1152

Intro. Res. No. -2016 Laid on Table 2/9/16

Introduced by Legislator Barraga

RESOLUTION NO. -2016, AUTHORIZING AGREEMENT WITH PASQUALE VITAGLIANO FOR THE SALE OF A PORTION OF A TAX DEED PARCEL IDENTIFIED ASUFFOLK COUNTY TAX MAP NO. 0500-441.00-01.00-058.004 PURSUANT TO § 215(8) OF THE NEW YORK COUNTY LAW

WHEREAS, Pasquale Vitagliano ("Vitagliano") is the owner of property located at 54 Garner Lane, Bay Shore, New York (SCTM No. 0500-441.00-01.00-055.000) having acquired title to same by deed dated July 17, 1979 and recorded in the office of the Suffolk County Clerk on July 23, 1979, in Liber 8663 Page 179; and

WHEREAS, on March 29, 1982, the County of Suffolk, New York ("County") took a tax deed for unpaid real estate taxes on an underwater parcel identified as SCTM No. 0500-441.00-01.00-058.004, which was recorded in the office of the Suffolk County Clerk on March 29, 1982, in Liber 9161 Page 287; and

WHEREAS, a 0.2445 acre portion of SCTM No. 0500-441.00-01.00-058.004 (the "Subject Parcel") lies between the property owned by Vitagliano and Manatuck River/Lawrence Creek (the "River"); and

WHEREAS, in conformity with the other private residences abutting the River, whose owners also own underwater property abutting their homes, Vitagliano intends to reinstall the existing boat lift in the boat slip at the edge of his property, dredge the existing boat slip, install a new pier and new boat lift, and perform other improvements to his property (the "Project") all of which have been approved by the New York State Department of Environmental Conservation (the "NYSDEC") by letter dated November 17, 2014; and

WHEREAS, subsequent to receiving the NYSDEC approval Vitagliano applied to the Town of Islip (the "Town") for a building permit to construct the project and was denied by the Town, since Vitagliano desires to extend the Project into part of the area of the Subject Parcel which is owned by the County; and

WHEREAS, the Town has advised the County and Vitagliano that in order for Vitagliano to build the Project he should acquire part of the Subject Parcel from the County, after a land division of SCTM No. 0500-441.00-01.00-058.004 which would have to be approved by the Town; and

WHEREAS, Suffolk County and Vitagliano agree that in order to permit the construction of the Project and to protect the County from any liability with regard to the construction and/or to provide Vitagliano access for maintenance of the structures built on the Subject Parcel that it is in the best interests of the taxpayers that a mutual agreement be reached between the County and Vitagliano for the sale of the portion of the Subject Parcel immediately adjoining Vitagliano's property; and

WHEREAS, Vitagliano has provided the County with a survey certified to the County that depicts the 0.2445 acre portion of the Subject Parcel immediately adjoining the

Vitagliano property, which survey has been reviewed and approved by the County (the "Survey"), a copy of which is annexed hereto as Exhibit "A"; and

WHEREAS, an appraisal reviewed and confirmed by the County shows that the portion of the Subject Parcel to be purchased by Vitagliano is valued at One Thousand Eight Hundred Thirty Five ($1,835.00) and 00/100 Dollars; now, therefore be it

1st **RESOLVED**, that in accordance with County Law §215(8) the Director of Real Property Acquisition and Management, and/or his designee is hereby authorized, empowered, and directed to enter into an agreement with Vitagliano, subject to the approval of the County Attorney for the sale to Vitagliano of the 0.2445 acre portion of the Subject Parcel as depicted in the Survey in accordance with this resolution for the purchase price of One Thousand Eight Hundred Thirty-Five and 00/00 Dollars ($1,835.00); and be it further

2nd **RESOLVED**, that upon the approval of the land division by the Town and upon the payment by Vitagliano of the purchase price as set forth herein, the Director of the Division of Real Property, Acquisition and Management, and/or his or her designee is hereby authorized, empowered and directed to execute and deliver a quitclaim deed to Vitagliano for that portion of the Subject Parcel abutting the Vitagliano property; and be it further

3rd **RESOLVED**, that the Director of the Division of Real Property, Acquisition and Management, and/or his or her designee and the County Attorney, and/or his designee is hereby authorized, empowered and directed to execute such documents as may be necessary to effectuate the agreement and the intent of this resolution, including, but not limited to, executing the documents required by the Town for their review and approval of the land division of the Subject Parcel; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 N.Y.C.R.R.) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-vitagliano-agreement-sale-portion-tax-deed

LEGAL DESCRIPTION OF PARCEL 1

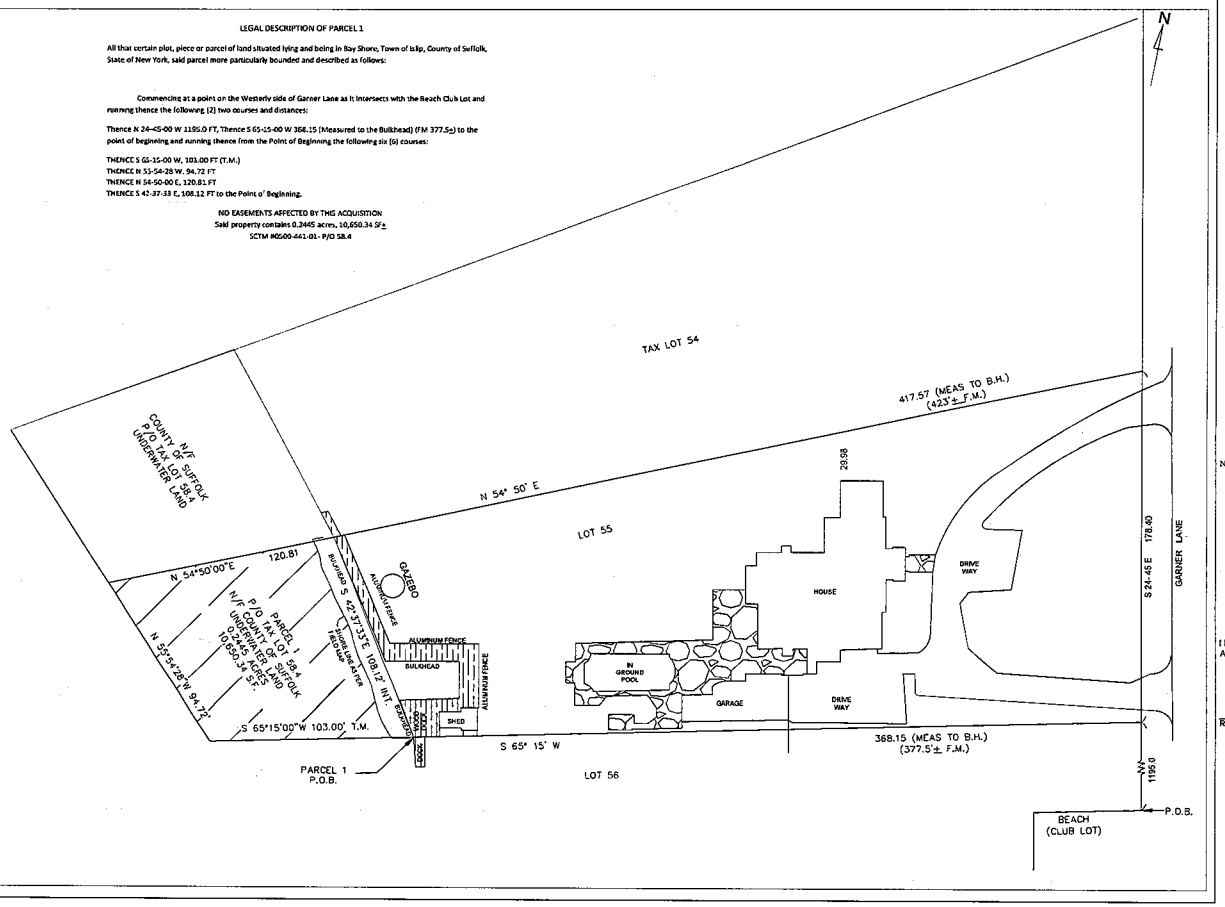
All that certain plot, piece or parcel of land situated lying and being in Bay Shore, Town of Islip, County of Suffolk, State of New York, said parcel more particularly bounded and described as follows:

Commencing at a point on the Westerly side of Garner Lane as it intersects with the Beach Club Lot and running thence the following (2) two courses and distances:

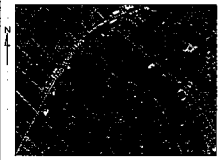
Thence N 24-45-00 W 1195.0 FT, Thence S 65-15-00 W 368.15 (Measured to the Bulkhead) (FM 377.5±) to the point of beginning and running thence from the Point of Beginning the following six (6) courses:

THENCE S 65-15-00 W, 103.00 FT (T.M.)
THENCE N 53-54-28 W, 94.72 FT
THENCE N 54-50-00 E, 120.81 FT
THENCE S 42-37-33 E, 108.12 FT to the Point o' Beginning.

NO EASEMENTS AFFECTED BY THIS ACQUISITION
Said property contains 0.2445 acres, 10,650.34 SF±
SCTM #0500-441-01- P/O 58.4



SCALE: 1" = 30'



KEY MAP
NOT TO SCALE

THIS SURVEY IS SUBJECT TO ANY EASEMENT OF RECORD AND ANY OTHER PERTINENT FACTS WHICH A TITLE SEARCH MIGHT DISCLOSE.

CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION.

CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYORS INKED OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.

THE OFFSETS OR DIMENTIONS SHOWN HEREON, FROM THE PROPERY LINES TO THE STRUCTURES, ARE FOR A SPECIFIC PURPOSE AND USE, THEREFORE THEY ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES OR ANY OTHER IMPROVEMENTS.

HEDGE, FENCE AND WALL OFFSETS SHOWN ARE TO THE CENTERLINE UNLESS OTHERWISE NOTICED.

NOTE: LOCATIONS AND EXISTENCE OF ANY SUBSURFACE UTILITIES AND/OR STRUCTURES, NOT READILY VISIBLE, ARE NOT CERTIFIED

NOTES:

1. COORDINATES AND MERIDIAN USED HEREON ARE BASED ON THE LAMBERT CONFORMAL CONIC PROJECTION FOR NEW YORK STATE, LONG ISLAND ZONE - NAD 27 (SUFFOLK COUNTY COORDINATE SYSTEM) CONTROL MONUMENTS USED:

   NOTE: SUFFOLK COUNTY CONTROL TAKEN FROM TAX MAP

2. SUBSURFACE CONDITIONS NOT SHOWN.

3. THIS SURVEY IS SUBJECT TO ANY EASEMENTS OF RECORD AND OTHER ENCUMBRANCES WHICH A FULL TITLE RESEARCH MIGHT DISCLOSE.

4. WETLANDS ARE INVOLVED AS INDICATED

I HEREBY CERTIFY THAT THIS MAP WAS MADE FROM AN ACTUAL SURVEY MADE AND COMPLETED OCTOBER 22, 2015.

ROBERT W. BROWN, L.S. NY NO. 49128

MAP OF PROPERTY
TO BE ACQUIRED BY
PASQUALE VITAGLIANO
FROM SUFFOLK COUNTY
SITUATED AT:
BAYSHORE
TOWN OF ISLIP
SUFFOLK COUNTY, N.Y.
NOVEMBER 2, 2015

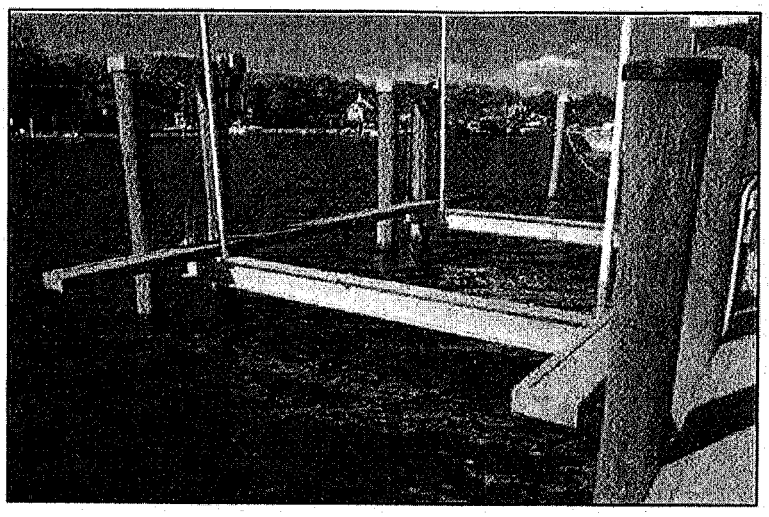
S.C.T.M. # 0500-441-1- P/O 58.4

CERTIFIED TO:
PASQUALE VITAGLIANO
COUNTY OF SUFFOLK
AMERICAN TITLE INSURANCE CO.

Filename: <z:\Vitaglianoforsurvey 2015\102.dwg><layout1>

1152

APPRAISAL REPORT OF REAL PROPERTY



LOCATED AT

UNDERWATER LAND IN LAWRENCE CREEK
AT THE REAR OF 54 GARNER LANE
BAY SHORE, TOWN OF ISLIP
SUFFOLK COUNTY, NEW YORK 11706

10,650.34 SF OR .2445 ACRES UNDERWATER LAND

DISTRICT 500 - SECTION 441 - BLOCK 1 - LOT 58.4 (PART OF)

VALUATION IN FEE SIMPLE AS OF OCTOBER 16, 2015

PREPARED FOR

MICHAEL A. AMOROSO, ESQ.
CERTILMAN BALIN ADLER & HYMAN LLP
100 MOTOR PARKWAY, SUITE 156
HAUPPAUGE, NEW YORK 11788

PREPARED BY

CAROL S. SWEENEY, MAI, SRA
NYS CERTIFIED GENERAL APPRAISER #46-5295
127 SWAN LAKE DRIVE
PATCHOGUE, NEW YORK 11772

CAROL S. SWEENEY, MAI, SRA
PROFESSIONAL REAL ESTATE APPRAISER
127 Swan Lake Drive
Patchogue, New York 11772
Phone & Fax (631) 654-0030
Email: cssween@optonline.net

October 28, 2015

Michael A. Amoroso, Esq.
Certilman Balin Adler & Hyman LLP
100 Motor Parkway, Suite 156
Hauppauge, NY 11788

RE: Appraisal of Real Property located behind 54 Garner Ln, Bay Shore, NY
.2445 AC or 10,650.34 F underwater land in Lawrence Creek
District 500 - Section 441 - Block 1 -Lot 58.4 (part of)

Dear Mr. Amoroso:

As per our agreement, on behalf of your client, Mr. Pasquale Vitagliano, I have prepared an appraisal on the above reference real property. The appraisal purpose is to estimate market value, in fee simple estate interest, as of October 16, 2015, the date of site inspection.

This appraisal is prepared in accordance with the Uniform Standards of Professional Appraisal Practice and supplemental Standards of Professional Appraisal Practice, and the Suffolk County Real Estate Division's Standards for Real Property Appraisal by Consultant Appraisers.

The appraisal function is for use by the County of Suffolk in selling the appraised subject property to your client.

The entire tax Lot 58.4 contains 22,268.18 SF, or .5112 acre, and the subject comprises a portion, or .2445 acre, or 10,650.34 square feet of the land. The subject, owned by the County of Suffolk, is underwater land in Lawrence Creek, Bay Shore, Town of Islip, Suffolk County, New York. The appraised subject parcel is situated at the rear of 54 Garner Lane which is improved for residential use. The subject provides marine access to the river and Great South Bay. The Highest and Best Use is determined to be for marine use such as dockage, mooring, fishing, or shellfish harvesting.

In consideration of the location, character, and property type, and subject to the Limiting Conditions and Contingencies contained herein, it is my opinion the market value of the subject, as of October 16, 2015, was:

ONE THOUSAND EIGHT HUNDRED THIRTY FIVE DOLLARS

($ 1,835)

This transmittal letter is followed by the Certification of the Appraiser, and the appraisal report containing 35 pages, plus Addenda, which further describes the subject property, and contains the reasoning and pertinent data leading to the opinion of value. This appraisal is prepared in conformance with the Code of Professional Ethics and Standards of the Appraisal Institute.

It has been a pleasure to be of service to you in this capacity. Should you require any additional information on this matter, please contact me at your convenience.

Respectfully submitted,

Carol S. Sweeney

Carol S. Sweeney, MAI, SRA
NYS Certified General Appraiser #46-5295

enc.

TABLE OF CONTENTS

Letter of Transmittal
Table of Contents

	PAGE
APPRAISER CERTIFICATION	1
ASSUMPTIONS AND LIMITING CONDITIONS	3
PROFESSIONAL APPRAISER QUALIFICATIONS	5
SUMMARY OF SALIENT FACTS AND CONCLUSIONS	7
PROPERTY IDENTIFICATION	8
APPRAISAL PURPOSE AND FUNCTION	8
OWNERSHIP AND SALES HISTORY	8
PROPERTY RIGHTS APPRAISED	8
MARKET VALUE DEFINED	9
APPRAISAL SCOPE	10
INFLUENCE OF LOCATION AND MARKET CONDITIONS	11
NEIGHBORHOOD LOCATION MAP	15
PROPERTY DESCRIPTION	16
AERIAL PHOTO	17
SUBJECT PHOTOS	18
ZONING & LAND USE REGULATIONS	20
ASSESSED VALUE & REAL ESTATE TAXES	22
HIGHEST AND BEST USE	23
THE APPRAISAL PROCESS	25
SALES COMPARISON APPROACH	27
RECONCILIATION AND FINAL VALUE CONCLUSION	35

ADDENDA

APPRAISER CERTIFICATION

I hereby certify that Carol S. Sweeney, MAI, SRA was employed to appraise the market value of the real property identified as:

.2445 AC OR 10,650.34 SF OF UNDERWATER LAND
EASTERLY SIDE OF LAWRENCE CREEK
BAY SHORE, NY 11706

DIST 500 - SEC 441 - BLK 1 - LOT 58.4 (PART OF)

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

To the best of my knowledge and belief, the statements of fact contained in this appraisal report upon which the analyses, opinions, and conclusions expressed therein are based, are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, by the definition of market value, and by the specified real property interest appraised, and are my personal, unbiased professional analyses, opinions, and conclusions.

My compensation is not contingent on any action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report. I was not retained for the purpose of aiming at a preconceived value conclusion.

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

I have made an inspection of the subject and surrounding area. I have also made an inspection of all the comparable market data relied upon in making said appraisal. I have verified each transaction with a party to, or a third person directly involved in the transaction, and included representative photographs.

No one provided significant professional assistance to the person signing this report. I have extensive experience in the appraisal of similar properties. I have performed no services, as an appraiser or in any other capacity, regarding the subject property within the three year period immediately preceding acceptance of this appraisal assignment.

APPRAISER CERTIFICATION (CONTINUED)

This appraisal was prepared under the Professional Standards and Code of Ethics of the Appraisal Institute. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

The Appraisal Institute conducts a program of continuing education for its designated members. Designated members who meet the standards of this program are awarded educational certification. I am currently certified under this voluntary continuing education program.

Based upon the factors developed in the body of this report and the exercise of my professional judgement, it is my opinion that the Market Value of the subject, in fee simple estate interest, as of October 16, 2015, was:

ONE THOUSAND EIGHT HUNDRED THIRTY FIVE DOLLARS

($1,835)

October 28, 2015
Date Signed

Carol S. Sweeney, MAI, SRA
NYS Certified General Appraiser #46/5295

ASSUMPTIONS AND LIMITING CONDITIONS

1. This Appraisal Report complies with the reporting requirements set forth under Standard Rule 2 of the Uniform Standards of Professional Appraisal Practice for a written appraisal report. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.

2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed, without the written consent of the appraiser, and in the event only with proper written qualification and only in its entirety.

3. Disclosure of the contents of this report is governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report, or copy thereof, shall be conveyed to the public through advertising, public relations, news, sales, or any other media without written consent and approval of the appraiser. Nor shall the appraiser, firm, or professional organization of which the appraiser is a member be identified without written consent of the appraiser.

4. The appraiser will not be required to give testimony or appear in court because of having made this appraisal, unless arrangements have been previously made.

5. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. No responsibility is assumed for such conditions or for engineering which may be required to discover such factors.

6. No environmental impact studies were either requested or made in conjunction with this appraisal report. The appraiser, thereby, reserves the right to alter, amend, revise, or rescind any of the value opinions based upon any subsequent environmental impact studies, research or investigation.

7. Any sketches included in the report are only for the purpose of aiding the reader in visualizing the property and are not necessarily a result of a survey.

8. No responsibility is assumed for an opinion of legal nature, such as to ownership of the property or condition of title.

9. The legal description used in this report is assumed to be correct, but may not necessarily have been confirmed by survey. No responsibility is assumed in connection with a survey or for encroachments or overlapping or other discrepancies that might be revealed thereby.

10. The appraiser assumes the title to the property be marketable; that, unless stated to the contrary, the property is appraised as an unencumbered fee which is not used in violation of acceptable ordinances, statutes or other governmental regulations.

11. This appraisal is not made based on any hypothetical conditions or extraordinary assumptions.

ASSUMPTIONS AND LIMITING CONDITIONS (CONTINUED)

12. Information, estimates, and opinions furnished the appraiser and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the appraiser can be assumed by the appraiser.

13. All mortgages, liens, leases, and any other encumbrances have been disregarded unless so specified within the report. The property is appraised as though under responsible ownership and competent management.

14. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws, unless noncompliance is stated, defined, and considered in the appraisal report.

15. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report.

16. It is assumed that all required licenses, consents, or other legislative or administrative authority from any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

17. Unless otherwise noted in this appraisal report, no consideration in the valuation process has been given to sub-surface rights, such as minerals, oil, water, etc. that may be found on the property.

18. The appraiser reserves the right to alter opinions of value contained in this appraisal on the basis of information withheld or not discovered in the normal course of a diligent investigation.

19. This appraisal is not made based on any extraordinary assumptions, or hypothetical conditions.

20. Acceptance of and/or use of this appraisal report constitutes acceptance of the foregoing General Underlying Assumptions and General Limiting Conditions. The appraisers' duties, pursuant to the employment to make the appraisal, are complete upon delivery and acceptance of the appraisal report. However, any corrections or errors should be called to the attention of the appraiser within 30 days of the delivery of the report.

PROFESSIONAL APPRAISER QUALIFICATIONS

CAROL S. SWEENEY, MAI, SRA

PROFESSIONAL EXPERIENCE

Designated Member of the Appraisal Institute, holding the MAI and SRA designations. Experience is in many facets of real estate valuation including commercial, industrial, residential, subdivision analysis, feasibility studies, and other specialty-type properties.

Prepared valuations for many purposes including income tax, estate gift tax, condemnation proceedings, litigation, estate planning, conservation, commercial lending, asset management, and mortgage financing. The scope of this work has been on a local basis, as well as on a national basis. Local appraisal work includes income producing properties such as garden apartment, townhouses and high density residential housing, office buildings, manufacturing and industrial facilities, mixed-use properties, automobile dealerships, marinas, and restaurants. Also, extensive experience in appraising land, land leases, single unit and multi-unit dwellings with specialty in luxury housing. National appraisal work in more than twenty states included apartment complexes, shopping centers and regional malls, office buildings, large industrial and warehouse facilities.

Specialty properties include Conservation Easements, development rights, agricultural properties, and waterfront properties.

I received a Certificate of Completion for the Valuation of Conservation Easements certificate program, in March 2008, as offered by the American Society of Appraisers, the American Society of Farm Managers and Rural Appraisers and the Appraisal Institute and endorsed by the Land Trust Alliance. This certificate indicates that I have the completed the Valuation of Conservation Easements educational requirements, and successfully passed the examination.

Currently certified by the State of New York as a General Real Estate Appraiser. My unique identification number is 46-5295.

Active in the Appraisal Institute, keeping current with market trends by attending seminars, and instructional clinics. Past President of the Long Island Chapter of the Appraisal Institute.

Currently the Assessor for the Village of Patchogue, and a member of the New York State Assessors Association.

ACADEMIC BACKGROUND

Associate of Applied Science, Hotel/Restaurant Administration
State University of New York at Cobleskill

PROFESSIONAL APPRAISER QUALIFICATIONS (CONTINUED)

CAROL S. SWEENEY, MAI, SRA

Courses and successful completion of exams for:

The Appraisal Institute-
Basic Valuation Procedures
Capitalization Theory & Technique, Part A
Principles of Real Estate Appraisal
Course 101, Intro to Real Estate Appraising
R2 Exam, Single Family Case Study
Course 201, Income Property Valuation
Course 202, Applied Income Property Appraising
Capitalization Theory & Technique, Part B
Valuation Analysis & Report Writing
Case Studies in Real Estate Valuation (Income)
The Comprehensive Appraisal Workshop
Standards of Professional Practice Parts A, B & C
Valuation of Conservation Easements, 2008
Uniform Appraisal Standards for Federal Land Acquisitions 2008
Educational Seminars Sponsored by the Appraisal Institute-
Raising the Bar: Complex Properties A Risk Based Approach to Allocations & Investment
Liability Issues for Appraisers Performing Litigation & Other Non-Lending Work
Contract or Effective Rent
Business Practices and Ethics
National USPAP 7 Hour Update
Course 700 - Litigation Valuation
Marketability Studies: 6 Step Process
Complex Litigation Appraisal Case Studies
Appraisal Curriculum Overview - 2 Day General
Office Building Valuation: A Contemporary Perspective
Appraising Environmentally Contaminated Properties: Understanding Stigma
What Clients Would Like Their Appraisers To Know
Eminent Domain for Real Estate Professionals
Hazardous Mold and Liability Issues; Hazardous Mold and Valuation Issues
Mathematically Modeling Real Estate Data
Affordable Housing From a Developer's Perspective
Land Valuation Adjustment Procedures
Evaluating Commercial Construction
Business Valuation and Partial Interests
Fair Housing, Fair Lending, & Environmental Issues
Low Income Housing Tax Credit

National Association of Independent Fee Appraisers-
Investment Analysis, Level G-3

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

APPRAISAL PURPOSE	Estimate market value	
PROPERTY TYPE	Underwater land	
LOCATION	Adjacent to the westerly boundary of 54 Garner Lane, Bay Shore, Town of Islip, Suffolk County, NY 11706	
TAX MAP IDENTIFICATION	District 500, Section 441, Block 1, Lot 58.4 (P/O)	
APPRAISED LAND SIZE	.2445 AC or 10,650.34 SF	
OWNER OF RECORD	County of Suffolk	
PROPERTY RIGHTS APPRAISED	Fee Simple Estate Interest	
HIGHEST AND BEST USE	Marine-related use	
DATES	Valuation & Inspection Date	10/16/2015
	Report Date	10/28/2015
VALUE CONCLUSIONS	Cost Approach	Not Applicable
	Income Approach	Not Applicable
	Sales Comparison Approach	$ 1,835
FINAL VALUE ESTIMATE	$ 1,835	
EXPOSURE TIME	Estimated at less than 12 months	

PROPERTY IDENTIFICATION

The subject property is underwater land located in Lawrence Creek, at the rear of 54 Garner Lane[1], Bay Shore, Town of Islip, Suffolk County, New York. The appraised subject parcel contains .2445 acre, or 10,650.34 SF. It is located in a residential neighborhood benefitting from proximity to the Great South Bay. The subject provides for navigable marine access into the Great South Bay.

APPRAISAL PURPOSE AND FUNCTION

The appraisal purpose is to estimate the subject's market value, as vacant land, as of October 16, 2015, the date of property inspection and date of valuation. The date of this appraisal report is October 28, 2015. The appraisal function is for the information and use by Suffolk County is selling the appraised subject property to the adjacent land owner, Pasquale Vitagliano.

OWNERSHIP AND SALES HISTORY

The subject property is owned by the County of Suffolk. It was acquired by tax deed on March 29, 1982. This deed was recorded in Liber 9161, Page 287. The property has not sold or transferred since, and is not currently listed for sale.

PROPERTY RIGHTS APPRAISED

The interest appraised is the fee simple estate defined as: "Absolute ownership unencumbered by any other interest or estate; subject only to the limitations of eminent domain, escheat, police power, and taxation."[2]

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[1] Tax map #500-441-1-55

[2] The Dictionary of Real Estate Appraisal, Appraisal Institute

MARKET VALUE DEFINED

Market Value is: "The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

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

Reasonable Exposure Time: 'is the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at the market value on the effective valuation date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market. Exposure time is always presumed to occur prior to the effective date of the appraisal."[3] A reasonable exposure time is estimated to be less than 12 months.

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[3] The Dictionary of Real Estate Appraisal, Appraisal Institute

APPRAISAL SCOPE

This appraisal report has been prepared by Carol S. Sweeney, MAI, SRA for the purpose of estimating the subject's market value. The scope of this appraisal assignment included making an inspection of the property, determine, collect and confirm the necessary and pertinent market data needed to report my conclusions, analyze the data, and to report these findings in a logical manner.

The appraised subject's land size of .2445 acre, or 10,650.34 square feet was provided by the client, and comprises a portion of the tax lot. I made an inspection of the subject, and the surrounding neighborhood. Information pertaining to the subject was provided including a copy of the deed. Additional information was obtained from public records.

The Appraisal Problem is to estimate the Highest and Best Use of the subject land, and to then estimate market value in accordance with its Highest and Best Use. Although the three traditional valuation approaches have been considered in estimating the market value of the subject, the Cost Approach and Income Approaches are not used. The Sales Comparison Approach is deemed the most reliable valuation approach. Market data was obtained from various published sources, and researched. Due to the limited number of sales of underwater land, it was necessary to expand market research throughout Islip and adjacent Brookhaven Township. Four (4) closed sales were selected for comparison with the subject. The land sales are analyzed based on unit of comparison, and cover the time period of 2012 to current. The sales were verified with public records, and with a party involved in the transaction. I have developed an opinion of land value for the subject, and prepared an Appraisal Report.

INFLUENCE OF LOCATION AND MARKET CONDITIONS

The subject is located on the south shore of Long Island, within Suffolk County. More specifically, the subject is located in the Town of Islip which is situated on the south shore of western Suffolk County. Islip Township encompasses an area of 163.1 square miles of which 105.3 square miles of upland comprise 21 hamlets, and 4 incorporated villages, and the remaining 57.8 square miles is underwater land. Islip began as an agrarian society, however, in the late 1800's it became attractive as a summer resort as it benefits from frontage on both the Atlantic Ocean, and the Great South Bay. The town's 2010 estimated population was 24,530 residents which represents an increase over the 2000 US Census.

The subject property is located south of Montauk Highway, in the hamlet of Bay Shore, a suburban, residential waterfront community in the southwestern portion of Islip Township. The subject's immediate neighborhood is delineated at the area south of Montauk Highway, east of the Village of Brightwaters, west of Clinton Avenue, and north of the Great South Bay.

The hamlet of Bay Shore encompasses 6.1 square miles, and is a waterfront community fronting along Great South Bay. It offers a downtown business district which runs along Main Street (Montauk Highway). The business district is built-up with one to three story attached row buildings, occupied by restaurants, professional offices, personal service shops, and health-related facilities. Parking is provided by public lots located at the rear of the storefronts, as well as un-metered street parking. The downtown business district has been undergoing rehabilitation with several of the obsolete structures having recently been renovated and/or re-developed with high density housing, recreational

destinations, and educational facilities. This ongoing revitalization is proving to be a benefit for the area, as the number of commercial vacancies has lessened, and Main Street has regained some of its former popularity as a downtown destination.

Bay Shore is a departure point for the Fire Island ferries located at the southerly terminus of Maple Avenue. Several ferries provide passenger service to the oceanfront communities. The Bay Shore station of the Long Island Rail Road connects with the ferries via taxi, and van services, and also serves commuters to New York City. The train station is located at Union Boulevard and 4th Avenue. Another major land use in Bay Shore is Southside Hospital situated on the north side of Main Street, west of Montgomery Avenue.

Bay Shore has a high population density of 4,021 persons per square mile. It is characterized as a suburban, residential community offering various types of housing in a wide range of prices. The most expensive housing is south of Montauk Highway, in proximity to the waterfront. This area contains many large estates which have either been renovated and/or re-developed with more functional dwellings. The estimated median household income in the subject's immediate neighborhood is in the range of $130,000 to $150,000.

Access to the neighborhood is facilitated by Montauk Highway (also known as Main Street). The area also has convenient access to other main transportation routes including the Sunrise Highway, Southern State Parkway, Brentwood Road, and Fifth Avenue. The area provides convenient proximity to several major employment centers including Dowling College in Oakdale, Southside Hospital, Good Samaritan Hospital in West Islip, County and Federal Court facilities in Hauppauge, the Veterans Highway Business Corridor in

INFLUENCE OF LOCATION AND MARKET CONDITIONS (CONTINUED)

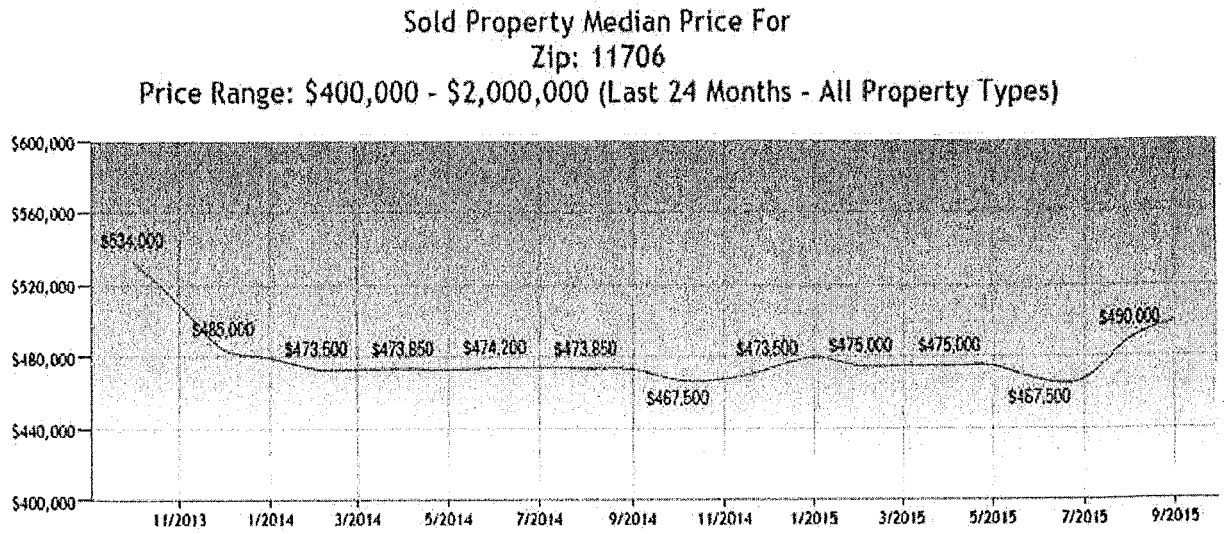
Bohemia and Ronkonkoma, and Islip's MacArthur Airport. Local shopping and services are located along Main Street, and include one to three story downtown row buildings, several neighborhood shopping centers, retail and service shops, restaurants, gas stations and auto-related facilities, banks, and professional offices. Major shopping facilities are located along Sunrise Highway, and include several regional shopping malls, and community retail power centers.

The area offers recreational facilities including proximity to public beaches on the Great South Bay, marinas, ferries, historic landmarks, parks, and golf courses. Bay Shore has its own school district.

Residential uses in Bay Shore, south of the Montauk Highway, are predominately single family detached frame dwellings ranging in price from the low $400,000's to in excess of $2,000,000, with waterfront sites commanding the highest prices. As land is scarce, the market trend is for re-development of residential lots improved with generally under-sized, older style, less functional dwellings with larger, more functional dwellings.

The housing market is experiencing increased demand, with increasing sale price trends. Overall sales activity in south Bay Shore increased 32% since 2014. The median sold price demonstrated an increase of +5.6% from 9/14 to 9/15 as shown on the following chart:

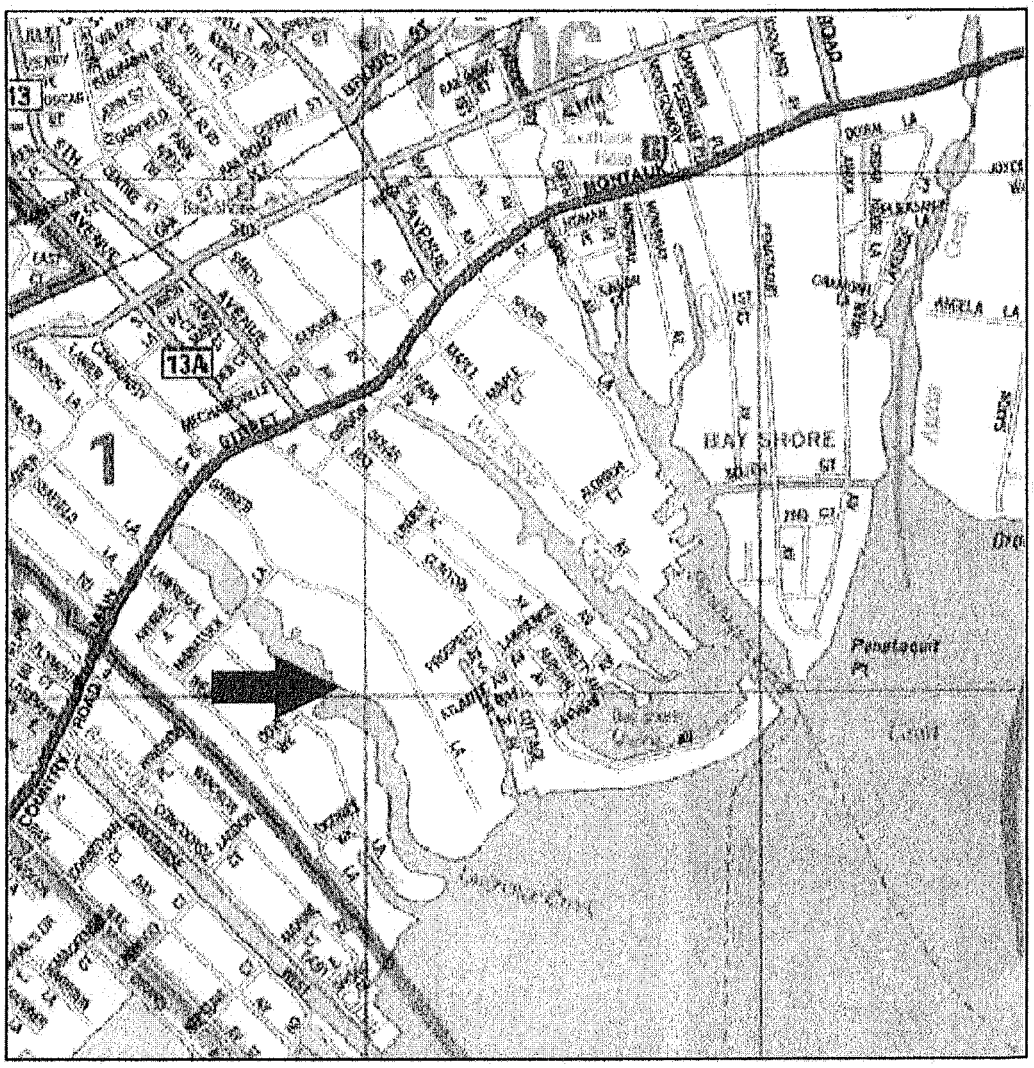
INFLUENCE OF LOCATION AND MARKET CONDITIONS (CONTINUED)



Conclusion

In summary, the subject is located in an area which offers proximity to the bay and ocean beaches, major transportation routes, along with commercial support facilities, and services. There is steady demand for waterfront housing in the area, and the overall outlook for the neighborhood is positive.

NEIGHBORHOOD LOCATION MAP



PROPERTY DESCRIPTION

LEGAL

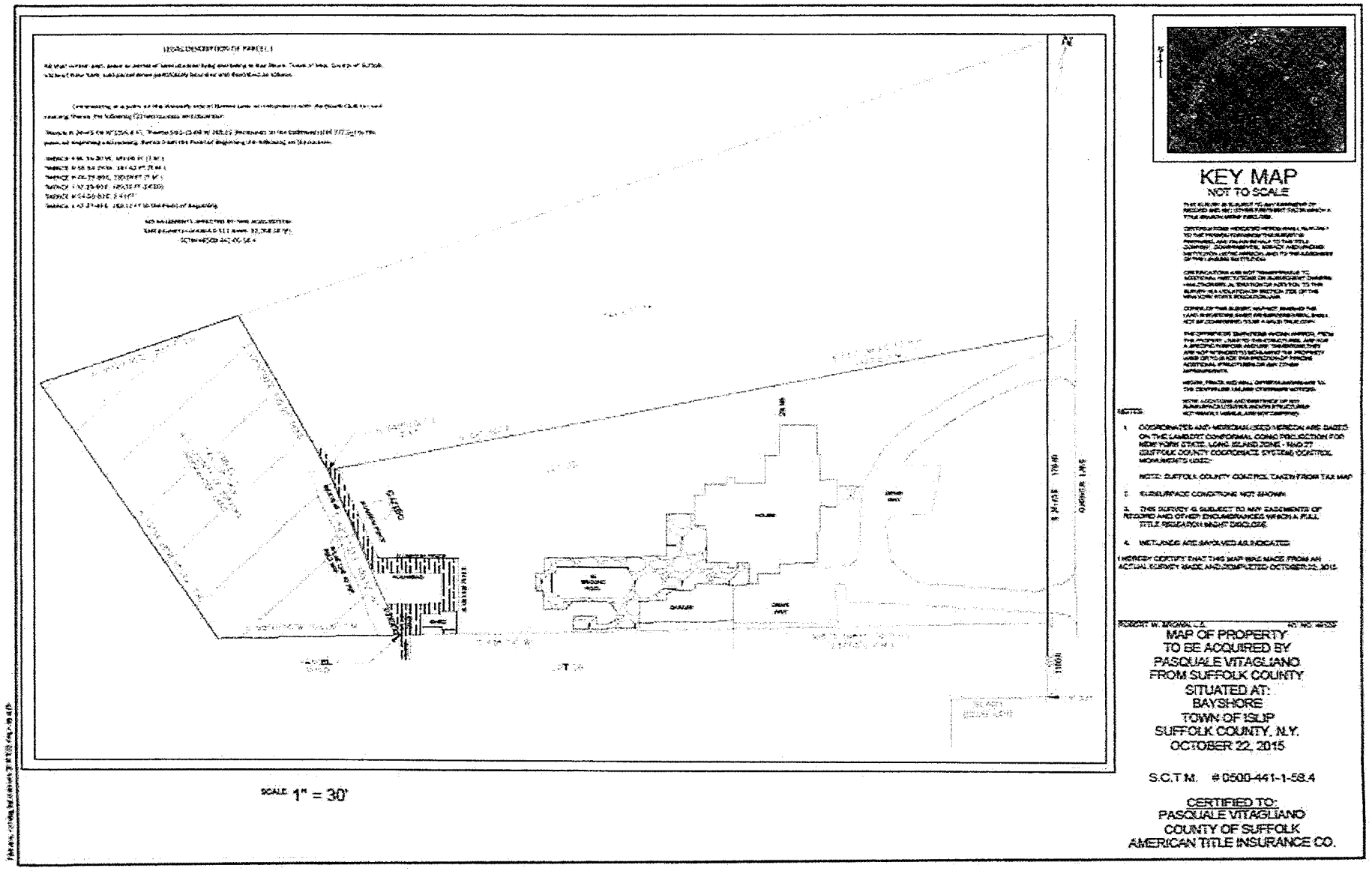
The subject property is legally identified for tax purposes on the Suffolk County Tax Map as being part of District 500, Section 441, Block 1, Lot 58.4.

LAND

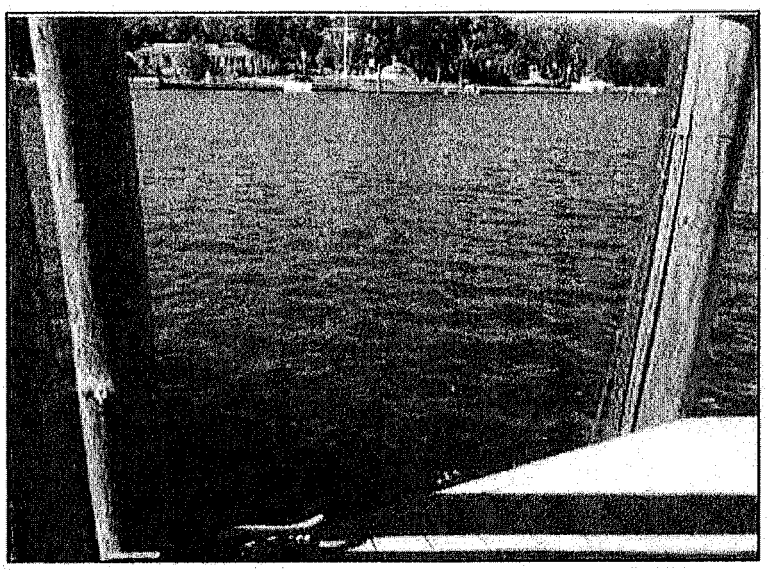
The subject is underwater land lying in Lawrence Creek (also known as Manatuck River), at the rear of 54 Garner Lane. It comprises a portion of the tax lot, and has a generally rectangular configuration. The subject is accessible from the upland of 54 Garner Lane, an improved residential lot.

The appraised subject's land size is .2445 acre or 10,650.34 square feet. It provides for navigable marine access into the Great South Bay. The majority of underwater land in Lawrence Creek, abutting the residential upland parcels, is privately owned and used for boat dockage.

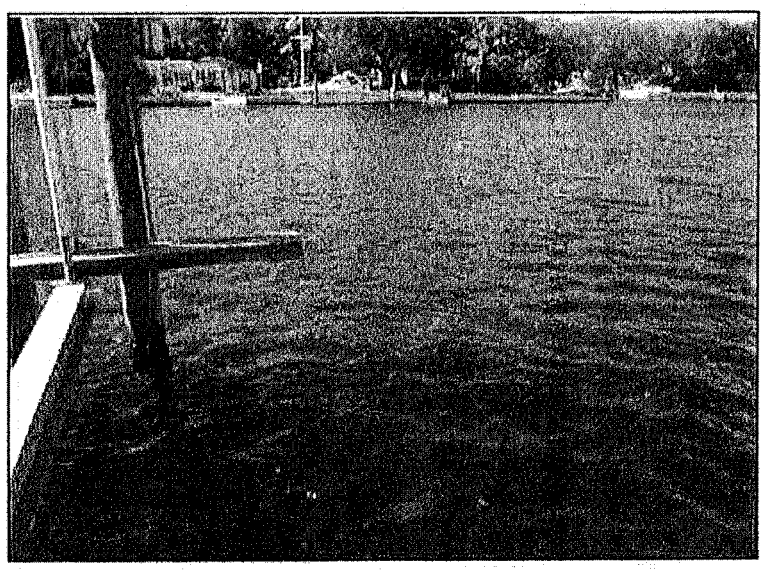
SURVEY DELINEATING ENTIRE TAX LOT



SUBJECT PHOTOS

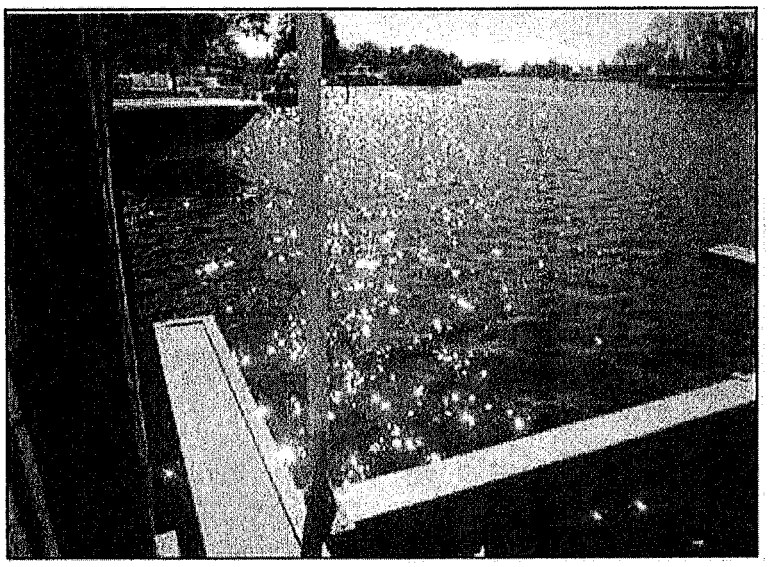


VIEW WESTERLY SHOWING SUBJECT

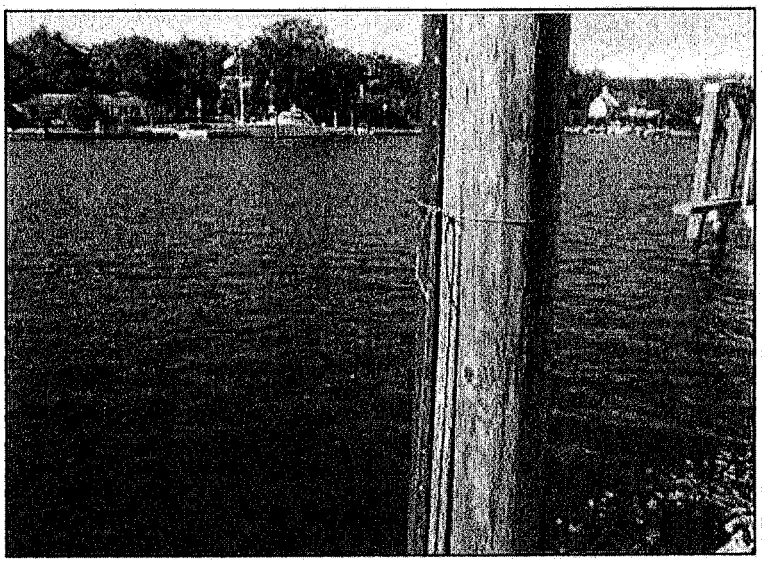


VIEW WESTERLY OF NORTHERN PORTION OF APPRAISED SUBJECT PARCEL

SUBJECT PHOTOS (CONTINUED)



VIEW SOUTHERLY SHOWING SOUTHERN PORTION OF APPRAISED PARCEL



VIEW OF CENTER PORTION OF APPRAISED SUBJECT PARCEL

ZONING AND LAND USE REGULATIONS

The subject property is under the zoning jurisdiction of the Town of Islip, and is zoned Residence 'AAA'. This zoning generally permits a single family residential use on lots having a minimum lot area of 40,000 square feet, with 150' minimum frontage. The setback and bulk requirements of the Residence 'AAA' zone are summarized as follows:

Town of Islip Ordinance Residence 'AAA' District	**Bulk & Setbacks**
Front Yard	60'
Rear Yard	40'
Total Side Yard	60' total both sides
Least Side Yard	25'
% of Lot Occupancy	25%
Height (Ft. / Stories)	35 / 2½
Minimum Lot Area	40,000 SF.
Minimum Lot Width	150'
Uses Allowed	Single Unit Residence

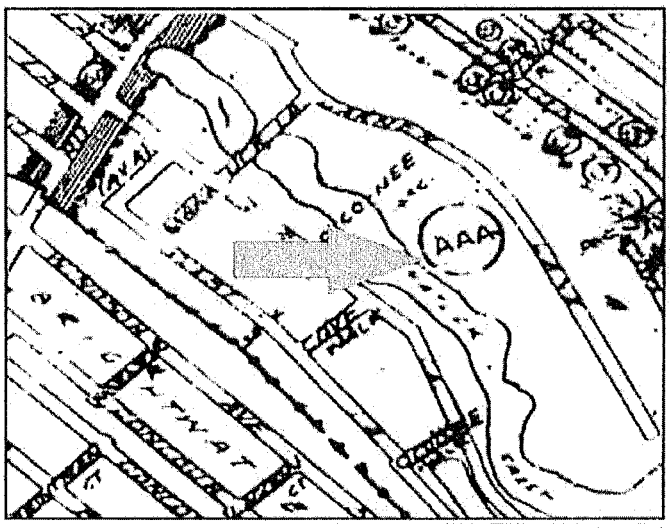
The subject is also regulated by the Town's Wetland and Watercourse Management Area Overlay District. This applies to all property regulated by the New York State Department of Environmental Conservation comprising underwater land, wetlands, and adjacent buffer areas. The minimum lot area within this overlay district is based on 80,000 SF for single family residential use.

The area surrounding the subject is predominately zoned Residence AAA, and is developed with single family residential dwelling with the majority of the sites containing a land area of .50 to 2+ acres. A zone change on the subject parcel is unlikely.

The subject is in Groundwater Management Zone VII, as designated by the Suffolk County Health Department. This requires a minimum 20,000 SF. lot for private septic system.

ZONING AND LAND USE REGULATIONS (CONTINUED)

The Islip Town zoning map showing the subject is as follows:



ASSESSED VALUE AND TAXES

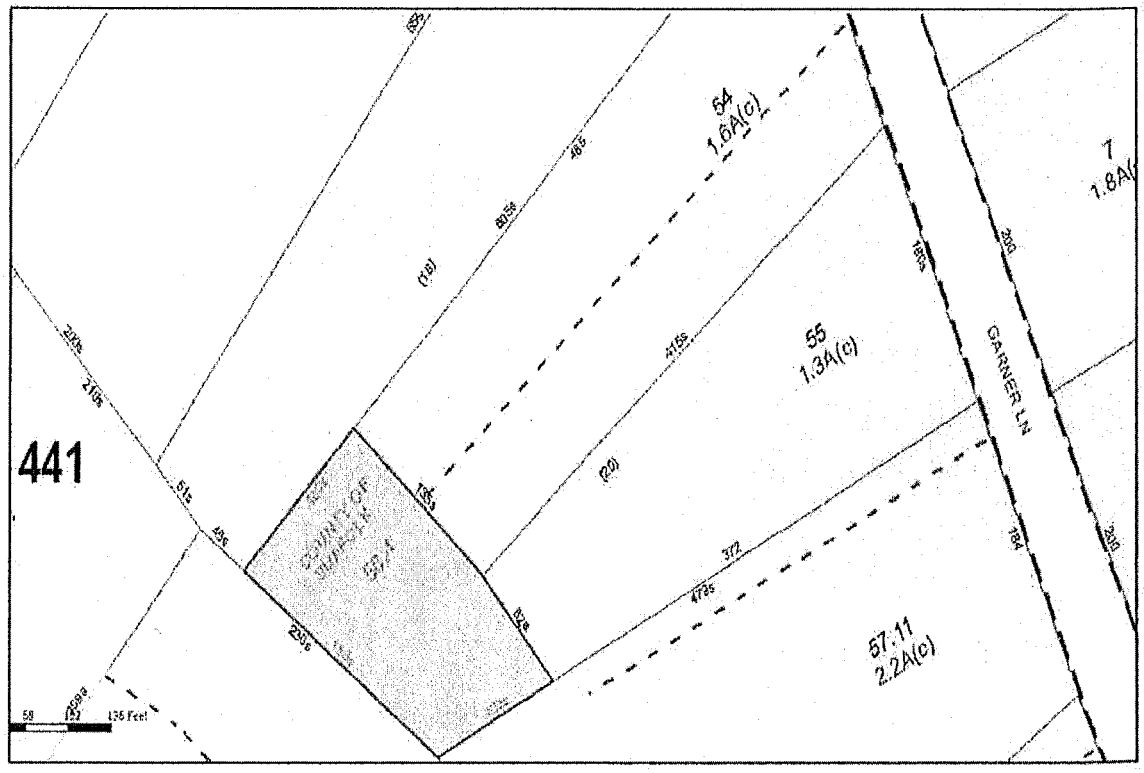
The entire subject is under the taxing jurisdiction of Islip Town, and is identified for tax purposes on the Suffolk County Tax Map as follows:

TAX MAP # District 500 - Section 441- Block 1 - Lot 58.4

ASSESSED VALUE

LAND	$ 100
IMPROVEMENTS	$ 0
TOTAL	$ 100

The subject is currently tax exempt as municipal-owned land.



HIGHEST AND BEST USE

Highest and Best Use is defined as: "The reasonable and probable use that supports the highest present value, as defined, as of the date of the appraisal."

And defined alternatively as: "The opinion of such use may be based on the highest and most probable continuous use to which the property is adapted and needed, and likely to be in demand in the reasonably near future. However, elements affecting value that depend on events or a combination of occurrences that, although in the realm of possibility, are not fairly shown to be reasonably probable, should be excluded from consideration. Also, if the intended use is dependent on an uncertain act of another person, the intention cannot be considered."[4]

In estimating the Highest and Best Use, there are essentially four stages of analysis:

1) **Permissible Use (legal).** What uses are permitted by zoning, land use regulations, and deed restrictions on the property?

2) **Possible Use.** What uses of the site are physically possible?

3) **Feasible Use.** Which possible and permissible uses will produce a net return to the land?

4) **Highest and Best Use.** Among the feasible uses, which use will produce the highest net return, or the highest present worth?

In determining the Highest and Best Use of the subject, I have considered those uses which are legally permissible, physically possible, economically feasible, and which result in the highest land value.

---

[4] The Appraisal of Real Estate

HIGHEST AND BEST USE (CONTINUED)

The subject land is zoned for single unit residential use, but cannot physically be developed as it is underwater land lying in Lawrence Creek. This creek provides for navigable marine access to the bay. There is demand for underwater land, with a limited supply, and generally stable sale price trends. An analysis of competing sales indicate prices ranging from $1,400 to $8,500+ per acre depending on physical characteristics.

Based on these factors, it is my opinion the subject's Highest and Best Use is for a marine use including boat docking, mooring, fishing, and/or shellfish harvesting.

THE APPRAISAL PROCESS

The appraisal process is the orderly procedure whereby the data used to estimate the value of the subject is acquired, classified, analyzed, and presented. The first step is defining the appraisal problem; i.e., identification of the real estate, the effective date of the value estimate, the property rights appraised, and the type of value being sought. Once this has been accomplished, the appraiser collects and analyzes the factors that affect the market value of the property. These include Influence of Location Analysis, Property Description, Highest and Best Use, and the application of the three basic approaches to value; Cost Approach, Income Approach, and Sales Comparison Approach.

The Cost Approach involves estimating the value of the subject's land, as vacant and available to be put to its Highest and Best Use; and estimating the cost new of the improvements, less any loss in value due to accrued depreciation and/or obsolescence. The sum of these figures (land and depreciated value of improvements) represents the indicated value by the Cost Approach. The Cost Approach tends to be more accurate when the improvements are relatively new, and have not suffered too severely from the various forms of depreciation.

The Income Approach is predicated on the assumption that there is a definite relationship between the amount of income a property will earn and its value. This approach is based on the principle that value is created by the expectation of benefits derived in the future. The anticipated annual net income of the property is capitalized to produce an indication of value. Net income is the income generated before payment of any debt service. Factors such as risk, time, interest on capital investment, and recapture of the depreciating asset are considered in the rate. The appropriateness of this rate is critical, and there are several techniques by which it may be developed.

THE APPRAISAL PROCESS (CONTINUED)

The Sales Comparison Approach analyzes the recent sales of similar properties. Adjustments are made to the sales for dissimilarities between them and the subject. The indicated value is derived from the adjusted selling prices of the comparable sales. Inherent in the Sales Comparison Approach is the Principle of Substitution, which is defined as: "A valuation principle that states that a prudent purchaser would pay no more for real property than the cost of acquiring an equally desirable substitute on the open market. The Principle of Substitution presumes that the purchaser will consider the alternatives available, and will act rationally or prudently on the basis of the information about those alternatives, and that reasonable time is available for the decision."[5] The Sales Comparison Approach is most reliable when there are a sufficient amount of recent sales of truly competing properties in the area, and adjustments are relatively few.

In the analysis of the subject, I have considered only the Sales Comparison Approach. This approach best reflects the actions of buyers and sellers in this market.

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[5]Source- Real Estate Appraisal Terminology

SALES COMPARISON APPROACH

The Sales Comparison Approach is based upon the principle of substitution, whereby a knowledgeable purchaser will pay no more for a property than the cost of acquiring one with equal utility. This method involves an analysis of the indicated purchase price in relation to a unit of comparison. In this valuation, the subject is valued based on sale price per acre.

The market was researched for comparable sales of underwater land considered competitive with the subject. There is a limited market for this type of land, and it was necessary to expand research to other areas within Suffolk County, in order to obtain comparable land sales. This market has been stable over the last several years.

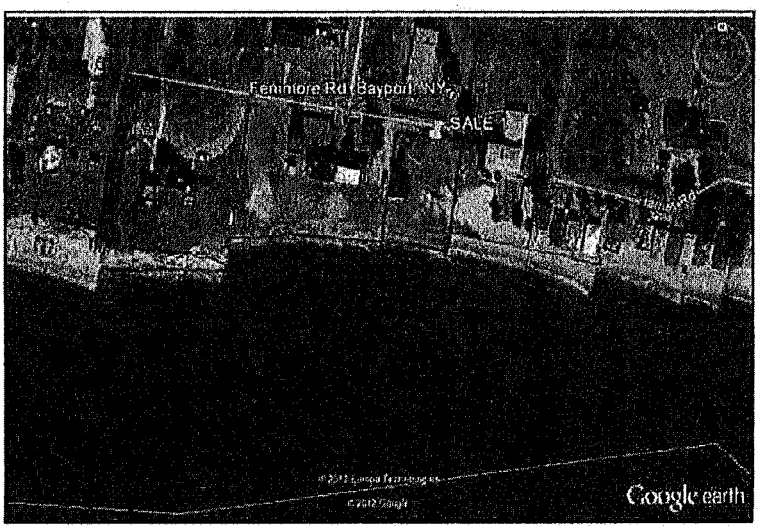
The following four (4) closed sales are considered:

SALE #1

LOCATION	Off westerly terminus of Jones Drive, West Sayville
TAX MAP #	500 - 430 - 5 - 1
LAND SIZE	.58 AC or 25,265 SF
HIGHEST & BEST USE	Marine Use
SALE DATE	9/19/2013 RECORDED 9/26/2013
CONSIDERATION	$ 5,000
GRANTOR	Michael J. Sacca 165 Loop Drive, Sayville, NY
GRANTEE	Bitter End Holdings LLC 132 Clyde Street, West Sayville, NY
LIBER/PAGE	12746 / 84
COMMENTS & ANALYSIS	Sale of underwater land on Green's Creek, with marine access to the Great South Bay. This parcel was purchased by the adjoining marina property owner to the west. The land is bulkheaded. No prior sale within three years.
UNIT VALUE	$8,621 per acre

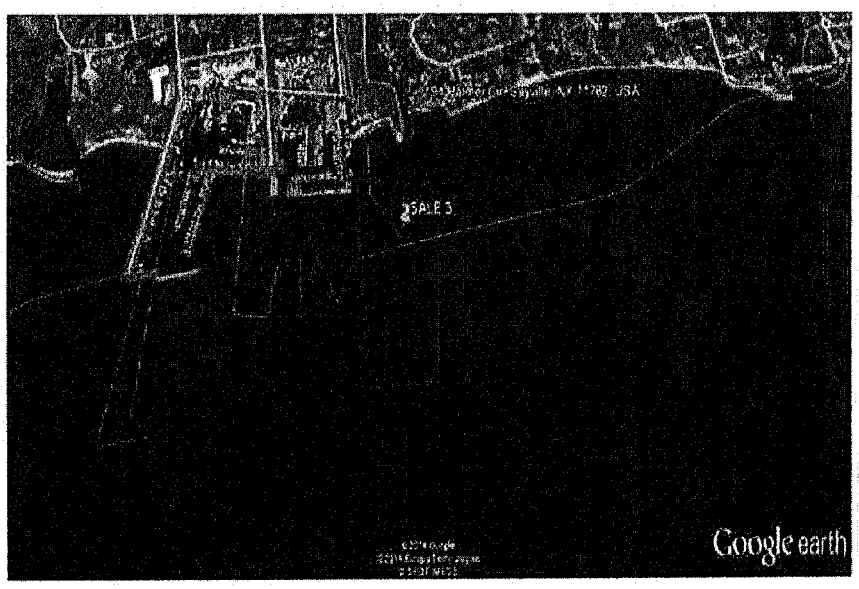
SALE #2

LOCATION	S/S Fenimore Road at westerly terminus, Bayport
TAX MAP #	500 - 432 - 4 - 14 (upland) & 200 - 990.83 - 1 - 7 (underwater)
LAND SIZE	.23 AC upland plus 1.4 AC underwater land
HIGHEST & BEST USE	Marine Use
SALE DATE	8/24/2012 RECORDED 9/19/2012
CONSIDERATION	$ 105,000
GRANTOR	Anthony Amendola
GRANTEE	Bayport Bay LLC
LIBER/PAGE	12705 / 632
COMMENTS & ANALYSIS	Sale of a bulkheaded, upland lot and underwater land on Great South Bay. The upland cannot be independently developed, but does allow for parking, boat storage, and/or recreational uses. The upland is fenced. This sale is analyzed as follows: $95,000 allocated to the upland; and **$10,000** allocated to the underwater land.
UNIT VALUE	$7,143 per acre of underwater land only



SALE 3

LOCATION	Off S/S Palmer Circle (behind #194), West Sayville
TAX MAP #	200 - 991.02 - 2 - 2.1
LAND SIZE	8.45 AC
HIGHEST & BEST USE	Marine Use
SALE DATE	5/31/2012 RECORDED 8/9/2012
CONSIDERATION	$ 12,000
GRANTOR	NY CONN Associates LP, 76 Main St West Sayville, NY
GRANTEE	Bluepoints Farmland Inc. 132 Clyde St, Suite 2 West Sayville, NY
LIBER/PAGE	12701 / 691
COMMENTS & ANALYSIS	Sale of underwater land (bay bottom) on Great South Bay, with dock. No upland access.
UNIT VALUE	$1,420 per acre



SALE 4

LOCATION	S/S Fenimore Road at westerly terminus, Bayport
TAX MAP #	500 - 432 - 4 - 12 & 200 - 990.83 - 1 - 5 (underwater)
LAND SIZE	.17 AC upland plus .49 AC underwater land
HIGHEST & BEST USE	Marine Use
SALE DATE	3/30/2012 RECORDED 4/20/2012
CONSIDERATION	$ 30,000
GRANTOR	Pepe & Spear
GRANTEE	Fenimore Bay LLC
LIBER/PAGE	12691 / 196
COMMENTS & ANALYSIS	Sale of a narrow, vacant, bulkheaded, upland parcel with underwater land on the Great South Bay. The upland cannot be independently developed, but does provide for parking and/or boat storage. This property sold at the asking price, and was on the market for 197 days prior to sale. This sale is analyzed as follows: $27,000 allocated to the upland; and $3,000 allocated to the underwater land.
UNIT VALUE	$6,123 per acre of underwater land only

SALES COMPARISON APPROACH (CONTINUED)

ANALYSIS OF COMPARABLE SALES

MARKET CONDITIONS

Stable demand and sale prices for last few years

	SUBJECT	SALE 1		SALE 2		SALE 3		SALE 4	
SALE DATE	10/2015	9/2013		8/2012		5/2012		3/2012	
LOCATION	Rear of 54 Garner Ln	Off Jones Dr		Fenimore Rd		off Palmer Circle		Fenimore Rd	
	Bay Shore	West Sayville		Bayport		Sayville		Bayport	
CONSIDERATION		$5,000		$10,000		$12,000		$3,000	
LAND SIZE (AC)	0.2445	0.58		1.4		8.45		0.49	
UNIT VALUE		$8,621		$7,143		$1,420		$6,122	
TRANSACTIONAL ADJ:									
PROPERTY RIGHTS	Fee Simple	Equal	0.00%	Equal	0.00%	Equal	0.00%	Equal	0.00%
FINANCING	Market Terms	Equal	0.00%	Equal	0.00%	Equal	0.00%	Equal	0.00%
SALE CONDITIONS	Typical	Assemblage	-10.00%	Equal	0.00%	Equal	0.00%	Equal	0.00%
MARKET CONDITIONS	Stable	Equal	0.00%	Equal	0.00%	Equal	0.00%	Equal	0.00%
ADJUSTED VALUE			$7,759		$7,143		$1,420		$6,122
OTHER ADJ:									
LOCATION	Residential	Similar	0.0%	Similar	0.0%	Similar	0.0%	Similar	0.0%
LAND SIZE &	.2445	Similar	0.0%	Similar	0.0%	Larger/ Inferior	10.0%	Similar	0.0%
UTILITY	Good	Similar	0.0%	Similar	0.0%	No Upland/ Inferior	30.0%	Similar	0.0%
MARINE ACCESS	Access to Bay	Similar	0.0%	Similar	0.0%	Similar	0.0%	Similar	0.0%
TOTAL ADJ (%)			0.0%		0.0%		40.0%		0.0%
INDICATED UNIT VALUE			$7,759		$7,143		$1,988		$6,122

SALES COMPARISON APPROACH (CONTINUED)

TRANSACTIONAL ADJUSTMENTS-

PROPERTY RIGHTS

The subject and Sales reflect fee simple estate interest.

FINANCING

The Sales were cash transactions.

SALE CONDITIONS

This adjustment considers any unusual sale conditions which may cause a property to sell at a price not necessarily reflective of market value. Factors such as atypical motivation on the part of either party, undue pressure, duress, market exposure, etc., are considered. Sales 2, 3, and 4 were reported to have typical sale conditions. Sale 1 was an assemblage sale, and requires a downward 10% adjustment to reflect the premium typically paid in these transactions.

CHANGES IN MARKET CONDITIONS

The market for comparable parcels has demonstrate stable price trends. The Sales are reflective of market conditions as of the effective valuation date.

OTHER ADJUSTMENTS-

LOCATION

The subject is located in a residential neighborhood, south of Montauk Highway. All of the Sales are judged similar in locational influences as compared to the subject with regard to economic trends, and no adjustments are warranted.

SALES COMPARISON APPROACH (CONTINUED)

LAND SIZE

Sales 1, 2, and 4 are judged reasonably similar in land size as compared to the subject. Sale 3 is a larger parcel, and consideration is given to the market trend for larger parcels typically selling at a lower unit value than small parcels. Therefore, Sale 3 is adjusted upward 10%.

UTILITY

The market data suggests premium prices are paid based on the overall utility of the marine-use land. Parcels which offer adjacent upland appear to be more highly sought. The subject abuts upland. Sales 1, 2, and 4 are similar. Sale 3 is inferior as this parcel does not have adjacent upland, and an upward 30% adjustment is made.

MARINE ACCESS

The subject and Sales offer similar marine access to the Great South Bay.

CONCLUSION

After considering the market-recognized differences of the Sales as compared to the subject, and with most weight placed on Sales 1, 2, and 4, a unit value of $7,500 per acre appears reasonable for the subject. Therefore, the indicated value is: .2445 AC @ $7,500 per AC = $ 1,833.75, say $1,835.

VALUE BY SALES COMPARISON APPROACH **$ 1,835**

RECONCILIATION AND FINAL VALUE CONCLUSION

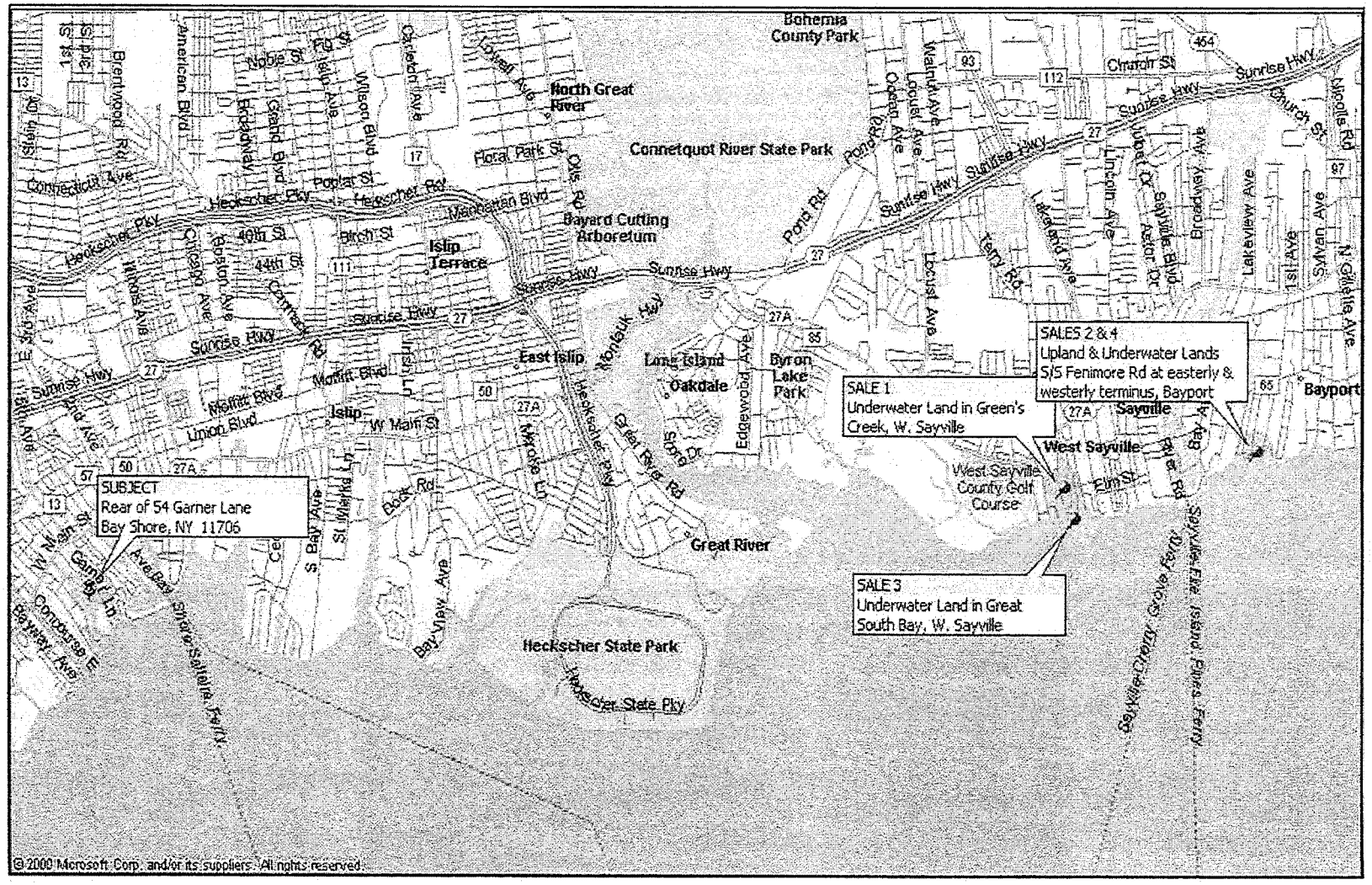
I have inspected the subject property and surrounding neighborhood, and analyzed all pertinent factors affecting its value. The property is located in a waterfront residential neighborhood in south Bay Shore. It is a .2445 acre underwater land parcel lying in Lawrence Creek. It provides for navigable marine access to the Great South Bay.

There is evidence of demand for water access parcels in this market, but prices have been generally stable. The Highest and Best Use is for a marine-related use such as dockage, mooring, fishing, and/or shellfish harvesting.

In valuing the subject, the most reliable valuation method is by Sales Comparison Analysis. This approach best reflects the actions of buyers and sellers in the market. After considering the market data and the physical characteristics of the subject, it is my opinion the estimated market value, in fee simple estate interest, as of October 16, 2015, was $ 1,835.

ADDENDA

OVERALL SUBJECT & SALES LOCATION MAP



Carol S. Sweeney, MAI, SRA

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

MEMO

TO: Robert A. Braun, Esq.
Deputy Bureau Chief, Real Estate Condemnation
FROM: Fred Ford
Senior Review Appraiser
DATE: January 19, 2016
RE: Underwater Land in Lawrence Creek
In the rear of 54 Garner Lane, Bay Shore, NY
0500-441.00-01.00-058.004

This appraisal is considered to have been desk reviewed. The desk review is effectively a screening process to determine if there are any obvious significant errors, omissions or inconsistencies in the areas of appraisal technique, appraisal judgment, pertinent data and valuation. The function of this appraisal is to provide an estimate of market value of underwater land that is part of a proposed subdivision.

The subject property consists of 10,650 square feet (or 0.2445 acre) of underwater land, zoned Residence AAA. The property is 100% under water—located in Lawrence Creek—and not developable. The property provides marine access to the bay for the adjoin property at 54 Garner Lane, Bay Shore.

In valuing both the subject property, the appraiser (Carol Sweeney) has relied exclusively on the sales comparison approach, wherein she provided four sales. The sales are spread throughout the south shore of Long Island, within either Islip or Brookhaven Town. She provided four sales of property that was either fully or partially under water. I verified each sale, and conducted additional research. I conclude the sales provided are among the best available, duly noting some of the sales are dated to 2012.

The appraiser estimates the total market value at $1,835, based on $7,500 per acre. This is within range of the adjusted sale prices. Therefore, the appraiser's time adjusted value conclusion, as of October 28, 2015, is:

$1,835
ONE THOUSAND EIGHT HUNDRED THIRTY-FIVE DOLLARS

The value is supportable and defensible. It relies upon acceptable appraisal methodology. It appears to conform to both USPAP and Suffolk County Standards. Based on my desk review of the report, I conclude the value is acceptable.

Cc: Dennis Brown, County Attorney

Intro. Res. No. 1154-2016 Laid on Table 2/9/2016
Introduced by Presiding Officer, on request of the County Executive

REVENUE ANTICIPATION NOTE RESOLUTION NO. -2016, RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWER TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED $55,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF SUFFOLK, NEW YORK, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016, TO PRESCRIBE THE TERMS, FORM AND CONTENTS OF SUCH NOTES, AND TO PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT THEREOF

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called the "Notes") of the County of Suffolk, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed $55,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as Chief Fiscal Officer of the County.

Section 2. The Notes, in the amount of not to exceed $55,000,000, are authorized to be issued in anticipation of the receipt of certain revenues expected to be received by the County during the fiscal year ending December 31, 2016, from (i) State Aid Revenues to be received from the State of New York, and (ii) revenues to be received from the United States of America. All of the foregoing shall be due and payable to the County during the fiscal year ending December 31, 2016. The proceeds of such Notes shall be used only for the purposes of paying the current expenses of the County for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The following additional matters are hereby determined and declared:

(a) The Notes are not issued in renewal of other notes.

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

(c) No revenue anticipation notes have been heretofore issued in anticipation of the revenues specified in Section 2 hereof

(d) The Notes are issued in anticipation of the collection of revenues other than real estate taxes or assessments.

(e) Not less than $55,000,000 of the revenues specified in Section 2 hereof remains uncollected as of the date hereof for the fiscal year of the County ending December 31, 2016.

Section 4. The Notes hereby authorized shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on the Notes and unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 5. Subject to the provisions of this resolution and the Law, and pursuant to Section 50.00 and Sections 56.00 to 61.00 and 168.00 of the Law, the powers to sell and issue the Notes authorized pursuant hereto, and any renewals thereof, and to determine the terms, form and contents, including the manner of execution of such Notes, and to execute arbitrage certifications relative thereto and any contracts for credit enhancements in connection with the issuance of the Notes and any other certificates and agreements, are hereby delegated to the County Comptroller, the Chief Fiscal Officer of the County.

Section 6. This resolution shall take effect immediately.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

2016 INTERGOVENMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL: Delegating to the County Comptroller of the County of Suffolk, New York, the power to authorize the issuance of and to sell not exceeding $55,000,000 Revenue Anticipation Notes of said County in anticipation of the collection of New York State and Federal Aid by said County for the fiscal year that commenced January 1, 2016, and providing for other matters in connection therewith.

PURPOSE OR GENERAL IDEA OF BILL: A request for enabling local legislation to approve issuing Revenue Anticipation Notes of the County for the 2016 fiscal year to meet cash flow needs.

SUMMARY OF SPECIFIC PROVISIONS: To issue revenue anticipation notes for cash flow purposes to cover cash flow needs for fiscal 2016. The current 2016 cash flow anticipates revenue of $45,000,000 in such revenue anticipation notes. The resolution has been written to provide sufficient latitude in principal and final sizing will be based upon actual cash flow projection formulas.

JUSTIFICATION: The County's current financial status coupled with the prevailing economic climate is having a negative effect on the County's already strained cash flow.

FISCAL IMPLICATIONS: The notes will be issued prior to December 31, 2016 for a term of approximately one year and will impact debt service in the 2017 operating budget. Estimated gross interest cost for the maturing note is estimated to be $900,000 ($45,000,000 X 2.00% gross coupon for 12 months). It is anticipated that a reasonable premium will be bid by the underwriters and that the net interest cost may be approximately 1.25%. Interest rate estimates are based on current market rates and are subject to change.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __x__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Delegating to the County Comptroller of the County of Suffolk, New York, the power to authorize the issuance of and to sell not exceeding $55,000,000 Revenue Anticipation Notes of said County in anticipation of the collection of New York State and Federal Aid by said County for the fiscal year that commenced January 1, 2016, and providing for other matters in connection therewith.

3. Purpose of Proposed Legislation

To issue revenue anticipation notes for cash flow purposes to cover cash flow needs for fiscal 2016. The current 2016 cash flow anticipates revenue of $45,000,000 in such revenue anticipation notes. The resolution has been written to provide sufficient latitude in principal and final sizing will be based upon actual cash flow projection formulas.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes __x__ No __**

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

The notes would be issued prior to December 31, 2016 for a term of one year and will impact debt service in the 2017 operating budget. Estimated "gross" interest cost for the maturing note is estimated to be $900,000 ($45,000,000 x **2.00%** gross coupon for 12 months).

It is anticipated that a reasonable premium will be bid by the underwriters and that the net interest cost may be approximately 1.25%.

Interest rate estimates are based on current market rates and are subject to change.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

Gross Interest cost in 2017 for the notes = $900,000.

8. Proposed Source of Funding

Revenue Anticipation Notes

9. Timing of Impact

One Year Impact - 2017

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Elizabeth Guerriero Assistant Municipal Finance Administrator Audit and Control Chief Financial Analyst	Elizabeth Guerriero Dean Eldridge	2/3/16 2-8-16

SCIN FORM 175b (10/95)

COUNTY OF SUFFOLK

OFFICE OF THE COUNTY COMPTROLLER

JOHN M. KENNEDY, JR.
Comptroller

February 3, 2016

HAND DELIVERED

Mr. Jon Schneider
Deputy County Executive
H. Lee Dennison Office Building – 12th Floor
100 Veterans Memorial Highway
Hauppauge, New York 11788

Dear Jon:

SUBJECT: REVENUE ANTICIPATION NOTE RESOLUTION – $55,000,000

Attached please find the above referenced resolution and fiscal impact statement. Same has been circulated to all parties via e-mail (CE RESO REVIEW) and hand delivered this date so the resolution may be laid on the table on February 9, 2016 and eligible for consideration for adoption on March 1, 2016. Titles of the electronic files are *Reso-A&C-2016 RAN, Backup-A&C-2016 RAN-175a, Backup-A&C-2016 RAN-175b and Backup-A&C-2016 RAN-MOS.*

Once adopted the legislation should be signed by the County Executive as soon as possible. Certified copies of the resolution will be required prior to the release of the Preliminary Official Statement.

The resolution authorizes me to issue revenue anticipation notes to fulfill our operating cash flow requirements. Details relative to the issue are recited in the fiscal impact statement that is attached herewith. Bond Counsel has reviewed and approved the format of the resolution for presentation to the County Legislature.

Sincerely,

John M. Kennedy, Jr.
County Comptroller

cc: Louis A. Necroto, Chief Deputy Comptroller
Elizabeth Guerriero, Asst Municipal Finance Administrator

H. LEE DENNISON BUILDING • 100 VETERANS MEMORIAL HIGHWAY • P.O. BOX 6100 • HAUPPAUGE, NY 11788-0099
(631) 853-5040 Fax (631) 853-5057

1156

Intro. Res. No. -2016 Laid on Table: 2/9/16

Introduced by Legislator Krupski

RESOLUTION NO. - 2016, ADOPTING LOCAL LAW NO. – 2016, A LOCAL LAW TO EXPAND PUBLIC NOTIFICATION OF SEWAGE CONTAMINATION IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2016, a proposed local law entitled, "**A LOCAL LAW TO EXPAND PUBLIC NOTIFICATION OF SEWAGE CONTAMINATION IN SUFFOLK COUNTY**" ; now, therefore, be it

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

LOCAL LAW NO. -2016, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO EXPAND PUBLIC NOTIFICATION OF SEWAGE CONTAMINATION IN SUFFOLK COUNTY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law 57-2012 (now codified at Chapter 840, Article III of the SUFFOLK COUNTY CODE) requires operators of private sewage treatment plants to notify the Department of Health Services when untreated or partially treated sewage is discharged from their plant. This law further requires that Health Services give notice of such discharges to the County Executive and the County Legislator representing the district where the discharge occurs.

This Legislature also finds and determines that notification of public officials is a key element in keeping the public informed in the event of a sewage contamination incident.

This Legislature further finds and determines that in addition to the County Executive and members of the County Legislature, public officials in the towns or villages should be notified when sewage contamination occurs within their jurisdiction.

Therefore, the purpose of this law is expand the sewage notification requirements to include the Supervisor or Mayor of the town or village in which a discharge occurs.

Section 2. Amendments.

Chapter 840 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 840.
WATER

* * * *

ARTICLE III.

Public Notification of Sewage Contamination

* * * *

§ 840-11. Notification of elected officials and public.

A. Within 12 hours of receiving a report of sewage discharge, the Department of Health Services shall notify the County Executive [and], the County Legislator representing the district in which the discharge occurred and the Town Supervisor or Village Mayor of the town or village in which the discharge occurred.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-amend-chapter 840-expand-notification-sewage-contamination

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

1156

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

DATE: **FEBRUARY 9, 2016**

TO: **CLERK OF THE COUNTY LEGISLATURE**

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

PROPOSED LOCAL LAW YEAR 2016

TITLE: **I.R. NO. -2016; A LOCAL LAW TO EXPAND PUBLIC NOTIFICATION OF SEWAGE CONTAMINATION IN SUFFOLK COUNTY**

SPONSOR: **LEGISLATOR KRUPSKI**

DATE OF RECEIPT BY COUNSEL: 2/9/2016 **PUBLIC HEARING:** 3/1/2016

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

Local Law 57-2012 (now codified at Chapter 840, Article III of the SUFFOLK COUNTY CODE) requires operators of private sewage treatment plants to notify the Department of Health Services when untreated or partially treated sewage is discharged from their plant. This law further requires that Health Services give notice of such discharges to the County Executive and the County Legislator representing the district where the discharge occurs.

This proposed local law would amend Chapter 840 of the SUFFOLK COUNTY CODE to require that the Department of Health Services also notify the Supervisor or Mayor of the town or village in which a discharge occurs.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-amend-chapter-840-expand-notification-sewage-contamination

1157

Intro. Res. No. -2016 Laid on Table 2/9/16

Introduced by Legislator Krupski

RESOLUTION NO. -2016, AUTHORIZING AND DIRECTING AN UPDATE TO AGRICULTURAL STEWARDSHIP PROGRAM

WHEREAS, agriculture is central to Suffolk County's identity and critical to our quality of life and local economy; and

WHEREAS, over the past 50 years the County of Suffolk has made an extraordinary effort to preserve farmland and farming in our County and that effort has received national recognition; and

WHEREAS, this Legislature created a task force in 2003 to develop an agricultural environment management policy and program to promote the County's agricultural industry while protecting groundwater and surface waters; and

WHEREAS, in 2004 the task force submitted their final report to the County Legislature, "A Strategy to Develop and Implement the Suffolk Agricultural Stewardship Program"; thereafter, the Legislature enacted legislation which authorized Cornell Cooperative Extension to develop and coordinate this program with funding provided through the County's Water Quality Protection and Restoration Program; and

WHEREAS, since 2004 the stewardship program has helped reduce nutrient and pesticide loading into ground and surface waters and provided research and guidance to Suffolk County farmers; and

WHEREAS, the Agricultural Stewardship Program should be updated; now, therefore be it

1st **RESOLVED**, that the Department of Economic Development and Planning is hereby authorized, empowered and directed to complete an update to the 2004 report "A Strategy to Develop and Implement the Suffolk Agricultural Stewardship Program" and to submit this update to the County Executive and each member of this Legislature within 60 days of the effective date of this resolution; 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:

s:\res\r-update-agricultural-stewardship-program

1158

Intro. Res. No. -2016 Laid on Table 2/9/16

Introduced by Presiding Officer Gregory

RESOLUTION NO. - 2016, ADOPTING LOCAL LAW NO. -2016, A LOCAL LAW AMENDING PROVISIONS RELATING TO THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM FIRE PREVENTION AND BUILDING CODE

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2016, a proposed local law entitled, "**A LOCAL LAW AMENDING PROVISIONS RELATING TO THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM FIRE PREVENTION AND BUILDING CODE**"; now, therefore, be it

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

LOCAL LAW NO. -2016 SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING PROVISIONS RELATING TO THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM FIRE PREVENTION AND BUILDING CODE

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law No. 42-1987, codified at Chapter 344 of the SUFFOLK COUNTY CODE, provides the framework for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code ("Uniform Code") in regard to the construction of County-owned buildings.

This Legislature further finds that pursuant to Chapter 344, building permits and certificates of occupancy for County-owned buildings must be issued by the Department of Public Works after review by Public Works and the Fire Marshal. This requirement has traditionally been applied to buildings on the campuses of Suffolk County Community College.

This Legislature finds that under the applicable provisions of New York State law, rules and regulations, the County is responsible for administering and enforcing the Uniform Building Code with respect to buildings in its custody.

This Legislature also determines that pursuant to New York Education Law, the Board of Trustees of Suffolk County Community College is responsible for the care, custody, control and management of lands, grounds, buildings, facilities and equipment used for College purposes.

This Legislature also finds that the administration of Suffolk County Community College believes it can reduce the timeline for its construction projects and save taxpayer dollars if it administers and enforces the Uniform Code on College projects in accordance with the regulations of the State University of New York.

This Legislature concludes that the trustees and administration of Suffolk County Community College are capable of administering and enforcing Uniform Code requirements on College construction projects and for the buildings and facilities that are within its custody and control in accordance with the regulation of the State University of New York.

Therefore, the purpose of this local law is amend Chapter 344 of the SUFFOLK COUNTY CODE to achieve consistency with New York State law, rules and regulations and clarify that the County of Suffolk will administer the Uniform Code for the buildings and facilities in its custody.

Section 2. Amendments.

Chapter 344 of the SUFFOLK COUNTY CODE is hereby amended as follows:

CHAPTER 344
BUILDING CONSTRUCTION

Article I Administration and Enforcement of Uniform Code

* * * *

§ 344-2. Building permits.

A. Building permits shall be required for any work on [County-owned] buildings in the custody of the County of Suffolk which must conform to the Uniform Code and shall be issued after review by the Department of Public Works and the Fire Marshal's Office. The application for a building permit shall require sufficient information to permit a determination that the intended work accords with the requirements of the Uniform Code.

* * * *

Section 3. Applicability.

This law shall apply to actions occurring on or after the effective date of this law. For all open building permits and pending applications to the Department of Public Works for building permits, certificates of occupancy, or other documents required by the Uniform Code for buildings not in the custody of the County of Suffolk, the jurisdiction of the Department of Public Works shall terminate on the effective date of this local 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 7. Effective Date.

This law shall take effect 120 days immediately subsequent to 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-sccc-enforce-fire-code-buildings-structures

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

1158

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

DATE: **FEBRUARY 9, 2016**

TO: **CLERK OF THE COUNTY LEGISLATURE**

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

PROPOSED LOCAL LAW YEAR 2016

TITLE: **I.R. NO. -2016; A LOCAL LAW AMENDING PROVISIONS RELATING TO THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM FIRE PREVENTION AND BUILDING CODE**

SPONSOR: **PRESIDING OFFICER GREGORY**

DATE OF RECEIPT BY COUNSEL: 2/9/16 **PUBLIC HEARING:** 3/1/16

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

Pursuant to Chapter 344 of the SUFFOLK COUNTY CODE, building permits and certificates of occupancy for County-owned buildings are issued by the Department of Public Works after review by Public Works and the Fire Marshal. However, under the applicable provisions of New York State law, rules and regulations, the County is responsible for administering and enforcing the Uniform Building Code with respect to buildings in its "custody".

This proposed local law would amend Chapter 344 of the SUFFOLK COUNTY CODE to achieve consistency with New York State law, rules and regulations and clarify that the County of Suffolk will administer the Uniform Code for the buildings and facilities in its custody. As a result of that change, the Department of Public Works will no longer be responsible for issuing permits for the buildings and facilities on the campuses of Suffolk County Community College, as the College's Board of Trustees exercises control and custody of those buildings.

This law will take effect 120 days subsequent to its filing in the Office of the Secretary of the State.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-Uniform Fire Prevention and Building Code Law

1159

Intro. Res. No. -2016 Laid on Table 2/9/2016

Introduced by Legislator Calarco

RESOLUTION NO. –2016, AMENDING THE 2016 OPERATING BUDGET TO PROVIDE FUNDING FOR PARENTS FOR MEGANS LAW

WHEREAS, Parents For Megans Law provides the community with a Megan's Law Helpline, a sex offender email alert program in collaboration with Suffolk County Police, a community sex offender registration tips program and website to access sex offender registration information, crime prevention and crime victim advocacy and support services; and

WHEREAS, this contract agency provides sexual abuse, rape and abduction prevention and internet safety services; and

WHEREAS, the County is expected to have lower than budgeted expenditures in the Adopted 2016 Operating Budget for gasoline in the Police Department as a result of the continuing decline in price for gasoline; and

WHEREAS, it is the desire of the Suffolk County Legislature to provide additional funding to Parents For Megans Law; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

1st **RESOLVED**, that the 2016 County Operating Budget is hereby amended as follows and that the County Comptroller be and hereby is authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	POL	3120	JJB1	4980	Parents For Megan's Law Crime Victims Center	($20,000)
001	POL	3120	0000	3150	Gasoline & Motor Oil	($33,435)

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	POL	3120	GHD1	4980	Parents For Megans Law	+$53,435

and be it further

2nd **RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Parents For Megans Law.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

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