Intro. Res. No. 1293-2016 Laid on Table 3/22/2016

BOND RESOLUTION NO. -2016

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $250,000 BONDS TO FINANCE THE COST OF IMPROVEMENTS AND LIGHTING AT COUNTY PARKS (CP 7079.111 and .312)

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 $250,000 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 improvements and lighting at County Parks, as authorized in the 2015 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 $550,000. The plan of financing includes (a) the issuance of $300,000 ($50,000 planning and $250,000 construction) in bonds or bond anticipation notes of the County authorized pursuant to Bond Resolution No. 849-2013, and (b) the issuance of $250,000 ($50,000 planning and $200,000 construction) in bonds or bond anticipation notes of the County authorized pursuant to this resolution, and (c) 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 class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, 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:

1293

Intro. Res. No. 1162-2015 Laid on Table 3/3/2015
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 195-2015, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AND LIGHTING AT COUNTY PARKS (CP 7079)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for improvements and lighting at County parks; and

WHEREAS, there are sufficient funds within the 2015 Capital Budget and Program to cover the cost of said site improvements under Capital Program Number 7079; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2015 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $250,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), the Legislature has determined that this project constitutes a Type II action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617.5 (C) (1), (2), (18), (20,) (21), (27), and Chapter 279 of the Suffolk County Code, since they involve maintenance or repair involving no substantial changes in an existing structure or facility; replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes; and 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 thirty-two (32), is eligible for approval in accordance with the provisions of Resolution No. 471-1994; and be it further

3rd **RESOLVED**, that the proceeds of $250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
CAP-525-7079.111 (Fund 001-Debt Service)	60	Planning for Improvements and Lighting County Parks	$50,000
CAP-525-7079.312 (Fund 001-Debt Service)	60	Improvements and Lighting at County Parks-Construction	$200,000

1293

DATED: MAR 2 5 2015

APPROVED BY:

County Executive of Suffolk County

Date: 4/08/15

1293

Intro. Res. 1162 Res. No. 195 March 25, 2015

Motion:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga,
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga,
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

Second:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga,
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Albert J. KRUPSKI	✓				
3	Kate M. BROWNING				✓	
4	Thomas MURATORE	✓				
5	Kara HAHN	✓				
6	Sarah S. ANKER	✓				
7	Rob CALARCO	✓				
8	William J. LINDSAY, III	✓				
9	Monica R. MARTINEZ	✓				
10	Thomas CILMI	✓				
11	Thomas F. BARRAGA	✓				
12						
13	Rob TROTTA	✓				
14	Kevin J. MCCAFFREY	✓				
16	Steven H. STERN	✓				
17	Lou D'AMARO	✓				
18	William SPENCER	✓				
2	Jay SCHNEIDERMAN, D.P.O	✓				
15	DuWayne GREGORY, P.O.	✓				
	Totals	16	0	0	1	0

MOTION

X Approve
___ Table: _____
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule ___
___ Override Veto
___ Close
___ Recess

APPROVED X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED

X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature

1293

Intro. Res. No. 1162A-2015

BOND RESOLUTION NO. 196 -2015

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $250,000 BONDS TO FINANCE THE COST OF IMPROVEMENTS AND LIGHTING AT COUNTY PARKS (CP 7079.111 and .312)

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 $250,000 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 improvements and lighting at County Parks, as authorized in the 2015 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 $550,000. The plan of financing includes (a) the issuance of $300,000 ($50,000 planning and $250,000 construction) in bonds or bond anticipation notes of the County authorized pursuant to Bond Resolution No. 849-2013, and (b) the issuance of $250,000 in bonds or bond anticipation notes of the County authorized pursuant to this resolution, and (c) 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 class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, 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

1293

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: March 25, 2015 **NOT ADOPTED**

Intro. Res. 1162A Res. No. 196 1293 March 25, 2015

Motion:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga,
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga,
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

Second:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga,
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Albert J. KRUPSKI		/			
3	Kate M. BROWNING				/	
4	Thomas MURATORE		/			
5	Kara HAHN	/				
6	Sarah S. ANKER	/				
7	Rob CALARCO	/				
8	William J. LINDSAY, III	/				
9	Monica R. MARTINEZ	/				
10	Thomas CILMI		/			
11	Thomas F. BARRAGA		/			
12						
13	Rob TROTTA		/			
14	Kevin J. MCCAFFREY		/			
16	Steven H. STERN	/				
17	Lou D'AMARO		/			
18	William SPENCER	/				
2	Jay SCHNEIDERMAN, D.P.O	/				
15	DuWayne GREGORY, P.O.	/				
	Totals	9	7	0	1	0

MOTION

X Approve
___ Table: _____
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule ___
___ Override Veto
___ Close
___ Recess

APPROVED___ FAILED X

No Motion___ No Second___

RESOLUTION DECLARED

___ ADOPTED
X NOT ADOPTED

Roll Call X Voice Vote___

Tim Laube

Tim Laube, Clerk of the Legislature

1294

Intro. Res. No. -2016

Introduced by Legislator Gregory

Laid on Table 3/22/16

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO LONG ISLAND HEAD START

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, Long Island Head Start has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Long Island Head Start 98 Austin Street Patchogue, NY 11772 Contact Person: Debrah Garcia 631-758-5200	1 GP 3250 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-surplus-generator-long-island-head-start-BOE

1295

Intro. Res. No. -2016 Laid on Table 3/22/16
Introduced by Legislator Muratore

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO BOY SCOUTS OF AMERICA, TROOP 229

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, Boy Scouts of America, Troop 229 has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Boy Scouts of America, Troop 229 48 Janice Lane Selden, NY 11784 Contact Person: JoAnn Mesick 631-696-7486	1 Chicago 900 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1296

Intro. Res. No. -2016

Laid on Table 3/22/16

Introduced by Legislator Muratore

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO THE VETERANS OF FOREIGN WARS FARMINGVILLE MEMORIAL POST 400

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, the Veterans of Foreign Wars Farmingville Memorial Post 400 has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Veterans of Foreign Wars Farmingville Memorial Post 400 540 College Road Farmingville, NY 11738 Contact Person: Sidney Lynn 516-480-0662	1 Chicago 900 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1297

Intro. Res. No. -2016 Laid on Table 3/22/16

Introduced by Legislator McCaffrey

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO THE BABYLON FIRE DEPARTMENT

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, the Babylon Fire Department has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Babylon Fire Department 153 West Main Street Babylon, NY 11702 Contact Person: Chief Michael Sasuk 631-481-5501	1 Chicago 900 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1298

Intro. Res. No. -2016 Laid on Table 3/22/16
Introduced by Legislator McCaffrey

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO THE LINDENHURST FIRE DEPARTMENT

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, the Lindenhurst Fire Department has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Lindenhurst Fire Department 225 S. Wellwood Avenue Lindenhurst, NY 11757 Contact Person: Chief DeGregorio 631-481-5207	1 Chicago 900 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1299

Intro. Res. No. -2016 Laid on Table 3/22/16
Introduced by Legislator McCaffrey

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO THE WEST BABYLON FIRE DEPARTMENT

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, the West Babylon Fire Department has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
West Babylon Fire Department 126 Arnold Avenue West Babylon, NY 11704 Contact Person: Chief Christine Manzi 631-774-7807	1 Chicago 900 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1300

Intro. Res. No. -2016 Laid on Table 3/22/16
Introduced by Legislator Browning

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO THE PERFORMING ARTS OF SUFFOLK COUNTY

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, the Performing Arts of Suffolk County has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Performing Arts of Suffolk County 215 South Country Road Bellport, NY 11713 Contact Person: Paul Allen 631-286-2346	1 GP 3250 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1301

Intro. Res. No. -2016 Laid on Table 3/22/16

Introduced by Legislator Browning

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO VISION LONG ISLAND

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, Vision Long Island has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Vision Long Island 24 Woodbine Avenue, Suite 1 Northport, NY 11768 Contact Person: Jon Seibert 631-241-0242	1 Chicago 900 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-surplus-generator-vision-long-island-BOE

1302

Intro. Res. No. -2016 Laid on Table 3/22/16
Introduced by Legislator Cilmi

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATORS TO MERCY HAVEN, INC.

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, Mercy Haven, Inc. has requested the donation of two (2) portable generators from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Board of Elections is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Mercy Haven, Inc. 859 Connetquot Avenue Islip Terrace, NY 11752 Contact Person: Gregory Mangini 631-277-8300	1 GP 3250 portable generator 1 Chicago 900 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-surplus-generator-mercy-haven-BOE

1303

Intro. Res. No. -2016 Laid on Table 3/22/16

Introduced by Legislator Lindsay

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO BAYPORT YOUTH FOOTBALL LEAGUE

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, the Bayport Youth Football League has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Bayport Youth Football League PO Box 943 Bayport, NY 11705 Contact Person: Seth Needelman 631-472-3018	1 GP 3250 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1304

Intro. Res. No. -2016 Laid on Table 3/22/16
Introduced by Legislator Browning

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO THE POST-MORROW FOUNDATION, INC.

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, the Post-Morrow-Foundation, Inc. has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Post-Morrow Foundation, Inc. PO Box 204 Brookhaven, NY 11719 Contact Person: Florence Pope 631-286-0686	1 Chicago 900 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1305

Intro. Res. No. -2016 Laid on Table
Introduced by Legislator Martinez

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO THE KINGDOM FELLOWSHIP INTERNATIONAL CHURCH, INC.

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, the Kingdom Fellowship International Church, Inc. has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Kingdom Fellowship International Church, Inc. 1626 Locust Avenue Bohemia, NY 11716 Contact Person: Bishop E. Edward Robinson, II 631-780-6877 x 207	1 Chicago 900 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1306

Intro. Res. No. -2016 Laid on Table 3/22/16
Introduced by Legislator Martinez

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO THE BRENTWOOD ASSOCIATION OF CONCERNED CITIZENS

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, the Brentwood Association of Concerned Citizens has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Brentwood Association of Concerned Citizens PO Box 777 Brentwood, NY 11717 Contact Person: Ray Mayo 631-484-9952	1 Chicago 900 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1307

Intro. Res. No. -2016 Laid on Table 3/22/16
Introduced by Legislator Martinez

RESOLUTION NO. -2016, AUTHORIZING TRANSFER OF SURPLUS GENERATOR TO SALVADORENOS INDEPENDIENTE NY FOUNDATION

WHEREAS, the Suffolk County Board of Elections has declared a number portable generators surplus to the needs of the County; and

WHEREAS, the Salvadorenos Independientes NY Foundation has requested the donation of one (1) portable generator from the Board of Elections; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the organization listed, pursuant to Section A8-10(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE:

TO:	**SERIAL NUMBER:**
Salvadorenos Independiente NY Foundation 163 Westwood Drive Brentwood, NY 11717 Contact Person: Ernesto Trejo 516-446-3854	1 GP 3250 portable generator

and be it further

2nd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1308

Intro. Res. No. -2016

Laid on Table 3/22/16

Introduced by Legislator Calarco

RESOLUTION NO. -2016, ESTABLISHING A REPORTING REQUIREMENT FOR THE SHERIFF'S INTERNAL AFFAIRS BUREAU

WHEREAS, legislation has been introduced in the County Legislature that would require the Police Department's Internal Affairs Bureau ("IAB") to report statistical information about its activities to the County Legislature's Public Safety Committee; and

WHEREAS, the Sheriff's Office also has an IAB which is charged with the responsibility of investigating allegations of misconduct lodged against deputy sheriffs and correction officers; and

WHEREAS, the investigations and reports of the Sheriff's IAB are not now subject to regular legislative oversight; and

WHEREAS, all functions of County government should be subject to some level of regular legislative oversight; and

WHEREAS, pursuant to Section C2-8 of the SUFFOLK COUNTY CHARTER, the Suffolk County Legislature is responsible for overseeing all the departments and agencies of County government, including the Sheriff's Office; and

WHEREAS, the Sheriff has proactively instituted reforms to increase transparency in his office, including the creation of a Civilian Advisory Board which is given a quarterly review of IAB statistical information; such information would be useful to the Public Safety Committee; and

WHEREAS, the Sheriff's Office should provide a statistical overview of its IAB activities to the County Legislature's Public Safety Committee on a regular basis; and

WHEREAS, such an overview would allow the County's policymakers to identify trends and patterns and devise corrective actions, when necessary; now, therefore be it

1st **RESOLVED**, that the Suffolk County Sheriff's Office shall report the following statistical information, in writing and on a quarterly basis, to each member of the County Legislature's Public Safety Committee:

1) The number of misconduct complaints received by the Sheriff's Office and the number of investigations opened by IAB in the preceding three (3) month period and the number of misconduct complaints that were addressed at the supervisory level.

2) The origin of all complaints received by the Sheriff's Office and IAB including, but not limited to, departmental referrals, complaints received from civilians, complaints received through the service of legal process, complaints referred by elected officials or lodged by whistleblowers.

3) The nature of the complaints received including, but not limited to, complaints of excessive use of force, abusive or inappropriate behavior/language, improper use of a sheriff's vehicle, alcohol or substance abuse by an officer; the report shall provide the number of complaints that allege a criminal act by Sheriff Office employees.

4) All relevant demographic information including, but not limited to, the zip code, age, gender and race of complainants; the number of complaints involving persons with mental illness; and the number of complaints arising out of domestic violence incidents.

5) The number of investigations that were closed or concluded by IAB in the preceding three (3) month period and the number of complaints found substantiated.

6) In substantiated cases, a statistical summary of the discipline imposed ranked by the severity of the penalty and the source of the discipline including, but not limited to, cases where discipline was imposed by the Sheriff or determined through arbitration.

7) The timeline for all cases pending in IAB, i.e. those cases open less than three months, those open for between four (4) and six (6) months, et al. The report must indicate the number of IAB cases that have been open for more than eighteen (18) months.

and be it further

2nd **RESOLVED**, that the Sheriff's Office will make its first report to the Public Safety Committee on July 31, 2016 (for the period April 1, 2016 through June 30, 2016) and make their quarterly reports thereafter; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-reporting-requirements-sheriffs

UPDATED AS OF 3/22/2016

Intro. Res. No. 1309-2016 Laid on Table 3/22/2016
Introduced by Legislator Lindsay

RESOLUTION NO. -2016, ADOPTING LOCAL LAW NO. -2016, A LOCAL LAW TO LIMIT NITROGEN CONTENT IN LAWN FERTILIZERS

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 LIMIT NITROGEN CONTENT IN LAWN FERTILIZERS**"; 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 LIMIT NITROGEN CONTENT IN LAWN FERTILIZERS

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 it is the policy of the County of Suffolk to preserve and protect tidal wetlands, bays, freshwater wetlands and surface waters in order to prevent their despoliation and destruction.

This Legislature further finds that Long Island depends on a sole source aquifer for its drinking water; and accordingly, the County of Suffolk must constantly update its laws, policies and procedures to prevent contamination of the aquifer.

This Legislature further finds and determines that overuse of fertilizers is harming freshwater and tidal wetlands, bays, surface waters and groundwater as excess nitrogen leaches out of the soil that it is applied to and enters the wetland environment.

This Legislature finds that the excess nutrients leads to depressed dissolved oxygen levels in the wetlands and surface water areas, resulting in harm to aquatic life, an increase in algal blooms and a diminishing of water clarity.

This Legislature further determines that the County of Suffolk has already taken action to reduce the excessive use of nitrogen based fertilizers by enacting a local law to prohibit the application of fertilizers between November 1 and April 1 every year.

This Legislature also finds that more can be done to protect the County's freshwater wetlands, bays, tidal wetlands, surface waters and groundwater from the damaging effects of excessive nitrogen and phosphorous leaching due to the overuse of fertilizers.

Therefore, the purpose of this law is to prevent the application and sale of fertilizer containing more than 10% nitrogen and more than 5% water soluble nitrogen within Suffolk County.

Section 2. Amendments.

Chapter 459 of the SUFFOLK COUNTY CODE is hereby amended by the addition of a new Article III to read as follows:

CHAPTER 459
FERTILIZER

* * * *

ARTICLE III, NITROGEN LIMITS

§ 459-21. Definitions.

As used in this Article, the following terms shall have the meaning indicated:

"Commissioner" – the Commissioner of the Department of Economic Development and Planning.

"Department" – the Department of Economic Development and Planning.

"Lawn Fertilizer" – any liquid or granular fertilizer distributed primarily for non-farm use, including for use on lawns, home gardens, shrubbery and flowers.

The terms "Establishment", "Fertilizer", "Person" and "Turf" shall have the meanings indicated in Article II of this Chapter.

§ 459-22. Sale and Use Restrictions.

A. No establishment within the County of Suffolk shall sell or offer for sale any lawn fertilizer that is labeled as containing more than 10% total nitrogen and more than 5% water soluble nitrogen.

B. No person shall apply lawn fertilizer to any turf within the County of Suffolk which is labeled as containing more than 10% total nitrogen and more than 5% water soluble nitrogen.

§ 459.23. Exemptions.

A. The application restrictions set forth in § 459-22 shall not apply to land used in farm operations, as defined in the NEW YORK AGRICULTURAL MARKETS Law Section 301.

B. The application restrictions set forth in § 459-22 shall not apply to golf courses, the Suffolk County Farm or athletic fields, subject to the same exemption provisions set forth in Article II, of this Chapter, § 459-14.

§ 459-24. Waivers.

Upon a written application to the Department by a person utilizing County-owned property, a waiver of the use restrictions set forth in § 459-22 may be granted as deemed appropriate by the Commissioner in his or her sole discretion, based upon the same factors as set forth in Article II of this Chapter, § 459-15.

§ 459-25. Enforcement.

The Suffolk County Department of Health Services shall enforce the sale and use restrictions of this article, in accordance with the enforcement procedures established by Suffolk County Sanitary Code Article II, §§ 760-202 through 760-220.

§ 459-26. Penalties.

A. Any violation of the sale and use restrictions of this article shall be subject to a civil penalty, in an amount not to exceed $500 per violation.

B. Each day of continued violation shall constitute a separate additional violation.

§ 459-27. Rules and Regulations.

The Department, in consultation with the Suffolk County Department of Health Services and the Suffolk County Office of Consumer Affairs, shall issue and promulgate such rules, regulations and standards as deemed necessary and appropriate to carry out the provisions of this article.

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. Reverse Preemption.

This local law shall be null and void on the day that federal and statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Suffolk. The County Legislature may determine via duly enacted resolution whether or not identical or substantially similar federal or statewide legislation, or pertinent preempting state or federal regulations have been enacted for the purpose of triggering the provision of this section.

Section 6. SEQRA Determination.

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

Section 7. Effective Date.

This law shall take effect on January 1, 2017.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

DATE: **MARCH 18, 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 LIMIT NITROGEN CONTENT IN LAWN FERTILIZERS**

SPONSOR: **LEGISLATOR LINDSAY**

DATE OF RECEIPT BY COUNSEL: 3/9/2016 **PUBLIC HEARING:** 4/12/2016

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

Enactment of this proposed local law would prohibit the sale of lawn fertilizer[1] containing more than 10% nitrogen or more than 5% water soluble nitrogen or the application of such fertilizers on any turf[2] within the County of Suffolk.

The provisions of this law would not apply to golf courses, the Suffolk County Farm, athletic fields or land used in agriculture production.

This law will be enforced by the Department of Health Services. Persons violating this law will be subject to a civil penalty not to exceed $500.

This law will take effect on January 1, 2017.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-limit-nitrogen-lawn-fertilizers

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[1] "Lawn Fertilizer" is defined as any liquid or granular fertilizer distributed primarily for non-farm use, including for use on lawns, home gardens, shrubbery and flowers.
[2] "Turf" shall mean any area of earth principally vegetated by grass.

1310

Intro. Res. No. -2016 Laid on Table 3/22/16
Introduced by Legislator Calarco

RESOLUTION NO. - 2016, ADOPTING LOCAL LAW NO. -2016, A LOCAL LAW TO REGULATE PET GROOMING BUSINESSES OPERATING IN SUFFOLK COUNTY ("GINGER'S LAW")

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 REGULATE PET GROOMING BUSINESSES IN SUFFOLK COUNTY ("GINGER'S LAW")**"; 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 REGULATE PET GROOMING BUSINESSES IN SUFFOLK COUNTY ("GINGER'S LAW")

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 pets are an integral part of many families in the County of Suffolk.

This Legislature further finds and determines that many families choose to use pet groomers to maintain their pet's appearance, health or well-being, entrusting them to the care of professionals skilled in styling animals.

This Legislature finds that pet groomers provide their services in fixed storefronts and mobile grooming vans, or they provide in-home services.

This Legislature determines that, unfortunately, some pet groomers do not adhere to appropriate safety and sanitary practices, endangering the health and well-being of pets placed in their care.

This Legislature also finds that irresponsible actions by some pet groomers can cause pets to be injured, suffer allergic reactions or even die.

This Legislature further finds that pet groomers should be required to register with the County of Suffolk and follow basic rules to provide safe grooming services to County residents.

Therefore, the purpose of this local law is to require pet groomers to register with the County and to follow common sense care and safety regulations when providing their services.

Section 2. Definitions.

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

"Apprentice" – a person who is engaged in learning and acquiring knowledge of pet grooming or styling under the direction and supervision of a pet groomer.

"Box Dryer" – a piece of equipment that is attached to, or near, a cage or enclosure for the purpose of drying or aiding in the drying of a pet contained in a cage or enclosure, and which is capable of functioning without a person manually holding a dryer.

"Cage or Crate" – a safe and humane container for the keeping and/or housing of pets in a facility.

"Commissioner" – the Commissioner of the Suffolk County Department of Labor, Licensing and Consumer Affairs.

"Department" – the Suffolk County Department of Labor, Licensing and Consumer Affairs.

"Incident" – when the skin of any pet or person is broken or a pet has an allergic reaction during the course of a grooming session.

"Pet" – any dog, cat or other animal accepted for grooming or styling.

"Pet Groomer" – any individual who clips, trims, styles, bathes or dries a pet for financial remuneration.

"Pet Grooming Business" – any person, corporation, firm or proprietorship or other entity or business organization that engages in a business that provides pet grooming or styling services. This shall include businesses that provide their services at a commercial building, from a mobile unit, from the business owner's home, or are provided at a customer's home, grounds or business using equipment provided by a pet groomer.

"Pet Friendly" – Any product, chemical, tool or piece of equipment which is safe for use on pets.

"Pet Restraint" – Any tool or piece of equipment used or attached to a grooming arm, tub or other facility, fixture or equipment to hold a pet safely and under control.

Section 3. Pet Grooming Registration Required.

A. No pet grooming business shall operate within the County of Suffolk unless it has registered with the Department in accordance with the provisions of this section. The initial application fee for registration of a pet grooming business shall be $50. Registration shall be filed biannually for a fee of $100.

B. Each registrant must provide the following information and appropriate supporting documentation to the Department:

1. The name of the pet grooming business.
2. The principal address and the names of all owners of the business.
3. Documents providing proof of professional and general liability and property damage insurance and workers' compensation.

C. No applicant for registration or renewal shall have any outstanding judgment for child support against him or her, or be in arrears in child-support payments as determined by official court records or official government records, at the time an application is filed for such registration or renewal. If an applicant has such a judgment against him or her, or is in such arrears, but is current in payments on a judicially approved, or Child Support Enforcement Bureau sanctioned, payment schedule to pay off or reduce such judgment or arrears, then such individual shall not be deemed ineligible for registration or renewal on the grounds of such judgment or arrears. At least 30 days prior to the expiration of a registration, the Office shall send a written notice to a registrant informing said registrant of his or her obligation to comply with the provisions of this section pertaining to compliance with child-support obligations. If necessary, a second written notice shall be sent by the Office to a registrant 60 days after the registration has lapsed, informing said registrant of his or her obligation to comply with the provisions of this section pertaining to compliance with the child-support obligations. In addition, the County Department of Social Services, through its Child Support Enforcement Bureau, shall notify all current noncustodial parents of the obligations contained herein.

D. The Department shall provide each pet grooming business which has complied with registration requirements a registration certificate and an identification card, which shall have a registration number and expiration date.

E. Pet grooming businesses shall display their County registration number on all vehicles and identification used by employees.

Section 4. Pet Groomer Registration.

A. No natural person shall provide services as a pet groomer in Suffolk County unless they have registered with the Department in accordance with the provisions of this law. The initial application fee for registration as a pet groomer shall be $25. Registration shall be filed biannually for a fee of $50. Registrants who are owners of registered pet grooming businesses shall be exempt from the pet groomer fees. Registrants must be at least 18 years of age.

A. Each registrant must provide the following information and appropriate documentation to the Department:

1. Proof of age.
2. Documents demonstrating that the applicant has either:

   a. received training in the field of pet grooming for at least 150 hours, either as an apprentice or from a school or institution that provides instruction in pet grooming, or
   b. has continually operated a business providing pet grooming services or has been employed as a pet groomer for a period of at least one (1) year prior to the effective date of this law.

B. The Department shall provide each pet groomer who has complied with the registration requirements a registration certificate and an identification card, which shall have a registration number and expiration date.

Section 5. Health and Safety Standards.

A. Pet grooming businesses shall provide temporary housing for pets that is in good repair, safe, secure and stable. Pets should be able to sit, stand and turn around comfortably in any crate or enclosure. All pet housing shall be sufficiently ventilated and climate controlled for the health and safety of the pet.

B. Pet grooming businesses and groomers must offer fresh water to any pet confined more than four (4) hours.

C. Bathing areas used by grooming businesses should be in safe, operational condition with non-slip flooring for pets and pet groomers. Water temperature should be set appropriately to prevent injury to pets.

D. All equipment, tools and products used by pet grooming businesses shall be in good working condition. All pet restraints used shall be both secure and pet friendly. Pet grooming businesses and pet groomers shall only use products and/or chemicals in the grooming and styling of pets that are pet friendly. Any topical pesticide used on a pet shall be approved by the New York State Department of Environmental Conservation.

E. Pets in box dryers shall be attended to by at least 1 person in the room at all times.

F. The facilities used by pet grooming businesses shall be clean, neat and orderly, with enclosures and work spaces cleaned between use by different pets. Facilities shall have appropriate ventilation and first aid kits available for pets and personnel.

G. All facilities used by pet grooming businesses shall have emergency procedures to assure the health and safety of pets in the event of an emergency situation. This includes, but is not limited to, the name and contact information of a local emergency veterinarian to be used by pet groomers or pet owners in the event of a pet's medical emergency.

H. Pet grooming businesses shall keep and maintain records of all clients and their respective pets, including, but not limited to: the name of the pet, the name, address and phone number of the pet owner; any known allergies of the pet; the services provided; and the dates of services rendered. Incident reports shall be created in the event of an incident occurring with a pet. General records shall be retained for at least one (1) calendar year from the date of service. Incident reports shall be retained for at least three (3) years from the date of service.

I. Apprentices working in a pet grooming businesses must be under the supervision of a pet groomer.

Section 6. Penalties for Offenses.

A. Any pet grooming business which violates any of the provisions of this law shall be subject to a civil penalty of no less than $500 nor more than $1,000 for each violation. Each action in violation of this law shall constitute a separate and distinct violation.

B. The Department is hereby empowered to revoke or deny a registration certificate to any pet grooming business or pet groomer which fails to file all required information, files falsified information or is found responsible for more than three (3) violations during any registration period of two (2) years. Any pet grooming business or pet groomer whose registration is revoked or denied may reapply after a period of two (2) years.

C. Any civil penalty, revocation or denial of registration may only be assessed by the Commissioner following a hearing and opportunity for an alleged violator to be heard.

D. In addition to any civil penalties imposed by the Commissioner pursuant to this law, any person who shall conduct a pet grooming business requiring registration under this law without obtaining the registration therefor or who shall continue to engage in such business after having a registration revoked or denied shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than $5,000 or imprisonment for up to one year, or both. Each such violation shall be deemed a separate offense.

Section 7. Enforcement.

This law shall be enforced by the Department of Labor, Licensing and Consumer Affairs.

Section 8. Rules and Regulations.

The Commissioner of the Department of Labor, Licensing and Consumer Affairs is hereby authorized and empowered to issue and promulgate such rules and regulations as he or she may deem necessary for the implementation and enforcement of this law.

Section 9. Applicability.

This law shall apply to all pet grooming businesses operating in Suffolk County on or after the effective date of this law.

Section 10. 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 11. 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 12. Effective Date.

This law shall take effect 180 days following its filing in the Office of the Secretary of State

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-regulate-pet-groomers

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: **March 18, 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 REGULATE PET GROOMING BUSINESSES OPERATING IN SUFFOLK COUNTY**

SPONSOR: **LEGISLATOR CALARCO**

DATE OF RECEIPT BY COUNSEL: 3/18/2016 **PUBLIC HEARING:** 4/12/2016

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

This proposed local law would require pet grooming businesses[1] to register with the Department of Labor, Licensing and Consumer Affairs ("the Department") on a biannual basis. The registration fee will be $100.

Individual pet groomers will also be required to register with the Department on a biannual basis with a registration fee of $50. Pet groomer registrants must be 18 years of age or older and provide proof that they worked continuously as a pet groomer for at least one year prior to the effective date of the law or have obtained at least 150 hours of training in the field of pet grooming serving as an apprentice or from an instructional program. Registered pet grooming businesses and pet groomers will be issued certificates, registration numbers and identification cards.

This law would also set minimum health and safety standards for pet grooming businesses. These businesses will have to provide safe, secure and appropriately sized temporary housing for pets in climate controlled and ventilated facilities. All facilities, equipment and tools used by pet grooming businesses must be clean, safe and in proper working order. Products used on pets must be pet friendly and safe for animal use. Pet restraints must also be secure and pet friendly. Any pet placed in a box dryer must be attended to by at least one person in room.

Pet grooming facilities must put emergency procedures in place, including the name and contact information for a local emergency veterinarian for use by a customer or pet groomer in the event of a pet's medical emergency. Pet grooming businesses will also be required to maintain records on individual pets and clients, including individual pet allergies, services provided and dates of services rendered, for a minimum of one year. Incident reports for unusual events, such as an allergic reaction by the pet or the breaking of skin on either the pet or a person, shall be kept for a minimum of three years.

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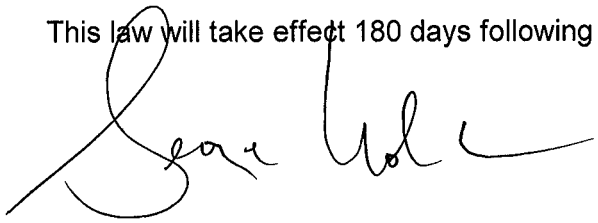
[1] "Pet grooming business" is defined as "any person, corporation, firm or proprietorship or other entity or business organization that engages in a business that provides pet grooming or styling services. This shall include businesses that provide their services at a commercial building, from a mobile unit, from the business owner's home, or are provided at a customer's home, grounds or business using equipment provided by a pet groomer."

Persons violating any element of this law shall be subject to a civil penalty up to $1,000 per violation. Each action in violation of the law shall be considered separate and distinct. Additionally, the Department has the authority to revoke or deny registration to businesses which fail to supply it with necessary information, file false information or commit more than three violations of this law during any registration period. Revocation or denial of a registration will be for a period of two years. Civil penalties and revocation or denial of a registration may only be assessed after a hearing conducted by the Department. Operating a pet grooming business without proper registration shall constitute a misdemeanor and subject the non-registrant to a fine of up to $5,000, imprisonment for up to one year, or both.

This law will be enforced by the Department of Labor, Licensing and Consumer Affairs. The Commissioner of the Department is authorized to promulgate rules and regulations necessary for the implementation and enforcement of this law.

This law will take effect 180 days following its filing in the Office of the Secretary of State.



GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-pet groomers

1311

Intro. Res. No. -2016

Laid on Table 3/22/16

Introduced by Legislator Krupski

RESOLUTION NO. - 2016, ACCEPTING THE UPDATED SUFFOLK COUNTY AGRICULTURAL STEWARDSHIP PLAN

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, Resolution No. 109-2016, authorized and directed the Department of Economic Development and Planning to prepare an update to the Agricultural Stewardship Program Plan; and

WHEREAS, the Department of Economic Development and Planning has submitted an updated Agricultural Stewardship Program Plan to this Legislature; and

WHEREAS, the updated Agricultural Stewardship Plan establishes strategies to achieve the County's ongoing goals of promoting agriculture and protecting groundwater and surface waters; now therefore be it

1st **RESOLVED**, that the County of Suffolk hereby accepts the updated Agricultural Stewardship Program Plan, which is attached hereto as Exhibit "A" ; and be it further

2nd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes 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-plan

1312

Intro. Res. No. -2016 Laid on Table 3/22/2016
Introduced by Legislator Stern

RESOLUTION NO. -2016, ACCEPTING THE DONATION OF A MONUMENT HONORING UNITED STATES MARINES WHO CAME IN PEACE KILLED IN BEIRUT BOMBING TERROR ATTACKS

WHEREAS, on October 23, 1983, while on a peace keeping mission, two hundred and twenty United States soldiers tragically lost their lives when military barracks in Beirut, Lebanon were bombed by Hezbollah; and

WHEREAS, three Long Island United States soldiers were among the two hundred and twenty heroes who lost their lives that day; and

WHEREAS, Sprung Monuments, 1060 Route 109, Lindenhurst, New York, wishes to donate an engraved monument commemorating the lives of these heroic and brave soldiers; and

WHEREAS, the monument will be erected at Armed Forces Plaza to memorialize and honor these fallen heroes; now, therefore be it

1st **RESOLVED**, that the Department of Public Works is hereby authorized and empowered to accept the donation of the monument described herein from Sprung Monuments; and be it further

2nd **RESOLVED**, the Department of Public Works is authorized, empowered and directed to site and install the monument at the Armed Forces Plaza, H. Lee Dennison Building, Hauppauge; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1313

Intro. Res. No. -2016 Laid on Table 3/22/16

Introduced by Legislator Hahn

RESOLUTION NO. -2016, REAPPOINTING MEMBER OF THE COUNCIL ON ENVIRONMENTAL QUALITY (R. LAWRENCE SWANSON)

WHEREAS, appointments to the Council on Environmental Quality (CEQ) are now within the exclusive purview of the County Legislature under Section 1-3 of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the term of office of R. Lawrence Swanson expires on March 21, 2016; now, therefore be it

1st **RESOLVED**, that R. Lawrence Swanson, currently residing in St. James, New York, is hereby reappointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, for a term of office to expire March 21, 2021.

DATED:

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

1314

Intro. Res. No. -2016 Laid on Table 3/22/16

Introduced by Presiding Officer Gregory

RESOLUTION NO. -2016, REAPPOINT MEMBER OF SUFFOLK COUNTY BOARD OF ETHICS (DENNIS O'DOHERTY)

WHEREAS, Local Law No. 56-2011 established a new Suffolk County Board of Ethics to administer and enforce the County's conflict of interest and disclosure rules; and

WHEREAS, pursuant to Local Law No. 56-2011, the Presiding Officer of the County Legislature appoints one (1) member to the Board of Ethics, subject to legislative approval; now, therefore be it

1st **RESOLVED**, that **Dennis O'Doherty** of Sayville, New York, is hereby reappointed to the Suffolk County Board of Ethics as the appointment of the Presiding Officer, for a term to expire on March 26, 2020.

DATED:

APPROVED PURSUANT TO SECTION C2-2 SUFFOLK COUNTY CHARTER AND LOCAL LAW 56-2011

1315

Intro. Res. No. -2016 Laid on Table 3/22/16
Introduced by Legislator Kennedy

RESOLUTION NO. -2016, AUTHORIZING ILLUMINATION OF THE H. LEE DENNISON EXECUTIVE OFFICE BUILDING FOR JUDY'S RUN FOR STROKE AWARENESS

WHEREAS, May is National Stroke Awareness Month; and

WHEREAS, in the United States, stroke is the third leading cause of death, killing 160,000 people each year, and is the leading cause of adult disability; and

WHEREAS, approximately 750,000 strokes will occur in the United States this year, 500,000 which are preventable; and

WHEREAS, stroke can happen to anyone at any time, regardless of race, gender or age; and

WHEREAS, Judy's Run for Stroke Awareness was established in 2008 in an effort to raise awareness of stroke, and the ways it can be prevented, and to help others cope with the acute and long-term rehabilitative process following a stroke; and

WHEREAS, this organization makes presentations at various community events, in addition to raising money to spread awareness of stroke throughout the County; and

WHEREAS, to further the public's awareness of stroke and its effects on stroke victims, their families and friends, Judy's Run for Stroke Awareness wishes to commemorate National Stroke Awareness Month by illuminating the H. Lee Dennison Executive Office Building in a purple glow every evening from May 9, 2016 through May 22, 2016; and

WHEREAS, Suffolk County wishes to show its support for this cause by participating in the illumination project, as it has done for other charitable organizations; now, therefore be it

1st **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to illuminate the north side of the H. Lee Dennison Executive Office Building facing Veterans Memorial Highway with a purple glow every evening from May 9, 2016 through May 22, 2016 in support of Judy's Run for Stroke Awareness; and be it further

2nd **RESOLVED**, that the presence of the volunteers of the Judy's Run for Stroke Awareness and representatives of stroke awareness groups or organizations, in connection with such celebration, shall be permitted at the site.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-illuminate-dennison-stroke-awareness

GenE-03

Intro. Res. No. 1318-16

Laid on Table 3/22/16

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. 2014, AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – ROTTKAMP'S FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-061.00-02.00-007.001)

WHEREAS, Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, the Suffolk County Purchase of Development Rights Program was amended in 2013 pursuant to Local Law 44-2013 and as part of said amendments a Bi-Annual Review process was designated in order to maximize Suffolk County's financial resources while preserving its valuable farmland resources; and

WHEREAS, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws ("Chapter 8"), an application was made by Jeffrey and Judith Rottkamp for the above referenced property to be considered inside the designated Bi-annual review process for inclusion in the Suffolk County Purchase of Development Rights Program; and

WHEREAS, an application was considered by the Suffolk County Farmland Committee at its meeting on March 17, 2016 and adopted Resolution Number FC-1-2016 approving the parcel to be recommended for consideration by the Suffolk County Legislature; and

WHEREAS, Resolution No. 265-2013 established a new three step land acquisition process, the first step being an appraisal of the parcel(s) proposed for acquisition; now, therefore, be it

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" meets the criteria required by the Suffolk County Drinking Water Protection Program for Purchase of Development Rights of Farmland, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER; and, be it further

2nd **RESOLVED**, that such acquisition(s) is(are) to be made in accordance with the procedures set forth in Chapter 8 of the SUFFOLK COUNTY CODE which provided that they be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation(s) of the Suffolk County Farmland Committee; and, be it further

3rd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Economic Development and Planning, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section A35-3(B)(1) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to have the subject parcel(s) appraised; and, be it further

4th **RESOLVED**, that the cost of such appraisal shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

5th **RESOLVED**, that the cost associated with the preparation of a title search, survey, map, or environmental assessment of the subject parcel(s), which may be authorized by a subsequent legislative resolution or procedural motion, shall be paid for from the funds to be appropriated pursuant to Article XII of the SUFFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

6th **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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

EXHIBIT A

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER:
No. 01	District	0600	21.3	Jeffrey and Judith Rottkamp
	Section	061.00		
	Block	02.00		
	Lot	007001		
		TOTAL ACRES:	**21.3**	

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. 2nd Floor
Hauppauge, New York

Department Contact Person
(Name & Phone No.):
Lauretta R. Fischer, Chief Environmental Analyst 3-6044

Suggestion Involves:

____ Technical Amendment

_____ New Program

_____ Grant Award

_____ Contract (New ___ Rev. ___)

___X__Other

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

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –ROTTKAMP'S FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-061.00-02.00-007.001)

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.

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – ROTTKAMP'S FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-061.00-02.00-007.001)

3. Purpose of Proposed Legislation

See No. 2 above

4. Will the Proposed Legislation Have a Fiscal Impact? **YES** ___ **NO** X

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

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

6. If 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 *Chief Environmental Analyst*		*March 18, 2016*

SCIN FORM 175b (10/95)

Neil Tooner 3/21/16

2016 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL (I.R.) :

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –ROTTKAMP'S FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-061.00-02.00-007.001)

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

To commence appraisal steps to purchase the development rights to the Rottkamp Farm Property.

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County's appraisal procedure to acquire the farmland development rights to the Rottkamp Farm property for ultimate inclusion in the Suffolk County New Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER.

JUSTIFICATION:

The Suffolk County Farmland Committee reviewed the received application at its March 17, 2016 meeting and adopted Resolution Number FC-1-2016 approving the parcel(s) recommended, inside the Committee's Bi-Annual review period pursuant to Chapter 8 of the Suffolk County Code, as amended, for consideration by the Suffolk County Legislature.

FISCAL IMPLICATIONS:

Monies would be utilized from a dedicated funding source specifically to acquire Farmland Development Rights: Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 percent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of farmland development rights under Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER.

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

March 18, 2016

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-2016 Appraisal for Farmland PDR – Rottkamp's Farm**

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize an appraisal for the purchase of farmland development rights for the Rottkamp's Farm property within the Town of Riverhead totaling 21.3 acres. The Rottkamp's Farm property was approved by the Suffolk County Farmland Committee at their March 17, 2016 meeting inside its Bi-annual review period pursuant to Chapter 8 of the Suffolk County Code, as amended.

Please contact me, if you require any additional information.

Sincerely,

for

Sarah Lansdale
Director of Planning

cc: Lisa Santeramo, Assistant Deputy County Executive
Katie Horst, Director, Intergovernmental Relations
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lauretta R. Fischer, Principal Environmental Analyst, Div. of Planning and Environment
Andrew Amakawa, Research Technician, Div. of Planning and Environment
Jason Smagin, Assistant Director, Div. of Real Property Acquisition and Management
Janet Longo, Acquisition Supervisor, Div. of Real Property Acquisition and Management
Robert Braun, Department of Law
CE Reso Review (electronic copy)

GenE-04

Intro. Res. No. 1319-16

Laid on Table 3/22/16

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. 2014, AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –FINK'S COUNTRY FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-115.00-01.00-004.001p/o)

WHEREAS, Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, the Suffolk County Purchase of Development Rights Program was amended in 2013 pursuant to Local Law 44-2013 and as part of said amendments a Bi-Annual Review process was designated in order to maximize Suffolk County's financial resources while preserving its valuable farmland resources; and

WHEREAS, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws ("Chapter 8"), an application was made by Leo DiPierro for the above referenced property to be considered inside the designated Bi-annual review process for inclusion in the Suffolk County Purchase of Development Rights Program; and

WHEREAS, an application was considered by the Suffolk County Farmland Committee at its meeting on March 17, 2016 and adopted Resolution Number FC-4-2016 approving the parcel to be recommended for consideration by the Suffolk County Legislature; and

WHEREAS, Resolution No. 265-2013 established a new three step land acquisition process, the first step being an appraisal of the parcel(s) proposed for acquisition; now, therefore, be it

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" meets the criteria required by the Suffolk County Drinking Water Protection Program for Purchase of Development Rights of Farmland, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER; and, be it further

2nd **RESOLVED**, that such acquisition(s) is(are) to be made in accordance with the procedures set forth in Chapter 8 of the SUFFOLK COUNTY CODE which provided that they be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation(s) of the Suffolk County Farmland Committee; and, be it further

3rd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Economic Development and Planning, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section A35-3(B)(1) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to have the subject parcel(s) appraised; and, be it further

4th **RESOLVED**, that the cost of such appraisal shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

5th **RESOLVED**, that the cost associated with the preparation of a title search, survey, map, or environmental assessment of the subject parcel(s), which may be authorized by a subsequent legislative resolution or procedural motion, shall be paid for from the funds to be appropriated pursuant to Article XII of the SUFFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

6th **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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

EXHIBIT A

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER:
No. 01	District	0600	10.2	Leo DiPierro
	Section	115.00	out of	
	Block	01.00	17.4	
	Lot	004.001p/o		
		TOTAL ACRES:	**10.2**	

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. 2nd Floor
Hauppauge, New York

Department Contact Person
(Name & Phone No.):
Lauretta R. Fischer, Chief Environmental Analyst 3-6044

Suggestion Involves:

____ Technical Amendment

_____ New Program

_____ Grant Award

_____ Contract (New ___ Rev. ___)

___X__Other

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

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –FINK'S COUNTRY FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-115.00-01.00-004.001p/o)

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.

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law ____ Charter Law ____

2. Title of Proposed Legislation

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –FINK'S COUNTRY FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-115.00-01.00-004.001p/o)

3. Purpose of Proposed Legislation

See No. 2 above

4. Will the Proposed Legislation Have a Fiscal Impact? **YES** ___ **NO** **X**

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

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

6. If 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 *Chief Environmental Analyst*		*March 18, 2016*

SCIN FORM 175b (10/95)

3/21/16

2016 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL (I.R.) :

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –FINK'S COUNTRY FARM PROPERTY – TOWN OF RIVERHEAD (SCTM NO. 0600-115.00-01.00-004.001p/o)

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

To commence appraisal steps to purchase the development rights to the Fink's Country Farm Property.

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County's appraisal procedure to acquire the farmland development rights to the Fink's Family Farm property for ultimate inclusion in the Suffolk County New Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER.

JUSTIFICATION:

The Suffolk County Farmland Committee reviewed the received application at its March 17, 2016 meeting and adopted Resolution Number FC-4-2016 approving the parcel(s) recommended, inside the Committee's Bi-Annual review period pursuant to Chapter 8 of the Suffolk County Code, as amended, for consideration by the Suffolk County Legislature.

FISCAL IMPLICATIONS:

Monies would be utilized from a dedicated funding source specifically to acquire Farmland Development Rights: Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 percent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of farmland development rights under Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER.

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

March 18, 2016

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-2016 Appraisal for Farmland PDR – Fink's Country Farm**

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize an appraisal for the purchase of farmland development rights for the Fink's Country Farm property within the Town of Riverhead totaling 10.2 acres. The Fink's Country Farm property was approved by the Suffolk County Farmland Committee at their March 17, 2016 meeting inside its Bi-annual review period pursuant to Chapter 8 of the Suffolk County Code, as amended.

Please contact me, if you require any additional information.

Sincerely,

Sarah Lansdale
Director of Planning

cc: Lisa Santeramo, Assistant Deputy County Executive
Katie Horst, Director, Intergovernmental Relations
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lauretta R. Fischer, Principal Environmental Analyst, Div. of Planning and Environment
Andrew Amakawa, Research Technician, Div. of Planning and Environment
Jason Smagin, Assistant Director, Div. of Real Property Acquisition and Management
Janet Longo, Acquisition Supervisor, Div. of Real Property Acquisition and Management
Robert Braun, Department of Law
CE Reso Review (electronic copy)

Gen E-05

Intro. Res. No. 1320-16

Laid on Table 3/22/16

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. 2014, AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –ISLAND HILLS STABLES PROPERTY – TOWN OF BROOKHAVEN (SCTM NOS. 0200-290.00-01.00-009.000 AND 010.000)

WHEREAS, Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, the Suffolk County Purchase of Development Rights Program was amended in 2013 pursuant to Local Law 44-2013 and as part of said amendments a Bi-Annual Review process was designated in order to maximize Suffolk County's financial resources while preserving its valuable farmland resources; and

WHEREAS, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws ("Chapter 8"), an application was made by Island Hills Stables LLC for the above referenced property to be considered inside the designated Bi-annual review process for inclusion in the Suffolk County Purchase of Development Rights Program; and

WHEREAS, an application was considered by the Suffolk County Farmland Committee at its meeting on March 17, 2016 and adopted Resolution Number FC-5-2016 approving the parcel to be recommended for consideration by the Suffolk County Legislature; and

WHEREAS, Resolution No. 265-2013 established a new three step land acquisition process, the first step being an appraisal of the parcel(s) proposed for acquisition; now, therefore, be it

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" meets the criteria required by the Suffolk County Drinking Water Protection Program for Purchase of Development Rights of Farmland, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER; and, be it further

2nd **RESOLVED**, that such acquisition(s) is(are) to be made in accordance with the procedures set forth in Chapter 8 of the SUFFOLK COUNTY CODE which provided that they be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation(s) of the Suffolk County Farmland Committee; and, be it further

3rd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Economic Development and Planning, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section A35-3(B)(1) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to have the subject parcel(s) appraised; and, be it further

4th **RESOLVED**, that the cost of such appraisal shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

5th **RESOLVED**, that the cost associated with the preparation of a title search, survey, map, or environmental assessment of the subject parcel(s), which may be authorized by a subsequent legislative resolution or procedural motion, shall be paid for from the funds to be appropriated pursuant to Article XII of the SUFFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

6th **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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

EXHIBIT A

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER:
No. 01	District	0200	4.0	Island Hills Stables LLC
	Section	290.00		
	Block	01.00		
	Lot	009.000		
No. 02	District	0200	9.4	Island Hills Stables LLC
	Section	290.00		
	Block	01.00		
	Lot	010.000		
		TOTAL ACRES:	**13.4**	

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. 2nd Floor
Hauppauge, New York

Department Contact Person
(Name & Phone No.):
Lauretta R. Fischer, Chief Environmental Analyst 3-6044

Suggestion Involves:

____ Technical Amendment

_____ New Program

_____ Grant Award

_____ Contract (New ___ Rev. ___)

___X__Other

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

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –ISLAND HILLS STABLES PROPERTY – TOWN OF BROOKHAVEN (SCTM NOS. 0200-290.00-01.00-009.000 AND 010.000)

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.

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –ISLAND HILLS STABLES PROPERTY – TOWN OF BROOKHAVEN (SCTM NOS. 0200-290.00-01.00-009.000 AND 010.000)

3. Purpose of Proposed Legislation

See No. 2 above

4. Will the Proposed Legislation Have a Fiscal Impact? **YES** ___ **NO** **X**

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

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

6. If 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 *Chief Environmental Analyst*		*March 18, 2016*

SCIN FORM 175b (10/95)

Neil Tomer 3/21/16

2016 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL (I.R.) :

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 –ISLAND HILLS STABLES PROPERTY – TOWN OF BROOKHAVEN (SCTM NOS. 0200-290.00-01.00-009.000 AND 010.000)

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

To commence appraisal steps to purchase the development rights to the Island Hills Stables Property.

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County's appraisal procedure to acquire the farmland development rights to the Island Hills Stables LLC property for ultimate inclusion in the Suffolk County New Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER.

JUSTIFICATION:

The Suffolk County Farmland Committee reviewed the received application at its March 17, 2016 meeting and adopted Resolution Number FC-5-2016 approving the parcel(s) recommended, inside the Committee's Bi-Annual review period pursuant to Chapter 8 of the Suffolk County Code, as amended, for consideration by the Suffolk County Legislature.

FISCAL IMPLICATIONS:

Monies would be utilized from a dedicated funding source specifically to acquire Farmland Development Rights: Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 percent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of farmland development rights under Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER.

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

March 18, 2016

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-2016 Appraisal for Farmland PDR – Island Hills Stables**

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize an appraisal for the purchase of farmland development rights for the Island Hills Stables property within the Town of Brookhaven totaling 13.4 acres. The Island Hills Stables property was approved by the Suffolk County Farmland Committee at their March 17, 2016 meeting inside its Bi-annual review period pursuant to Chapter 8 of the Suffolk County Code, as amended.

Please contact me, if you require any additional information.

Sincerely,

Sarah Lansdale
Director of Planning

cc: Lisa Santeramo, Assistant Deputy County Executive
Katie Horst, Director, Intergovernmental Relations
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lauretta R. Fischer, Principal Environmental Analyst, Div. of Planning and Environment
Andrew Amakawa, Research Technician, Div. of Planning and Environment
Jason Smagin, Assistant Director, Div. of Real Property Acquisition and Management
Janet Longo, Acquisition Supervisor, Div. of Real Property Acquisition and Management
Robert Braun, Department of Law
CE Reso Review (electronic copy)

Gen E-06

Intro. Res. No. 1321-16

Laid on Table 3/22/16

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. 2014, AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – NUNS OF THE ORDER OF ST. DOMINIC FARM PROPERTY – TOWN OF BABYLON (SCTM NOS. 0100-203.00-01.00-004.000p/o, 005.000p/o AND 006.000p/o)

WHEREAS, Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, the Suffolk County Purchase of Development Rights Program was amended in 2013 pursuant to Local Law 44-2013 and as part of said amendments a Bi-Annual Review process was designated in order to maximize Suffolk County's financial resources while preserving its valuable farmland resources; and

WHEREAS, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws ("Chapter 8"), an application was made by Nuns of the Order of St. Dominic for the above referenced property to be considered inside the designated Bi-annual review process for inclusion in the Suffolk County Purchase of Development Rights Program; and

WHEREAS, an application was considered by the Suffolk County Farmland Committee at its meeting on March 17, 2016 and adopted Resolution Number FC-6-2016 approving the parcel to be recommended for consideration by the Suffolk County Legislature; and

WHEREAS, Resolution No. 265-2013 established a new three step land acquisition process, the first step being an appraisal of the parcel(s) proposed for acquisition; now, therefore, be it

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" meets the criteria required by the Suffolk County Drinking Water Protection Program for Purchase of Development Rights of Farmland, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER; and, be it further

2nd **RESOLVED**, that such acquisition(s) is(are) to be made in accordance with the procedures set forth in Chapter 8 of the SUFFOLK COUNTY CODE which provided that they be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation(s) of the Suffolk County Farmland Committee; and, be it further

3rd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Economic Development and Planning, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section A35-3(B)(1) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to have the subject parcel(s) appraised; and, be it further

4th **RESOLVED**, that the cost of such appraisal shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

5th **RESOLVED**, that the cost associated with the preparation of a title search, survey, map, or environmental assessment of the subject parcel(s), which may be authorized by a subsequent legislative resolution or procedural motion, shall be paid for from the funds to be appropriated pursuant to Article XII of the SUFFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

6th **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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

EXHIBIT A

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER:
No. 01	District Section Block Lot	0100 203.00 01.00 004.000p/o	17.5 out of 29.2	Nuns of the Order of St. Dominic
No. 02	District Section Block Lot	0100 203.00 01.00 005.000p/o		Nuns of the Order of St. Dominic
No. 03	District Section Block Lot	0100 203.00 01.00 006.000p/o		Nuns of the Order of St. Dominic

TOTAL ACRES: 17.5

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. 2nd Floor
Hauppauge, New York

Department Contact Person
(Name & Phone No.):
Lauretta R. Fischer, Chief Environmental Analyst 3-6044

Suggestion Involves:

____ Technical Amendment

_____ New Program

_____ Grant Award

_____ Contract (New ___ Rev. ___)

___X__Other

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

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – NUNS OF THE ORDER OF ST. DOMINIC FARM PROPERTY – TOWN OF BABYLON (SCTM NOS. 0100-203.00-01.00-004.000p/o, 005.000p/o AND 006.000p/o)

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.

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law ____ Charter Law ____

2. Title of Proposed Legislation

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – NUNS OF THE ORDER OF ST. DOMINIC FARM PROPERTY – TOWN OF BABYLON (SCTM NOS. 0100-203.00-01.00-004.000p/o, 005.000p/o AND 006.000p/o)

3. Purpose of Proposed Legislation

See No. 2 above

4. Will the Proposed Legislation Have a Fiscal Impact? **YES** ___ **NO** **X**

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

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

6. If 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 ***Chief Environmental Analyst***		***March 18, 2016***

SCIN FORM 175b (10/95)

3/21/16

2016 INTERGOVERNMENTAL RELATIONS
MEMORANDUM OF SUPPORT

TITLE OF BILL (I.R.) :

AUTHORIZING AN APPRAISAL FOR THE PURCHASE OF DEVELOPMENT RIGHTS OF FARMLAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – NUNS OF THE ORDER OF St. DOMINIC FARM PROPERTY – TOWN OF BABYLON (SCTM NOS. 0100-203.00-01.00-004.000p/o, 005.000p/o AND 006.000p/o)

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

To commence appraisal steps to purchase the development rights to the Nuns of the Order of St. Dominic Farm Property.

SUMMARY OF SPECIFIC PROVISIONS:

This legislation is being submitted in order to initiate the County's appraisal procedure to acquire the farmland development rights to the Nuns of the Order of St. Dominic Farm property for ultimate inclusion in the Suffolk County New Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER.

JUSTIFICATION:

The Suffolk County Farmland Committee reviewed the received application at its March 17, 2016 meeting and adopted Resolution Number FC-6-2016 approving the parcel(s) recommended, inside the Committee's Bi-Annual review period pursuant to Chapter 8 of the Suffolk County Code, as amended, for consideration by the Suffolk County Legislature.

FISCAL IMPLICATIONS:

Monies would be utilized from a dedicated funding source specifically to acquire Farmland Development Rights: Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 percent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of farmland development rights under Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER.

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

March 18, 2016

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-2016 Appraisal for Farmland PDR – Nuns of of the Order of St. Dominic Farm**

Dear Mr. Schneider:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize an appraisal for the purchase of farmland development rights for the Order of the Nuns of St. Dominic Farm property within the Town of Babylon totaling 17.5 acres. The Order of the Nuns of St. Dominic Farm property was approved by the Suffolk County Farmland Committee at their March 17, 2016 meeting inside its Bi-annual review period pursuant to Chapter 8 of the Suffolk County Code, as amended.

Please contact me, if you require any additional information.

Sincerely,

Sarah Lansdale
Director of Planning

cc: Lisa Santeramo, Assistant Deputy County Executive
Katie Horst, Director, Intergovernmental Relations
Joanne Minieri, Deputy County Executive and Commissioner, EDP
Lauretta R. Fischer, Principal Environmental Analyst, Div. of Planning and Environment
Andrew Amakawa, Research Technician, Div. of Planning and Environment
Jason Smagin, Assistant Director, Div. of Real Property Acquisition and Management
Janet Longo, Acquisition Supervisor, Div. of Real Property Acquisition and Management
Robert Braun, Department of Law
CE Reso Review (electronic copy)

1322

Intro. Res. No. -2016 Laid on Table 3/22/16

Introduced by Legislator Calarco

RESOLUTION NO. - 2016, ADOPTING LOCAL LAW NO. - 2016, A LOCAL LAW TO FURTHER INCENTIVIZE THE CREATION OF AFFORDABLE HOUSING

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 FURTHER INCENTIVIZE THE CREATION OF AFFORDABLE HOUSING**"; 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 FURTHER INCENTIVIZE THE CREATION OF AFFORDABLE HOUSING

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 lack of affordable housing is an impediment to economic growth in the County of Suffolk.

This Legislature further finds that the County of Suffolk has strived to create incentives that lead to the creation of affordable housing by private developers and not-for-profit agencies.

This Legislature determines that Local Law No. 20-2007 created such an incentive by providing that no residential development outside the geographical boundaries of as sewer district would be permitted to connect to such district unless 20% of the development units were affordable.

This Legislature finds that the County can and should strengthen affordable housing incentives by offering a reduction in sewer connection fees, commensurate with the number of affordable housing units being created.

Therefore, the purpose of this law is to reduce connection fees, on a sliding scale basis, for residential housing developments located outside the geographical boundaries of a sewer district that connect to such sewer district.

Section 2. Amendments.

Section 740-45 of the SUFFOLK COUNTY CODE is hereby amended as follows:

§ 740-45. Connection by premises outside district.

* * * *

C. Affordable housing considerations.

1. No contract between the Administrator and an applicant from outside the geographical boundaries of a district may be entered into unless, in the case of a residential housing development or a development that includes a residential component, which consists of 10 or more units only, the housing development or component is comprised of no less than [20]15% of units that are set aside for homebuyers or renters whose income does not exceed 120% of the HUD-established median income limit for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size.

* * * *

4. The normal connection fee for a residential housing development which satisfies these affordable housing requirements, set forth herein, shall be reduced in accordance with the following schedule:

Percentage of Development Units that are Affordable	**Reduction in Connection Fee**
20%	20%
25%	50%
30%	60%
35%	70%
40%	80%
45%	90%
50% and above	100%

Section 3. Applicability.

This law shall apply to residential housing projects that apply to connect to a County sewer district pursuant to § 740-45 of the SUFFOLK COUNTY CODE 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 on January 1, 2017.

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\l-affordable housing connection fee schedule

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: **MARCH 22, 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 FURTHER INCENTIVIZE THE CREATION OF AFFORDABLE HOUSING**

SPONSOR: **LEGISLATOR CALARCO**

DATE OF RECEIPT BY COUNSEL: 3/15/2016 **PUBLIC HEARING:** 4/12/2016

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

Under current local law, no proposed residential housing development (consisting of ten or more units) located outside the boundaries of a County sewer district may connect to the sewer district unless 20% of the units are affordable.[1] This proposed local law would reduce the affordability threshold to 15%, i.e. 15% of the total units would have to be affordable before a sewer connection could be approved by the Sewer Agency and the County Legislature.

In addition, this law would reduce the normal fee for residential housing developments connecting to a County sewer district (calculated under a formula set forth in Section 740-38 of the Suffolk County Code) based on the number of affordable units in the development. The fee reduction would range from 20% (when 20% of the units are affordable) to 100% (when 50% or more of the units are affordable).

This law will take effect on January 1, 2017 and apply to residential projects that apply to connect to a sewer district on or after that date.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-sewer fees affordable housing

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[1] The units must be set aside for homebuyers or renters whose income does not exceed 120% as the HUD-established median income limit for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size.

Home Rule Message No. 2-2016 Laid on Table 3/22/2016
Introduced by Legislator Stern

HOME RULE MESSAGE REQUESTING THE STATE OF NEW YORK TO DISCONTINUE USE OF CERTAIN LAND FOR PARK PURPOSES (SENATE BILL S.06873 AND ASSEMBLY BILL A.02223)

WHEREAS, Suffolk County acquired certain property in 1957 known as the Elwood School House, located in the Town of Huntington and designated as Suffolk County Tax Map as 0400-170.00-03.00-027.000, which was dedicated as parkland and is an historic structure; and

WHEREAS, the Elwood School House has remained vacant for some time and is in need of repair and restoration consistent with the Historic Trust Manual; and

WHEREAS, the Elwood Library District has proposed to acquire, restore and repair the Elwood School House so it may use the property for its library purposes; and

WHEREAS, in order to proceed with the library district's proposal, the County must seek the permission of the New York State Legislature, as the proposed use is not consistent with parkland use; and

WHEREAS, Suffolk County must obtain State authorization for the discontinuance of the use of parkland and its sale to the Elwood Library District; and

WHEREAS, Suffolk County must offer substitution lands to be dedicated as parkland; now, therefore, be it

1st **RESOLVED,** that this Legislature hereby requests the State of New York to enact Senate Bill No. S.06873 and Assembly Bill No. A.02223, to authorize the County of Suffolk to discontinue as parkland the lands known as the Elwood School House property as described herein, and convey said property to the Elwood Library District upon the condition that the County of Suffolk acquire and dedicate lands of equal or greater fair market value as additional parkland; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Andrew M. Cuomo; to the Majority Leader of the New York State Senate John Flanagan; to the Speaker of the New York State Assembly Carl Heastie; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

s:/homerules/discontinue-use-certain-land-park-purposes

Home Rule Message No. 2-2016 Laid on Table 3/22/2016
Introduced by Legislator Stern

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DATED:

s:/homerules/discontinue-use-certain-land-park-purposes

S06873 Text:

STATE OF NEW YORK

6873

IN SENATE

March 2, 2016

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT authorizing the county of Suffolk to alienate certain parcels of land used as parkland and to acquire other parcels of land to replace such parkland

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subject to the provisions of this act, the county of Suffolk, acting by and through its governing body, is hereby authorized to discontinue as parklands and alienate the lands more particularly described in section three of this act, and to sell and convey such parklands at fair market value and upon such other terms and conditions as determined by the governing body of Suffolk County to the Elwood Public Library.

§ 2. The authorization contained in section one of this act shall take effect only upon the condition that the county of Suffolk shall acquire and dedicate the lands of equal or greater fair market value described in section four of this act as additional parklands of the county.

§ 3. The lands authorized by section one of this act to be discontinued as parklands and conveyed to the Elwood Public Library consist of 1.2 acres and are described as follows:

BEGINNING at a point on the westerly side of Cuba Hill Road distant, 187.00 Feet southerly as measured along the westerly side of Cuba Hill Road from the extreme southerly end of the arc of a curve which connects the southerly side of Elbormar Drive with the westerly side of Cuba Hill Road.

RUNNING THENCE South 12 degrees 38 minutes 40 seconds East along the westerly side of Cuba Hill Road, 6.90 Feet to a point;

THENCE South 20 degrees 26 minutes 00 seconds East, still along the westerly side of Cuba Hill Road, 91.57 Feet to land now or formerly of Sisters of St. Benedict;

THENCE the following two (2) courses and distances along last mentioned land:

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD04615-04-6

1. South 85 degrees 53 minutes 40 seconds West, 227.95 Feet to a point;

2. South 86 degrees 16 minutes 00 seconds West, 329.76 Feet to the southeast corner of Lot No. 9, as shown on a certain map entitled, "Map of Elbormar" and filed in the Suffolk County Clerk's Office on 5/16/1947 as Map No. 1543;

THENCE the following two (2) courses and distances along Lot No. 9, No. 10 and No. 11 as shown on aforesaid map;

1. North 6 degrees 45 minutes 40 seconds West, 101.66 Feet to a point;

2. North 86 degrees 51 minutes 20 seconds East, 535.71 Feet to the westerly side of Cuba Hill Road at the point or place of BEGINNING.

§ 4. The county of Suffolk, acting by and through its governing body, shall dedicate the replacement lands, being of equal or greater fair market value, for use as parkland for public park purposes consisting of 44.38 acres described as follows:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Mt. Sinai, Town of Brookhaven, County of Suffolk and State of New York being more particularly bounded and described as follows:

BEGINNING at a monument on the southerly side of Bayview Avenue (Old Post Lane) where the same is intersected by the easterly line of lands of the order of Poor Brethren of St. Francis, now known as the Society of St. Francis, American Province, Inc. and the westerly side of the premises herein described;

RUNNING THENCE from said point and place of beginning along the southerly side of Bayview Avenue (Old Post Lane) the following three (3) courses and distances;

1) North 74 degrees 51 minutes 00 seconds east a distance of 98.00 feet;

2) South 72 degrees 07 minutes 10 seconds east a distance of 52.09 feet;

3) South 28 degrees 48 minutes 00 seconds east a distance of 35.87 feet to lands now or formerly of Salmon;

THENCE along land of Salmon, along land now or formerly of Takach and lands now or formerly of Kowaleski the following four (4) courses and distances;

1) South 20 degrees 56 minutes 26 seconds west a distance of 300.41 feet;

2) South 28 degrees 50 minutes 38 seconds east a distance of 446.83 feet;

3) South 42 degrees 53 minutes 14 seconds east a distance of 90.60 feet;

4) North 42 degrees 40 minutes 00 seconds east a distance of 36.05 feet to lands now or formerly of Brazier family 2009 irrevocable trust;

THENCE along said last mentioned land, along lands now or formerly of Scaglione and lands now or formerly of Daddino the following five (5) courses and distances;

1) South 33 degrees 10 minutes 00 seconds east a distance of 64.30 feet;

2) South 8 degrees 31 minutes 00 seconds east a distance of 68.50 feet;

3) South 12 degrees 13 minutes 00 seconds east a distance of 82.00 feet;

4) South 22 degrees 53 minutes 00 seconds east a distance of 145.70 feet;

5) South 31 degrees 00 minutes 00 seconds east a distance of 121.40 feet to lands now or formerly of Jean M. Caliguri living trust;

THENCE still along lands now or formerly of Jean M. Caliguri living trust and lands now or formerly of Alfano, lands now or formerly of Varland, lands now or formerly of Coleman, lands now or formerly of Spero and lands now or formerly of Hecht, the following seven (7) courses and distances;

1) South 66 degrees 06 minutes 00 seconds west a distance of 135.00 feet;

2) South 66 degrees 16 minutes 00 seconds west a distance of 97.78 feet;

3) South 61 degrees 33 minutes 00 seconds west a distance of 138.70 feet;

4) South 60 degrees 16 minutes 00 seconds west a distance of 131.65 feet;

5) South 51 degrees 05 minutes 00 seconds west a distance of 56.20 feet;

6) South 72 degrees 31 minutes 00 seconds west a distance of 168.20 feet;

7) South 83 degrees 03 minutes 00 seconds west a distance of 93.50 feet to a point;

THENCE still along lands now or formerly of Hecht and lands of others the following eight (8) courses and distances to a point and the northwesterly line of Shore Road west;

1) South 00 degrees 00 minutes 56 seconds east a distance of 356.36 feet;

2) South 13 degrees 18 minutes 00 seconds west a distance of 78.50 feet;

3) South 26 degrees 55 minutes 00 seconds west a distance of 44.57 feet;

4) North 67 degrees 32 minutes 00 seconds west a distance of 80.20 feet;

5) North 73 degrees 22 minutes 00 seconds west a distance of 88.30 feet;

6) South 27 degrees 46 minutes 00 seconds east a distance of 209.30 feet;

7) South 58 degrees 49 minutes 00 seconds west a distance of 260.40 feet;

8) South 19 degrees 32 minutes 00 seconds east a distance of 209.84 feet;

THENCE along the northwesterly line of shore road west, south 46 degrees 10 minutes 00 seconds west a distance of 61.36 feet to a monument and lands now or formerly of Herwerth; thence along lands now or formerly of Herwerth the following three (3) courses and distances;

1) North 65 degrees 12 minutes 00 seconds west a distance of 121.72 feet;

2) North 65 degrees 47 minutes 00 seconds west a distance of 136.10 feet;

3) North 72 degrees 12 minutes 00 seconds west a distance of 65.12 feet to lands know or formerly of Bruni;

THENCE along lands now or formerly of Bruni and lands of other the following four (4) courses and distances;

1) North 66 degrees 22 minutes 00 seconds west a distance of 149.70 feet;

2) North 67 degrees 24 minutes 00 seconds west a distance of 131.45 feet;

3) North 65 degrees 33 minutes 00 seconds west a distance of 129.50 feet;

4) North 68 degrees 12 minutes 00 seconds west a distance of 178.40 feet to the easterly line of "map of Mt. Sinai Hills section 3", filed in the office of the Suffolk County Clerk as map no. 8071;

THENCE along the Easterly line of said map the following six (6) courses and distances;

1) North 05 degrees 54 minutes 00 seconds west a distance of 100.00 feet;

2) North 07 degrees 29 minutes 00 seconds west a distance of 140.80 feet;

3) North 05 degrees 55 minutes 00 seconds east a distance of 29.20 feet;

4) North 21 degrees 03 minutes 00 seconds east a distance of 104.20 feet;

5) North 20 degrees 19 minutes 00 seconds east a distance of 177.50 feet;

6) North 18 degrees 42 minutes 00 seconds east a distance of 236.80 feet to a monument and lands now or formerly of Society of St. Francis, American Province, Inc.;

THENCE along lands now or formerly of Society of St. Francis, American Province, Inc. the following sixteen (16) courses and distances;

1) South 87 degrees 00 minutes 00 seconds east a distance of 199.90 feet;

2) South 82 degrees 38 minutes 00 seconds east a distance of 58.00 feet;

3) South 87 degrees 32 minutes 00 seconds east a distance of 230.60 feet;

4) North 3 degrees 58 minutes 00 seconds west a distance of 104.30 feet;

5) North 26 degrees 21 minutes 00 seconds east a distance of 98.20 feet;

6) North 0 degrees 45 minutes 00 seconds east a distance of 127.90 feet;

7) North 8 degrees 10 minutes 00 seconds east a distance of 133.70 feet;

8) North 87 degrees 54 minutes 00 seconds east a distance of 110.00 feet;

9) North 9 degrees 55 minutes 00 seconds east a distance of 367.01 feet;

10) South 82 degrees 44 minutes 00 seconds east a distance of 12.00 feet;

11) North 31 degrees 50 minutes 00 seconds east a distance of 35.00 feet;

12) North 59 degrees 55 minutes 00 seconds east a distance of 48.50 feet;

13) South 89 degrees 30 minutes 00 seconds east a distance of 112.20 feet;

14) North 20 degrees 08 minutes 00 seconds east a distance of 207.75 feet;

15) North 36 degrees 57 minutes 00 seconds east a distance of 348.00 feet;

16) North 13 degrees 55 minutes 00 seconds east a distance of 46.44 feet to the point and place of BEGINNING.

§ 5. In the event that the parklands to be dedicated by the county of Suffolk pursuant to this act are not equal to or greater than the fair

market value of the parkland to be discontinued and conveyed, the county of Suffolk shall dedicate the difference of the fair market value of the lands to be alienated and the lands to be dedicated for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facilities.

§ 6. In the event that the county of Suffolk received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland authorized by the provisions of section three of this act shall not occur until the county of Suffolk has complied with any federal requirements pertaining to the alienation or conversion of such parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 7. This act shall take effect immediately.

A02223 Text:

STATE OF NEW YORK

2223--A

2015-2016 Regular Sessions

IN ASSEMBLY

January 15, 2015

Introduced by M. of A. LUPINACCI -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the county of Suffolk to alienate certain parcels of land used as parkland and to acquire other parcels of land to replace such parkland

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subject to the provisions of this act, the county of Suffolk, acting by and through its governing body, is hereby authorized to discontinue as parklands and alienate the lands more particularly described in section three of this act, and to sell and convey such parklands at fair market value and upon such other terms and conditions as determined by the governing body of Suffolk County to the Elwood Public Library.

§ 2. The authorization contained in section one of this act shall take effect only upon the condition that the county of Suffolk shall acquire and dedicate the lands of equal or greater fair market value described in section four of this act as additional parklands of the county.

§ 3. The lands authorized by section one of this act to be discontinued as parklands and conveyed to the Elwood Public Library consist of 1.2 acres and are described as follows:

BEGINNING at a point on the westerly side of Cuba Hill Road distant, 187.00 Feet southerly as measured along the westerly side of Cuba Hill Road from the extreme southerly end of the arc of a curve which connects the southerly side of Elbormar Drive with the westerly side of Cuba Hill Road.

RUNNING THENCE South 12 degrees 38 minutes 40 seconds East along the westerly side of Cuba Hill Road, 6.90 Feet to a point;

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD04615-02-5

THENCE South 20 degrees 26 minutes 00 seconds East, still along the westerly side of Cuba Hill Road, 91.57 Feet to land now or formerly of Sisters of St. Benedict;

THENCE the following two (2) courses and distances along last mentioned land:

1. South 85 degrees 53 minutes 40 seconds West, 227.95 Feet to a point;

2. South 86 degrees 16 minutes 00 seconds West, 329.76 Feet to the southeast corner of Lot No. 9, as shown on a certain map entitled, "Map of Elbormar" and filed in the Suffolk County Clerk's Office on 5/16/1947 as Map No. 1543;

THENCE the following two (2) courses and distances along Lot No. 9, No. 10 and No. 11 as shown on aforesaid map;

1. North 6 degrees 45 minutes 40 seconds West, 101.66 Feet to a point;

2. North 86 degrees 51 minutes 20 seconds East, 535.71 Feet to the westerly side of Cuba Hill Road at the point or place of BEGINNING.

§ 4. The county of Suffolk, acting by and through its governing body, shall dedicate the replacement lands, being of equal or greater fair market value, for use as parkland for public park purposes consisting of 44.38 acres described as follows:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Mt. Sinai, Town of Brookhaven, County of Suffolk and State of New York being more particularly bounded and described as follows:

BEGINNING at a monument on the southerly side of Bayview Avenue (Old Post Lane) where the same is intersected by the easterly line of lands of the order of Poor Brethren of St. Francis, now known as the Society of St. Francis, American Province, Inc. and the westerly side of the premises herein described;

RUNNING THENCE from said point and place of beginning along the southerly side of Bayview Avenue (Old Post Lane) the following three (3) courses and distances;

1) North 74 degrees 51 minutes 00 seconds east a distance of 98.00 feet;

2) South 72 degrees 07 minutes 10 seconds east a distance of 52.09 feet;

3) South 28 degrees 48 minutes 00 seconds east a distance of 35.87 feet to lands now or formerly of Salmon;

THENCE along land of Salmon, along land now or formerly of Takach and lands now or formerly of Kowaleski the following four (4) courses and distances;

1) South 20 degrees 56 minutes 26 seconds west a distance of 300.41 feet;

2) South 28 degrees 50 minutes 38 seconds east a distance of 446.83 feet;

3) South 42 degrees 53 minutes 14 seconds east a distance of 90.60 feet;

4) North 42 degrees 40 minutes 00 seconds east a distance of 36.05 feet to lands now or formerly of Brazier family 2009 irrevocable trust;

THENCE along said last mentioned land, along lands now or formerly of Scaglione and lands now or formerly of Daddino the following five (5) courses and distances;

1) South 33 degrees 10 minutes 00 seconds east a distance of 64.30 feet;

2) South 8 degrees 31 minutes 00 seconds east a distance of 68.50 feet;

3) South 12 degrees 13 minutes 00 seconds east a distance of 82.00 feet;
4) South 22 degrees 53 minutes 00 seconds east a distance of 145.70 feet;
5) South 31 degrees 00 minutes 00 seconds east a distance of 121.40 feet to lands now or formerly of Jean M. Caliguri living trust;
THENCE still along lands now or formerly of Jean M. Caliguri living trust and lands now or formerly of Alfano, lands now or formerly of Varland, lands now or formerly of Coleman, lands now or formerly of Spero and lands now or formerly of Hecht, the following seven (7) courses and distances;
1) South 66 degrees 06 minutes 00 seconds west a distance of 135.00 feet;
2) South 66 degrees 16 minutes 00 seconds west a distance of 97.78 feet;
3) South 61 degrees 33 minutes 00 seconds west a distance of 138.70 feet;
4) South 60 degrees 16 minutes 00 seconds west a distance of 131.65 feet;
5) South 51 degrees 05 minutes 00 seconds west a distance of 56.20 feet;
6) South 72 degrees 31 minutes 00 seconds west a distance of 168.20 feet;
7) South 83 degrees 03 minutes 00 seconds west a distance of 93.50 feet to a point;
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2) South 13 degrees 18 minutes 00 seconds west a distance of 78.50 feet;
3) South 26 degrees 55 minutes 00 seconds west a distance of 44.57 feet;
4) North 67 degrees 32 minutes 00 seconds west a distance of 80.20 feet;
5) North 73 degrees 22 minutes 00 seconds west a distance of 88.30 feet;
6) South 27 degrees 46 minutes 00 seconds east a distance of 209.30 feet;
7) South 58 degrees 49 minutes 00 seconds west a distance of 260.40 feet;
8) South 19 degrees 32 minutes 00 seconds east a distance of 209.84 feet;
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2) North 65 degrees 47 minutes 00 seconds west a distance of 136.10 feet;
3) North 72 degrees 12 minutes 00 seconds west a distance of 65.12 feet to lands know or formerly of Bruni;
THENCE along lands now or formerly of Bruni and lands of other the following four (4) courses and distances;

1) North 66 degrees 22 minutes 00 seconds west a distance of 149.70 feet;
2) North 67 degrees 24 minutes 00 seconds west a distance of 131.45 feet;
3) North 65 degrees 33 minutes 00 seconds west a distance of 129.50 feet;
4) North 68 degrees 12 minutes 00 seconds west a distance of 178.40 feet to the easterly line of "map of Mt. Sinai Hills section 3", filed in the office of the Suffolk County Clerk as map no. 8071;

THENCE along the Easterly line of said map the following six (6) courses and distances;

1) North 05 degrees 54 minutes 00 seconds west a distance of 100.00 feet;
2) North 07 degrees 29 minutes 00 seconds west a distance of 140.80 feet;
3) North 05 degrees 55 minutes 00 seconds east a distance of 29.20 feet;
4) North 21 degrees 03 minutes 00 seconds east a distance of 104.20 feet;
5) North 20 degrees 19 minutes 00 seconds east a distance of 177.50 feet;
6) North 18 degrees 42 minutes 00 seconds east a distance of 236.80 feet to a monument and lands now or formerly of Society of St. Francis, American Province, Inc.;

THENCE along lands now or formerly of Society of St. Francis, American Province, Inc. the following sixteen (16) courses and distances;

1) South 87 degrees 00 minutes 00 seconds east a distance of 199.90 feet;
2) South 82 degrees 38 minutes 00 seconds east a distance of 58.00 feet;
3) South 87 degrees 32 minutes 00 seconds east a distance of 230.60 feet;
4) North 3 degrees 58 minutes 00 seconds west a distance of 104.30 feet;
5) North 26 degrees 21 minutes 00 seconds east a distance of 98.20 feet;
6) North 0 degrees 45 minutes 00 seconds east a distance of 127.90 feet;
7) North 8 degrees 10 minutes 00 seconds east a distance of 133.70 feet;
8) North 87 degrees 54 minutes 00 seconds east a distance of 110.00 feet;
9) North 9 degrees 55 minutes 00 seconds east a distance of 367.01 feet;
10) South 82 degrees 44 minutes 00 seconds east a distance of 12.00 feet;
11) North 31 degrees 50 minutes 00 seconds east a distance of 35.00 feet;
12) North 59 degrees 55 minutes 00 seconds east a distance of 48.50 feet;
13) South 89 degrees 30 minutes 00 seconds east a distance of 112.20 feet;
14) North 20 degrees 08 minutes 00 seconds east a distance of 207.75 feet;
15) North 36 degrees 57 minutes 00 seconds east a distance of 348.00 feet;

16) North 13 degrees 55 minutes 00 seconds east a distance of 46.44 feet to the point and place of BEGINNING.

§ 5. In the event that the parklands to be dedicated by the county of Suffolk pursuant to this act are not equal to or greater than the fair market value of the parkland to be discontinued and conveyed, the county of Suffolk shall dedicate the difference of the fair market value of the lands to be alienated and the lands to be dedicated for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facilities.

§ 6. In the event that the county of Suffolk received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland authorized by the provisions of section three of this act shall not occur until the county of Suffolk has complied with any federal requirements pertaining to the alienation or conversion of such parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 7. This act shall take effect immediately.