

**PROCEDURAL RESOLUTION NO. 12 -2014, TO SET A
PUBLIC HEARING REGARDING THE ALTERATION OF
RATES FOR NORTH FERRY CO., INC.**

WHEREAS, North Ferry Co., Inc. has applied to the Suffolk County Legislature, by a Petition dated and verified April 15, 2014, pursuant to Article 8 of New York Navigation Law, Section 71 of New York Transportation Corporations Law, Section 131-g of New York Highway Law and Chapter 455 of the Suffolk County Code, for the alteration of rates for such service, now, therefore be it

1st RESOLVED, that a public hearing on the Petition of North Ferry Co., Inc. shall be held by the Suffolk County Legislature at the regular meeting of the Legislature on June 3, 2014, at 2:30 p.m. at the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York; and be it further

2nd RESOLVED, that pending the public hearing and report of the Legislative Budget Review Office this Petition is hereby referred to the Public Works, Transportation and Energy Committee for its consideration and recommendation to the Suffolk County Legislature.

DATED:

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

s:\procedural resolutions\motion-ph-north-ferry-rates

Introduced by Presiding Officer Gregory

Laid on Table 5/13/2014

**MOTION NO. 13-2014, PROCEDURAL RESOLUTION
APPORTIONING MORTGAGE TAX BY: COUNTY TREASURER**

1st **RESOLVED**, that the joint reports of the Recording Officer and the County Treasurer as filed with this Legislature on May 8, 2014 relative to the distribution of mortgage taxes for the three month period ending March 31, 2014, be accepted and that the amounts specified therein as Exhibit "A" be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

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

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §C2-15(A) OF THE SUFFOLK COUNTY
CHARTER AND CHAPTER 86 OF THE SUFFOLK COUNTY CODE

EXHIBIT A

OFFICE OF THE COUNTY LEGISLATURE
Riverhead, New York

TO THE TREASURER OF SUFFOLK COUNTY:

Pursuant to the authority conferred by Section 261 of the New York State Tax Law and a resolution adopted this day relative to the distribution of the mortgage taxes to the several tax districts of this County of the three month period ending March 31, 2014, the County Legislature of this County this day assembled hereby directs you to pay the Supervisors of the several Towns and to the Treasurers of the several villages, as herein after specified, such sums as are listed in the schedule following:

To the Supervisors of the Towns of:	
Babylon	\$855,394.32
Brookhaven	2,118,681.79
East Hampton	1,186,717.85
Huntington	1,387,141.87
Islip	1,538,543.83
Riverhead	237,578.92
Shelter Island	86,184.20
Smithtown	726,598.23
Southampton	1,996,527.93
Southold	224,719.26
TOTAL TOWNS	\$10,358,088.20

To the Treasurers of the Village of:

Amityville	\$27,440.96
Babylon	35,259.24
Lindenhurst	56,267.46
Belle Terre	5,760.61
Bellport	10,130.18
Lake Grove	32,841.44
Mastic Beach	22,163.06
Old Field	8,741.42
Patchogue	23,307.42
Poquott	4,328.46
Port Jefferson	55,858.77
Shoreham	2,332.11
East Hampton	148,121.27
Sag Harbor	15,745.11
Asharoken	6,112.56
Huntington Bay	9,538.57
Lloyd Harbor	31,429.16
Northport	24,275.23
Brightwaters	11,042.55
Islandia	22,129.57
Ocean Beach	7,802.68
Saltaire	8,652.36
Dering Harbor	1,768.02
Head of the Harbor	8,996.18
Nissequogue	11,616.13
Village of the Branch	7,819.09
North Haven	34,917.30
Quogue	72,831.11
Sagaponack	100,386.61
Sag Harbor	27,927.18
Southampton	256,314.85
Westhampton Beach	62,308.75
Westhampton Dunes	12,088.53
Greenport	5,354.04
TOTAL VILLAGES	\$1,171,607.98
GRAND TOTAL	\$11,529,696.18

Presiding Officer, County Legislature

Clerk, County Legislature

DATED:

Introduced by the Presiding Officer

Laid on Table 5/13/2014

PROCEDURAL MOTION NO. 14-2014, TO SET A PUBLIC HEARING FOR THE INCLUSION OF A NEW PARCEL INTO EXISTING AGRICULTURAL DISTRICT (SCTM # 0300-166.00-04.00-001.004 – Darryl Glennon)

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, the existing Agricultural District will increase by 1.5 acres in the Town of East Hampton; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board recommends the inclusion of this new parcel into the existing certified Agricultural District in the Town of East Hampton, SCTM # 0300-166.00-04.00-001.004; now, therefore be it

1st RESOLVED, that, pursuant to § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 3, 2014 at 2:30 p.m. in the Rose Caracappa Auditorium at the William H. Rodgers Building in Hauppauge, NY for the purpose of inclusion of a new parcel into the certified Agricultural District in the Town of East Hampton.

DATED:

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

s:\procedural resolutions\pm-ag district Darryl glennon

Introduced by the Presiding Officer

Laid on Table 5/13/2014

PROCEDURAL MOTION NO. 15-2014, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT (SCTM #'s 0400-203.00-02.00-051.001 – Guido F. Foglia Trust & Dinah L. Foglia Trust and 0400-203.00-02.00-051.003 – Lawrence P. Foglia & Heather Forest)

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, the existing Agricultural District will increase by 10.3 acres in the Town of Huntington, SCTM #'s 0400-203.00-02.00-051.001 and 0400-203.00-02.00-051.003; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board recommends the inclusion of this new parcel into the existing certified Agricultural District in the Town of Huntington; now, therefore be it

1st RESOLVED, that, pursuant to § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 3, 2014 at 2:30 p.m. in the Rose Caracappa Auditorium at the William H. Rodgers Building in Hauppauge, NY for the purpose of inclusion of a new parcel into the certified Agricultural District in the Town of Huntington.

DATED:

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

s:\procedural resolutions\pm-ag district foglia

Introduced by the Presiding Officer

Laid on Table 5/13/2014

PROCEDURAL MOTION NO. 16-2014, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT (SCTM # 0504-004.00-01.00-016.000 – PAL-O-MINE EQUESTRIAN, INC.)

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, the existing Agricultural District will increase by 7.1 acres in the Town of Islip; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board recommends the inclusion of this new parcel into the existing certified Agricultural District in the Town of Islip, SCTM # 0504-004.00-01.00-016.000; now, therefore be it

1st RESOLVED, that, pursuant to § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 3, 2014 at 2:30 p.m. in the Rose Caracappa Auditorium at the William H. Rodgers Building in Hauppauge, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Islip.

DATED:

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

s:\procedural resolutions\pm-ag district pal-o-mine

Introduced by the Presiding Officer

Laid on Table 5/13/2014

PROCEDURAL MOTION NO. 17-2014, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT (SCTM # 0600-098.00-01.00-016.005 – EDWARD PARTRIDGE)

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, the existing Agricultural District will increase by 96.7 acres in the Town of Riverhead; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board recommends the inclusion of this new parcel into the existing certified Agricultural District in the Town of Riverhead, SCTM # 0600-098.00-01.00-016.005; now, therefore be it

1st RESOLVED, that, pursuant to § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 3, 2014 at 2:30 p.m. in the Rose Caracappa Auditorium at the William H. Rodgers Building in Hauppauge, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Riverhead.

DATED:

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

s:\procedural resolutions\pm-ag district Edward partridge

Introduced by the Presiding Officer

Laid on Table 5/13/2014

PROCEDURAL MOTION NO. 18-2014, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT (SCTM # 0900-051.00-02.00-005.010 – Channing Daughters Winery LLC)

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, the existing Agricultural District will increase by 21.1 acres in the Town of Southampton; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board recommends the inclusion of this new parcel into the existing certified Agricultural District in the Town of Southampton, SCTM # 0900-051.00-02.00-005.010 – Channing Daughters Winery LLC; now, therefore be it

1st RESOLVED, that, pursuant to § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 3, 2014 at 2:30 p.m. in the Rose Caracappa Auditorium at the William H. Rodgers Building in Hauppauge, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Southampton.

DATED:

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

s:\procedural resolutions\pm-ag district channing daughters winery

PROCEDURAL MOTION NO. 19-2014, TO SET A PUBLIC HEARING FOR THE INCLUSION OF A NEW PARCEL (SCTM # 0600-058.00-02.00-014.003 – Redwood Farm and Stable, LLC) AND THE DISAPPROVAL OF ANOTHER PARCEL (SCTM# 0600-076.00-02.00-012.001 – Kenneth Kaufold) INTO AN EXISTING AGRICULTURAL DISTRICT

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, the existing Agricultural District will increase by 37.0 acres in the Town of Riverhead; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board recommends the inclusion of this new parcel into the existing certified Agricultural District in the Town of Riverhead, SCTM # 0600-058.00-02.00-014.003 – Redwood Farm and Stable, LLC; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board also recommends the disapproval of another parcel, SCTM 0600-076.00-02.00-012.001 – Kenneth Kaufold, from inclusion into the existing certified Agricultural District in the Town of Riverhead; now, therefore be it

1st RESOLVED, that, pursuant to § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 3, 2014 at 2:30 p.m. in the Rose Caracappa Auditorium at the William H. Rodgers Building in Hauppauge, NY for the purpose of inclusion of a new parcel into the certified Agricultural District in the Town of Riverhead and the disapproval of another parcel into same.

DATED:

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

PROCEDURAL MOTION NO. 20-2014, TO SET A PUBLIC HEARING FOR THE AND THE PROPOSED INCLUSION OF A PARCEL (SCTM# 0600-021.00-01.00-003.000 – MF & LK Holdings LLC) IN AN EXISTING AGRICULTURAL DISTRICT

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, the owners of SCTM# 0600-021.00-01.00-003.000, MF&LK Holdings, LLC, submitted a parcel of 4.2 acres for inclusion in the existing certified Agricultural District in the Town of Riverhead; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board recommends the disapproval of said parcel from inclusion into the existing certified Agricultural District in the Town of Riverhead; now, therefore be it

1st RESOLVED, that, pursuant to § 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 3, 2014 at 2:30 p.m. in the Rose Caracappa Auditorium at the William H. Rodgers Building in Hauppauge, NY on the proposed inclusion of the above described parcel into the certified Agricultural District in the Town of Riverhead.

DATED:

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

UPDATED AS OF 5/8/2014

Intro. Res. No. 1487-2014
Introduced by Legislator Lindsay

Laid on Table 5/13/2014

**RESOLUTION NO. -2014, ADOPTING LOCAL LAW
NO. -2014, A CHARTER LAW TO CONSOLIDATE
FINANCIAL MANAGEMENT FUNCTIONS IN THE COUNTY
DEPARTMENT OF AUDIT AND CONTROL**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2014 a proposed local law entitled "**A CHARTER LAW TO CONSOLIDATE FINANCIAL MANAGEMENT FUNCTIONS IN THE COUNTY DEPARTMENT OF AUDIT AND CONTROL**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. -2014, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO CONSOLIDATE FINANCIAL MANAGEMENT
FUNCTIONS IN THE COUNTY DEPARTMENT OF AUDIT AND CONTROL**

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

Section 1. Legislative Intent.

This Legislature hereby finds that, under the present organization of Suffolk County government, Suffolk County finances are administered by two (2) separate departments headed by two (2) independently elected officials, i.e., the County Comptroller and County Treasurer, which offices interact regularly.

This Legislature further finds and determines that the respective roles of the County Treasurer and County Comptroller in directing the cash management administration for Suffolk County and exercising the auditing, borrowing, and appropriation control functions of the County have been divided in such a manner as to splinter the financial management duties of the County of Suffolk.

This Legislature further finds that structural reforms will implement economies of scale and cut spending. Enactment of this local law will help to reduce costs to the County on a recurring basis by surgically striking spending via the elimination of working unit overlap.

This Legislature further finds that a transfer of the functions and responsibilities of the Department of Finance and Taxation to a unified Department of Audit and Control will result in cash savings to the County and more efficient financial management through consolidation of functions, streamlining of operations, increased and improved application of computerization, more accurate and timely cash-flow analysis and the coordination and cooperation inherent in a unified operation.

This Legislature further determines that the consolidation of fiscal functions in the Department of Audit and Control will help ensure and promote the fiscal integrity of the County while enhancing effective administration and monitoring of financial activities.

Therefore, the purpose of this law is to transfer and consolidate the functions of the Department of Finance and Taxation within the Department of Audit and Control.

Section 2. Amendments.

I. Article XV of the SUFFOLK COUNTY CHARTER and Article XV of the SUFFOLK COUNTY ADMINISTRATIVE CODE are hereby repealed in their entirety.

II. Article V of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**Article V
Department of Audit and Control**

§ C5-1. Department established; Comptroller to be Department head.

A.) There shall be a Department of Audit and Control, the head of which shall be the County Comptroller. The Comptroller shall be elected from the County at large. His or her term of office shall be four years from and including the first day of January next following his election. He or she shall be the chief fiscal officer of the County. The County Comptroller shall appoint a Chief Deputy County Comptroller and a Deputy County Comptroller, both of whom shall possess the powers and perform the duties of the Comptroller, and, within the appropriation therefor, all other officers and employees of the Department as may be necessary. [The County Comptroller may also appoint the County Treasurer to serve, without additional compensation, as a special Deputy County Comptroller and exercise such powers and perform such duties as may have been delegated to the County Comptroller pursuant to the Local Finance Law, including, without limitation, the duty to invest the proceeds, inclusive of premiums, from the sale of County bonds and notes in accordance with the provisions of Subdivision b of § 165.00 of such law.]

Section C5-2. Powers and Duties.

The County Comptroller shall:

A.) Except as otherwise expressly provided in this Charter, have all the powers and perform all the duties conferred or imposed upon a county comptroller or the chief fiscal officer of a county under the County Law, and have charge of the administration of all the financial affairs of the County.

M.) Receive and have custody of all public funds belonging to or handled by the County.

N.) Collect all taxes, assessments, license fees and other revenues of the County or for whose collection the County is responsible, except those payable by law to the County Clerk or Sheriff.

- O.) Deposit all funds coming into his hands in such depositories as may be designated by resolution of the County Legislature or, if no such resolution is adopted, then as designated by the County Executive, subject to the requirements of law as to depositories and depositories' undertakings.
- P.) Have the custody, investment and management of any sinking funds provided for the payment or redemption of County debts.
- Q.) Submit to the County Legislature annually, as required by law, a complete financial statement containing a general balance sheet for the County, and at such other times as may be required by the County Legislature.
- R.) Perform such other duties pertaining to the financial affairs of the County as may be directed by the County Legislature, by the County Executive, by any law or by any fiscal officers of the state authorized to do by law.

III. Article V of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

**ARTICLE V
Department of Audit and Control**

Section A5-1. Audit and payment of claims.

- A.) No claims against the County, except for debt service, payrolls and judgments or other amounts required to be paid by the County pursuant to court orders or from the liability and casualty reserve fund, shall be paid except upon a voucher verified by the oath of the claimant or accompanied by a certificate made by the claimant to the same effect and certified by the head of the appropriate department, institution, office or agency of the County government and, in the case of purchases for a store account, by the Director of Purchasing, and by means of ~~[a warrant on the County Treasurer]~~ an order of payment signed by the County Comptroller. No ~~[warrant]~~ order of payment shall be issued for the purpose of meeting any payroll or item thereof until such payroll has been certified as correct by the Civil Service Commission.

Section A5-2. ~~[Warrants]~~ Orders of payments and accounts.

Accounts shall be kept for each specific item of appropriation made by the County Legislature, and every ~~[warrant on the treasury]~~ order of payment shall state specifically against which of said appropriations the ~~[warrant]~~ order of payment is drawn. Each such account shall show in detail the appropriation made by the County Legislature, any transfer to or from such appropriation, the amount drawn thereon, unpaid obligations charged against it and the unencumbered balance to the credit thereof.

Section A5-7. Deductions from wages or salaries for banks and financial institutions other than credit unions authorized.

- A.) Deductions from wages or salaries of County employees for the following purposes for banks and financial institutions other than credit unions are hereby authorized.
- B.) The County Comptroller is hereby authorized and directed to deduct from the wages or salary of an employee of the County any amount that such employee may specify in writing filed with the County Comptroller for deposit with the bank or other financial institution and to transmit the sum so deducted to said bank or other financial institution. Any such written authorization may be withdrawn by such employee at any time by filing written notice of such withdrawal with the County Comptroller.
- C.) Deductions and withdrawals made pursuant to this section are subject to such rules and regulations as the County Comptroller may provide.

Section A5-[7]8. Contractors and vendors required to submit full disclosure statement.

Section A5-[8]9. Vendors in tax arrears.

- B.) Said moneys so withheld shall be kept in a separate account for [periodic distribution to the County Treasurer as] payment of said real property tax arrears only or for payment to the vendor or consultant where it is demonstrated that tax arrears have been cleared up, said payments to be credited to the pertinent tax parcel.

Section A5-10. Funds to be deposited in interest-bearing accounts.

The County Comptroller is required to place all funds on deposit or in his hands into interest-bearing accounts. The County Comptroller shall file with the Clerk of the Legislature every quarter a report concerning the status of all funds on deposit.

Section A5-11. Service charge for handling certain securities.

Whenever the County Comptroller is obliged to accept a deposit of securities in lieu of retaining a percentage of the amount due from time to time on a contract, he shall impose and collect from the contractor a charge of 1/4 of 1% of the value of the securities deposited, as such value is determined by the County Comptroller, for his services in determining whether the securities are of the class that can be accepted for deposit, their value, for clipping and transmitting coupons and otherwise processing and servicing the account until it is terminated. Payment of such charges shall be made before release of any retained payments.

Section A5-12. Authority to create petty cash funds.

- A.) Notwithstanding the provisions of § 371 of the County Law, there is hereby delegated to the County Comptroller the authority to approve the creation or modification of petty

cash funds for any administrative unit, up to a maximum amount of \$1,500 per administrative unit, subject to the approval of the Chairman of the Budget and Finance Committee of the County Legislature and a certification by the Budget Director as to the availability of funds for such petty cash funds, except that the County Comptroller shall create or modify a petty cash account for the Department of Social Services in the amount of \$20,000.00.

- B.) The County Comptroller is hereby authorized, empowered and directed to increase and replenish the petty cash fund for the Department of Social Services within forty-eight (48) hours if the amount in the petty cash fund falls below \$8,500.00.

Section A5-13. Application of Real Property Tax Law to County.

The provisions of Chapter 417 of the Laws of 1971 are applicable to Suffolk County.

Section A5-14. Authority to file notice of intention to claim regarding insurance; issuance of certificates.

The collecting officer for the Suffolk County Tax District, the County Comptroller, is authorized to file notices of intention to claim with the State Superintendent of Insurance. The County Comptroller is further authorized to render to any insurer a certificate indicating the amount of all liens of the district against the real property as required and as prescribed by the New York State Insurance Law § 331.

Section A5-15. Release of fire insurance claims.

- A.) Chapters 738 and 739 of the Laws of 1977 (see General Municipal Law § 22 and Insurance Law §§ 331 and 3410) have authorized tax districts to file claims on fire insurance policies issued on certain real property located within the tax district. In accordance with the statutory requirements, it is hereby provided that, upon compliance with the procedures set forth herein, any amounts which it would otherwise be entitled to claim will be returned or released to the insured owner of the real property upon which a claim against fire insurance policy proceeds has been filed.
- B.) The insured owner must deliver to the County a written agreement, subject to the approval of the County Attorney, whereby the owner agrees to restore the affected premises to the same or improved condition that it was in prior to being damaged by fire, within a specified time.
- C.) The insured owner must post a bond insuring performance within the specified time in the amount of the proceeds to be released.

Section A5-16. Deposit of Department Proceeds.

- A.) The head of each department or agency of the County of Suffolk, or his or her designee, shall deposit into depository interest-bearing savings or checking accounts accruing interest at current market rates all proceeds received by such departments, except as otherwise required by law, and except the special services (budget sub-object 477) account of the District Attorney's office and the County Police Department, in a

Countywide system of interest-bearing depository accounts to be established in the name of the County Department of Audit and Control, or any successor department thereto, said deposit to be made either on the day of receipt of such proceeds or no later than 24 hours after receipt of such proceeds. Said deposits shall be remitted to the County Department of Audit and Control, or any successor department thereto, no later than 30 days after receipt of same by any such department or agency. The unified Countywide system of interest-bearing depository accounts (super account with subcomponents) shall be established and fully implemented no later than July 1, 1997.

- B.) All petty cash checking accounts, except the petty cash (budget sub-object 350) account in the District Attorney's office, shall be maintained in such interest-bearing accounts.
- C.) The T-106 account and departmental bank account for all refunds and recoveries of the Suffolk County Department of Social Services are exempt from the provisions of this section.
- D.) The County Executive and County Department of Audit and Control, or any successor department thereto, are hereby authorized, empowered and directed to issue quarterly reports to the Suffolk County Legislature apprising the Legislature of the status of such interest-bearing accounts.
- E.) The County Department of Audit and Control, or any successor department thereto, shall adopt internal rules and regulations designed to achieve the following:
 - 1.) To establish cash control coupled with the provision of a written audit trail for each such transaction.
 - 2.) A segregation of duties of employees so as to ensure the integrity of such cash-control and audit-control provisions.
- F.) The County Department of Audit and Control, or any successor department thereto, shall immediately contact all County departments which regularly maintain depository balances in excess of \$100,000 and inform them that:
 - 1.) Any deposits in excess of said amount are required to be secured by a pledge of collateral, letter of credit or surety bond; and
 - 2.) They are now required to have written security agreements and custodial agreements with the bank or trust company pledging such collateral.
- G.) The County Department of Audit and Control, or any successor department thereto, shall execute written security agreements and custodial agreements, pursuant to § 10 of the New York General Municipal Law, with the banks holding collateral to secure deposits of the County Department of Audit and Control, or any successor department thereto.
- H.) Responsible County officials and employees shall monitor the collateral by implementing procedures which would periodically verify the existence, sufficiency and segregation of pledged collateral.
- I.) Any willful or intentional violation of Subsection A, B, C or G of this section shall form the basis for a suspension, removal or disciplinary proceeding against the individual alleged

to be responsible for such willful or intentional violation pursuant to § 75 of the New York Civil Service Law carried out in accordance with the procedural and substantive due process requirements required by law.

Section A5-17. Bank Account Reform.

- A.) Any bank account opened by any department, agency or entity of the County of Suffolk shall be opened in a depository designated by the County Legislature under § 212 of the New York County Law.
- B.) Any such account shall be opened only with the written consent of the County Department of Audit and Control, or any successor department thereto, and shall provide that the monthly bank statements generated by each such account shall be forwarded directly to the Office of the County Department of Audit and Control, or any successor department thereto, together with a bank statement reconciliation from the pertinent County department, office or agency, to ensure a verification and review of returned checks.
- C.) All moneys received by the County of Suffolk shall be deposited in a bank or depository designated by the County of Suffolk under § 212 of the New York County Law.
- D.) Any departmental account shall be opened only with the written consent of the County Department of Audit and Control, or any successor department thereto, and only in a bank or depository designated by the County of Suffolk pursuant to § 212 of the New York County Law.
- E.) Any willful or intentional violation of this section shall form the basis for a suspension, removal or disciplinary proceeding against the individual alleged to be responsible for such willful or intentional violation pursuant to § 75 of the New York Civil Service Law carried out in accordance with the procedural and substantive due process requirements required by law.

Section A5-18. Contract award.

- A.) In the course of determining the award of a bank deposit contract, the County of Suffolk shall assign a credit of two (0.02%) basis points to the proposed interest rate submitted by a depository responding to the bid process for awarding any bank-deposit contracts by Suffolk County for each of the following consumer protection standards with which the responding depository is in written compliance:
 - 1.) Not charge a fee for using a live teller;
 - 2.) Not impose minimum deposit requirements in excess of \$2,000 to open an interest-bearing account;
 - 3.) Not charge a monthly service fee for the first 15 checks in each checking account;
 - 4.) Not charge a fee to a customer who submits a check written by another party with insufficient funds to cover the check;

- 5.) Limit the cost for the preparation of a money order to no more than \$5; and
 - 6.) Not charge a fee to a customer for receiving copies of checks written for the previous month.
- B.) In the event that a depository demonstrates compliance with the requirements of the provisions of Subsection A of this section, then such compliance shall continue and endure throughout the course of any agreement with a depository once such agreement has been entered into.

Section A5-19. Disclosure.

Prior to entering into a contract with the County of Suffolk, or prior to the designation of a depository by the County of Suffolk, and at the initiation of the bid process for awarding any bank-deposit contracts, a depository shall make a written representation to the County of Suffolk as to whether and to what degree it abides by the consumer protection requirements as listed in § A5-18(A) above, and that it will immediately notify the County if it experiences a change of control or ownership whereby it will no longer abide by such requirements. Such representation shall be made a part of each contract, together with a representation that an official with authority to bind the depository entering into the contract with the County has read and is familiar with the provisions of this law.

Section A5-20. Enforcement.

- A.) Any contract in violation of § A15-18 of this article shall be null and void ab initio and any depository entering into such an agreement shall not be entitled to any compensation pursuant to said agreement.
- B.) The representations required by § A15-19 of this article shall be incorporated into all contracts entered into by the County of Suffolk with any depository and any violation of such condition shall constitute a material breach of the contract sufficient to cause termination of the contract by the County of Suffolk.

Section A5-21. Exemption.

Sections A5-18, A5-19, and A5-20 of this article shall not apply to any depository entering into an agreement with the County of Suffolk pursuant to a request or command of the United States Government or the State of New York for federal or state grant purposes or programmatic purposes requiring the use of a particular depository as a condition precedent or a condition subsequent to the receipt of such federal or state aid or the implementation of such federal or state program. In order to qualify for such an exemption, a depository shall submit to Suffolk County written documentation of such request or command issued by an appropriate official of the United States Government or the State of New York.

Section 3. Transition and Implementation Provisions.

- A.) If this law is approved by a majority of qualified Suffolk County voters as set forth in § 4 of this law, and after its effective date, it shall be implemented as follows:
 - 1.) The County Department of Finance and Taxation, the elected Office and position of County Treasurer, the positions of Chief Deputy

County Treasurer, Deputy County Treasurer, and consistent with Civil Service Law §§ 41 and 42, shall all be abolished as of midnight, December 31, 2017. The elected Office and position of County Treasurer shall not be filled in the election of 2017 and in any subsequently held election. The functions of the Department of Finance and Taxation shall merge and be incorporated with the Department of Audit and Control January 1, 2018.

- 2.) Except as otherwise set forth in this section, any positions of employment within the Suffolk County Department of Finance and Taxation shall be abolished and/or transferred, as the case may be, via appropriate resolution amending the Suffolk County Salary and Classification plan, as of January 1, 2018, to the Department of Audit and Control. Any positions of employment that have not been abolished shall be transferred so as to retain the incumbent individual in said position of employment as the individual so employed in that position by the new office or department to which such position is transferred.
- 3.) The County Executive, County Treasurer and the County Comptroller are hereby authorized, empowered, and directed to take such actions as shall be necessary to transfer, integrate, and consolidate the functions of the Department of Finance and Taxation into the Suffolk County Department of Audit and Control, including, but not limited to, cost reductions consistent with the consolidation of the two departments.
- 4.) Any reference in any provision of any resolution, ordinance, Charter law, or local law of the County of Suffolk, the Suffolk County Tax Act, any other general or special law of the State of New York and any federal law, rule or regulation to the County Treasurer subsequent to December 31, 2017 shall be construed as a reference to the County Comptroller. Any such resolution, ordinance, Charter law, or local law of the County of Suffolk is hereby so amended.
- 5.) Any reference in any provision of any resolution, ordinance, Charter law, or local law of the County of Suffolk, the Suffolk County Tax Act, any other general or special law of the State of New York and any federal law, rule or regulation to the County Department of Finance and Taxation subsequent to December 31, 2017 shall be construed as a reference to the Department of Audit and Control. Any such resolution, ordinance, Charter law, or local law of the County of Suffolk is hereby so amended.
- 6.) The Department of Finance and Taxation shall transfer all files and records to the Suffolk County Department of Audit and Control no later than December 31, 2017.
- 7.) All County departments shall cooperate fully in implementing the provisions of this law.

Section 4. Form of Proposition.

The proposition to be submitted at the next general election, pursuant to § 9 of this law, shall be in the following form:

Resolution No. -2014 A Charter Law to Consolidate Financial Management Functions in the County Department of Audit and Control

“Resolution No. -2014, is a Charter Law that proposes to transfer and consolidate the functions of the Department of Finance and Taxation into the Department of Audit and Control, headed by a County Comptroller elected from the general population. If approved, this Resolution will eliminate the existing office of County Treasurer and consolidate all powers and duties of the Treasurer in the office of the County Comptroller, effective January 1, 2018.

Shall Resolution No. -2014 be approved?”

Section 5. Applicability.

- A.) The County Department of Finance and Taxation, the elected Office and position of County Treasurer, the positions of Chief Deputy County Treasurer and Deputy County Treasurer shall remain in existence through December 31, 2017. The elected Office and position of County Treasurer shall not be filled in the election of 2017 and in any subsequently held election.
- B.) This local law shall apply to all actions occurring on or after the effective date of this law.

Section 6. Limitations on Term of Office.

This law, if approved by the voters of Suffolk County, shall not be construed as amending, limiting or abridging the limitations on terms of office set forth in § C5-1(B) and Local Law No. 27-1993.

Section 7. 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 8. SEQRA Determination.

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

Section 9. Effective Date.

This law shall not take effect until it has been approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting upon a proposition for its approval in conformity with the provisions of Section 34 of the NEW YORK MUNICIPAL HOME RULE LAW and has been filed in the office of the Secretary of State, and the repeal of Article XV of the Suffolk County Charter and Article XV of the Suffolk County Administrative Code shall not take effect until January 1, 2018. It shall be implemented on the dates set forth in section 3 hereinabove.

Section 10. Conflicting Referenda.

In the event that there are other referenda on the ballot, pertaining to or addressing substantially the same issues as are contained in this law, then the provisions of the measure approved by the electorate receiving the greatest number of affirmative votes, shall prevail, and the alternative measure, or measures, as the case may be, shall be deemed null and void.

[] 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

1487

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: MAY 8, 2014

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2014

TITLE: I.R. NO. -2014; A CHARTER LAW TO CONSOLIDATE FINANCIAL MANAGEMENT
FUNCTIONS IN THE COUNTY DEPARTMENT OF AUDIT AND CONTROL

SPONSOR: LEGISLATOR LINDSAY

DATE OF RECEIPT BY COUNSEL: 5/7/2014 PUBLIC HEARING: 6/3/2014

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

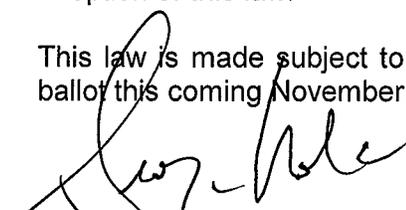
This proposed charter law would abolish the office of County Treasurer and the Department of Taxation and Finance and transfer and consolidate the functions of that office and department within the Department of Audit and Control, effective January 1, 2018.

The current County Treasurer will serve until the end of her present term, which expires on December 31, 2017, at which point the office of Treasurer will be abolished.

In addition to the Treasurer's position, the positions of Chief Deputy County Treasurer and Deputy County Treasurer will be abolished at the end of 2017. The other positions in the Department of Finance and Taxation will be abolished or transferred via legislative resolutions.

The existing term limits law applicable to the County Comptroller will not be affected by the adoption of this law.

This law is made subject to a mandatory referendum that will appear on the general election ballot this coming November.


GEORGE NOLAN
Counsel to the Legislature

GN:js

1488

Intro. Res. No. -2014
Introduced by Legislators Spencer and Browning

Laid on Table 5/13/14

**RESOLUTION NO. - 2014, ADOPTING LOCAL LAW NO.
-2014, A LOCAL LAW TO MODIFY COUNTY'S HARDSHIP
PROPERTY REDEMPTION PROCESS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2014, a proposed local law entitled, "**A LOCAL LAW TO MODIFY COUNTY'S HARDSHIP PROPERTY REDEMPTION PROCESS**" now, therefore, be it

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

LOCAL LAW NO. -2014, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO MODIFY COUNTY'S HARDSHIP
PROPERTY REDEMPTION PROCESS**

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 Section 215 of New York County Law authorizes the County of Suffolk to establish policies and procedures for the disposition of real property acquired through tax default.

This Legislature further finds that the County of Suffolk has adopted a liberal policy that allows a former owner of a tax default property to redeem his or her property as long as their application is submitted for redemption within six months after the County takes a tax deed and he or she pays all back taxes, penalties and interest. These redemptions are known colloquially as "Local Law 16" redemptions.

This Legislature further finds that former owners who seek to reclaim their property after this six month period has expired, must meet certain strict "hardship" criteria that is set forth in Chapter 29 of the SUFFOLK COUNTY CODE. The applicant must demonstrate that non-payment resulted from personal illness, error in government record keeping, loss of employment or military deployment. This hardship redemption is known colloquially as a "Section 215" redemption.

This Legislature also finds that the strict Section 215 hardship criteria was adopted by the County in 1990 upon a legislative finding that disposing of tax default properties via the public portion process "would generate far greater revenue then is generated by the current Section 215 procedure whereby payment for only back taxes, interest and penalty is obtained by the County."

This Legislature believes that the County's policy governing tax delinquent properties should not be driven solely by a desire to maximize revenues.

This Legislature further finds that hardship comes in many forms and the County's current law is not flexible enough to allow this Legislature to address many legitimate hardship claims.

This Legislature also determines that adopting a more flexible policy that allows former owners to reclaim their properties is in the best interests of the County of Suffolk since it would return properties to the tax rolls more quickly than the auction process does and reduce County costs associated with the management of the large inventory of such properties

Therefore, the purpose of this law is to expand the hardship criteria for property redemption under Chapter 29 of the SUFFOLK COUNTY CODE, and give this Legislature more flexibility in judging hardship circumstances that may justify conveyance of real property to former owners of tax default properties.

Section 2. Amendments.

Chapter 29 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Article I. Procedures.

* * * *

Chapter 29. CONVEYANCE OF PROPERTY.

* * * *

§ 29-3. Conveyance procedure.

* * * *

(C) [An explanation] Documentation submitted by an applicant establishing [one or more of the following] a hardship condition[s as an appropriate and sufficient basis] as a primary cause of the non-payment of taxes and/or a finding by the Legislature that the County's failure to convey the property to the applicant would be unjust and inequitable shall be required before the Legislature may approve a conveyance to an applicant who is the immediate prior owner of record[:]. Hardships sufficient to justify a conveyance shall include, but not be limited to, the following:

* * * *

Section 3. Applicability.

This law shall apply to all applications for redemption under Chapter 29 of the Suffolk County Code submitted to the Division of Real Property and Management 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.

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-amend 215 redemptions

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



1488

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

DATE: MAY 9, 2014

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2014

TITLE: I.R. NO. -2014; A LOCAL LAW TO MODIFY COUNTY'S HARDSHIP PROPERTY REDEMPTION PROCESS

SPONSOR: LEGISLATORS SPENCER AND BROWNING

DATE OF RECEIPT BY COUNSEL: 5/8/14 PUBLIC HEARING: 6/3/14

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

This proposed local law would modify the County's "hardship" redemption process to give the County Legislature wider discretion when considering redemption applications.

Under current law, former owners of a tax default property may redeem their property as long as the application for redemption is submitted within six months after the County takes the tax deed and all back taxes, penalties and interests are paid. These redemptions are known as "Local Law 16" redemptions. After this six month period runs, the former owners may only reclaim their property if they demonstrate that the non-payment of taxes were caused by certain hardships: personal illness, an error in government record-keeping, loss of employment, military deployment, or a mortgage lender's improper failure to pay the taxes.

This law would expand the Legislature's authority and allow a redemption for any documented hardship or upon a showing that the County's failure to convey the property to the applicant would be unjust and inequitable.

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

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

1489

Intro. Res. No. - 2014

Laid on Table

5/13/14

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. - 2014 AUTHORIZING
THE ACQUISITION OF LAND UNDER THE NEW
SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM (EFFECTIVE
DECEMBER 1, 2007) - OPEN SPACE
COMPONENT - FOR THE BARBANELL
PROPERTY - DWARF PINE PLAINS-PINE
BARRENS CORE (TOWN OF SOUTHAMPTON
- SCTM#0900-307.00-03.00-005.000)**

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

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

WHEREAS, Resolution No. 264-2002, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Estate and/or her designee to negotiate the acquisition; and

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

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Estate and/or her designee and approved as to legality by the Office of the County Attorney; now, therefore, be it:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Eight Thousand Six Hundred Fifty Dollars (\$8,650.00±), at Five Thousand Dollars (\$5,000.00) per acre for .23± acres, and Seventy Five Thousand Dollars (\$75,000.00) per Pine Barren Credit for 0.1 credits, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	SUFFOLK COUNTY	<u>ACRES:</u>	REPUTED OWNER
No. 1	<u>TAX MAP NUMBER:</u>	.23 _±	<u>AND ADDRESS:</u>
	District 0900		Marilyn Barbanell
	Section 307.00		37 West 54 th Street
	Block 03.00		New York, NY 10019
	Lot 005.000		

; and, be it further

2nd RESOLVED, that the Director of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Eight Thousand Six Hundred Fifty Dollars (\$8,650.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$8,650.00_±, subject to a final survey, from previously appropriated funds in capital project 525-CAP-8714.211 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

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

- c.) any tract of land located fully or partially within the statutorily designated Special Groundwater Protection Area:
- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County; and, be it further

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

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

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

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

10th **RESOLVED**, that in accordance with Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

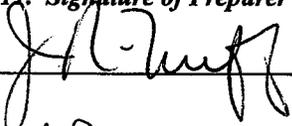
DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space, of the Barbanell property (Dwarf Pine Plains-Pine Barrens Core) , SCTM#0900-307.00-03.00-005.000, (Town of Southampton).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding New Suffolk County ¼% Drinking Water Protection Program-Open Space-PayGo (525-CAP-8714.211)		
9. Timing of Impact		
10. Typed Name & Title of Preparer Jill Rosen-Nikoloff Director of Real Estate	11. Signature of Preparer 	12. Date April 29, 2014

SCIN FORM 175b (10/95)

NEW TOOMB

Nal Tombl

5/9/14

**FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 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, 2013.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2013-2014.
- 3) SOURCE FOR EQUALIZATION RATES: 2013 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**2014 INTRAGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL:

AUTHORIZING ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT FOR THE BARBANELL PROPERTY- DWARF PINE PLAINS-PINE BARRENS CORE (TOWN OF SOUTHAMPTON – SCTM#0900-307.00-03.00-005.000)

PURPOSE OR GENERAL IDEA OF BILL:

PURCHASE OF LAND FOR OPEN SPACE

SUMMARY OR SPECIFIC PROVISIONS:

ACQUISITION OF OPEN SPACE UNDER THE NEW SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM

JUSTIFICATION:

FUNDING AVAILABLE IN 525-CAP-8714.211

FISCAL IMPLICATIONS:

N/A

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

April 29, 2014

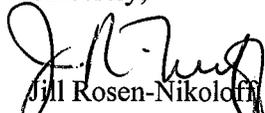
Mr. Jon Schneider, Deputy County Executive
for Intragovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Barbanell property (Dwarf Pine Plains-Pine Barrens Core), in the Town of Southampton, under the New Suffolk County ¼% Drinking Water Protection Program-Open Space. The purchase price is \$8,650.00± for 0.23± acres, at \$5,000.00 per acre and 0.1 Pine Barrens Credit, at \$75,000 per Pine Barrens Credit..

Please contact me if you require any additional information.

Sincerely,


Jill Rosen-Nikoloff
Director of Real Estate

JRN:pd

Att.

cc: Dennis Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Joanne Minieri, Deputy County Executive & Commissioner, Dept. of Economic Development & Planning
Sarah Lansdale, Director, Division of Planning & Environment (e-mail copy only)
Robert Braun, Deputy Bureau Chief, Municipal Law, Real Estate-Condensation (e-mail copy only)
Janet M. Longo, Acquisition Supervisor, Real Property Acquisition & Mgmt. (e-mail copy only)
Loretta Fischer, Principal Environmental Analyst, Division of Planning (e-mail copy only)
Tom Vaughn, Director, Intragovernmental Relations
Bob Zaher, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

Submitting Department
Department of Economic Development & Planning
Division of Real Property Acquisition & Mgmt.
H Lee Dennison Bldg., 2nd Floor, Hauppauge

Division Contact Person
Janet M. Longo
853-5947

Suggestion Involves:

Technical Amendment New Program
 Grant Award Contract (New Rev.)
 Other

Summary of Problem: (Explanation of why this legislation is needed.)
To authorize the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space-PayGo of the Barbanell property (Dwarf Pine Plains-Pine Barrens Core), SCTM#0900-307.00-03.00-005.000, (Town of Southampton).

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

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

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

Intro. Res. No. ¹⁴⁹⁰-2014
Introduced by Presiding Officer on request of the County Executive

Laid on Table 5/13/14

**RESOLUTION NO. -2014 AUTHORIZING THE
ACQUISITION OF FARMLAND DEVELOPMENT
RIGHTS UNDER THE NEW SUFFOLK COUNTY
DRINKING WATER PROTECTION PROGRAM
(EFFECTIVE DECEMBER 1, 2007) FOR THE
BOOM DEVELOPMENT CORP. PROPERTY
(TOWN OF RIVERHEAD-SCTM#0600-017.00-
01.00-001.001)**

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

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

WHEREAS, Resolution No. 699-2013, authorized appraisal steps for the acquisition of farmland development rights of the subject property; and

WHEREAS, pursuant thereto, said acquisition is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation of the Suffolk County Farmland Committee; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Estate and/or her designee to negotiate the acquisition of farmland development rights; and

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

WHEREAS, contracts to acquire said rights were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Estate and/or her designee and approved as to legality by the office of the County Attorney; now, therefore, be it:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component,

for a total purchase price of One Million Two Hundred Thirty Eight Thousand One Hundred Sixty Dollars (\$1,238,160.00±), at Eighty Four Thousand Dollars (\$84,000.00) per acre for 14.74± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Purchase of Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u>
<u>No. 1</u>	<u>TAX MAP NUMBER:</u>	<u>14.74±</u>	<u>AND ADDRESS:</u>
	District 0600		Boom Development Corp.
	Section 017.00		45 Broidy Lane
	Block 01.00		Southampton, NY 11968
	Lot 001.001		

; and, be it further

2nd RESOLVED, that the Director of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of One Million Two Hundred Thirty Eight Thousand One Hundred Sixty Dollars (\$1,238,160.00±), at Eighty Four Dollars (\$84,000.00) per acre for 14.74± acres, subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,238,160.00±, subject to a final survey, from previously appropriated funds in capital project 525-CAP-8714.211 for the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that 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 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Purchase of Development Rights Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

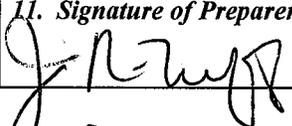
DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition of farmland development rights under the New Suffolk County ¼% Drinking Water Protection Program-Farmland of Boom Development Corp. property , SCTM#0600-017.00-01.00-001.001, (Town of Riverhead).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding New Suffolk County ¼% Drinking Water Protection Program-Farmland –Paygo (8714.211)		
9. Timing of Impact		
10. Typed Name & Title of Preparer Jill Rosen-Nikoloff Director of Real Estate	11. Signature of Preparer 	12. Date May 1, 2014

SCIN FORM 175b (10/95)

DEIL TOOMR



5/31/14

**FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 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, 2013.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2013-2014.
- 3) SOURCE FOR EQUALIZATION RATES: 2013 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**2014 INTRAGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL:

AUTHORIZING ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – FARMLAND COMPONENT FOR THE BOOM DEVELOPMENT CORP. (TOWN OF RIVERHEAD– SCTM#0600-017.00-01.00-001.001)

PURPOSE OR GENERAL IDEA OF BILL:

PURCHASE OF FARMLAND DEVELOPMENT RIGHTS

SUMMARY OR SPECIFIC PROVISIONS:

ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM

JUSTIFICATION:

FUNDING AVAILABLE IN 525-CAP-8714.211

FISCAL IMPLICATIONS:

N/A

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

May 1, 2014

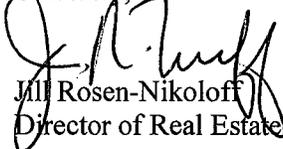
Mr. Jon Schneider, Deputy County Executive
for Intragovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of farmland development rights for the Boom Development Corp. property, in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program-Farmland. The purchase price is \$1,238,160.00± for 14.74± acres, at \$84,000.00 per acre.

Please contact me if you require any additional information.

Sincerely,


Jill Rosen-Nikoloff
Director of Real Estate

JRN:pd

Att.

cc: Dennis Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Joanne Minieri, Deputy County Executive & Commissioner, Dept. of Economic Development & Planning
Sarah Lansdale, Director, Division of Planning & Environment (e-mail copy only)
Robert Braun, Deputy Bureau Chief, Municipal Law, Real Estate-Condernation (e-mail copy only)
Janet M. Longo, Acquisition Supervisor, Real Property Acquisition & Mgmt. (e-mail copy only)
Lauretta Fischer, Principal Environmental Analyst, Division of Planning (e-mail copy only)
Tom Vaughn, Director, Intragovernmental Relations
Phyllis J. Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

1491

Intro. Res. No. - 2014

Laid on Table

5/13/14

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2014 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - ACTIVE RECREATION / HAMLET PARK / HISTORIC AND/OR CULTURAL PARK COMPONENT - FOR THE NORTH FORK PRESERVE, INC. PROPERTY NORTH FORK PRESERVE IV (TOWN OF RIVERHEAD - SCTM# 0600-021.00-01.00-001.004)

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

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

WHEREAS, Resolution No. 987-2011, authorized planning steps for the acquisition of said property; and

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

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

WHEREAS, the development rights of the subject parcel were previously acquired by Suffolk County on October 3, 1991 for farmland protection and use of the subject parcel is in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code for agricultural production which includes commercial equine/horse boarding operations; and

WHEREAS, the residual fee of the subject premises being acquired hereunder is designated as "Agricultural Land" as such term is defined in Chapter 8 of the Suffolk County Code and shall not be used for any purpose other than "Agricultural Production" as such term is defined in Chapter 8 of the Suffolk County Code; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the residual fee title interest of subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation/ Hamlet Park/Historic and/or Cultural Park component, for a total purchase price of Nine Hundred Fifty Thousand Dollars (\$950,000.00±), at Nineteen Thousand Dollars (\$19,000.00) per acre, for 50.0± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u> <u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u> <u>AND ADDRESS:</u>
No. 1	District 0600 Section 021.00 Block 01.00 Lot 001.004	50.0±	North Fork Preserve, Inc. a New York Corporation 349 Pennys Road Riverhead, NY 11901

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Estate and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Active Recreation / Hamlet Park / Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Nine Hundred Fifty Thousand Dollars (\$950,000.00±), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$950,000.00±, subject to a final survey, from previously appropriated funds in capital project 525-CAP-8714.211 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Active Recreation / Hamlet Park / Historic and/or Cultural Park component, Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that the acquisition of such parcel(s) is for the following purpose as set forth under Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER:

i.) active recreational park – Equestrian Center

6th RESOLVED, that the residual fee title interest of the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for active park use; and, be it further

7th **RESOLVED**, that the development rights of the subject parcel was acquired by Suffolk County on October 3, 1991 for farmland protection and use of the subject parcel is in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code for agricultural production which includes commercial equine/horse boarding operations; and be it further

8th **RESOLVED**, that the County shall operate the subject premises, or shall cause the subject premises to be operated, solely as Agricultural Land for Agricultural Production in compliance with Chapter 8 of the Suffolk County Code, either directly or through a third party properly contracted; and be it further

9th **RESOLVED**, that the above activity is a Type I action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

10th **RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is active recreation-Equestrian Center; and
- 3.) the proposed action does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York of the Suffolk County Charter and Code; and
- 4.) the CEQ reviewed and approved the Concept Plan to create an equestrian facility and prior to the development Plan being finalized said Plan will be submitted and reviewed by the CEQ; and, be it further

11th **RESOLVED**, that in accordance with Section 450-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

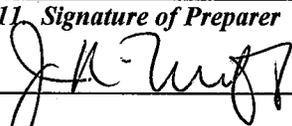
DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation of the North Fork Preserve, Inc. property (North Fork Preserve IV), SCTM#0600-021.00-01.00-001.004, (Town of Riverhead).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding New Suffolk County ¼% Drinking Water Protection Program-Active Recreation-PayGo		
9. Timing of Impact		
10. Typed Name & Title of Preparer Jill Rosen-Nikoloff Director of Real Estate	11. Signature of Preparer 	12. Date May 9, 2014

SCIN FORM 175b (10/95)

NEIL TOOMB

NEIL TOOMB

5/9/14

**FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 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, 2013.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2013-2014.
- 3) SOURCE FOR EQUALIZATION RATES: 2013 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**2014 INTRAGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL:

AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – ACTIVE RECREATION COMPONENT - FOR THE NORTH FORK PRESERVE, INC. PROPERTY (NORTH FORK PRESERVE IV) –TOWN OF RIVERHEAD – SCTM# 0600-021.00-01.00-001.004

PURPOSE OR GENERAL IDEA OF BILL:

ACTIVE RECREATION

SUMMARY OR SPECIFIC PROVISIONS:

ACQUISITION OF ACTIVE RECREATION LAND UNDER THE NEW SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM

JUSTIFICATION:

FUNDING AVAILABLE IN 525-CAP-8714.211

FISCAL IMPLICATIONS:

N/A

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Real Property
Acquisition and Management

May 9, 2014

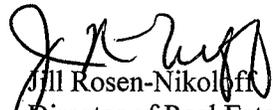
Mr. Jon Schneider, Deputy County Executive
for Intragovernmental Relations
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the North Fork Preserve, Inc. property (North Fork Preserve IV), in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation. The purchase price is \$950,000.00+ (residual fee) for 50+ acres, at \$19,000.00 per acre.

Please contact me if you require any additional information.

Sincerely,


Jill Rosen-Nikoloff
Director of Real Estate

JRN:pd

Att.

cc: Dennis Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Joanne Minieri, Deputy County Executive & Commissioner, Dept. of Economic Development & Planning
Sarah Lansdale, Director, Division of Planning & Environment (e-mail copy only)
Robert Braun, Deputy Bureau Chief, Law Dept., Real Estate-Condensation (e-mail copy only)
Janet M. Longo, Acquisition Supervisor, Real Property Acquisition & Mgmt. (e-mail copy only)
Lauretta Fischer, Principal Environmental Analyst, Division of Planning (e-mail copy only)
Tom Vaughn, Director, Intragovernmental Relations
Bob Zaher, Acquisition Agent
CE Reso Review (e-mail copy only)

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

County of Suffolk

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

Submitting Department
Department of Economic Development & Planning
Division of Real Property Acquisition & Mgmt.
H Lee Dennison Bldg., 2nd Floor, Hauppauge

Division Contact Person
Janet M. Longo
853-5947

Suggestion Involves:

Technical Amendment New Program
 Grant Award Contract (New ___ Rev. ___)
 Other

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

To authorize the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Active Recreation-PayGo, of the North Fork Preserve, Inc. property (North Fork Preserve IV), SCTM#0600-021.00-01.00-001.004, (Town of Riverhead).

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

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

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

1492

Intro. Res. No. -2014
Introduced by Legislator Muratore

Laid on Table 5/13/14

**RESOLUTION NO. -2014, RECOGNIZING OCTOBER AS
"DISABILITY EMPLOYMENT AWARENESS MONTH" IN
SUFFOLK COUNTY**

WHEREAS, in 1945, President Harry Truman established the first week of October as "National Employ the Physically Handicapped Week; and

WHEREAS, in 1988, Congress expanded on President Truman's initiative, naming the month of October "National Disability Employment Awareness Month"; and

WHEREAS, each year, the United States Department of Labor sets a theme for the month, with the theme for 2014 being "Expect. Employ. Empower"; and

WHEREAS, National Disability Employment Awareness Month raises awareness about disability employment issues; and celebrates the varied contributions of people with disabilities; and

WHEREAS, Suffolk County wishes to join in encouraging employers to welcome the talents of all people, including people with disabilities, as an important element in cultivating an inclusive community and a strong economy; now, therefore be it

1st RESOLVED, that beginning in 2014 and continuing every year thereafter, October shall be "Disability Employment Awareness Month" in Suffolk County, for the purpose of educating and raising awareness of the rights of people with disabilities and the contributions and skills of workers with disabilities; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1493

Intro. Res. No. -2014

Laid on Table 5/13/14

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2014, AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK - 2014 (SCTM # 0300-166.00-04.00-001.004 - Darryl Glennon)

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law provides for a locally-initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law established and articulates the Agricultural Districts Program, wherein viable agricultural land included within a certified agricultural district receives certain benefits and protections in order to perpetuate farming; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law was amended in 2003 to include Section 303-B which allows county legislative bodies the opportunity to designate an annual thirty-day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, Suffolk County does contain agricultural districts; and

WHEREAS, Resolution 688-2013 designated March as the thirty-day period starting in 2014 within which a land owner may submit a request for inclusion of land that is predominantly viable agricultural land within a certified agricultural district; and

WHEREAS, seven (7) applications totaling 9 parcels of land were received from land owners during the 2014 annual enrollment period; and

WHEREAS, Darryl Glennon, the applicant, submitted one parcel for inclusion into an existing certified agricultural district, as listed in Exhibit "A"; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found that the parcel(s) identified in Exhibit "A" consist of predominately viable agricultural land and that inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the existing certified agricultural district(s); and

1st RESOLVED, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk to include the parcel(s) identified by Exhibit "A" into existing certified agricultural district(s), as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd RESOLVED, that the inclusion of the parcel(s) identified in Exhibit "A" in existing certified agricultural district(s) is hereby approved, adopted, and referred to the Commissioner of the New York State Department of Agriculture and Markets for review and certification as required by Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law; and be it further

3rd RESOLVED, that the Clerk of the Suffolk County Legislature is hereby directed

Exhibit A

Parcel(s) Approved for Inclusion in Existing Certified Agricultural District(s)

Tax Map Number	Name	Acres	Agricultural District Number
0300-166.00-04.00-001.004	Darryl Glennon	1.5	5
	TOTAL ACRES	1.5	

**2014 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL (I.R.):

AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM # 0300-166.00-04.00-001.004 – Darryl Glennon)

PURPOSE OR GENERAL IDEA OF BILL (I.R.):

To include parcel(s) identified in Exhibit "A" into existing certified agricultural district(s).

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County Legislative Body's recommendation of parcel(s) identified in Exhibit "A" to the Commissioner of New York State Department of Agriculture and Markets pursuant to Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law.

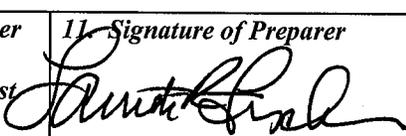
JUSTIFICATION:

The Suffolk County Agricultural & Farmland Protection Board ("Board") at its April 30, 2014 meeting reviewed landowner requests for the inclusion of land into certified agricultural districts during the 2014 Open Enrollment Period of March 1, 2014 to March 31, 2014. At said meeting, the Board reviewed seven (7) applications and recommended seven (7) out of nine (9) parcels consisting of predominantly viable agricultural land. The Darryl Glennon property was recommended for inclusion into an existing certified agricultural district as identified in Exhibit "A".

FISCAL IMPLICATIONS:

The proposed legislation will not have a fiscal impact.

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

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/> X	Local Law
<input type="checkbox"/> Charter Law		
2. Title of Proposed Legislation		
AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM # 0300-166.00-04.00-001.004 – Darryl Glennon)		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> 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 the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer Lauretta R. Fischer Principal Environmental Analyst	11. Signature of Preparer 	12. Date May 9, 2014

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

May 9, 2014

Jon Schneider, Deputy County Executive
Office of the County Executive
H. Lee Dennison Bldg. – 12th Floor
100 Veterans Memorial Hwy.
Hauppauge, New York 11788

Re: ***Reso-EDP-2014 Agricultural Districts (SCTM # 0300-166.00-04.00-001.004)***

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize the inclusion of 1 parcel, representing 1.5 acres of farmland into existing certified agricultural districts. The inclusion of this parcel is being conducted in accordance with the provisions of Section 303-b of Article 25-AA of the New York State Agriculture and Markets Law, which requires that the County provide property owners with an annual opportunity to request to have their lands included in existing certified agricultural districts.

The Suffolk County Agricultural and Farmland Protection Board has determined that each parcel identified in Exhibit "A" of the enclosed proposed Introductory Resolution consists predominantly of viable agricultural land and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Please contact me, if you require any additional information.

Very truly yours,

Sarah Lansdale
Director of Planning

Enclosures
Resolution

cc: Dennis M. Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lisa Santeramo, Asst. Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Lauretta R. Fischer, Principal Environmental Analyst
CE Reso Review (electronic copy)

1494

Intro. Res. No. -2014
Introduced by Presiding Officer on request of the County Executive

Laid on Table 5/13/14

RESOLUTION NO. -2014, AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK – 2014 (SCTM #'s 0400-203.00-02.00-051.001 – Guido F. Foglia Trust & Dinah L. Foglia Trust and 0400-203.00-02.00-051.003 – Lawrence P. Foglia & Heather Forest)

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law provides for a locally-initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law established and articulates the Agricultural Districts Program, wherein viable agricultural land included within a certified agricultural district receives certain benefits and protections in order to perpetuate farming; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law was amended in 2003 to include Section 303-B which allows county legislative bodies the opportunity to designate an annual thirty-day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, Suffolk County does contain agricultural districts; and

WHEREAS, Resolution 688-2013 designated March as the thirty-day period starting in 2014 within which a land owner may submit a request for inclusion of land that is predominantly viable agricultural land within a certified agricultural district; and

WHEREAS, seven (7) applications totaling 9 parcels of land were received from land owners during the 2014 annual enrollment period; and

WHEREAS, the Foglia Trusts and Lawrence P. Foglia & Heather Forest, the applicant, submitted two parcels for inclusion into an existing certified agricultural district, as listed in Exhibit "A"; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found that the parcel(s) identified in Exhibit "A" consist of predominately viable agricultural land and that inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the existing certified agricultural district(s); and

1st RESOLVED, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk to include the parcel(s) identified by Exhibit "A" into existing certified agricultural district(s), as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd RESOLVED, that the inclusion of the parcel(s) identified in Exhibit "A" in existing certified agricultural district(s) is hereby approved, adopted, and referred to the Commissioner

of the New York State Department of Agriculture and Markets for review and certification as required by Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law; and be it further

3rd **RESOLVED**, that the Clerk of the Suffolk County Legislature is hereby directed to submit this resolution including the list of parcel(s) in Exhibit "A", the report of the Suffolk County Agricultural and Farmland Protection Board, the tax map identification numbers, and tax maps for each parcel of land to be included in an agricultural district to the Commissioner of the New York State Department of Agriculture and Markets; and be it further

4th **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby classifies the proposal as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

5th **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby finds and determines that the proposal, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2. the proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. the parcels do not appear to suffer from any severe Environmental development constraints (limiting soil properties, a high groundwater table, and/or unmanageable slopes); and, be it further

6th **RESOLVED**, that Suffolk County hereby adopts a determination of non-significance (negative declaration) and the Council of Environmental Quality is hereby directed to circulate and file all necessary notices in accordance with this resolution

DATED:

APPROVED BY:

County Executive of Suffolk County

DATE:

Exhibit A

Parcel(s) Approved for Inclusion in Existing Certified Agricultural District(s)

Tax Map Number	Name	Acres	Agricultural District Number
0400-203.00-02.00-051.001	Guido F. Foglia Trust & Dinah L. Foglia Trust	6.3	3
0400-203.00-02.00-051.003	Lawrence P. Foglia & Heather Forest	4.0	3
	TOTAL ACRES	10.3	

**2014 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL (I.R.):

AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM #'s 0400-203.00-02.00-051.001 – Guido F. Foglia Trust & Dinah L. Foglia Trust and 0400-203.00-02.00-051.003 – Lawrence P. Foglia and Heather Forest)

PURPOSE OR GENERAL IDEA OF BILL (I.R.):

To include parcel(s) identified in Exhibit "A" into existing certified agricultural district(s).

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County Legislative Body's recommendation of parcel(s) identified in Exhibit "A" to the Commissioner of New York State Department of Agriculture and Markets pursuant to Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law.

JUSTIFICATION:

The Suffolk County Agricultural & Farmland Protection Board ("Board") at its April 30, 2014 meeting reviewed landowner requests for the inclusion of land into certified agricultural districts during the 2014 Open Enrollment Period of March 1, 2014 to March 31, 2014. At said meeting, the Board reviewed seven (7) applications and recommended seven (7) out of nine (9) parcels consisting of predominantly viable agricultural land. The Foglia Trusts property and Lawrence P. Foglia & Heather Forest property were recommended for inclusion into an existing certified agricultural district as identified in Exhibit "A".

FISCAL IMPLICATIONS:

The proposed legislation will not have a fiscal impact.

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

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

Submitting Department
(Dept. Name & Location):
Department of Economic Development and Planning
Division of Planning and Environment
H. Lee Dennison Bldg. 4th Floor
Hauppauge, New York

Department Contact Person
(Name & Phone No.):
Lauretta R. Fischer, Principal Environmental
Analyst
853-6044

Suggestion Involves:

- | | |
|--|--|
| <input type="checkbox"/> Technical Amendment | <input type="checkbox"/> New Program |
| <input type="checkbox"/> Grant Award | <input type="checkbox"/> Contract (New ___ Rev. ___) |
| <input checked="" type="checkbox"/> Other | |

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

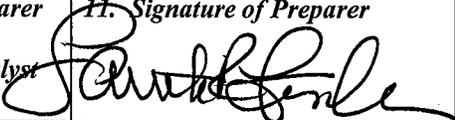
AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S)
IN THE COUNTY OF SUFFOLK (SCTM #'s 0400-203.00-02.00-051.001 – Guido F. Foglia Trust & Dinah L. Foglia
Trust and 0400-203.00-02.00-051.003 – Lawrence P. Foglia and Heather Forest)

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

PLEASE FILL IN REVERSE SIDE OF FORM

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

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

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation		
AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM #'s 0400-203.00-02.00-051.001 – Guido F. Foglia Trust & Dinah L. Foglia Trust and 0400-203.00-02.00-051.003 – Lawrence P. Foglia and Heather Forest)		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input type="checkbox"/> 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 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Lauretta R. Fischer Principal Environmental Analyst		May 9, 2014

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

May 9, 2014

Jon Schneider, Deputy County Executive
Office of the County Executive
H. Lee Dennison Bldg. - 12th Floor
100 Veterans Memorial Hwy.
Hauppauge, New York 11788

Re: ***Reso-EDP-2014 Agricultural Districts (SCTM # 0400-203.00-02.00-051.001
and 0400-203.00-02.00-051.003)***

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize the inclusion of 2 parcels, representing 10.3 acres of farmland into existing certified agricultural district. This inclusion of parcels is being conducted in accordance with the provisions of Section 303-b of Article 25-AA of the New York State Agriculture and Markets Law, which requires that the County provide property owners with an annual opportunity to request to have their lands included in existing certified agricultural districts.

The Suffolk County Agricultural and Farmland Protection Board has determined that each parcel identified in Exhibit "A" of the enclosed proposed Introductory Resolution consists predominantly of viable agricultural land and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Please contact me, if you require any additional information.

Very truly yours,

Sarah Lansdale
Director of Planning

Enclosures
Resolution

cc: Dennis M. Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lisa Santeramo, Asst. Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Lauretta R. Fischer, Principal Environmental Analyst
CE Reso Review (electronic copy)

1495

Intro. Res. No. -2014
Introduced by Presiding Officer on request of the County Executive

Laid on Table 5/13/14

RESOLUTION NO. -2014, AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK – 2014 (SCTM # 0504-004.00-01.00-016.000 – Pal-O-Mine Equestrian, Inc.)

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law provides for a locally-initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law established and articulates the Agricultural Districts Program, wherein viable agricultural land included within a certified agricultural district receives certain benefits and protections in order to perpetuate farming; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law was amended in 2003 to include Section 303-B which allows county legislative bodies the opportunity to designate an annual thirty-day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, Suffolk County does contain agricultural districts; and

WHEREAS, Resolution 688-2013 designated March as the thirty-day period starting in 2014 within which a land owner may submit a request for inclusion of land that is predominantly viable agricultural land within a certified agricultural district; and

WHEREAS, seven (7) applications totaling 9 parcels of land were received from land owners during the 2014 annual enrollment period; and

WHEREAS, Pal-O-Mine Equestrian, Inc., the applicant, submitted one parcel for inclusion into an existing certified agricultural district, as listed in Exhibit "A"; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found that the parcel(s) identified in Exhibit "A" consist of predominately viable agricultural land and that inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the existing certified agricultural district(s); and

1st RESOLVED, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk to include the parcel(s) identified by Exhibit "A" into existing certified agricultural district(s), as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd RESOLVED, that the inclusion of the parcel(s) identified in Exhibit "A" in existing certified agricultural district(s) is hereby approved, adopted, and referred to the Commissioner of the New York State Department of Agriculture and Markets for review and certification as required by Section 303(B)(4) of Article 25-AA of the New York State Agriculture and

Markets Law; and be it further

3rd **RESOLVED**, that the Clerk of the Suffolk County Legislature is hereby directed to submit this resolution including the list of parcel(s) in Exhibit "A"; the report of the Suffolk County Agricultural and Farmland Protection Board, the tax map identification numbers, and tax maps for each parcel of land to be included in an agricultural district to the Commissioner of the New York State Department of Agriculture and Markets; and be it further

4th **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby classifies the proposal as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

5th **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby finds and determines that the proposal, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2. the proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. the parcels do not appear to suffer from any severe Environmental development constraints (limiting soil properties, a high groundwater table, and/or unmanageable slopes); and, be it further

6th **RESOLVED**, that Suffolk County hereby adopts a determination of non-significance (negative declaration) and the Council of Environmental Quality is hereby directed to circulate and file all necessary notices in accordance with this resolution

DATED:

APPROVED BY:

County Executive of Suffolk County

DATE

Exhibit A

Parcel(s) Approved for Inclusion in Existing Certified Agricultural District(s)

Tax Map Number	Name	Acres	Agricultural District Number
0504-004.00-01.00-016.000	Pal-O-Mine Equestrian, Inc.	7.1	3
	TOTAL ACRES	7.1	

**2014 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL (I.R.):

AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM # 0504-004.00-01.00-016.000 – Pal-O-Mine Equestrian, Inc.)

PURPOSE OR GENERAL IDEA OF BILL (I.R.):

To include parcel(s) identified in Exhibit "A" into existing certified agricultural district(s).

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County Legislative Body's recommendation of parcel(s) identified in Exhibit "A" to the Commissioner of New York State Department of Agriculture and Markets pursuant to Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law.

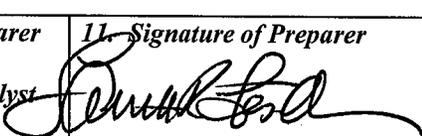
JUSTIFICATION:

The Suffolk County Agricultural & Farmland Protection Board ("Board") at its April 30, 2014 meeting reviewed landowner requests for the inclusion of land into certified agricultural districts during the 2014 Open Enrollment Period of March 1, 2014 to March 31, 2014. At said meeting, the Board reviewed seven (7) applications and recommended seven (7) out of nine (9) parcels consisting of predominantly viable agricultural land. The Pal-O-Mine Equestrian, Inc. property was recommended for inclusion into an existing certified agricultural district as identified in Exhibit "A".

FISCAL IMPLICATIONS:

The proposed legislation will not have a fiscal impact.

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

1. Type of Legislation		
Resolution	<u>X</u>	Local Law
<u>Charter Law</u>		
2. Title of Proposed Legislation		
AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM # 0504-004.00-01.00-016.000 – Pal-O-Mine Equestrian, Inc.)		
3. Purpose of Proposed Legislation		
See No. 2 above		
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 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Lauretta R. Fischer Principal Environmental Analyst		May 9, 2014

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

**Department of
Economic Development and Planning**

Joanne Minieri
Deputy County Executive and Commissioner

**Division of Planning
and Environment**

May 9, 2014

Jon Schneider, Deputy County Executive
Office of the County Executive
H. Lee Dennison Bldg. – 12th Floor
100 Veterans Memorial Hwy.
Hauppauge, New York 11788

Re: ***Reso-EDP-2014 Agricultural Districts (SCTM # 0504-004.00-01.00-016.000)***

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize the inclusion of 1 parcel, representing 7.1 acres of farmland into existing certified agricultural district. The inclusion of this parcel is being conducted in accordance with the provisions of Section 303-b of Article 25-AA of the New York State Agriculture and Markets Law, which requires that the County provide property owners with an annual opportunity to request to have their lands included in existing certified agricultural districts.

The Suffolk County Agricultural and Farmland Protection Board has determined that each parcel identified in Exhibit "A" of the enclosed proposed Introductory Resolution consists predominantly of viable agricultural land and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Please contact me, if you require any additional information.

Very truly yours,

Sarah Lansdale
Director of Planning

Enclosures
Resolution

cc: Dennis M. Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lisa Santeramo, Asst. Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Lauretta R. Fischer, Principal Environmental Analyst
CE Reso Review (electronic copy)

1496

Intro. Res. No. -2014
Introduced by Presiding Officer on request of the County Executive

Laid on Table 5/13/14

RESOLUTION NO. -2014, AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK - 2014 (SCTM # 0600-098.00-01.00-016.005 - Edward Partridge)

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law provides for a locally-initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law established and articulates the Agricultural Districts Program, wherein viable agricultural land included within a certified agricultural district receives certain benefits and protections in order to perpetuate farming; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law was amended in 2003 to include Section 303-B which allows county legislative bodies the opportunity to designate an annual thirty-day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, Suffolk County does contain agricultural districts; and

WHEREAS, Resolution 688-2013 designated March as the thirty-day period starting in 2014 within which a land owner may submit a request for inclusion of land that is predominantly viable agricultural land within a certified agricultural district; and

WHEREAS, seven (7) applications totaling 9 parcels of land were received from land owners during the 2014 annual enrollment period; and

WHEREAS, Edward Partridge, the applicant, submitted one parcel for inclusion into an existing certified agricultural district, as listed in Exhibit "A"; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found that the parcel(s) identified in Exhibit "A" consist of predominately viable agricultural land and that inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the existing certified agricultural district(s); and

1st RESOLVED, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk to include the parcel(s) identified by Exhibit "A" into existing certified agricultural district(s), as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd RESOLVED, that the inclusion of the parcel(s) identified in Exhibit "A" in existing certified agricultural district(s) is hereby approved, adopted, and referred to the Commissioner of the New York State Department of Agriculture and Markets for review and certification as required by Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law; and be it further

3rd **RESOLVED**, that the Clerk of the Suffolk County Legislature is hereby directed to submit this resolution including the list of parcel(s) in Exhibit "A", the report of the Suffolk County Agricultural and Farmland Protection Board, the tax map identification numbers, and tax maps for each parcel of land to be included in an agricultural district to the Commissioner of the New York State Department of Agriculture and Markets; and be it further

4th **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby classifies the proposal as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

5th **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby finds and determines that the proposal, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2. the proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. the parcels do not appear to suffer from any severe Environmental development constraints (limiting soil properties, a high groundwater table, and/or unmanageable slopes); and, be it further

6th **RESOLVED**, that Suffolk County hereby adopts a determination of non-significance (negative declaration) and the Council of Environmental Quality is hereby directed to circulate and file all necessary notices in accordance with this resolution

DATED:

APPROVED BY:

County Executive of Suffolk County

DATE:

Exhibit A

Parcel(s) Approved for Inclusion in Existing Certified Agricultural District(s)

Tax Map Number	Name	Acres	Agricultural District Number
0600-098.00-01.00-016.005	Edward Partridge	96.7	7
	TOTAL ACRES	96.7	

**2014 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL (I.R.):

AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM # 0600-098.00-01.00-016.005 – Edward Partridge)

PURPOSE OR GENERAL IDEA OF BILL (I.R.):

To include parcel(s) identified in Exhibit "A" into existing certified agricultural district(s).

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County Legislative Body's recommendation of parcel(s) identified in Exhibit "A" to the Commissioner of New York State Department of Agriculture and Markets pursuant to Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law.

JUSTIFICATION:

The Suffolk County Agricultural & Farmland Protection Board ("Board") at its April 30, 2014 meeting reviewed landowner requests for the inclusion of land into certified agricultural districts during the 2014 Open Enrollment Period of March 1, 2014 to March 31, 2014. At said meeting, the Board reviewed seven (7) applications and recommended seven (7) out of nine (9) parcels consisting of predominantly viable agricultural land. The Edward Partridge property was recommended for inclusion into an existing certified agricultural district as identified in Exhibit "A".

FISCAL IMPLICATIONS:

The proposed legislation will not have a fiscal impact.

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

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

Submitting Department
(Dept. Name & Location):
Department of Economic Development and Planning
Division of Planning and Environment
H. Lee Dennison Bldg. 4th Floor
Hauppauge, New York

Department Contact Person
(Name & Phone No.):
Lauretta R. Fischer, Principal Environmental
Analyst
853-6044

Suggestion Involves:

- | | |
|--|--|
| <input type="checkbox"/> Technical Amendment | <input type="checkbox"/> New Program |
| <input type="checkbox"/> Grant Award | <input type="checkbox"/> Contract (New ___ Rev. ___) |
| <input checked="" type="checkbox"/> Other | |

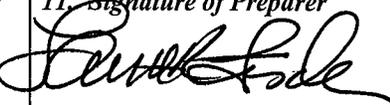
Summary of Problem: (Explanation of why this legislation is needed.)

AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S)
IN THE COUNTY OF SUFFOLK (SCTM # 0600-098.00-01.00-016.005 – Edward Partridge)

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

PLEASE FILL IN REVERSE SIDE OF FORM

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation		
AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM # 0600-098.00-01.00-016.005 – Edward Partridge)		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input type="checkbox"/> 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 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer Lauretta R. Fischer Principal Environmental Analyst	11. Signature of Preparer 	12. Date May 9, 2014

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

**Department of
Economic Development and Planning**

Joanne Minieri
Deputy County Executive and Commissioner

**Division of Planning
and Environment**

May 9, 2014

Jon Schneider, Deputy County Executive
Office of the County Executive
H. Lee Dennison Bldg. – 12th Floor
100 Veterans Memorial Hwy.
Hauppauge, New York 11788

Re: ***Reso-EDP-2014 Agricultural Districts (SCTM # 0600-098.00-01.00-016.005)***

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize the inclusion of 1 parcel, representing 96.7 acres of farmland into existing certified agricultural district. The inclusion of this parcel is being conducted in accordance with the provisions of Section 303-b of Article 25-AA of the New York State Agriculture and Markets Law, which requires that the County provide property owners with an annual opportunity to request to have their lands included in existing certified agricultural districts.

The Suffolk County Agricultural and Farmland Protection Board has determined that each parcel identified in Exhibit "A" of the enclosed proposed Introductory Resolution consists predominantly of viable agricultural land and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Please contact me, if you require any additional information.

Very truly yours,


Sarah Lansdale
Director of Planning

Enclosures
Resolution

cc: Dennis M. Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lisa Santeramo, Asst. Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Lauretta R. Fischer, Principal Environmental Analyst
CE Reso Review (electronic copy)

1497

Intro. Res. No. -2014
Introduced by Presiding Officer on request of the County Executive

Laid on Table 5/13/14

RESOLUTION NO. -2014, AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK – 2014 (SCTM # 0900-051.00-02.00-005.010 – Channing Daughters Winery LLC)

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law provides for a locally-initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law established and articulates the Agricultural Districts Program, wherein viable agricultural land included within a certified agricultural district receives certain benefits and protections in order to perpetuate farming; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law was amended in 2003 to include Section 303-B which allows county legislative bodies the opportunity to designate an annual thirty-day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, Suffolk County does contain agricultural districts; and

WHEREAS, Resolution 688-2013 designated March as the thirty-day period starting in 2014 within which a land owner may submit a request for inclusion of land that is predominantly viable agricultural land within a certified agricultural district; and

WHEREAS, seven (7) applications totaling 9 parcels of land were received from land owners during the 2014 annual enrollment period; and

WHEREAS, Channing Daughters Winery LLC, the applicant, submitted one parcel for inclusion into an existing certified agricultural district, as listed in Exhibit "A"; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found that the parcel(s) identified in Exhibit "A" consist of predominately viable agricultural land and that inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the existing certified agricultural district(s); and

1st RESOLVED, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk to include the parcel(s) identified by Exhibit "A" into existing certified agricultural district(s), as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd RESOLVED, that the inclusion of the parcel(s) identified in Exhibit "A" in existing certified agricultural district(s) is hereby approved, adopted, and referred to the Commissioner of the New York State Department of Agriculture and Markets for review and certification as required by Section 303(B)(4) of Article 25-AA of the New York State Agriculture and

Markets Law; and be it further

3rd **RESOLVED**, that the Clerk of the Suffolk County Legislature is hereby directed to submit this resolution including the list of parcel(s) in Exhibit "A", the report of the Suffolk County Agricultural and Farmland Protection Board, the tax map identification numbers, and tax maps for each parcel of land to be included in an agricultural district to the Commissioner of the New York State Department of Agriculture and Markets; and be it further

4th **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby classifies the proposal as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

5th **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby finds and determines that the proposal, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2. the proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. the parcels do not appear to suffer from any severe Environmental development constraints (limiting soil properties, a high groundwater table, and/or unmanageable slopes); and, be it further

6th **RESOLVED**, that Suffolk County hereby adopts a determination of non-significance (negative declaration) and the Council of Environmental Quality is hereby directed to circulate and file all necessary notices in accordance with this resolution

DATED:

APPROVED BY:

County Executive of Suffolk County

DATE:

Exhibit A

Parcel(s) Approved for Inclusion in Existing Certified Agricultural District(s)

Tax Map Number	Name	Acres	Agricultural District Number
0900-051.00-02.00-005.010	Channing Daughters Winery LLC	21.1	5
	TOTAL ACRES	21.1	

**2014 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL (I.R.):

AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM # 0900-051.00-02.00-005.010 – Channing Daughters Winery LLC)

PURPOSE OR GENERAL IDEA OF BILL (I.R.):

To include parcel(s) identified in Exhibit "A" into existing certified agricultural district(s).

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County Legislative Body's recommendation of parcel(s) identified in Exhibit "A" to the Commissioner of New York State Department of Agriculture and Markets pursuant to Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law.

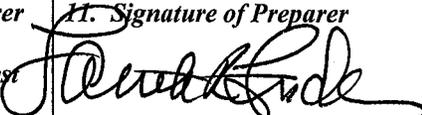
JUSTIFICATION:

The Suffolk County Agricultural & Farmland Protection Board ("Board") at its April 30, 2014 meeting reviewed landowner requests for the inclusion of land into certified agricultural districts during the 2014 Open Enrollment Period of March 1, 2014 to March 31, 2014. At said meeting, the Board reviewed seven (7) applications and recommended seven (7) out of nine (9) parcels consisting of predominantly viable agricultural land. The Channing Daughters Winery LLC property was recommended for inclusion into an existing certified agricultural district as identified in Exhibit "A".

FISCAL IMPLICATIONS:

The proposed legislation will not have a fiscal impact.

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

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/> X	Local Law
		<input type="checkbox"/> Charter Law
2. Title of Proposed Legislation		
AUTHORIZING THE INCLUSION OF NEW PARCEL(S) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM # 0900-051.00-02.00-005.010 – Channing Daughters Winery LLC)		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> 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 the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Lauretta R. Fischer Principal Environmental Analyst		May 9, 2014

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

**Department of
Economic Development and Planning**

Joanne Minieri
Deputy County Executive and Commissioner

**Division of Planning
and Environment**

May 9, 2014

Jon Schneider, Deputy County Executive
Office of the County Executive
H. Lee Dennison Bldg. – 12th Floor
100 Veterans Memorial Hwy.
Hauppauge, New York 11788

Re: ***Reso-EDP-2014 Agricultural Districts (SCTM # 0900-051.00-02.00-005.010)***

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize the inclusion of 1 parcel, representing 21.1 acres of farmland into existing certified agricultural district. The inclusion of this parcel is being conducted in accordance with the provisions of Section 303-b of Article 25-AA of the New York State Agriculture and Markets Law, which requires that the County provide property owners with an annual opportunity to request to have their lands included in existing certified agricultural districts.

The Suffolk County Agricultural and Farmland Protection Board has determined that each parcel identified in Exhibit "A" of the enclosed proposed Introductory Resolution consists predominantly of viable agricultural land and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Please contact me, if you require any additional information.

Very truly yours,

Sarah Lansdale
Director of Planning

Enclosures
Resolution

cc: Dennis M. Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lisa Santeramo, Asst. Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Lauretta R. Fischer, Principal Environmental Analyst
CE Reso Review (electronic copy)

1498

Intro. Res. No. -2014
Introduced by Presiding Officer on request of the County Executive

Laid on Table 5/13/14

RESOLUTION NO. -2014, AUTHORIZING THE INCLUSION OF ONE NEW PARCEL (SCTM # 0600-058.00-02.00-014.003 – Redwood Farm and Stable, LLC) AND THE DISAPPROVAL OF ANOTHER PARCEL (SCTM # 0600-076.00-02.00-012.001 – Kenneth Kaufold) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK – 2014

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law provides for a locally-initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law established and articulates the Agricultural Districts Program, wherein viable agricultural land included within a certified agricultural district receives certain benefits and protections in order to perpetuate farming; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law was amended in 2003 to include Section 303-B which allows county legislative bodies the opportunity to designate an annual thirty-day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, Suffolk County does contain agricultural districts; and

WHEREAS, Resolution 688-2013 designated March as the thirty-day period starting in 2014 within which a land owner may submit a request for inclusion of land that is predominantly viable agricultural land within a certified agricultural district; and

WHEREAS, seven (7) applications totaling 9 parcels of land were received from land owners during the 2014 annual enrollment period; and

WHEREAS, Redwood Farm & Stable LLC and Kenneth Kaufold, the applicants, submitted two parcels for inclusion into an existing certified agricultural district, as listed in Exhibits "A" and "B"; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found that the parcel(s) identified in Exhibit "A" consist of predominately viable agricultural land and that inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the existing certified agricultural district(s); and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found that the parcel(s) identified in Exhibit "B" do not consist of predominately viable agricultural land and that inclusion of such land would not serve the public interest; and

1st RESOLVED, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk to include the parcel(s) identified by Exhibit "A" into existing certified agricultural district(s), as recommended by the Suffolk County Agricultural and Farmland

Protection Board; and be it further

2nd **RESOLVED**, that the inclusion of the parcel(s) identified in Exhibit "A" in existing certified agricultural district(s) is hereby approved, adopted, and referred to the Commissioner of the New York State Department of Agriculture and Markets for review and certification as required by Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law; and be it further

3rd **RESOLVED**, that the Clerk of the Suffolk County Legislature is hereby directed to submit this resolution including the list of parcel(s) in Exhibit "A", the report of the Suffolk County Agricultural and Farmland Protection Board, the tax map identification numbers, and tax maps for each parcel of land to be included in an agricultural district to the Commissioner of the New York State Department of Agriculture and Markets; and be it further

4th **RESOLVED**, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk not to include the parcel(s) identified in Exhibit "B" into existing certified agricultural district(s), as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

4th **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby classifies the proposal as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

5th **RESOLVED**, that Suffolk County, as SEQRA Lead Agency, hereby finds and determines that the proposal, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2. the proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. the parcels do not appear to suffer from any severe Environmental development constraints (limiting soil properties, a high groundwater table, and/or unmanageable slopes); and, be it further

6th **RESOLVED**, that Suffolk County hereby adopts a determination of non-significance (negative declaration) and the Council of Environmental Quality is hereby directed to circulate and file all necessary notices in accordance with this resolution

DATED:

APPROVED BY:

County Executive of Suffolk County

DATE:

Exhibit A

Parcel(s) Approved for Inclusion in Existing Certified Agricultural District(s)

Tax Map Number	Name	Acres	Agricultural District Number
0600-058.00-02.00-014.003	Redwood Farm and Stable, LLC	37.0	7
	TOTAL ACRES	37.0	

Exhibit B

Parcel(s) Disapproved for Inclusion in Existing Certified Agricultural District(s)

Tax Map Number	Name	Acres
0600-076.00-02.00-012.001	Kenneth Kaufold	2.0
	TOTAL ACRES	2.0

**2014 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL (I.R.):

AUTHORIZING THE INCLUSION OF ONE NEW PARCEL (SCTM # 0600-058.00-02.00-014.003 – Redwood Farm and Stable, LLC) AND THE DISAPPROVAL OF ANOTHER PARCEL (SCTM # 0600-076.00-02.00-012.001 – Kenneth Kaufold) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK

PURPOSE OR GENERAL IDEA OF BILL (I.R.):

To include parcel(s) identified in Exhibit "A" and disapprove parcel(s) identified by Exhibit "B" into existing certified agricultural district(s).

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County Legislative Body's recommendation of parcel(s) identified in Exhibit "A" to the Commissioner of New York State Department of Agriculture and Markets pursuant to Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law.

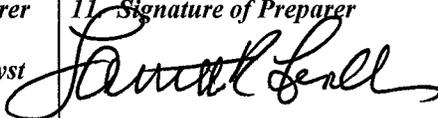
JUSTIFICATION:

The Suffolk County Agricultural & Farmland Protection Board ("Board") at its April 30, 2014 meeting reviewed landowner requests for the inclusion of land into certified agricultural districts during the 2014 Open Enrollment Period of March 1, 2014 to March 31, 2014. At said meeting, the Board reviewed seven (7) applications and recommended seven (7) out of nine (9) parcels consisting of predominantly viable agricultural land. The Redwood Farm and Stable, LLC property was recommended for inclusion into a certified agricultural district as identified in Exhibit "A" and the Kenneth Kaufold property was not recommended for inclusion into an existing certified agricultural district as identified in Exhibit "B".

FISCAL IMPLICATIONS:

The proposed legislation will not have a fiscal impact.

**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		
<p>AUTHORIZING THE INCLUSION OF ONE NEW PARCEL (SCTM # 0600-058.00-02.00-014.003 – Redwood Farm and Stable, LLC) AND THE DISAPPROVAL OF ANOTHER PARCEL (SCTM # 0600-076.00-02.00-012.001 – Kenneth Kaufold) INTO EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK</p>		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Lauretta R. Fischer Principal Environmental Analyst		May 9, 2014

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

May 9, 2014

Jon Schneider, Deputy County Executive
Office of the County Executive
H. Lee Dennison Bldg. – 12th Floor
100 Veterans Memorial Hwy.
Hauppauge, New York 11788

Re: ***Reso-EDP-2014 Agricultural Districts (SCTM # 0600-058.00-02.00-014.003
and 0600-076.00-02.00-012.001)***

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize the inclusion of 1 parcel (SCTM # 0600-058.00-02.00-014.003), representing 37 acres of farmland and the disapproval of another parcel (SCTM # 0600-076.00-02.00-012.001), representing 2 acres, into an existing certified agricultural district. The inclusion of one parcel (SCTM # 0600-058.00-02.00-014.003) is being conducted in accordance with the provisions of Section 303-b of Article 25-AA of the New York State Agriculture and Markets Law, which requires that the County provide property owners with an annual opportunity to request to have their lands included in existing certified agricultural districts.

The Suffolk County Agricultural and Farmland Protection Board ("the Board") has determined that the parcel identified in Exhibit "A" of the enclosed proposed Introductory Resolution consists predominantly of viable agricultural land and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Additionally, the Board has determined that the parcel identified in Exhibit "B" of the enclosed proposed Introductory Resolution does not consist of predominantly viable agricultural land and that inclusion of such land would not serve the public interest.

Please contact me, if you require any additional information.

Very truly yours,

Sarah Lansdale
Director of Planning

Enclosures
Resolution

cc: Dennis M. Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lisa Santeramo, Asst. Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Lauretta R. Fischer, Principal Environmental Analyst
CE Reso Review (electronic copy)

Intro. Res. No. 1499-14
Introduced by Presiding Officer, on request of the County Executive

Laid on Table

5/13/14

**RESOLUTION NO. -2014, AMENDING THE 2014
ADOPTED OPERATING BUDGET TO TRANSFER FUNDING
TO THE HEALTH DEPARTMENT FOR A TICK AWARENESS
VIDEO, THE YOUTH BUREAU FOR LONG ISLAND LATINO
TEACHERS ASSOCIATION (LILTA), AND THE DEPARTMENT
OF SOCIAL SERVICES FOR TOURO LAW SCHOOL – FAMILY
LAW CLINIC AND HOPE HOUSE MINISTRIES**

WHEREAS, the 2014 Operating Budget did not provide funding for a tick awareness video, Long Island Latino Teachers Association, Touro Law School and Hope House Ministries; and

WHEREAS, ticks are a major public health concern and threat; and

WHEREAS, due to the tick populations, Suffolk County residents are at risk of acquiring tick bites and tick-borne illnesses; and

WHEREAS, ticks can transmit several tick-borne diseases including Lyme disease, babesiosis and Rocky Mountain spotted fever; and

WHEREAS, the Health Department will create a basic educational video, geared specifically to middle school students, of tick awareness including the different habitats that ticks live in, how to remove a tick, how to dispose of a tick and symptoms and effects of tick-borne diseases; and

WHEREAS, Long Island Latino Teachers Association will use the funding as enhancement of their 2-week summer program for middle and high school students;

WHEREAS, Long Island Latino Teachers Association brings in different adult professionals from throughout the community to speak with students about their experiences in the workforce, and to provide practical advice for students interested in pursuing similar careers; and

WHEREAS, Touro Law School, through their new Family Law Clinic, will represent 40 custodial parents a year on child support matters in Family Court; and

WHEREAS, the Family Law Clinic will expand its scope of representation to include children involved in custody, visitation, orders or protection and abuse and neglect; and

WHEREAS, Hope House Ministries will fund a portion of the salary of a Mental Health Counselor for the Community House; and

WHEREAS, this counselor will be responsible to support and educate clients, through individual and group treatment, in addressing addiction through 12 step programs, providing guidance on life goals, academics, and vocational aspirations, as well as conducting psychosocial evaluations and generating treatment plans; now, therefore be it

1st **RESOLVED**, that the 2014 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>NAME</u>	<u>AMOUNT</u>
001	EXE	1232	4560	Fees for Services	(\$35,715)

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>NAME</u>	<u>AMOUNT</u>
001	HSV	4010	0000	4560	Fees for Services	\$5,000
001	EXE	7320	XXXX	4980	Long Island Latino Teachers Association	\$5,000
001	DSS	6073	XXXX	4980	Touro College-Family Law Clinic	\$12,500
001	DSS	6010	GZQ1	4980	Ministry For Hope, Inc.	\$13,215

and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute contracts for said purposes; and be it further

3rd **RESOLVED**, that the County Executive's Budget Office be and hereby is authorized to assign an activity (pseudo) code for Long Island Latino Teachers Association and Touro College-Family Law Clinic.; and be it further

4th **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

**2014 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT**

TITLE OF BILL (I.R.):

AUTHORIZING THE DISAPPROVAL OF A NEW PARCEL FOR INCLUSION INTO AN EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM # 0600-021.00-01.00-003.000 – MF & LK Holdings LLC)

PURPOSE OR GENERAL IDEA OF BILL (I.R.):

To disapprove and not recommend parcel identified in Exhibit "A" for inclusion into an existing certified agricultural district.

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County Legislative Body's disapproval recommendation of a parcel identified in Exhibit "A" to the Commissioner of New York State Department of Agriculture and Markets pursuant to Section 303(B)(4) of Article 25-AA of the New York State Agriculture and Markets Law.

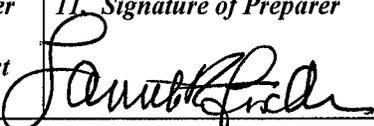
JUSTIFICATION:

The Suffolk County Agricultural & Farmland Protection Board ("Board") at its April 30, 2014 meeting reviewed landowner requests for the inclusion of land into certified agricultural districts during the 2014 Open Enrollment Period of March 1, 2014 to March 31, 2014. At said meeting, the Board reviewed seven (7) applications and recommended seven (7) out of nine (9) parcels consisting of predominantly viable agricultural land. The MF & LK Holdings LLC property was not recommended for inclusion into an existing certified agricultural district as identified in Exhibit "A".

FISCAL IMPLICATIONS:

The proposed legislation will not have a fiscal impact.

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

1. Type of Legislation		
Resolution	<u>X</u>	Local Law _____ Charter Law _____
2. Title of Proposed Legislation		
AUTHORIZING THE DISAPPROVAL OF A NEW PARCEL FOR INCLUSION INTO AN EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK (SCTM # 0600-021.00-01.00-003.000 – MF & LK Holdings LLC)		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Lauretta R. Fischer Principal Environmental Analyst		May 9, 2014

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

May 9, 2014

Jon Schneider, Deputy County Executive
Office of the County Executive
H. Lee Dennison Bldg. – 12th Floor
100 Veterans Memorial Hwy.
Hauppauge, New York 11788

Re: ***Reso-EDP-2014 Agricultural Districts (SCTM # 0600-021.00-01.00-003.000)***

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize the disapproval of 1 parcel, representing 4.2 acres of farmland and to not recommend this parcel for inclusion into an existing certified agricultural district. The disapproval of this parcel is being conducted in accordance with the provisions of Section 303-b of Article 25-AA of the New York State Agriculture and Markets Law, which requires that the County provide property owners with an annual opportunity to request to have their lands included in existing certified agricultural districts.

The Suffolk County Agricultural and Farmland Protection Board found that the parcel identified in Exhibit "A" of the enclosed proposed Introductory Resolution does not consist of predominately viable agricultural land and that inclusion of such land would not serve the public interest.

Please contact me, if you require any additional information.

Very truly yours,

Sarah Lansdale
Director of Planning

Enclosures
Resolution

cc: Dennis M. Cohen, Chief Deputy County Executive
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lisa Santeramo, Asst. Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
Lauretta R. Fischer, Principal Environmental Analyst
CE Reso Review (electronic copy)

1500

Intro. Res. No. -2014
Introduced by Presiding Officer on request of the County Executive

Laid on Table 5/13/14

RESOLUTION NO. -2014, AUTHORIZING THE DISAPPROVAL OF A NEW PARCEL FOR INCLUSION INTO AN EXISTING CERTIFIED AGRICULTURAL DISTRICT(S) IN THE COUNTY OF SUFFOLK – 2014 (SCTM # 0600-021.00-01.00-003.000 – MF & LK Holdings LLC)

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law provides for a locally-initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law established and articulates the Agricultural Districts Program, wherein viable agricultural land included within a certified agricultural district receives certain benefits and protections in order to perpetuate farming; and

WHEREAS, Article 25-AA of the New York State Agriculture and Markets Law was amended in 2003 to include Section 303-B which allows county legislative bodies the opportunity to designate an annual thirty-day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, Suffolk County does contain agricultural districts; and

WHEREAS, Resolution 688-2013 designated March as the thirty-day period starting in 2014 within which a land owner may submit a request for inclusion of land that is predominantly viable agricultural land within a certified agricultural district; and

WHEREAS, seven (7) applications totaling 9 parcels of land were received from land owners during the 2014 annual enrollment period; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board found that the parcel(s) identified in Exhibit "A" do not consist of predominately viable agricultural land and that inclusion of such land would not serve the public interest; and

WHEREAS, MF & LK Holdings LLC, the applicant, submitted one parcel for inclusion into an existing certified agricultural district, as listed in Exhibit "A"; and

1st RESOLVED, that this Legislature hereby finds that it is in the best interest of the people of the County of Suffolk not to include the parcel(s) identified in Exhibit "A" into existing certified agricultural district(s), as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd RESOLVED, that Suffolk County, as SEQRA Lead Agency, hereby classifies the proposal as an Unlisted Action under the provisions of Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code; and, be it further

3rd RESOLVED, that Suffolk County, as SEQRA Lead Agency, hereby finds and

determines that the proposal, pursuant to Title 6 NYCRR Part 617 and Chapter 450 of the Suffolk County Code, will not have significant adverse impacts on the environment for the following reasons:

1. the proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2. the proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. the parcels do not appear to suffer from any severe Environmental development constraints (limiting soil properties, a high groundwater table, and/or unmanageable slopes); and, be it further

4th **RESOLVED**, that Suffolk County hereby adopts a determination of non-significance (negative declaration) and the Council of Environmental Quality is hereby directed to circulate and file all necessary notices in accordance with this resolution

DATED:

APPROVED BY:

County Executive of Suffolk County

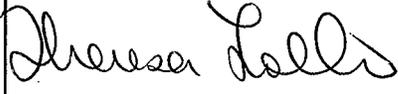
DATE:

Exhibit A

Parcel(s) Disapproved for Inclusion in Existing Certified Agricultural District(s)

Tax Map Number	Name	Acres
0600-021.00-01.00-003.000	MF & LK Holdings LLC	4.2
	TOTAL ACRES	4.2

**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		
AMENDING THE 2014 ADOPTED OPERATING BUDGET TO TRANSFER FUNDING TO THE HEALTH DEPARTMENT FOR A TICK AWARENESS VIDEO, THE YOUTH BUREAU FOR LONG ISLAND LATINO TEACHERS ASSOCIATION (LILTA) AND THE DEPARTMENT OF SOCIAL SERVICES FOR TOURO LAW SCHOOL – FAMILY LAW CLINIC AND HOPE HOUSE MINISTRIES		
3. Purpose of Proposed Legislation		
THE PURPOSE OF THIS RESOLUTION IS TO TRANSFER \$35,715 OF FUNDING TO PROVIDE FOR A TICK AWARENESS VIDEO, ENHANCMENT OF A 2-WEEK SUMMER PROGRAM, REPRESENTATION OF CUSTODIAL PARENTS ON CHILD SUPPORT MATTERS AND A MENTAL HEALTH COUNSELOR		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <u> X </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision.		
THERE IS NO ADDITIONAL FISCAL IMPACT. THIS RESOLUTION DOES A TRANSFER OF EXISTING APPROPRIATED FUNDS.		
8. Proposed Source of Funding.		
2014 Operating Budget		
9. Timing of Impact.		
Upon Adoption		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Theresa Lollo Principal Financial Analyst		May 12, 2014

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2014 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
TOTAL	\$0.00	\$0.00	\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
TOTAL	\$0.00	\$0.00	\$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
TOTAL	\$0.00	\$0.00	\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, SEPTEMBER 2012.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1501

Intro. Res. No. -2014
Introduced by Legislators Martinez and Calarco

Laid on Table 5/13/14

**RESOLUTION NO. - 2014, ADOPTING LOCAL LAW NO.
-2014, A LOCAL LAW TO BAR ENVIRONMENTAL
POLLUTERS FROM CONDUCTING BUSINESS WITH
SUFFOLK COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2014, a proposed local law entitled, "**A LOCAL LAW TO BAR ENVIRONMENTAL POLLUTERS FROM CONDUCTING BUSINESS WITH SUFFOLK COUNTY**" now, therefore, be it

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

LOCAL LAW NO. -2014, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO BAR ENVIRONMENTAL POLLUTERS FROM
CONDUCTING BUSINESS WITH 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 the County of Suffolk contracts with numerous vendors to acquire public works, goods and services.

This Legislature also finds that the County of Suffolk wishes to conduct business with law abiding persons and entities. Accordingly, the County has enacted a statute which disqualifies "non-responsible" bidders from seeking and obtaining County business.

This Legislature determines that persons and entities that commit certain enumerated crimes, or operate a business in Suffolk County without the required license or violate workers' safety laws are precluded from bidding on County contracts.

This Legislature also determines that the Suffolk County District Attorney is currently investigating the illegal dumping of tons of asbestos laden materials at the Roberto Clemente Town Park in Brentwood.

This Legislature further finds that unscrupulous individuals and businesses that commit environmental crimes in Suffolk County threaten the health and safety of County residents.

This Legislature concludes that the County of Suffolk should not conduct business with environmental polluters.

Therefore, the purpose of this law is to prohibit persons and entities convicted of environmental crimes from conducting business with the County of Suffolk.

Section 2. Amendments.

Chapter 189 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 189. PURCHASING AND CONTRACTS.

* * * *

ARTICLE II. Disqualification of Non-responsible Bidders.

* * * *

§ 189-5. Non-responsible bidder; Prohibited acts.

Any entity which has engaged in the following acts shall be determined by the awarding agency to be a non-responsible bidder and disqualified from the bidding process:

- A. An entity which has been convicted of committing or attempting to commit one or more of the following crimes within the 10 years immediately prior to the date of submission of the bid:
- (1) Extortion;
 - (2) Coercion;
 - (3) Bribery;
 - (4) Theft;
 - (5) Fraud;
 - (6) Any violent crime related to business, labor or commerce;
 - (7) Sabotage;
 - (8) Collusive bidding/bid-rigging;
 - (9) Combination in restraint of trade;
 - (10) Conspiracy to commit one of the crimes listed above; [and/or]
 - (11) Criminal solicitation associated with one of the crimes listed above[.] and/or
 - (12) Any environmental crime including, but not limited to, the illegal use or disposal of toxic/hazardous waste or chemicals.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall take effect immediately upon 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-amend chapter 189 purchasing and contracts

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: MAY 13, 2014

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2014

TITLE: I.R. NO. -2014; A LOCAL LAW TO BAR ENVIRONMENTAL POLLUTERS FROM
CONDUCTING BUSINESS WITH SUFFOLK COUNTY

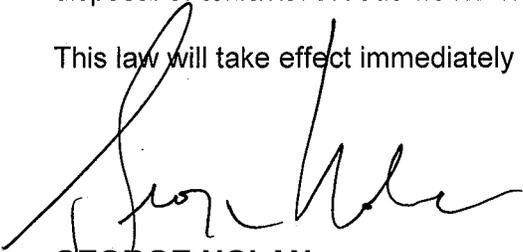
SPONSOR: LEGISLATORS MARTINEZ AND CALARCO

DATE OF RECEIPT BY COUNSEL: 5/12/14 PUBLIC HEARING: 6/3/14

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

This proposed local law would amend the County's non-responsible bidder statute to prohibit persons and entities that are convicted of environmental crimes (including the illegal use or disposal of toxic/hazardous waste or chemicals) from doing business with the County of Suffolk.

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


GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-environmental polluters

1502

Intro. Res. No. - 2014
Introduced by Presiding Officer on request of the County Executive

Laid on the Table 5/13/14

RESOLUTION NO. -2014, ACCEPTING A FEDERAL GRANT AND AMENDING THE 2014 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF THE FIRE ISLAND BARRIER BEACH AND DUNE NETWORK FROM THE FIRE ISLAND INLET TO MORICHES INLET (FIMI) (CAPITAL PROJECT NO.)

WHEREAS, Suffolk County, and more particularly, its' south shore suffered severe, substantial and devastating impacts as the result of Superstorm Sandy on October 29, 2012; and

WHEREAS, a great majority of the barrier beach and dune system protecting the mainland of Long Island were washed away and destroyed; and

WHEREAS, as a consequence of the severe coastal erosion, the barrier beach is vulnerable to overwash and breaching during future storm events which may increase the potential for devastating storm damage to shore and back bay communities along the Great South Bay and Moriches Bay; and

WHEREAS, the Federal Government, recognizing the urgency to repair and implement immediate stabilization measures, has committed over \$160 million to restore the beaches and dune network thereby protecting the barrier islands and the mainland from the Fire Island Inlet to the Moriches Inlet (the "Project"); and

WHEREAS, in order for the Project to proceed, it is necessary for both the State of New York and Suffolk County to agree to be local sponsors of the project and execute necessary agreements known as Project Partnership Agreements; and

WHEREAS, in order for the Project to proceed, it will be necessary to acquire title to approximately forty-two (42) properties and to obtain approximately seven hundred twenty four (724) easements, including Perpetual Beach Storm Reduction Easements, Temporary Construction Easements and Rights-of-Entries; and

WHEREAS, as a local sponsor, Suffolk County will be responsible for acquiring the real estate interests necessary for implementation of the project, which will require preparation of maps and descriptions, appraisals, surveys, and environmental assessments, amongst other things, at an estimated cost of \$56,853,882; and

WHEREAS, this is a new project and there are no funds included in the 2014 Capital Budget and Program to cover the cost of said request and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, the County will be required to expend the funds to acquire the real estate interests for the Project in the first instance and subsequently seek 100% reimbursement from

the Federal and/or State governments subject to the terms of the Project Partnership Agreement; and

WHEREAS, Resolution 471-1994 as revised by Resolution No 461-2006, established the use of a priority ranking system, implemented in the Adopted 2014 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$57,000,000 in Suffolk County Serial Bonds once the Project Partnership Agreements are in place with the State and Federal Government; now, therefore be it;

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of the 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; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-eight (68) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Reconstruction of the Fire Island Barrier Beach and Dune Network from the Fire Island Inlet to Moriches Inlet, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the 2014 Capital Budget and Program be and they are hereby amended as follows:

Project No.: @
 Project Title: Reconstruction of the Fire Island Barrier Beach and Dune Network from the Fire Island Inlet to Moriches Inlet

	<u>Total Est'd Cost</u>	<u>Current 2014 Capital Budget & Program</u>	<u>Revised 2014 Capital Budget & Program</u>
@.210	\$0B	\$0B	\$0B
	\$57,000,000F	\$0F	\$57,000,000F
TOTAL	\$57,000,000	\$0	\$57,000,000

and be it further

5th RESOLVED, that Federal Aid in the amount of \$57,000,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-@.210	50	Reconstruction of the Fire Island Barrier Beach and Dune Network from the Fire Island Inlet to Moriches Inlet	\$57,000,000

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal and/or State grant funding in the amount of \$58,000,000; and be it further

7th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal and/or State share of \$57,000,000; and be it further

8th RESOLVED, that the County shall not enter into any contracts or expend any funds until the Project Partnership Agreement between Suffolk County and the State of New York is duly approved by the Legislature and is duly executed by all parties; and be it further

9th RESOLVED, that the balance of the Grant can be appropriated on future resolutions for this Capital Project; and be it further

10th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with New York State for any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

MEMORANDUM

TO: Jon Schneider, Deputy County Executive

FROM: Gilbert Anderson, P.E. Commissioner

DATE: May 12, 2014

RE: Creating a Capital Project that will allow for the Acceptance of a Federal Grant and Amending the 2014 Capital Budget and Program and Appropriating Funds in Connection with the Reconstruction of the Fire Island Barrier Beach and Dune Network from the Fire Island Inlet to Moriches Inlet (FIMI) (Capital Project No. @)

Attached is a draft resolution to create a capital project that will permit the eventual appropriation of up to \$57,000,000 for land acquisition, easements, as well as all necessary mapping in connection with the above referenced project. There are no funds included in the 2014 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

The project is being planned by the U.S. Army Corps of Engineers (USACOE) and will provide for over \$160,000,000 in funds to reconstruct the beaches, and dune network extending from Robert Moses State Park to the Moriches Inlet. All work is currently being planned and detailed under the "Fire Island to Moriches Inlet, Fire Island Stabilization Project, Hurricane Sandy Limited Reevaluation Report, Evaluation of a Stabilization Plan for Coastal Storm Risk Management in Response to Hurricane Sandy and Public Law 113-2", dated March 2014. Suffolk County has partnered with NYSDEC as the non-Federal Sponsor for this project, and the County has been tasked with the acquisition and mapping of properties that will be required to re-nourish the beach and reconstruct the dunes from Fire Island Inlet to Moriches Inlet.

This is the first step among many that will allow the project to move forward. If approved, the project will provide a mechanism for future requests to accept grants providing reimbursement by the State and Federal government of up to 100% of the cost for all work needed to to complete the project. There may be some percentage of cost share that will be required of the County, depending on whether the acquisition process turns to condemnation. This will be spelled out once a Project Partnership Agreement has been agreed to and executed by all parties including Suffolk County. The Project can only move forward if all parties agree. All

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

other work will be 100% federally funded. The total project cost that the Federal Government is agreeing to is \$160,000,000.00.

The Suffolk County Council on Environmental Quality has reviewed these types of projects and has determined that projects of this nature 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"), therefore, the Legislature has no further responsibilities under SEQRA.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-FIMI(Prep Maps).doc".

GA/WH/td

attach.

cc: Dennis M. Cohen, Chief Deputy County Executive
Lisa Santeramo, Assistant Deputy County Executive
Tom Vaughn, Director of Intragovernmental Relations
William Hillman, P.E., Chief Engineer
Charles Jaquin, Acting Head of Finance Division

BOND RESOLUTION NO.

-2014

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK,
NEW YORK AUTHORIZING THE ISSUANCE OF \$475,000
BONDS TO FINANCE THE COST OF RESTORATION OF
THE BOAT HOUSE AT THE VANDERBILT MUSEUM (CP
7438.311)**

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$475,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of restoration of the Boat House at the Vanderbilt Museum, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$475,000. The plan of financing includes the issuance of \$475,000 in bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a) (2) is fifteen (15) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: