boundary of Pond Path Drive to 34th Street; thence westward along the southerly boundary of 34th Street to Sycamore Circle; thence southward and westward along the easterly boundary of Sycamore Circle to Sycamore Drive; thence westward along the southerly boundary of Sycamore Drive to Nicholls Road (County Route 97); thence southward along the easterly boundary of Nicholls Road to Nesconset-Port Jefferson Highway (Route 347); thence southwestward along the southerly boundary of Route 347 to Lakeside Avenue; thence southward along the easterly boundary of Lakeside Avenue to Twisting Drive; thence southward along the easterly boundary of Twisting Drive to Tulip Grove Drive; thence southward along the easterly boundary of Tulip Grove Drive to Pond Path Drive; thence northward along the westerly boundary of Pond Path Drive to Wood Road; thence southward along the easterly boundary of Wood Drive to Spruce Street; thence eastward along the northerly boundary of Spruce Street to Hammond Lane; thence southward along the easterly boundary of Hammond Lane to Florence Street; thence eastward along the northerly boundary of Florence Street to Washington Avenue; thence southward along the easterly boundary of Washington Avenue to Forest Road; thence northward and eastward along the westerly and northerly boundaries of Forest Road to Mark Tree Road; thence northward along the westerly boundary of Mark Tree Road to Bette Anne Drive; thence eastward along the northern boundary of Bette Anne Drive to Balin Avenue; thence northward along the westerly boundary of Balin Avenue to Chester Street; thence eastward along the southerly boundary of Chester Street to Wireless Road; thence southward along the easterly boundary of Wireless Road to Strathmore Village Drive; thence eastward along the northerly boundary of Strathmore Village Drive to Milbury Lane; thence northeastward along the northerly boundary of Milbury Lane to Patricia Lane; thence northeastward along the northerly boundary of Patricia Lane to Doe Lane; thence eastward along the northerly boundary of Doe Lane to Fawn Lane West; thence northeastward along the westerly boundary of Fawn Lane West to Arrowhead Lane, thence northward along the westerly boundary of Arrowhead Lane to Nesconset-Port Jefferson Highway; thence eastward along the northerly boundary of Nesconset-Port Jefferson Highway to Old Town Road; thence northwestward along the westerly boundary of Old Town Road to the point or place of beginning.

- C. Beginning at a point where Mecox Road intersects Majors Path; thence north along the east side of Majors Path until it meets Mary's Lane; thence northeast along the east side of Majors Path to its intersection with the southern boundary of the North Sea Landfill (Town of Southampton property); thence east, then north, following the perimeter of the landfill and directly north along a line to its intersection with Great Hill Road; thence west along the north side of Great Hill Road to its intersection with Majors Path; thence north along the east side of Majors Path to its intersection with Noyack Road; thence northeast along the southeast side of Noyack Road to its intersection with Old Sag Harbor Road; thence east along the south side of Old Sag Harbor Road to its intersection with Water Mill Towd Road; thence northwest along the northeast side of Water Mill Towd Road to its intersection with Noyack Road; thence northeast along the southeast side of Noyack Road to its intersection with Rose Grove Road; thence east along the south side of Rose Grove Road to its intersection with Weidner Lane; thence north along a line extending from the point of intersection of Weidner Land and Rose Grove Road to the southeastern most point of Peconic Hills Drive; thence north along the east side of Peconic Hills Drive to its intersection with Woodland Drive; thence northeast along the southeast side of Woodland Drive to a ninety-degree northwest turn in said road; thence northwest along the northeast side of Woodland Drive and directly along a line extending to Noyack Road at a point where Lake Drive North intersects Noyack Road; thence northeast along the south side of Noyack Road to its intersection with Hartwell Lane; thence southeast along the southwest side of Hartwell Lane to its intersection with Chester Drive; thence northeast along the southeast side of Chester Drive to its intersection with Wilson Road; thence northwest along the northeast side of Wilson to its intersection with Noyack Road; thence northeast along the southeast side of Noyack Road until it merges with Deerfield Road; thence north along the eastern side of Noyack-Deerfield Road to its intersection with Noyack Road; thence east along the southern side of Noyack Road to its intersection with the western boundary of the Noyack Golf and Country Club; thence following the perimeters of the club, to its intersection with Noyack Road; thence east along the southern side of Noyack Road to a point adjacent to Poplar Street, which lies north of Noyack Road; thence southeast along a line extending from said point on Noyack Road through the terminal points of Crown Lane, Laurel Trail and Island View Drive, respectively; thence east along a line extending from the terminal point of Island View Drive to Stony Hill Road at a point where Hillside Avenue intersects Stony Hill Road from the east; thence southeast along the southwestern side of Stony Hill Road to its intersection with Brick Kiln Road; thence northeast along the southeastern side of Brick Kiln Road to its intersection with Carroll Street, thence southeast along the southwestern side of Carroll Street to its intersection with Sag Harbor-Bridgehampton Turnpike; thence north along the east side of the Sag Harbor-Bridgehampton Turnpike to the Village of Sag Harbor boundary of Sag Harbor; thence southeast along the southern side of the village boundary until it meets the western side of Round Pond; thence north around the perimeter of Round Pond and east along the southern side of the village boundary to its intersection with Sagg Road (Madison Street); thence south along the western side of Sagg Road to its intersection with Mt. Misery Drive; thence east along the southern side of Mt. Misery Drive to its intersection

with Denise Street; thence southeast along the southwestern side of Denise Street to its intersection with Town Line Road (the Southampton-East Hampton Town boundary); thence northwest along the northeastern side of Town Line Road to a point 1,000 feet south of the intersection of Town Line Road with Middle Line Highway (the Sag Harbor Village boundary); thence northeast along a line extending from said point on Town Line Road to the Sag Harbor-East Hampton Turnpike at a point adjacent to the southern boundary of the Sag Harbor Golf Course; thence following the southern perimeter of the golf course and continuing along the southern perimeter of Northwest Harbor County Park to its intersection with Northwest Landing (Swamp) Road; thence north along the eastern side of Northwest Landing Road, which follows the eastern boundary of the Northwest Harbor County Park, to a point where the park crosses over to the northern side of Northwest Landing Road; thence north along the boundary of the park until it meets the Northwest Harbor shoreline; thence north along the harbor shoreline until it meets Alewife Brook Road; thence southeast along the southern side of Alewife Brook Road to its intersection with Cedar Point Road; thence north along the eastern side of Cedar Point Road until it meets Bearing East Road; thence east along the southern side of Bearing East Road to its intersection with North Pass Road; to its intersection with Landfall Road to its intersection with Hedgebanks Drive; thence directly north to the Gardiners Bay shoreline; thence south along the bay shoreline to a point directly north of a ninety-degree turn in Milna Drive to the south; thence south from said point to Milna Drive and then south along the western side of Milna Drive to its intersection with Old House Landing Road; thence southwest along the north side of Old House Landing Road to its intersection with Alewife Brook Road; thence southeast along the southwest side of Alewife Brook Road to its intersection with Hands Creek Road; thence south along the western side of Hands Creek Road to its intersection with Springy Banks Road; thence northwest along the northeastern side of Springy Banks Road to its intersection with Ely Brook to Hands Creek Road; thence south along the western side of Ely Brook to Hands Creek Road to where it intersects Hands Creek Road; thence south along the west side of Hands Creek Road to its intersection with Middle Highway; thence east, then southeast along the southern side of Middle Highway to its intersection with Rivers Road; thence east along the southern side of Rivers Road to its intersection with Springy Banks Road; thence southeast along the southwestern side of Springy Banks Road to its intersection with Hides Road; thence east along the southern side of Hides Road to its intersection with Three Mile Harbor Road; thence north along the east side of Three Mile Harbor Road to its intersection with Copeces Lane; thence east along the southern side of Copeces Lane to its intersection with Acabonack Road; thence northeast along the southeastern side of Acabonack Road to its intersection with Neck Path; thence southeast along the southwestern side of Neck Path to its intersection with Amagansett Springs Road, thence south along the western side of Amagansett Springs Road to its intersection with Barnes Hole Road; thence northeast along the southeast side of Barnes Hole Road until it meets the Napeague Bay shoreline (at Barnes Landing); thence southeast following the bay shoreline until it meets Fresh Pond Road; thence southwest along the northwestern side of Fresh Pond Road to its intersection with Cross Highway; thence southeast along the southwestern side of Cross Highway to

its intersection with Abrahams Landing Road; thence southwest along the northwestern side of Abrahams Landing Road to its intersection with Stone Road; thence northwest along the northeastern side of Stone Road to its intersection with Town Lane and Amagansett Springs Road; thence southwest along its northeastern side of Town Lane to its intersection with Stony Hill Road; thence northwest along the northeastern side of Stony Hill Road to its intersection with Acabonack Road; thence south along the western side of Acabonack Road to its intersection with Abrahams Path; thence southeast along the southwestern side of Abrahams Path to its intersection with Town Lane; thence west along the northern side of Town Lane to its intersection with Spring Close Highway (Jenny's Path); thence north along the eastern side of Jenny's Path to its intersection with Acabonack Road; thence south approximately 100 feet along the northwestern side of Acabonack Road to its intersection with Queens Lane; thence north along the eastern side of Queens Lane to a point where it intersects Spring Fireplace Road; thence directly west along a line extending from said point to a point on Three Mile Harbor Road approximately 1,400 feet south of the intersection of Springy Banks Road with Three Mile Harbor Road; thence south along the western side of Three Mile Harbor Road to its intersection with Oak View Highway; thence west along the northern side of Oak View Highway to its intersection with Hands Creek Road; thence south along the western side of Hands Creek Road to its intersection with Cedar Street; thence northwest along the northeastern side of Cedar Street to its intersection with Stephen Hands Path; thence southwest along the northwestern side of Stephen Hands Path to its intersection with the Sag Harbor-East Hampton Turnpike; thence southeast along the southwestern side of the Sag Harbor-East Hampton Turnpike to its intersection with Cove Hollow Road; thence south along the western side of Cove Hollow Road until it meets the village boundary of East Hampton (approximately 375 feet north of Montauk Highway); thence westerly along the village boundary until it intersects Daniel's Hole Road; thence northwest along the northeastern side of Daniel's Hole Road to its intersection with the Long Island Railroad (L.I.R.R.); thence westerly along the northern side of the L.I.R.R. to its intersection with Wainscott Harbor Road; thence northwest along the northeastern side of Wainscott Harbor Road to a point approximately 600 feet north of the L.I.R.R.; thence southwesterly along a line extending from said point on Wainscott Harbor Road to Sagg Road at a point where it is intersected by Narrow Lane; thence north along the eastern side of Sagg (Sagaponack Main Street) to its intersection with Haines Path; thence southwesterly along the northwestern side of Haines Path to its intersection with Old Farm Road; thence northwest along a line extending from the Old Farm Road terminus to a point where Huntington Crossway intersects the Bridgehampton-Sag Harbor Turnpike; thence northeastward along the western side of the Bridgehampton-Sag Harbor Turnpike to Scuttle Hole Road, thence westward along the southerly boundary of Scuttle Hole Road (or Huntington Path) to Head of Pond-Scuttle Hole Road; thence southwestward along the northeast side of Head of Pond-Scuttle Hole Road to Deerfield Road; thence northward along the easterly side of Deerfield Road to an extension of Edge of Woods Road; thence westward along the northerly side of the extension of Edge of Woods Road to Water Mill-Towd Road; thence southward along the westerly side of Water Mill-Towd Road to Edge of Woods Road; thence westward

along the northerly side of Edge of Woods Road to Private Road; thence southward along the westerly side of Private Road to Mecox Road; thence westward along the northerly side of Mecox Road to the intersection of Mecox and Majors Path to point or place of beginning.

- D. Beginning at a point where Montauk Point State Boulevard meets the eastern boundary of the Hither Hills State Park; thence north along the east side of the park boundary until it meets the Napeague Bay (Block Island Sound) shoreline; thence east following the confluence of the bay's shoreline to a point where the L.I.R.R. intersects Navy Road; thence southward along the westerly side of Navy Road to Fort Lane; thence southwestward along the westward side of Fort Lane (terminus) following a line to the intersection of Lincoln Road and Montauk Point State Parkway; thence westward along the northerly side of Montauk Point (Route 27) State Parkway to the eastern boundary of the Hither Hills State Park.

§ A14-28 Adoption of standards for review of applications for development within Pine Barrens Zone.

The Suffolk County Planning Commission shall by resolution adopt, at its annual organizational meeting, standards for review of municipal zoning and subdivision actions proposed within the Pine Barrens Zone.

§ A14-29. Restrictions on employees of Division of Real Property Acquisition and Management.

- (a) No officers or employees of the Division of Real Property Acquisition and Management shall engage in any outside business activity in the field of real estate and no officers or employees of the Division of Real Property Acquisition and Management shall be a party officer. For the purposes of this section, "party officer" shall mean one who holds any party position or any party office, whether by election, appointment or otherwise, including committeeman, and "party" shall mean any political organization which at the last preceding election for governor polled at least 50,000 votes for its candidate for governor. These requirements shall apply to all management and civil service positions consistent with the New York Civil Service Law and any applicable rules.
- (b) The staff of the Division of Real Property Acquisition and Management is hereby prohibited from engaging in any outside business activity in the real estate field, which requirement shall apply to management exempt as well as positions secured by competitive civil service examination, consistent with the application of civil service rules.

III. A new Article XL of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby enacted to read as follows:

Article XL. County Real Property.

§ A40-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

DIRECTOR - The Director of the Department of Planning.

DEPARTMENT - The Suffolk County Department of Planning.

DIVISION - The Division of Real Property Acquisition and Management.

PERSON -- Any natural person, individual, corporation, unincorporated association, limited liability corporation, firm, public corporation, partnership, joint venture, trust, joint-stock association or other entity or business organization of any kind.

§ A40-2. Lease of property.

- A. Notwithstanding the provisions of § 352 of the New York General Municipal Law, the County may lease, for a term not exceeding 40 years, real property acquired for airport purposes and not necessary for the efficient and proper operation of the airport, and for such other purposes as the Legislature may determine, provided that such other purposes do not interfere with the proper and efficient operation of the remainder of the airport. Notwithstanding the foregoing limitation, property located within the Airport Planned Development District may be leased for an initial term not exceeding 40 years with the option to extend the lease for a term not to exceed an additional 40 years.
- B. Notwithstanding the provisions of § 215, Subdivision 4, of the New York County Law, after a determination by the Suffolk County Legislature that County-owned property is not required for public use, such property may be leased through the Division for a period not exceeding 25 years, upon such terms and conditions as may be prescribed by the County Legislature by resolution, in the same manner and with the same rights and privileges as if owned by an individual, to a public corporation; to a not-for-profit corporation; or to an association, corporation, or other legal entity which has been granted a charter for educational purposes from the New York State Department of Education.

§ A40-3. Procedure for redemption of property under Suffolk County Tax Act.

The following rules and regulations for the sale of property acquired by Suffolk County pursuant to § 46 of the Suffolk County Tax Act shall apply:

- A. Application for release of property acquired pursuant to the Suffolk County Tax Act. The County's interest in property acquired pursuant to the Suffolk County Tax Act may be released, as herein provided, on the application of any party who had an interest in the property at the time of application, up to six months from the date of the recording of the County's deed, as defined in Subsection B herein. A party with an interest in the property shall include every person to whom any estate or interest in the real property is conveyed in good faith for a valuable consideration, including but not limited to a contract vendee and any purchaser of real property pursuant to a judicial sale in a mortgage foreclosure action. A party with an interest in the property, as defined herein, shall be the recipient of the quitclaim deed which is executed and delivered pursuant to Subsection H herein. A party in interest shall not be deemed to include the County of Suffolk.
- B. Time for making application. Any application under this section must be made within six months after the date of the recording of the County's deed.
- C. Form of application. All applications shall be made in writing to the Director on a form prepared by him or her. The application shall contain the name and address of the applicant, the date on which the County's deed was recorded and the recording data, a full description of the instrument upon which the applicant's interest derives, including the date of execution, the date and place of the recording, or entry of said instrument and the parties thereto, and a statement specifying the nature of the applicant's interest in the property, and shall be verified. If the applicant's interest arises by reason of the death of a prior owner or by operation of law, the application shall also state the applicant's relationship to the decedent and shall include whatever additional information may be necessary to establish the applicant's right to make the application.
- D. Supporting documents. Each application shall be accompanied by a certificate or certified search of any lawyer's title insurance or abstract company authorized to do business under the laws of the State of New York. Such search or certification shall recite the recording data as to all instruments affecting the premises for the period of 10 years preceding the date of recording of the County's deed. If the applicant's interest derives other than from an instrument recorded in the County Clerk's office, a certified copy of the instrument from which such interest derives shall accompany the application. In a proper case, the Director may require the applicant to submit an affidavit containing relevant information as to the applicant's interest in the property and the source or derivation thereof.
- E. Fee. The sum of not less than \$200 and not more than \$500, as determined by the Director, as a fee to cover the County's expenses shall be paid at the time of submission of the application. Such fee shall be nonrefundable except pursuant to Subsection I of this section.

F. Consideration for release. The County's interest may be released only after payment, as to each parcel to be released, of the following sums of money:

- (1) The amount of the County investment in the property as determined by the County Treasurer. Said amount shall include the principal amount due on all unpaid taxes, assessments, water charges and sewer rents arising from County warrants, together with interest and penalties to the date of the tax sale, taxes assessed after the date of the tax sale, including the amount of the taxes that would have been assessed during the period following the sale when the County is required to pay only school taxes, together with the statutory interest computed to the date of the tax deed and thereafter at the rate of 6% to the date of payment, plus any amounts payable to the Suffolk County Department of Social Services which are attributable to any former owner. With regard to the satisfaction of the indebtedness to the Department of Social Services, the County Director of Planning, with the written consent of the Commissioner of the Department of Social Services, may accept from the social-services recipient only a repayment agreement or new bond and mortgage in lieu of payment of any or all indebtedness.
- (2) Five percent of the amount computed pursuant to the preceding Subsection F(1).
- (3) Any deficiency which may result to the County after all payments made by it for the repair, maintenance, and operations of the property shall have been charged or debited in the appropriate accounts of the County and all rents, license fees, and other moneys collected by the County as a result of its operation of the said property shall have been credited in such accounts. Any contract for repair, maintenance, management, or operation made by the County on which it shall be liable, although payment thereon shall not have been made, shall be deemed a charge or debit to such accounts as though payment had been made. The amounts paid and collected by the County as shown in its accounts and the necessity for making the several payments and contracts to be charged as herein provided shall be conclusive upon the applicant. Where a deficiency under this section shall be created or increased by the failure of the County to collect rents, license fees, or other moneys to which the County may have been entitled, the right to collect or bring action for the same shall be assigned and transferred to the applicant by an instrument in writing.
- (4) Any and all costs and disbursements which shall have been awarded to the County or to which it may have become entitled by operation of law or which it may have paid or become liable for payment in connection with any litigation between it and the applicant or any person having an estate or interest in the real property to be released resulting directly or indirectly from the foreclosure by action in rem of the delinquent taxes affecting said property.
- (5) The cost of giving the notices are hereinafter provided for.

- G. Consideration of application. Subject to the provisions of Subsection I, the Director, or his or her designee, shall promptly consider the application and make a finding and determination as to the applicant's entitlement to a deed of the County's interest in the property. In making such determination, the Director, or his or her designee, shall consider all appropriate, relevant, and equitable matters. If the Director, or his or her designee, ascertains that others than the applicant have an interest in the property, he or she may enlarge his or her inquiry as necessary, request further supplementary application, and, as in the case of infants or incompetents, determine that the grantee in the County's instrument of conveyance should be all those in whom title should vest and to what, if anything, such title should be subject.
- H. Instrument of release. If the Director, or his or her designee, shall find and determine that the premises should be released and conveyed to the applicant, or to the applicant and others, upon the payment of the proper consideration, he or she shall convey the County's interest by the execution and delivery of a quitclaim deed. The Director's delivery of such deed shall be given only pursuant to the direction of the County Legislature evidenced by the enactment of a resolution authorizing the conveyance.
- I. Superior governmental interest. If, before the County's instrument of release is given, it is found that the governing village, town or county within which said real property is located has a governmental need for the premises and has enacted a resolution specifically stating the nature of that governmental need, the Director, or his or her designee, shall stay any further proceedings on the application other than pursuant to this section. In such a case, if the County Legislature then enacts into law a resolution determining that the property is needed for a specifically identified governmental purpose within six months after the filing of the application, the application shall be denied and the application fee returned to the applicant. If no such resolution is passed within said period, the Director may reconsider the application within three months after the expiration of the above six-month period.
- J. Notice to be given. Annually, in the official papers of the County and each of the towns therein, by a display advertisement of not less than 1/4 page, the Director shall give notice of the opportunity afforded by this section to redeem property sold for taxes, in substantially the following form:

NOTICE
OF OPPORTUNITY TO REDEEM PROPERTY
FROM SUFFOLK COUNTY TAX SALE

A list of parcels of land acquired by Suffolk County as the result of tax sales has been completed by the Department.

The former owners thereof may apply to reacquire the property.

The list may be seen and applications to reacquire may be filed at the Department of Finance and Taxation, Suffolk County Center, Riverhead, New York 11901.

Applications should be made promptly.

Director
Phone:

K. The foregoing regulations may be amended only by local law.

§ A40-4. Disposition of property acquired through Suffolk County Tax Act.

- A. The Suffolk County Tax Act, the local law providing for a further redemption period, and the Suffolk County Administrative Code afford a reasonable opportunity to pay the real property taxes with interest and penalties in cases where they were not paid in the year for which they were levied. When, then, all opportunity for statutory redemption expires without action on the part of the taxpayer and the County takes title to the property, the selling process shall commence immediately.
- B. The Department is hereby designated as the agency to implement this section.
- C. The Director shall be the custodian and depository of all instruments recorded in the County Clerk's office conveying any interest in real property to the County or any agency or district thereof authorized to acquire and hold such an interest in behalf of such agency or district.
- D. Upon the County acquiring an interest in real property by tax deed, the Director shall advise the County Executive; the Commissioner of Public Works; the Commissioner of Parks, Recreation and Conservation; the Clerk of the County Legislature, and such others as by management order of the County Executive or resolution of the County Legislature shall be designated, thereof. Those so advised shall, within four weeks, report in writing to the Commissioner whether they wish consideration to be given to holding such interest for a County purpose, together with the reasons for such proposed retention.
- E. The County Executive, the Presiding Officer of the County Legislature, and the Director, or his or her designee, shall constitute an Appeals Committee to screen requests for the retention of property interests acquired by tax deed. Such Committee shall meet from time to time to consider all such requests, and its determination as to departmental requests shall be final unless overturned by a duly enacted resolution of the County Legislature.

- F. Using such County personnel as is available from time to time, the Director, or his or her designee, shall cause to be made an appraisal of each parcel of land acquired by tax deed.
- G. Public auction. All parcels approved for disposition, except those that may be sold as provided in Subsection H or as provided under § A36-2A of the Suffolk County Administrative Code, shall be offered for sale to the highest bidder at public auction pursuant to regulations established for such auctions by the Director. All parcels approved for disposition, which have structures affixed thereto capable of physical occupancy by individuals, shall only be offered for sale to the highest bidder at a public auction who is willing to agree, in writing, to a restrictive covenant in such deed as may convey title to such individual requiring the owner of the parcel, or his or her natural children or natural parents, to occupy said premises, said restriction to run with the land for a period of 10 years subsequent to the transfer of title from the County of Suffolk. The owner of the parcel shall provide to the County written notice of any subsequent transfer of the parcel within said ten-year period. The Director shall reserve to the County a right of reverter should this restriction be violated. In those instances in which a former property owner has affirmatively waived, in writing, his, her or its right of redemption of property under Subsections A and B of this section, then the Director, or his or her designee, shall take such measures as shall be necessary and appropriate to expedite the offering for sale of such parcels to the highest bidder at public action in accordance with the provisions of this article at the earliest possible date.
- (1) The Division of Real Property Acquisition and Management shall take such measures as shall be necessary and appropriate to ensure that the transfer of title for sale of such parcels shall take place within two years after the signing of the contract of sale for such parcels.
 - (2) If the transfer of title for sale of such parcels shall not take place within two years after the signing of the contract of sale, then the Director of the Division of Real Property Acquisition and Management shall provide a written report to the County Legislature and appear before the Ways and Means Committee and the Parks and Cultural Affairs Committee of the County Legislature, or any successor committees thereto, in order to continue the transfer process.
 - (3) The Division of Real Property Acquisition and Management shall lower the upset price for the public auction of such County-owned real estate parcels approved for such disposition as many times as shall be necessary and appropriate to effectuate the sale of such parcel at the third public auction if such parcel has been unsuccessfully listed at public auction two prior times.
 - (4) The Division of Real Property Acquisition and Management shall provide to each member of the Suffolk County Legislature a list of all parcels to be auctioned at least 45 days prior to the auction date and shall notify legislators of any parcels

added to the auction list prior to the auction date. The auction list must be complete 15 days prior to the auction date, and no additional parcels may be added to the auction list after that time.

H. The Director, or his or her designee, in the case of a parcel which does not meet the minimum zoning code requirements of the municipal zoning district in which the parcel is located, in order to promote the development of residential dwellings for first-time homebuyers and/or occupants, shall offer to convey such parcel to the highest bidder at a special auction who: (i) agrees, in writing, within 60 days of the date of such auction, to apply for and diligently pursue, using best efforts and at such bidder's sole cost and expense, a building permit, to allow the construction of a single-family residential dwelling on such parcel that substantially conforms in size and appearance to the residential dwellings located within the immediately surrounding residential community; (ii) agrees, in writing, within 180 days of the date of such auction, to apply for and diligently pursue, using best efforts and at such bidder's sole cost and expense, any and all variances and/or other relief from such minimum zoning requirements; and (iii) agrees, in writing, to accept title to such parcel subject to the covenants contained in this Subsection H. The requirement to offer and convey such parcel to such highest bidder at a special auction under this subsection shall apply only to parcels located substantially within a residential zoning district that have a lot area of not less than 5,000 square feet and street frontage of not less than 50 feet and that substantially conform in size to the developed and/or undeveloped parcels located within the immediately surrounding residential community. The provisions of this subsection shall not apply to parcels situated within the Town of Brookhaven.

(1) Upon the granting of any required variance or other relief from the minimum zoning requirements of the municipal zoning district in which the parcel is located, and the issuance of a building permit to construct such single-family residential dwelling on such parcel, fee title shall be promptly conveyed to such highest bidder by deed containing the following covenants, which covenants shall run with the land:

(a) "The use of the parcel herein described by the grantee is hereby restricted solely to the development of a single-family residential dwelling unit for first-time homeowners or buyers; with all right, title, and interest reverting back to the County of Suffolk, at the sole option of the County of Suffolk, in the event the grantee, at any time, uses or attempts to use the parcel herein described for any other use or purpose, including, without limitation, no use or purpose. This reverter clause shall also apply to any transferee from the grantee who is not a first-time home-owner or -buyer."

(b) "All right, title, and interest to the parcel herein described shall revert back to the County of Suffolk should any one or more of the following events occur:

- [1] If the grantee, or any transferee from the grantee who is not a first-time homeowner or -buyer, fails to substantially complete the construction of a single-family residential dwelling upon the parcel described herein within three years from the date of transfer to the grantee, unless one or more extensions of time is granted, in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Notwithstanding the foregoing, such extensions shall not exceed, in the aggregate, a period of four years from the date of transfer to the grantee, unless approved by a duly enacted resolution of the County of Suffolk;
- [2] If the income of the first-time homeowner or -buyer, at the time of occupancy of the single-family dwelling constructed on the parcel described herein, should exceed 80% of the HUD-established median income for the Nassau-Suffolk Primary Metropolitan Statistical Area adjusted by family size;
- [3] If the sale price of the single-family dwelling constructed on the parcel described herein exceeds 60% of the median sales price for Suffolk County single-family dwellings, based upon the State of New York Mortgage Agency Guidelines;
- [4] If the first-time homeowner or -buyer of the single-family dwelling constructed on the parcel described herein fails to occupy such single-family dwelling as his and/or her primary residence for a period of 10 consecutive years from the time of occupancy of such single-family dwelling; provided, however, that the right, title and interest to the parcel herein described shall not revert to the County of Suffolk if:
 - [a] The first-time homeowner or -buyer sells to a first-time homeowner or -buyer meeting the income qualifications set forth in Subsection H(1)(b)[2], or as amended; and
 - [b] Any gain realized from such sale up to and including the fifth anniversary of ownership, and declining ratably thereafter to 50% of any realized gain during the sixth year of ownership up to and including the 10th anniversary of ownership, shall be paid to the County of Suffolk; and
 - [c] The income qualifications and the formula for recapture of realized gain set forth in this subsection shall apply to each and every subsequent sale;

- [5] If all or any portion of the single-family residential dwelling is rented or leased to any other person, whether or not by written agreement;
 - [6] If the grantee fails to certify to the Suffolk County Director of Affordable Housing (or his or her designee), prior to closing of the title by a first-time homebuyer, or occupancy by a first-time homeowner, as the case may be:
 - [a] The dates of completion and occupancy of the single-family dwelling constructed on the parcel described herein; and
 - [b] The total income, from all sources, of all occupants of the single-family dwelling constructed on the parcel described herein; and
 - [c] In the case of a first-time homebuyer, the sales price of the single-family dwelling constructed on the parcel described herein; and
 - [d] The single-family dwelling constructed on the parcel described herein meets all applicable building and zoning codes, rules and regulations;
 - [7] If the grantee fails to provide the Suffolk County Director of Affordable Housing (or his or her designee) with a detailed, annual written report no later than December 31 of each year commencing in the year immediately subsequent to the date of this deed, which report shall include any and all information as may be required by the Director of Affordable Housing, including, but not limited to, the status of the development and/or sale of the parcel described herein, and an accounting of all sums directly or indirectly attributable to the use of the parcel described herein."
- (2) In the event such highest bidder, after using best efforts to apply for and diligently pursue any variance or other relief from such minimum zoning requirements and a building permit, to allow the construction of a single-family residential dwelling on such parcel that substantially conforms in size and appearance to the residential dwellings located within the immediately surrounding residential community, does not obtain such variance and building permit within the time prescribed herein, the auction sale shall be deemed cancelled and the County shall return to the bidder any sum paid under the terms and conditions of the special auction.
- (3) In the event a parcel offered for sale pursuant to the preceding provisions of this subsection is not sold the first time it is offered at a special auction, and the parcel is appraised for less than \$50,000, the Director, or his or her designee, shall offer

the parcel to appropriate adjoining property owners at not less than the appraised value before offering it for sale by general auction.

- (4) In the event a parcel does not meet applicable minimum zoning code requirements in order to be developed, is appraised for less than \$30,000, and fails to satisfy the criteria for special auction under the provisions of this subsection, the Director, or his or her designee, shall offer the parcel to appropriate adjoining property owners at not less than the appraised value before offering it for sale by general auction.
- I. The Director, or his or her designee, is authorized to execute and deliver, by a bargain and sale deed without covenants, or by quitclaim deed, for the transfer of any properties which are the subject matter of this section. All deed transfers shall be subject to the express approval of the County Legislature, and all contracts negotiated by the County shall provide that the proposed conveyance is subject to legislative approval and subject to such restrictive covenants as may be provided for in Subsections G and H of this section.
- J. The Director shall advertise in the official newspapers, and may advertise in such other media as he or she may elect, the date, time, and place of the public auction for the sale of the properties. Lists of properties to be offered for sale may be made available by mail to persons requesting such lists.
- K. Upon the negotiation of contracts or sales at auction, the Director, or his or her designee, shall deliver to the County Legislature, in resolution for approval, a list of properties proposed to be sold, together with the negotiated or bid price.
- L. In the event that an auction parcel is improved by a owner-occupied residence which has been owner-occupied for a period of at least five years prior to the date of the recording of the County's deed, then the prior owner may make application in writing to the County Division of Real Property Acquisition and Management for a distribution from the proceeds of the auction sale. The amount that the applicant is eligible to receive is a sum equal to the remaining proceeds after deducting payment for all sums set forth in § A42-3 hereinabove and an amount equal to the sum of all valid liens, judgments, or encumbrances which existed on the date that the County took title to the subject parcel. For the purposes of this subsection, "proceeds" shall be defined as either the amount of the sale at auction or the amount of an appraisal made as of the date which the County took title, whichever amount is less.
- M. The Director may propose amendments to the rules and regulations that govern the procedures and forms for the implementation of this section by filing them with the Clerk of the County Legislature and mailing copies thereof to the County Executive and members of the Legislature. Such amendments shall become effective sixty (60) days after such filing and notification unless within such period a resolution of disapproval proposed by any Legislator is enacted into law by the County Legislature.

- N. The Division of Real Property Acquisition and Management shall take such measures as shall be necessary and appropriate to ensure that the acquisition of all parcels or interests in real estate authorized under any County land acquisition program shall take place within two years after the effective date of the County resolution authorizing the acquisition of such parcels or any interest therein. If the transfer of title to such parcels or interests in real estate shall not take place within two years after the effective date of the County resolution authorizing such acquisition, then the Director of the Division of Real Property Acquisition and Management shall provide a written report to the County Legislature and appear before the Ways and Means Committee and the Parks and Cultural Affairs Committee of the County Legislature, or any successor committees thereto, in order to continue the acquisition process.

§ A40-5. Conduct of hearings and making of findings pursuant to New York Eminent Domain Procedure Law.

- A. The Legislature finds and determines it to be in the public interest that public hearings, as required by the New York State Eminent Domain Procedure Law, can best be conducted by the Department, pursuant to Article 2 of said law, and that the Department, in order to effectuate the object, intent, and provisions of the New York Eminent Domain Procedure Law, may establish and amend rules and regulations consistent with the provisions of said law, pursuant to Article 7, § 707 of said law.
- B. After the Legislature approves acquisition of an interest in real property for municipal purposes, the resolution of approval shall delegate unto the Director, and in his or her absence the Director of the Division of Real Property Acquisition and Management, the full authority of the Legislature to conduct public hearings and make determinations and findings as to all matters set forth in Article 2 of the New York Eminent Domain Procedure Law.
- C. Public hearings shall be conducted and the notices thereof shall be published and issued pursuant to §§ 201, 202, 203, and 204 of the New York Eminent Domain Procedure Law.
- D. The Director or, in his or her absence, the Director of the Suffolk County Division of Real Property Acquisition and Management shall be deemed a hearing officer with the authority to make determinations and findings pursuant to § 204 of the New York Eminent Domain Procedure Law.
- E. The written determination and findings shall be filed with the Clerk of the County Legislature within 90 days after the conclusion of the public hearing.
- F. The Director or, in his or her absence, the Director of the Suffolk County Division of Real Property Acquisition and Management, shall publish a brief synopsis of such filed

determinations and findings in at least two successive issues of the official newspapers and in two successive issues of a newspaper of general circulation in such locality, and the publication shall state that copies of the determinations and findings will be forwarded, upon written request, without cost.

- G. The hearing officer may recommend and permit further field studies subsequent to the hearing, pursuant to § 205 of the New York Eminent Domain Procedure Law. The hearing officer may authorize and permit amendments or alterations to accommodate such field conditions if deemed necessary, but the Legislature reserves unto itself the right to approve any changes in the original acquisition maps whereby additional property is required or whereby the acquisition of properties approved in the original maps are deleted.
- H. The Director, and in his or her absence the Director of the Suffolk County Division of Real Property Acquisition and Management, in order to effectuate the object, intent, and provisions of the New York Eminent Domain Procedure Law, may, from time to time, make or amend rules and regulations consistent with the provisions of this section in those instances where such provisions are not expressly provided in the New York Eminent Domain Procedure Law; and such rules and regulations or amendments thereto shall be filed with the Clerk of the Legislature and shall be deemed approved by the Legislature and become effective forty-five (45) days after filing, unless overturned by a duly enacted resolution of the County of Suffolk.

§ A40-6. Required provision in all instruments of conveyance when acquiring development rights in agricultural lands.

Pursuant to Chapter 8 of the Suffolk County Code regarding acquisition of development rights in agricultural lands, the County Executive and the Director shall make provision in all instruments of conveyance and documents in connection therewith relating to the acquisition of development rights that the owner of the remainder fee shall not, after the conveyance of the development rights in any lands to the County, subdivide the remainder fee without the consent of the County Legislature, which hereby certifies and resolves that such consent shall not be unreasonably withheld. Nothing contained herein shall be deemed to prevent the devolution of title by operation of law or by last will and testament.

§ A40-7. Leasing of surplus County property.

Upon the determination by the County Legislature that county-owned real property is not required for public use, such property may be leased for a term not exceeding 10 years upon such terms and conditions as may be prescribed by the County Legislature by resolution in the same manner and with the same rights and privileges as if owned by an individual, anything in § 215 of the New York County Law to the contrary notwithstanding.

§ A40-8. Procedure for leasing real property for County use.

- A. Required information. The County Legislature shall not take any action on any resolution regarding the leasing of real property by the County of Suffolk, nor shall any agency contracting with the County of Suffolk under any grant undertake the leasing of real property, until the County Legislature has been supplied with and shall have before it the following information:
- (1) All such information which has been provided to the Director's office in relation to such a lease; and
 - (2) A public hearing report dealing with the proposed lease.
- B. Public hearing.
- (1) A public hearing shall be held in the legislative district in which the property is situated by the Ways and Means Committee of the County Legislature, or any successor committee thereto, and the Legislator from the district in which the property is situated.
 - (2) The public hearing shall be held within 20 days after the date the resolution is laid on the table.
 - (3) A written report on the proceedings of such public hearing shall be distributed to each member of the County Legislature within seven days after such hearing.
 - (4) At the next regularly scheduled meeting following the public hearing, the County Legislature shall consider and vote on the resolution proposing the lease.
- C. Public notice. The notice shall be published one time in the official County papers and, unless one of such papers is published in the town in which the property is situated, in the official paper of such town. The notice shall be published at least seven days preceding the public hearing.
- D. Exceptions.
- (1) The provisions of this section shall not apply to the leasing of office space for members of the judiciary or members of the County Legislature, nor for the County Executive.
 - (2) This section shall not apply to leases at Suffolk County Airport, Westhampton Beach, New York, or to an extension, modification, or renewal of any of said leases; and to the extent that § 352, Subdivision 5, of the New York General

Municipal Law may be deemed to be inconsistent herewith or to otherwise require a hearing with respect to any such leases, such section is hereby superseded in accordance with § 22 of the New York Municipal Home Rule Law.

- (3) The public-hearing and public-notice provisions of this section shall not apply in the case of a public emergency declared in writing by the County Executive and arising out of unforeseen occurrences.
- (4) This section shall not apply to leases entered into by the County's law enforcement departments and agencies necessary for use in connection with the conduct of undercover/covert operations, nor shall such leases be subject to review by the County's Space Management Steering Committee.
 - (a) Prior to executing a lease necessary for use in connection with the conduct of undercover/covert operations, the leasing department or agency shall provide the County Attorney with a copy of said lease.
 - (b) In no event shall the term of a lease entered into pursuant to this exception exceed one year.

§ A40-9. Procedures for title insurance.

- A. There shall be within the Division of Real Property Acquisition and Management a pool of at least 10 qualified title insurance companies, which companies shall be designated by the Director of the Division of Real Property Acquisition and Management with the approval of the County Legislature by duly enacted resolution. Such information as may be reasonably necessary to evaluate the title insurance companies, including but not limited to certifications and licenses, shall be included with the resolution submitted for approval. Designation and approval of the pool of qualified title insurance companies by the County Legislature shall occur no less frequently than every two years.
- B. At a minimum, any title insurance company must be qualified as a New York licensed title insurance company and must maintain such license in good standing for so long as it is involved in County real estate transactions. Proof of such license and certifications shall be submitted to the Director of the Suffolk County Division of Real Property Acquisition and Management on or before December 31 of each year. Further, any title insurance company in the pool must disclose to the Division of Real Property Acquisition and Management the organization of the company (i.e., sole proprietorship, partnership, corporation, limited-liability corporation, et al), the identity of licensed agents who have the capacity to bind the company, and any other information relevant to the company or underwriter operations. No company utilizing the services of an agent or underwriter with a record of a felony conviction within the preceding 10 years shall be eligible to be enrolled in this pool.

- C. The Director of the Division of Real Property Acquisition and Management shall select on a rotating basis from the pool of title insurance companies to conduct County real estate transactions.

§ A40-10. Process for Appraisers

There shall be within the Division of Real Property Acquisition and Management, or any successor thereto, a pool of at least 30 qualified real property or other appraisers and professional engineers, but not more than 50, whose members shall be designated by the Director of the Division of Real Property Acquisition and Management with the approval of the County Legislature by duly enacted resolution. Such information as may reasonably be necessary to evaluate the appraisers or appraisal firms, including but not limited to curriculum vitae, certifications and other applicable licenses, shall be included with the resolution submitted for approval. Designation and approval of the pool of qualified appraisers or appraisal firms shall occur no less frequently than every two years. The Director of the Division of Real Property Acquisition and Management shall select from the pool as many outside appraisers as are necessary to conduct County appraisals. At a minimum, any real property appraisers must be qualified as New-York-certified general appraisers and must maintain such certification in good standing for so long as they conduct County appraisals. Appraisers, other than real estate appraisers, must maintain such professional licenses or other certifications or qualifications which, in the opinion of the Director of the Division of Real Property Acquisition and Management are necessary to properly conduct County appraisals. Proof of such certification and licenses shall be submitted to the Director of the Suffolk County Division of Real Property Acquisition and Management on or before December 31 of each year. The Director of the Suffolk County Division of Real Property Acquisition and Management shall promptly forward copies of all such proof to the County Executive and the Clerk of the County Legislature. The selection of appraisers to perform services for the County in connection with the acquisition or disposition of any interest in real estate, from the legislatively approved biennial list, shall be done in a manner that includes administratively established professional criteria.

Section 4. Transition and Applicability Provisions.

- A. This law shall apply to all actions occurring on or after the effective date of this law.
- B. Any reference to the Department of Environment and Energy in any other resolution, local law, charter law, ordinance, chapter of the SUFFOLK COUNTY CODE, rule or regulation of the County of Suffolk or in any other state or federal law, rule or regulation, shall be construed to mean the Department of Planning and any reference to the Commissioner of the Department of Environment and Energy in any Chapter of the SUFFOLK COUNTY CODE rule or regulation of the County of Suffolk or in any other state or federal law, rule or regulation, shall be construed to mean the Director of the Department of Planning.

- C. Any reference to the Department of Economic Development and Workforce Housing in any other resolution, local law, charter law, ordinance, chapter of the SUFFOLK COUNTY CODE, rule or regulation of the County of Suffolk or in any other state or federal law, rule or regulation, shall be construed to mean the Department of Planning.
- D. Any reference to the Division of Real Estate in the County Department of Energy and Environment or its Director in any other resolution, local law, charter law, ordinance, Chapter of the SUFFOLK COUNTY CODE, rule or regulation of the County of Suffolk in any state or federal law, rule or regulation, shall be construed in the first instance to the County Division of Real Property Acquisition and Management in the County Department of Planning, anything in any other laws or regulations to the contrary notwithstanding.
- E. All County Departments shall cooperate fully with the Commissioner of the County Department of Environment and Energy, or his or her designee, in all phases of implementing the provisions of this law.

Section 5. Severability.

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

Section 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (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 7. 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\cl-new planning department

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: NOVEMBER 21, 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 CONSOLIDATING FUNCTIONS WITHIN THE DEPARTMENT OF PLANNING
SPONSOR: PRESIDING OFFICER LINDSAY, DEPUTY PRESIDING OFFICER VILORIA-FISHER, LEGISLATORS COOPER, GREGORY, KENNEDY, MONTANO, NOWICK AND SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 11/16/11 PUBLIC HEARING: 12/6/11
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed charter law reflects policy changes made in the County's adopted 2012 operating budget.

Specifically, this law abolishes the Department of Environment and Energy and the Department of Economic Development and Workforce Housing, and consolidates most of the functions and responsibilities of these departments within the Department of Planning.

If the proposed law is adopted, the Department of Planning will assume the following responsibilities:

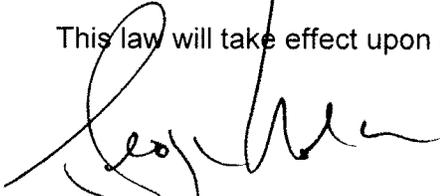
1. To advise and assist the County Executive, the County Legislature and other departments on matters pertaining to the environment and energy;
2. To make recommendations as to which County-owned properties should be dedicated to the County nature preserve, the historic trust and bird sanctuary;
3. To oversee the County's energy conservation programs;
4. To oversee and manage the County's Brownfields program, farmland and open space acquisitions and conservation easements;
5. To promote economic development within Suffolk County;
6. To oversee and manage Gabreski Airport;
7. To supervise the County's Affordable Housing Program; and
8. To manage the Community Development Agency.

The Division of Real Property Acquisition and Management will be transferred to the Department of Planning. Restrictions on the outside business activities of the employees of this division will remain the same but these provisions will henceforth be found at Section A14-27 of the SUFFOLK COUNTY ADMINISTRATIVE CODE. Various code provisions relating to

County-owned real estate also remain the same but will now be found at new Article 40 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

The Office of Energy and Division of Water Quality are being transferred from the Department of Environment and Energy to the Department of Planning. The offices of Cancer Awareness, Farmland Acquisition and Management and Recycling and Waste Management are eliminated.

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

A handwritten signature in black ink, appearing to read "George Nolan", written over a vertical line that extends from the text above.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\consolidating functions within Planning

Intro. Res. No. 2042-11
Introduced by the Presiding Officer on the request of the County Executive

Laid on Table

11/27/11

RESOLUTION NO. _____, 2011 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on August 16, 2011 in relation to the increase and improvement of facilities for said district which includes the improvements to buildings, mechanical and electrical systems, HVAC, and auxiliary equipment at Suffolk County Sewer District No. 3 – Southwest, in relation to; and

WHEREAS, pursuant to Introductory Resolution No. 1586-11, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on August 16, 2011 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement of the building and mechanical/electrical facilities for Suffolk County Sewer District No. 3 – Southwest submitted and evidence given at the public hearing held on August 16, 2011; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the increase and improvement to buildings, mechanical and electrical systems and auxiliary equipment facilities at Suffolk County Sewer District No. 3 – Southwest, that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$5.2 million on the increase and improvement to buildings, mechanical and electrical systems, HVAC, and auxiliary equipment and facilities at Suffolk County Sewer District No. 3 – Southwest.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement to buildings, mechanical and electrical systems

and auxiliary equipment and facilities at Suffolk County Sewer District No. 3 – Southwest at a maximum cost of \$5.2 million which represents the aforementioned project which will be attributable to the increase and improvement to buildings, mechanical and electrical systems, HVAC, and auxiliary equipment and facilities of said sewer district, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that two other projects (outfall – final effluent pump station and reduction of extraneous flows) being implemented for this district, when added to the project will result in an increase to the typical property of less than \$19.18;

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

2nd RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO., 2011 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes ___ No <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
An appropriations resolution is to be forwarded for this project.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
To be included in a forthcoming appropriations resolution.		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 16th, 2011

SCIN FORM 175b (10/95)

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

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

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

Submitting Department (Dept. Name & Location): Department of Public Works 335 Yaphank Avenue Yaphank, NY 11980	Department Contact Person (Name & Phone No.): Ben Wright, P.E. Principal Civil Engineer, Sanitation 852-4204
--	--

Suggestion Involves:

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

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

A findings determination will lead to providing funds to improvement of SCSD #3 – Southwest including building, HVAC, electrical and mechanical systems and auxiliary equipment.

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

The findings resolution and statement involves the improvements to the SCSD #3 – Southwest.

PLEASE FILL IN REVERSE SIDE OF FORM

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

RESOLUTION SUBMITTAL SHEET

Capital Project	<u>CP 8170</u>	Legislative Districts	<u>9-11,14,15,16,17</u>
Operating Fund		Federal Aid %	
Other		State Aid %	

Give a complete description of why we are asking for reso; if aided, state status of aid

To state the findings of a public hearing held August 2, 2011 for infrastructure improvements (buildings, electrical, mechanical, HVAC, and auxiliary systems).

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>155-2011</u>	<u>SEQRA</u>	
<u>1210-2008</u>	<u>Construction</u>	<u>\$5.8 million</u>
<u>592-2009</u>	<u>Construction</u>	<u>\$2.0 million</u>
<u>597-2009</u>	<u>Construction</u>	<u>\$2.8 million</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>\$3,200,000</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>\$5,200,000</u>	Construction	<u>\$46,000,000</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status (Phase I)

Est. planning completion	<u>12/11</u>	Design consultant	<u>varies</u>
Est. construction start	<u>4/12</u>	Contractor	<u>To be determined</u>
Est. construction completion	<u>12/17</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
---------------	----------------------	-----------------

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

Substance:

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

Form:

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

Background Documentation:

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

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

2043

Intro. Res. No. -2011

Laid on Table 11/22/11

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2011, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)

WHEREAS, the Bergen Point Wastewater Treatment Plant requires infrastructure improvements; and

WHEREAS, Public Hearings were held on August 16, 2011 at the regularly scheduled meeting of the County Legislature in Riverhead, New York in connection with the proposed improvements; and

WHEREAS, a resolution authorizing the issuance of \$5,200,000 in Sewer District Serial Bonds and this resolution which appropriates funds have been submitted to the Legislature for approval; and

WHEREAS, the Administrative Head of Sewer District No. 3 - Southwest has requested that funds be appropriated to cover construction costs associated with the improvement project; and

WHEREAS, there are sufficient funds in the 2011 Capital Budget and Program for the improvement of Suffolk County Sewer District 3 – Southwest (Infrastructure Improvements); and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 155-2011 determined that the proposed sewerage facility improvement and/or rehabilitation to the Sewer District No. 3 - Southwest constitutes a Type II action pursuant to the provisions of NYCRR Part 617.5; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$5,200,000 in Sewer District Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy seven (77), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the proceeds of \$5,200,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>AMOUNT</u>
528-CAP-8170.319 (Fund 203-Debt Service)	Improvements to Sewage Treatment Facilities - SCSD No. 3 - Southwest – (Infrastructure Improvements)	\$5,200,000

and be it further

3rd **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to Sewer District No. 3 - Southwest.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2011, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes ___ No <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
This resolution appropriates funds included in the Adopted Capital Program. The financial impact is minimized by the Assessment Stabilization Reserve Fund (ASRF) at 3% per year.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
The project is \$5.2 million in serial bonds and the ASRF will continue to stabilize rates at an annual increase of 3%.		
8. Proposed Source of Funding		
Suffolk County Sewer District Serial Bonds		
9. Timing of Impact		
2012		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 16th, 2011

SCIN FORM 175b (10/95)

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$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 SUBMITTAL SHEET

Capital Project	CP 8170	Legislative Districts	9-11,14,15,16,17
Operating Fund		Federal Aid %	
Other		State Aid %	

Give a complete description of why we are asking for reso; if aided, state status of aid

To improve Sewer District No. 3 – Southwest - \$5.2 million requested per adopted budget for infrastructure improvements (buildings, electrical, mechanical, HVAC, and auxiliary systems).

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
155-2011	SEQRA	
1210-2008	Construction	<u>\$5.8 million</u>
592-2009	Construction	<u>\$2.0 million</u>
597-2009	Construction	<u>\$2.8 million</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>\$3,200,000</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>\$5,200,000</u>	Construction	<u>\$46,000,000</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status (Phase I)

Est. planning completion	<u>12/11</u>	Design consultant	<u>varies</u>
Est. construction start	<u>4/12</u>	Contractor	<u>To be determined</u>
Est. construction completion	<u>12/17</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
---------------	----------------------	-----------------

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 Public Works 335 Yaphank Avenue Yaphank, NY 11980	Department Contact Person (Name & Phone No.): Ben Wright, P.E., Principal Civil Engineer 852-4204
--	--

Suggestion Involves:

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

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

Funding is necessary to initiate construction of SD 3 Southwest infrastructure improvements in order to meet the needs of the sewer district.

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

A resolution to appropriate funds in connection with improvements to the Sewer District No.3 – Southwest.

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN Form 175a (10/95)

Prior editions of this form are obsolete.

jp-bw8-5-11 Backup-DPW 175A sd3 Southwest Infrastructure Improvements serial bonds CP 8170

2044

Intro. Res. No. -2011

Laid on Table

11/22/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2011, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (INFILTRATION/INFLOW) (CP 8181)

WHEREAS, the Sewer District No. 3 – Southwest sewer system requires infrastructure improvements; and

WHEREAS, a public hearing was held on August 2, 2011 at the regularly scheduled meeting of the County Legislature in Hauppauge, New York, in connection with the proposed improvements; and

WHEREAS, a resolution authorizing the issuance of \$4.5 million in Sewer District Serial Bonds and this resolution which appropriates funds have been submitted to the Legislature for approval; and

WHEREAS, the Administrative Head of Sewer District No. 3 - Southwest has requested that funds be appropriated to cover construction costs associated with the improvement project; and

WHEREAS, there are sufficient funds in the 2011 Capital Budget and Program for the sewer system improvement of Suffolk County Sewer District 3 - Southwest; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 154-2011 determined that the proposed improvement and/or rehabilitation to the Sewer District No. 3 - Southwest constitutes a Type II action pursuant to the provisions of NYCRR Part 617.5; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$4.5 million in Sewer District Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy two (72), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the 2011 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8181
 Project Title: Inflow/Infiltration Study/Rehabilitation Sewer District No. 3

	<u>Total Est'd Cost</u>	<u>Current 2011 Capital Budget & Program</u>	<u>Revised 2011 Capital Budget & Program</u>
1. Planning	\$ 4,925,000	\$0	\$1,000,000X
3. Construction	\$14,400,000	\$ 4,000,000X	\$3,000,000X
5. Equipment	\$ <u>500,000</u>	\$ <u>500,000X</u>	\$ <u>500,000X</u>
TOTAL	\$19,825,000	\$ 4,500,000	\$ 4,500,000

and be it further

3rd **RESOLVED**, that the proceeds of \$4.5 million in Sewer District Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>AMOUNT</u>
528-CAP-8181.112 (Fund 203-Debt Service)	Improvements to Sewer District 3- Southwest – Planning	\$1,000,000
528-CAP-8181.312 (Fund 203-Debt Service)	Improvements to Sewer District 3- Southwest – Construction	\$3,000,000
528-CAP-8181.510 (Fund 203-Debt Service)	Improvements to Sewer District 3- Southwest--Equipment	\$500,000

and be it further

4th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to SD 3 - Southwest.

DATED:

APPROVED BY:

 County Executive of Suffolk County

Date:

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

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

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

Submitting Department (Dept. Name & Location): Department of Public Works 335 Yaphank Avenue Yaphank, NY 11980	Department Contact Person (Name & Phone No.): Ben Wright, P.E., Principal Civil Engineer 852-4204
--	--

Suggestion Involves:

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

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

Funding is necessary to initiate construction of SD 3 Southwest sewer system improvements in order to meet the needs of the sewer district.

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

A resolution to appropriate funds in connection with improvements to the Sewer District No.3 – Southwest sewer system.

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN Form 175a (10/95)

Prior editions of this form are obsolete.

jp-bw7-11-11 Backup-DPW 175A sd3 Southwest I/I study serial bonds CP8181 (Revised 8-25-11)

RESOLUTION SUBMITTAL SHEET

Capital Project	<u>CP 8181</u>	Legislative Districts	<u>9-11,14,15,16,17</u>
Operating Fund		Federal Aid %	
Other		State Aid %	

Give a complete description of why we are asking for reso; if aided, state status of aid

To improve Sewer District No. 3 – Southwest - \$4.5 million requested per adopted budget to reduce extraneous flows from entering the sanitary sewer system.

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>368-06</u>	<u>SEQRA</u>	
<u>1069-03</u>	<u>Planning</u>	
<u>1052-08</u>	<u>Planning/construction</u>	<u>\$675,000</u>
<u>1056-08</u>	<u>Planning</u>	<u>\$1,650,000</u>
<u>594-09</u>	<u>Construction</u>	<u>\$2,000,000</u>
<u>1144-10</u>	<u>Construction</u>	<u>\$4,000,000</u>
		<u>\$3,000,000</u>

Amounts being requested

Planning	<u>\$1,000,000</u>
Site	<u>0</u>
Construction	<u>\$3,000,000</u>
Land	<u>0</u>
F&E	<u>\$500,000</u>

Current Funding

Planning	<u>\$3,300,000</u>
Site	<u>0</u>
Construction	<u>\$6,100,000</u>
Land	<u>0</u>
F&E	<u>0</u>

Project Status

Est. planning completion		Design consultant	<u>To be determined</u>
Est. construction start	<u>4/12</u>	Contractor	<u>To be determined</u>
Est. construction completion	<u>10/14</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
---------------	----------------------	-----------------

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

Substance:

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

Form:

- e-Copy with Proper Title
- Proper Sponsorship Line
- Proper Resolution Format
- Numbered Resolve Clauses
- Proofread Resolution

BW Preparer's Initials

Background Documentation:

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

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

Intro. Res. No.

2045-11

Laid on Table

11/22/11

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2011 AMENDING THE 2011
CAPITAL BUDGET AND PROGRAM, TRANSFERRING FUNDS
FROM THE ASSESSMENT STABILIZATION RESERVE FUND,
AND APPROPRIATING FUNDS IN CONNECTION WITH
IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT
NO. 22 – HAUPPAUGE MUNICIPAL (CP 8171)**

WHEREAS, the Hauppauge Municipal Wastewater Treatment Plant requires improvements to the recharge facilities; and

WHEREAS, consultant assistance has been procured in accordance with a request for proposal process and is underway; and

WHEREAS, it has been identified that an alternative to a plan that has been pursued and would require the expenditures of funding for land acquisition is possible; and

WHEREAS, it has been determined that funds in the amount of \$300,000 will be necessary to perform additional field and engineering work; and

WHEREAS, it is proposed that the land acquisition funds be deleted from the Adopted 2011 Capital Budget and \$300,000 be appropriated in the planning line item of the budget utilizing Assessment Stabilization Reserve Funds; and

WHEREAS, the Administrative Head of Sewer District No. 22 – Hauppauge Municipal has requested that the amendment of the capital budget and program and the appropriation of additional funds utilizing the Assessment Stabilization Reserve Fund; and

WHEREAS, Resolution No 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget; as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the transfer of \$300,000 in Assessment Stabilization Reserve Funds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-six (66), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further

2nd RESOLVED, that the Assessment Stabilization Reserve Fund shall provide the sum of \$300,000 for the purpose of continuing the planning phase of the project; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2011 Adopted Operating Budget, transfer funds and accept proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527 - Transfer to Fund 527	\$300,000
527-IFT-R404 – Transfer from Fund 404	\$300,000

and be it further

4th RESOLVED, that the 2011 Capital Budget be and it hereby is amended as follows:

Project No.: 8171
 Project Name: Improvements to Sewer District No. 22 – Hauppauge Municipal

<u>COST ELEMENTS</u>	<u>TOTAL EST'D COST</u>	<u>CURRENT 2011 CAPITAL BUDGET & PROGRAM</u>	<u>REVISED 2011 CAPITAL BUDGET & PROGRAM</u>
1. Planning	\$500,000	\$0	\$300,000A
2. Land Acquisition	\$0	\$200,000X	\$0
TOTAL	\$4,442,327	\$200,000	\$300,000

and be it further

5th RESOLVED, that the funds in the amount of \$300,000 from the Assessment Stabilization Reserve Fund be and they hereby are appropriated as follows:

<u>PROJECT NO.</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
527-CAP-8171.111	Improvements to Sewer District 22 – Hauppauge Municipal Planning, Design & Supervision	\$300,000

and be it further

6th RESOLVED, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to SD 22 – Hauppauge Municipal; and be it further

7th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO.-2011 AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM, TRANSFERRING FUNDS FROM THE ASSESSMENT STABILIZATION RESERVE FUND, AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 22 – HAUPPAUGE MUNICIPAL (CP 8171)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	<u> Other (Specify): </u> SEWER DISTRICT
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
ASSESSMENT STABILIZATION RESERVE FUNDS IN THE AMOUNT OF \$300,000, ALREADY APPROPRIATED IN THE 2011 ADOPTED OPERATING BUDGET (404-IFT-E527), WILL BE TRANSFERRED TO THE CAPITAL SEWER FUND FOR THE PURPOSE OF IMPLEMENTING THIS PROJECT.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
2011 - \$300,000 FROM THE ASSESSMENT STABILIZATION RESERVE FUND.		
8. Proposed Source of Funding		
ASSESSMENT STABILIZATION RESERVE FUND		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 17th, 2011

SCIN FORM 175b (10/95)

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

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

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

Submitting Department (Dept. Name & Location): Department of Public Works 335 Yaphank Avenue Yaphank, NY 11980	Department Contact Person (Name & Phone No.): Ben Wright, P.E. Principal Civil Engineer, Sanitation 852-4204
--	--

Suggestion Involves:

Technical Amendment _____ Grant Award _____	New Program <u> X </u> Contract _____ New _____ Rev. _____ Other _____
--	--

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

To appropriate funds needed to continue the planning task of the project.

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

Amending the 2011 Capital Budget and Program, Transferring Funds from the Assessment Stabilization Reserve Fund, and Appropriating Funds in Connection with Improvements to Suffolk County Sewer District No. 22 – Hauppauge Municipal (CP 8171).

PLEASE FILL IN REVERSE SIDE OF FORM

RESOLUTION SUBMITTAL SHEET

Capital Project	<u>CP 8171</u>	Legislative Districts	<u>12th</u>
Operating Fund		Federal Aid %	
Other		State Aid %	

Give a complete description of why we are asking for reso; if aided, state status of aid

Amending the 2011 Capital Budget and Program, Transferring Funds from the Assessment Stabilization Reserve Fund, and Appropriating Funds in Connection with Improvements to Suffolk County Sewer District No. 22 – Hauppauge Municipal (CP 8171)

Previous resolution (list previous reso for the same work)

<u>Resolution Number</u>	<u>Purpose</u>	<u>Amount</u>
<u>847-2008</u>	<u>Appropriate planning funds</u>	<u>\$200,000</u>

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>\$300,000</u>	Planning	<u>\$200,000</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>0</u>	Construction	<u>0</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status

Est. planning completion	<u>12/2011</u>	Design consultant	<u>LKB</u>
Est. construction start	<u>6/2013</u>	Contractor	
Est. construction completion	<u>12/2014</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
----------------------	-----------------------------	------------------------

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

Substance:

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

Form:

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

Background Documentation:

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

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

2046

Intro. Res. No. -2011

Laid on Table 11/27/2011

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2011, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST – UV PROJECT - PLANNING (CP 8183)

WHEREAS, the disinfection system of Sewer District No. 3 – Southwest requires reconstruction and replacement; and

WHEREAS, the Administrative Head of Sewer District No. 3 - Southwest has requested that previously received connection fees, which are deposited in escrow accounts, be appropriated to cover costs associated with the construction of the UV disinfection system; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, sufficient funds are available in the escrow accounts established and containing connection fees to cover the costs of the construction; and

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-five (75) is eligible for approval in accordance with the provisions of Resolution 471-1994 as revised by Resolution 461-2006; and be it further

2nd RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

<u>From Escrow Account</u>	<u>To Capital Fund Sewer Revenues</u>	<u>Amount</u>	<u>Accrued Interest</u>
HUB Properties Trust	528-8183	\$300,000	Yes
Total SCSD #3		\$300,000	Yes

and be it further

3rd RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed \$300,000 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

4th RESOLVED, that the 2011 Capital Budget be and it hereby is amended as follows:

Program No.: 8183
 Project Name: IMPROVEMENTS TO COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

	<u>TOTAL EST'D COST</u>	<u>CURRENT 2011 CAPITAL BUDGET & PROGRAM</u>	<u>REVISED 2011 CAPITAL BUDGET & PROGRAM</u>
1. Planning	\$3,400,000	\$0	\$300,000-E
TOTAL	\$3,400,000	\$0	\$300,000-E
E – Escrow Funds			

and be it further

5th RESOLVED, that the proceeds of \$300,000 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

<u>PROJECT NO.</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
528-CAP-8183.110	Improvements to County Sewer District No. 3 - Southwest	\$300,000 + Accrued Interest

and be it further

6th RESOLVED, that this Legislature determined in Resolution 266-05 that the Planning for improvements to Sewer District #3, for this project, constituted a Type II action pursuant to the provisions of Title 6 NYCRR, Part 617.5 (c), (18) and (21) which includes information collection including basic data collection and research, environmental, engineering, feasibility, and other studies as well as planning that do not commit the Agency to undertake, fund, or approve any Type I or any other Unlisted Action.

DATED:

APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. 2011, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST – UV PROJECT - PLANNING (CP 8183)</p>		
3. Purpose of Proposed Legislation		
To request appropriation of escrow account revenues for the project.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> </u> No <u> X </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
\$300,000 plus accrued interest.		
8. Proposed Source of Funding		
Escrow Account Revenues		
9. Timing of Impact		
2011		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 17th, 2011

SCIN FORM 175b (10/95)

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

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

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

Submitting Department (Dept. Name & Location): Department of Public Works 335 Yaphank Avenue Yaphank, NY 11980	Department Contact Person (Name & Phone No.): Ben Wright, P.E., Principal Civil Engineer Sanitation 852-4204
--	--

Suggestion Involves:

Technical Amendment _____

New Program _____

Contract _____

Grant Award _____

New _____

Rev. _____

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

The legislation will allow funding for the planning of SD 3 – Southwest (UV Project)

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

A resolution to appropriate funds in connection with the planning for SD 3 – Southwest (UV Project)

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN Form 175a (10/95)

Prior editions of this form are obsolete.

jp-bw7-1-11 Backup DPW sd3 Southwest UV Project (Planning) 175A CP 8183 escrow

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

Substance:

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

Form:

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

Background Documentation:

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

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

Peterman, James

From: Wright, Ben
Sent: Tuesday, July 05, 2011 12:32 PM
To: Peterman, James
Cc: donovanj@suffolkcountyny.gov
Subject: draft resolutions

Jim you asked the following on resolutions submitted:

CP 8123 – SD 13 Windwatch – What specific improvements? We need tank coatings, a new emergency generator and influent screening improvements among other infrastructure improvements.

CP8183 – SD 3 - UV project planning – will this bring us to the end of design? Yes - there were changes in scope along the way and we need the funds to complete the design.

Ben

DISCLAIMER: *The information contained in this transmission (including any attachments) may contain confidential information, privileged material (including material protected by the attorney-client or other applicable privileges), or constitutes non-public information. Any use of this information by anyone other than the intended recipient is prohibited. If you have received this transmission in error, please immediately reply to the sender and delete this information from your system. Use, dissemination, distribution, or reproduction of this transmission by unintended recipients is not authorized and may be unlawful.*

2047

Intro. Res. No. -2011

Laid on Table

11/22/11

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2011, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 13 – WINDWATCH (CP 8123)

WHEREAS, the wastewater treatment building/infrastructure of Sewer District No. 13 – Windwatch requires improvement; and

WHEREAS, the Administrative Head of Sewer District No. 13 - Windwatch has requested that previously received connection fees, which are deposited in escrow accounts, be appropriated to cover costs associated with the improvements to the wastewater treatment building/infrastructure; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established the use of a priority ranking system, implemented in the Adopted 2011 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, sufficient funds are available in the escrow accounts established and containing connection fees to cover the costs of the construction; and

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution 471-1994 as revised by Resolution 461-2006; and be it further

2nd RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

<u>From Escrow Account</u>	<u>To Capital Fund Sewer Revenues</u>	<u>Amount</u>	<u>Accrued Interest</u>
Windwatch Maintenance Building	527-8123	\$3,795	Yes
Windwatch Hamlet Golf Clubhouse (Expansion)	527-8123	\$61,425	Yes
Spring Meadows	527-8123	\$456,000	Yes
Total SCSD #13		\$521,220	Yes

and be it further

3rd RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed \$521,220 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

4th RESOLVED, that the 2011 Capital Budget be and it hereby is amended as follows:

Program No.: 8123
 Project Name: IMPROVEMENTS TO COUNTY SEWER DISTRICT NO. 13 - WINDWATCH

	<u>TOTAL EST'D COST</u>	<u>CURRENT 2011 CAPITAL BUDGET & PROGRAM</u>	<u>REVISED 2011 CAPITAL BUDGET & PROGRAM</u>
3. Construction	\$640,000	\$0	\$521,220E
TOTAL	\$640,000	\$0	\$521,220
E – Escrow Funds			

and be it further

5th **RESOLVED**, that the proceeds of \$521,220 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

<u>PROJECT NO.</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
527-CAP-8123.311	Improvements to County Sewer District No. 13 - Windwatch	\$521,220+ Accrued Interest

and be it further

6th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations (“NYCRR”) Section 617.5 (2) in that the resolution concerns the replacement, rehabilitation and or reconstruction of a facility in kind on the same site, and do not commit the agency to commence, engage in or approve such actions, as a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

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 <u> </u>		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. 2011, TRANSFERRING ESCROW ACCOUNT REVENUE FUNDS TO THE CAPITAL FUND, AMENDING THE 2011 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 13 – WINDWATCH (CP 8123)</p>		
3. Purpose of Proposed Legislation		
To request appropriation of escrow account revenues for the project.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> </u> <u> </u> No <u> X </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
\$521,220 plus accrued interest.		
8. Proposed Source of Funding		
Escrow Account Revenues		
9. Timing of Impact		
2011		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas E. Paglia Jr. Asst Executive Analyst		November 17th, 2011

SCIN FORM 175b (10/95)

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

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$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 SUBMITTAL SHEET

Capital Project 8123
 Operating Fund
 Other

Legislative Districts 12
 Federal Aid %
 State Aid %

Give a complete description of why we are asking for reso; if aided, state status of aid

The wastewater treatment plant/building of Sewer District No. 13 – Windwatch requires improvements (CP 8123).

Previous resolution (list previous reso for the same work)

<u>Resolution</u>	<u>Number</u>	<u>Purpose</u>	<u>Amount</u>
--------------------------	----------------------	-----------------------	----------------------

<u>Amounts being requested</u>		<u>Current Funding</u>	
Planning	<u>0</u>	Planning	<u>0</u>
Site	<u>0</u>	Site	<u>0</u>
Construction	<u>\$521,220</u>	Construction	<u>\$100,000</u>
Land	<u>0</u>	Land	<u>0</u>
F&E	<u>0</u>	F&E	<u>0</u>

Project Status

Est. planning completion	<u>12/11</u>	Design consultant	<u>To be determined</u>
Est. construction start	<u>3/12</u>	Contractor	<u>To be determined</u>
Est. construction completion	<u>3/13</u>		

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue)

<u>Offset</u>	<u>Leg. District</u>	<u>Comments</u>
----------------------	-----------------------------	------------------------

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

Substance:

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

Form:

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

Background Documentation:

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

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

2048

Intro. Res. No. -2011
Introduced by Presiding Officer Lindsay

Laid on Table 11/22/2011

RESOLUTION NO. -2011, APPROVING A LICENSE AGREEMENT FOR Z. RICHARD MECIK AND MARINA MECIK TO RESIDE AT NORMANDY MANOR, CENTERPORT, NEW YORK

WHEREAS, on September 6, 2001, the Board of Trustees of the Suffolk County Vanderbilt Museum adopted a resolution requesting the purchase of Normandy Manor in Centerport; and

WHEREAS, Resolution No. 993-2001 authorized the County's purchase of Normandy Manor; and

WHEREAS, the Suffolk County Vanderbilt Museum occupied and used Normandy Manor as private administrative offices until May 15, 2011, when the offices were re-located to other museum facilities closer to museum operations; and

WHEREAS, the 2011 design show house at Normandy Manor garnered \$150,000 in private in-kind renovations that transformed the facility into an historic residential home for modern family use; and

WHEREAS, it is in the best interest of Suffolk County taxpayers for the Museum to enter into a two-year license agreement for Normandy Manor to generate a new, steady and predictable private revenue stream for museum operations; now, therefore be it

1st **RESOLVED**, that the Suffolk County Vanderbilt Museum is authorized, empowered and directed to enter into a two-year license agreement with Business Solutions Providers, LLC for Z. Richard Mecik and Marina Mecik to reside at 185 Little Neck Road, Centerport, New York, known as Normandy Manor, commencing March 1, 2012 and continuing through February 28, 2014; and be it further

2nd **RESOLVED**, that the revenue generated from such license agreement, \$5,500 per month, will be remitted to the Suffolk County Vanderbilt Museum no less than once a month due on the first of each month; and be it further

3rd **RESOLVED**, that the Suffolk County Vanderbilt Museum shall use the license revenue to support the general operations of the Museum; and be it further

4th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

2049

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

Laid on Table 11/22/11

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW NO.
-2011, A LOCAL LAW TO ELIMINATE STIPEND FOR
LEGISLATURE'S DEPUTY PRESIDING OFFICER**

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 ELIMINATE STIPEND FOR LEGISLATURE'S DEPUTY PRESIDING OFFICER** " 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 ELIMINATE STIPEND FOR
LEGISLATURE'S DEPUTY PRESIDING OFFICER**

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 salary of the County's Legislature's Deputy Presiding Officer is several thousand dollars higher than that of a typical County Legislator.

This Legislature also finds that the only additional duty of a Deputy Presiding Officer is to preside at meetings when the Presiding Officer is absent. This additional duty does not justify an additional stipend.

This Legislature finds that at a time when Suffolk County is facing severe structural budget deficits and laying off employees, an additional stipend for the Deputy Presiding Officer cannot be justified.

Therefore, the purpose of this law is to eliminate the additional stipend currently paid to the Deputy Presiding Officer of the County Legislature.

Section 2. Amendments.

Chapter 205 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 205. Salaries and Compensation

**ARTICLE I
EQUITABLE COMPENSATION OF CERTAIN ELECTED OFFICERS**

...

§205.2. Salary Schedule.

...

B. Salaries for the following officers shall be subject to the maximum annual adjustment set forth in Subsection A:

- Officer**
- County Executive
- District Attorney
- County Sheriff
- County Treasurer
- County Clerk
- County Comptroller
- Presiding Officer of the Legislature
- [Deputy Presiding Officer of the Legislature]
- County Legislator

...

D. The Deputy Presiding Officer of the County Legislature will receive the salary assigned to all County Legislators.

...

Section 3. Applicability.

This law shall apply to any Deputy Presiding Officer elected by the County Legislature beginning in 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), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration,

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-dpo-salary