

Introduced by Presiding Officer Gregory

Laid on Table 6/1/2016

**MOTION NO. 6-2016, PROCEDURAL RESOLUTION  
APPORTIONING MORTGAGE TAX BY: COUNTY  
COMPTROLLER**

**1<sup>st</sup>** **RESOLVED**, that the joint reports of the Recording Officer and the County Comptroller as filed with this Legislature on May 19, 2016 relative to the distribution of mortgage taxes for the three month period ending March 31, 2016, be accepted and that the amounts specified therein as Exhibit "A" be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

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

DATED:

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

EXHIBIT A

OFFICE OF THE COUNTY LEGISLATURE  
Riverhead, New York

TO THE COMPTROLLER OF SUFFOLK COUNTY:

Pursuant to the authority conferred by Section 261 of the New York State Tax Law and a resolution adopted this day relative to the distribution of the mortgage taxes to the several tax districts of this County of the three month period ending March 31, 2016, the County Legislature of this County this day assembled hereby directs you to pay the Supervisors of the several Towns and to the Treasurers of the several villages, as herein after specified, such sums as are listed in the schedule following:

<b>To the Supervisors of the Towns of:</b>	
Babylon	\$1,128,184.13
Brookhaven	2,735,594.54
East Hampton	1,304,767.46
Huntington	1,753,351.44
Islip	1,977,079.57
Riverhead	274,317.97
Shelter Island	75,497.10
Smithtown	876,543.32
Southampton	2,323,528.24
Southold	277,912.38
<b>TOTAL TOWNS</b>	<u>\$12,726,776.15</u>

**To the Treasurers of the Village of:**

Amityville	\$36,312.94
Babylon	47,477.25
Lindenhurst	74,532.49
Belle Terre	7,456.34
Bellport	13,116.43
Lake Grove	42,455.12
Mastic Beach	28,356.50
Old Field	11,331.98
Patchogue	30,294.33
Poquott	5,592.25
Port Jefferson	72,289.33
Shoreham	3,014.39
East Hampton	162,849.39
Sag Harbor	17,598.31
Asharoken	6,836.88
Huntington Bay	10,783.49
Lloyd Harbor	35,567.18
Northport	27,387.86
Brightwaters	14,289.36
Islandia	26,290.95
Ocean Beach	10,239.89
Saltaire	11,106.47
Dering Harbor	1,527.32
Head of the Harbor	10,908.44
Nissequogue	14,018.76
Village of the Branch	9,311.84
North Haven	43,412.11
Quogue	82,404.85
Sagaponack	122,562.32
Sag Harbor	32,923.62
Southampton	305,151.26
Westhampton Beach	70,503.13
Westhampton Dunes	13,659.29
Greenport	6,512.18
<b>TOTAL VILLAGES</b>	<b>\$1,408,074.25</b>

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**GRAND TOTAL** **\$14,134,850.40**

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**Presiding Officer, County Legislature**

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**Clerk, County Legislature**

DATED:

**PROCEDURAL MOTION NO. 7-2016, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT – HOME RESCUE SOLUTIONS LIMITED (SCTM NO. 1000-059.00-10.00-002.000)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, Home Rescue Solutions Limited, the applicant, submitted one (1) parcel for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On April 28, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the inclusion of this new parcel into the existing certified Agricultural District in the Town of Southold – (Home Rescue Solutions Limited – SCTM No. 1000-059.00-10.00-002.000); and

**WHEREAS**, the existing Agricultural District will increase by 7.9 acres in the Town of Southold; now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Southold. (Reference Introductory Resolution No. 1517-2016)

DATED:

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

**PROCEDURAL MOTION NO. 8-2016, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT – THRESHOLD BLUE INC. (SCTM NO. 1000-063.00-02.00-006.002)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, Threshold Blue Inc., the applicant, submitted one (1) parcel for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On April 28, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the inclusion of this new parcel into the existing certified Agricultural District in the Town of Southold – (Threshold Blue Inc. – SCTM No. 1000-063.00-02.00-006.002); and

**WHEREAS**, the existing Agricultural District will increase by 7.1 acres in the Town of Southold; now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Southold. (Reference Introductory Resolution No. 1518-2016)

DATED:

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

**PROCEDURAL MOTION NO. 9-2016, TO SET A PUBLIC HEARING FOR THE PROPOSED INCLUSION OF A PARCEL INTO AN EXISTING AGRICULTURAL DISTRICT – KURT & SUSAN MEYER (SCTM NO. 0802-010.00-04.00-008.000)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, Kurt & Susan Meyer, the applicant, submitted a parcel of 7.6 acres for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On April 28, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the disapproval of this parcel from inclusion into the existing certified Agricultural District in the Town of Smithtown – (Kurt & Susan Meyer – SCTM No. 0802-010.00-04.00-008.000); now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Smithtown. (Reference Introductory Resolution No. 1519-2016)

DATED:

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

**PROCEDURAL MOTION NO. 10-2016, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT – SOUTH COUNTRY FARMS, LLC (SCTM NO. 0200-976.10-03.00-027.002)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, South Country Farms, LLC, the applicant, submitted one (1) parcel for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On April 28, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the inclusion of this new parcel into the existing certified Agricultural District in the Town of Brookhaven – (South Country Farms, LLC – SCTM No. 0200-976.10-03.00-027.002); and

**WHEREAS**, the existing Agricultural District will increase by 26.9 acres in the Town of Brookhaven; now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Brookhaven. (Reference Introductory Resolution No. 1520-2016)

DATED:

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

**PROCEDURAL MOTION NO. 11-2016, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT – AGRITURISMO SANNINO, LLC (SCTM NO. 1000-101.00-01.00-014.006)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, Agriturismo Sannino, LLC, the applicant, submitted one (1) parcels for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On April 28, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the inclusion of this new parcel into the existing certified Agricultural District in the Town of Southold – (Agriturismo Sannino, LLC – SCTM No. 1000-101.00-01.00-014.006); and

**WHEREAS**, the existing Agricultural District will increase by 3.7 acres in the Town of Southold; now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Southold. (Reference Introductory Resolution No. 1521-2016)

DATED:

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

**PROCEDURAL MOTION NO. 12-2016, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT – MF LK HOLDINGS, LLC (SCTM NO. 0600-021.00-01.00-003.000)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, MF LK Holdings, LLC, the applicant, submitted one (1) parcel for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On April 28, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the inclusion of this new parcel into the existing certified Agricultural District in the Town of Riverhead – (MF LK Holdings, LLC – SCTM No. 0600-021.00-01.00-003.000); and

**WHEREAS**, the existing Agricultural District will increase by 4.2 acres in the Town of Riverhead; now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Riverhead. (Reference Introductory Resolution No. 1522-2016)

DATED:

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

**PROCEDURAL MOTION NO. 13-2016, TO SET A PUBLIC HEARING FOR THE PROPOSED INCLUSION OF A PARCEL INTO AN EXISTING AGRICULTURAL DISTRICT – TIMBER GARDENS, LLC (SCTM NO. 0600-066.00-01.00-017.007)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, Timber Gardens, LLC, the applicant, submitted a parcel of 5.8 acres for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On April 28, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the disapproval of this parcel from inclusion into the existing certified Agricultural District in the Town of Riverhead – (Timber Gardens, LLC – SCTM No. 0600-066.00-01.00-017.007); now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Riverhead. (Reference Introductory Resolution No. 1523-2016)

DATED:

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

**PROCEDURAL MOTION NO. 14-2016, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT – LAURA MCCARTHY (SCTM NO. 1001-007.00-03.00-019.003)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, Laura McCarthy, the applicant, submitted one (1) parcel for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On April 28, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the inclusion of this new parcel into the existing certified Agricultural District in the Town of Southold – (Laura McCarthy – SCTM No. 1001-007.00-03.00-019.003); and

**WHEREAS**, the existing Agricultural District will increase by 0.97 acres in the Town of Southold; now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Southold. (Reference Introductory Resolution No. 1524-2016)

DATED:

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

**PROCEDURAL MOTION NO. 15-2016, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT – MEADOR LAND COMPANY, LLC (SCTM NO. 1000-055.00-01.00-007.000)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, Meador Land Company, LLC, the applicant, submitted one (1) parcel for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On May 2, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the inclusion of this new parcel into the existing certified Agricultural District in the Town of Southold – (Meador Land Company, LLC – SCTM No. 1000-055.00-01.00-007.000); and

**WHEREAS**, the existing Agricultural District will increase by 1.0 acres in the Town of Southold; now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Southold. (Reference Introductory Resolution No. 1525-2016)

DATED:

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

**PROCEDURAL MOTION NO. 16-2016, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT – SAGAPONACK REALTY, LLC (SCTM NO. 0908-010.00-03.00-001.000)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, Sagaponack Realty, LLC, the applicant, submitted one (1) parcel for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On May 2, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the inclusion of this new parcel into the existing certified Agricultural District in the Town of Southampton – (Sagaponack Realty, LLC – SCTM No. 0908-010.00-03.00-001.000); and

**WHEREAS**, the existing Agricultural District will increase by 43.5 acres in the Town of Southampton; now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Southampton. (Reference Introductory Resolution No. 1526-2016)

DATED:

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

**PROCEDURAL MOTION NO. 17-2016, TO SET A PUBLIC HEARING FOR THE PROPOSED INCLUSION OF PARCELS INTO AN EXISTING AGRICULTURAL DISTRICT – PAL O MINE EQUESTRIAN INC. (SCTM NOS. 0504-004.00-01.00-019.000 AND 0504-009.00-01.00-035.000)**

**WHEREAS**, Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified Agricultural Districts; and

**WHEREAS**, in accordance with Article 25-AA of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing Agricultural Districts; and

**WHEREAS**, Pal O Mine Equestrian Inc., the applicant, submitted parcels totaling 1.78 acres for inclusion into an existing certified Agricultural District; and

**WHEREAS**, On April 28, 2016, the Suffolk County Agricultural and Farmland Protection Board recommended the disapproval of these parcels from inclusion into the existing certified Agricultural District in the Town of Islip – (Pal O Mine Equestrian Inc. – SCTM Nos. 0504-004.00-01.00-019.000 and 0504-009.00-01.00-035.000); now therefore be it

**1<sup>st</sup> RESOLVED**, that, pursuant to Article 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, a public hearing shall be scheduled and held by the Suffolk County Legislature on June 21, 2016 at 6:30 p.m. in the Maxine S. Postal Auditorium at the Evans K. Griffing Building in Riverhead, NY for the purpose of inclusion of new parcels into the certified Agricultural District in the Town of Islip. (Reference Introductory Resolution No. 1527-2016)

DATED:

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

1564  
Intro. Res. No. -2016  
Introduced by Legislator Fleming

Laid on Table

6/1/16

**RESOLUTION NO. - 2016, ADOPTING LOCAL LAW NO. -2016, A LOCAL LAW TO IDENTIFY AND RESERVE TAX DEFAULT PROPERTIES APPROPRIATE FOR SITING COMMUNITY WASTEWATER TREATMENT SYSTEMS**

**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 IDENTIFY AND RESERVE TAX DEFAULT PROPERTIES APPROPRIATE FOR SITING COMMUNITY WASTEWATER TREATMENT SYSTEMS**"; 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 IDENTIFY AND RESERVE TAX DEFAULT PROPERTIES APPROPRIATE FOR SITING COMMUNITY WASTEWATER TREATMENT SYSTEMS**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the Suffolk County Comprehensive Water Resources Management Plan ("the Comprehensive Plan") identified excess nitrogen levels as the number one threat to Suffolk County's water quality.

This Legislature also finds that excess nitrogen, primarily resulting from hundreds of thousands of residential cesspools and septic systems, has caused harmful algal blooms, the diminution of the County's shellfisheries and degradation of wetlands and sea grass beds that act as wave and storm surge buffers.

This Legislature determines that the County of Suffolk is pursuing multiple strategies to protect its groundwater and surface water resources. One point of emphasis is reducing the flow of nitrogen from cesspools and septic systems to the County's groundwater and surface waters.

This Legislature finds that one recommendation offered in the Comprehensive Plan is for the County to identify tax default properties that would be appropriate for the siting of small, decentralized septic treatment systems that can serve multiple residences. These cluster, decentralized systems would replace cesspools and reduce the amount of nitrogen being released into the environment.

This Legislature finds that the County of Suffolk has authorized funding for the installation of enhanced nitrogen removal septic systems through the Suffolk County Drinking Water Protection Program (Suffolk County Charter Article 12) and the Enhanced Water Quality Protection Program (Article 12A of the Suffolk County Charter).

This Legislature concludes that it is in the best interests of the residents of Suffolk County for the County of Suffolk to begin to set aside properties that could house small decentralized sewage treatment systems.

Therefore, the purpose of this law is authorize the Department of Health Services and the Division of Planning and Environment to screen tax default properties and recommend to the County Legislature parcels that should be retained by the County for potential use as cluster, decentralized septic treatment systems.

**Section 2. Amendments.**

Article 40 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

**ARTICLE XL.  
COUNTY REAL PROPERTY**

\* \* \* \*

**§ A40-4. Disposition of Property Acquired through Suffolk County Tax Act.**

\* \* \* \*

- D. Upon the County acquiring an interest in real property by tax deed, the Commissioner shall advise the County Executive, the Commissioner of Public Works, the Commissioner of Parks, Recreation and Conservation, the Commissioner of Health Services, the Director of the Division of Planning and Environment, the Clerk of the County Legislature, and such others as by management order of the County Executive or resolution of the County Legislature shall be designated, thereof. Those so advised shall, within four weeks, report in writing to the Commissioner whether they wish consideration to be given to holding such interest for a County purpose, together with the reasons for such proposed retention.
  
- E. The County Executive, the Presiding Officer of the County Legislature, and the Commissioner, or [his or her] their designees, shall constitute an appeals committee to screen requests for the retention of property interests acquired by tax deed. Such committee shall meet from time to time to consider all such requests, and [its determination as to departmental requests shall be final unless overturned by a duly enacted resolution of the County Legislature] shall recommend to the County Legislature those property interests that should be retained by the County.

\* \* \* \*

**Section 3. Applicability.**

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

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

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

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

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

s:\lawsl-identify-tax-default-properties

**OFFICE OF THE COUNTY LEGISLATURE**

COUNTY OF SUFFOLK

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



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

DATE: MAY 26, 2016

TO: CLERK OF THE COUNTY LEGISLATURE

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

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PROPOSED LOCAL LAW YEAR 2016

TITLE: I.R. NO. -2016; LOCAL LAW TO IDENTIFY AND RESERVE TAX DEFAULT PROPERTIES  
APPROPRIATE FOR SITING COMMUNITY WASTEWATER TREATMENT SYSTEMS

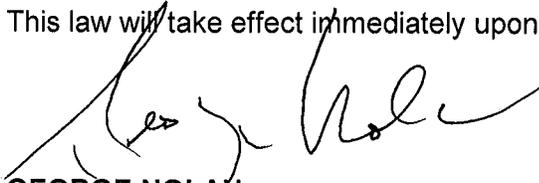
SPONSOR: LEG. FLEMING

DATE OF RECEIPT BY COUNSEL: 5/25/2016 PUBLIC HEARING: 6/21/2016

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would add the Commissioner of the Department of Health Services and the Director of the Division of Planning and Environment to the list of County officials who are authorized to receive tax default properties and make recommendations as to parcels that should remain in County ownership for public purposes.

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

  
**GEORGE NOLAN**  
Counsel to the Legislature

GN:tm

s:\rule28\28-LL - Community Wastewater Treatment Systems

**REVISED AS OF 5/27/16**

Intro. Res. No. 1565 -2016

Laid on Table 6/1/2016

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2016, AMENDING THE 2016 OPERATING BUDGET AND AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE SEWER INFRASTRUCTURE PROGRAM TO PROVIDE FUNDING FOR MOBILE HOME PARK WASTEWATER TREATMENT DEMONSTRATION PROGRAM (CP 8721.110)**

**WHEREAS**, Local Law No. 31-2014, which was approved by voter referendum on November 4, 2014, authorized the County of Suffolk to use excess monies in the Assessment Stabilization Reserve Fund to fund wastewater upgrades; and

**WHEREAS**, the funds for the Sewer Infrastructure Program are maintained within the Sewer Infrastructure Program Fund ("Fund 406"); and

**WHEREAS**, there are sufficient funds within Fund 406 for the implementation of the purposes of Local Law No. 31-2014; and

**WHEREAS**, several mobile home parks are in close proximity to surface waters and Peconic Estuary and experienced a septic failure; and

**WHEREAS**, wastewater treatment upgrades are critical because nitrogen from septic and cesspools has led to the degradation in the local water quality, and has harmed groundwater, drinking water, wetlands and surface waters throughout the County; and

**WHEREAS**, the Sewer Infrastructure Committee evaluated and unanimously approved the Suffolk County Mobile Home Park Wastewater Treatment Demonstration Program request for \$100,000 at its March 10, 2016 meeting for advanced nitrogen removal wastewater treatment; and

**WHEREAS**, Suffolk County has applied for and received \$1,000,000 in grant funding from New York State Department of Environmental Conservation for this project that will be appropriated in a separate resolution; and

**WHEREAS**, the recommended project constitutes a permitted use of Sewer Infrastructure Program funds pursuant to Local Law No. 31-2014; and

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

**WHEREAS**, there are insufficient funds available in the 2016 Capital Budget and Program for this program; and

**WHEREAS**, there are sufficient funds available within Fund 406 to support the appropriation of the recommended project; now, therefore be it

1<sup>st</sup> **RESOLVED**, that it is hereby determined that this project is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2<sup>nd</sup> **RESOLVED**, that sufficient funds exist within Fund 406 Sewer Infrastructure Program Fund component to cover the cost of the County's share for these projects; and be it further

3<sup>rd</sup> **RESOLVED**, that the Adopted 2016 Capital Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 406 Sewer Infrastructure Program Fund as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	406	E525	9600	Transfer to Capital Fund 525	\$100,000

and be it further

4<sup>th</sup> **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R406	E525	Transfer from Fund 406	\$100,000

; and be it further

5<sup>th</sup> **RESOLVED**, that the 2016 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8721.110

Project Title: Suffolk County Mobile Home Park Wastewater Treatment Demonstration

	<u>Total Est'd Cost</u>	<u>Current 2016 Capital Budget &amp; Program</u>	<u>Revised 2016 Capital Budget &amp; Program</u>
1. Planning	\$100,000	\$0	\$100,000 (406)
TOTAL	\$100,000	\$0	\$100,000

; and be it further

6<sup>th</sup> **RESOLVED**, that the interfund revenues in the amount of \$100,000 be and hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8721.110	Suffolk County Mobile Home Park Wastewater Treatment Demonstration	\$100,000

; and be it further

7<sup>th</sup> **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (C) (18), (20), (21), and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, 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 of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<p><b>RESOLUTION NO.                      -2016, AMENDING THE 2016 OPERATING BUDGET AND AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE SEWER INFRASTRUCTURE PROGRAM TO PROVIDE FUNDING FOR MOBILE HOME PARK WASTEWATER TREATMENT DEMONSTRATION PROGRAM (CP 8721.110)</b></p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; display: inline-block; margin: 5px;">County</div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
ASSESSMENT STABILIZATION RESERVE FUNDS (SEWER INFRASTRUCTURE PROGRAM FUND 406) IN THE AMOUNT OF \$100,000 WILL BE TRANSFERRED INTO CAPITAL FUND 525 FOR THE PURPOSE OF IMPLEMENTING THIS PROJECT.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Assessment Stabilization Reserve Fund 406-\$100,000-(2016)		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Principal Budget Examiner		May 25, 2016

**FINANCIAL IMPACT  
2016 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>	<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>	<b>\$0.000</b>

**COMBINED**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>	<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2015.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2015-2016.
- 3) SOURCE FOR EQUALIZATION RATES: 2015 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

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

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

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Submitting Department  
Department of Economic Development and Planning  
H Lee Dennison Bldg., 11th Floor, Hauppauge

Department Contact Person  
Sarah Lansdale  
853-5190

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Suggestion Involves:

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

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

Several mobile home parks are in close proximity to surface waters and Peconic Estuary and experienced a septic failure. Wastewater treatment upgrades are critical because nitrogen from septic and cesspools has led to the degradation in the local water quality, and has harmed groundwater, drinking water, wetlands and surface waters throughout the County.

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

N/A

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PLEASE FILL IN REVERSE SIDE OF FORM

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

## 2016 INTERGOVERNMENTAL RELATIONS

### MEMORANDUM OF SUPPORT

**TITLE OF BILL:** AMENDING THE 2016 OPERATING BUDGET AND AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE SEWER INFRASTRUCTURE PROGRAM TO PROVIDE FUNDING FOR MOBILE HOME PARK WASTEWATER TREATMENT DEMONSTRATION PROGRAM (CP 8721.110)

**PURPOSE OR GENERAL IDEA OF BILL:** To amend the Adopted 2016 Capital Budget and appropriate an interfund transfer of \$100,000 from Fund 406 Sewer Infrastructure Program to Fund 525-CAP-8721.110 Suffolk County Mobile Home Park Wastewater Treatment Demonstration Program.

**SUMMARY OF SPECIFIC PROVISIONS:** The Sewer Infrastructure Committee evaluated and unanimously approved the Suffolk County Mobile Home Park Wastewater Treatment Demonstration Program request for \$100,000 at its March 10, 2016 meeting for advanced nitrogen removal wastewater treatment. Suffolk County has applied for and received \$1,000,000 in grant funding from New York State DEC for this project that will be appropriated in a separate resolution submitted by the Department of Health Services - Environmental Quality Division:

**Accepting and Appropriating 75% State Grant Funds from the New York State Department of Environmental Conservation in the amount of \$1,000,000 in connection with the Sewer Infrastructure Program to provide funding for a Mobile Home Park Wastewater Treatment Demonstration Program administered by the Suffolk County Department of Health Services, Division of Environmental Quality and to execute grant related agreements.**

**JUSTIFICATION:** Several mobile home parks are in close proximity to surface waters and Peconic Estuary and experienced a septic failure. Wastewater treatment upgrades are critical because nitrogen from septic and cesspools has led to the degradation in the local water quality, and has harmed groundwater, drinking water, wetlands and surface waters throughout the County.

**FISCAL IMPLICATIONS:** No Fiscal Impact.

# COUNTY OF SUFFOLK



Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Planning  
and Environment

May 12, 2016

Jon Schneider, Deputy County Executive  
H. Lee Dennison Bldg. – 12<sup>th</sup> Floor  
Hauppauge, New York 11788-0099

Re: Reso-EDP-Mobile Home Park

Dear Mr. Schneider:

Enclosed herewith for your approval is original copy of the proposed resolution with documentation pursuant to:

**Amending the 2016 Operating Budget and amending the 2016 Capital Budget and Program and appropriating funds in connection with the Sewer Infrastructure Program to provide funding for Mobile Home Park Wastewater Treatment Demonstration Program (CP 8721.110)**

This resolution should be considered in conjunction with the corresponding resolution that was submitted from the Department of Health Services - Environmental Quality Division:

**Accepting and Appropriating 75% State Grant Funds from the New York State Department of Environmental Conservation in the amount of \$1,000,000 in connection with the Sewer Infrastructure Program to provide funding for a Mobile Home Park Wastewater Treatment Demonstration Program administered by the Suffolk County Department of Health Services, Division of Environmental Quality and to execute grant related agreements**

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

Sarah Lansdale  
Director of Planning

Enclosures

cc: Joanne Minieri, Deputy County Executive and Commissioner  
Dept. of Economic Development and Planning

1566  
Intro. Res. No. -2016  
Introduced by Legislator Calarco

Laid on Table

6/1/16

**RESOLUTION NO. - 2016, ADOPTING LOCAL LAW NO.  
-2016, A CHARTER LAW ESTABLISHING A PUBLIC  
CAMPAIGN FINANCING LAW**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2016, a proposed local law entitled, "**A CHARTER LAW ESTABLISHING A PUBLIC CAMPAIGN FINANCING 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 CHARTER LAW ESTABLISHING A PUBLIC CAMPAIGN FINANCING 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, increasingly, the citizens of our county, state and nation believe their government is unresponsive to their problems and concerns.

This Legislature also finds that the general public perceives that the flow of money from wealthy individuals and narrow special interests to political campaigns is a root cause of government dysfunction, favoritism and corruption. Voters believe that a powerful few use campaign contributions to gain extraordinary access to, and favorable consideration from, government officials.

This Legislature further determines that as the role of money in our politics increases, elected officials at all levels of government find themselves devoting much of their time and energy to fundraising and less time to their official duties.

This Legislature finds that New York City and other municipalities across the country have successfully implemented systems that offer public funding of candidates who agree to abide by fundraising and spending limits in their campaigns for public office.

This Legislature hereby finds and determines that studies have shown that voter participation is dramatically increased when elections are publically funded.

This Legislature further finds and determines that public campaign financing, combined with longer terms for County Legislators, will lead to more actively engaged officials who spend less time fundraising.

This Legislature determines that public campaign financing will reduce political corruption and the appearance of favoritism and cronyism by decreasing the influence of big money donors.

This Legislature further finds that the public financing of legislative campaigns in Suffolk County will substantially narrow the gap between incumbents and challengers and enhance electoral competition.

This Legislature concludes that the County of Suffolk can and should enact a public campaign finance system for County legislative races and, simultaneously, extend the term of County Legislators from two to four years.

Therefore, the purpose of this law is to establish a campaign financing law that will provide public funding to legislative candidates beginning in the 2019 elections and thereby reduce the power of large donors and special interests and empower ordinary citizens and small donors.

## **Section 2. Amendments.**

I. The SUFFOLK COUNTY CHARTER is hereby amended by the addition of a new Article 42 to read as follows:

### **Article XLII. PUBLIC FINANCING FOR LEGISLATIVE ELECTIONS**

#### **§C42-1. Definitions.**

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

"Authorized Committee" – shall mean a political committee as that term has been defined in Section 14-100 of the New York State Election Law, which has been authorized by a candidate to aid or take part in the election of such candidate and which has filed a statement that such candidate or candidates has authorized such political committee pursuant to section 14-112 of the New York State Election Law.

"Campaign Expenditure" – shall include all payments and liabilities spent in furtherance of a political campaign for County Legislature, including but not limited to, all qualified campaign expenditures and expenditures subject to or exempt from the expenditure limitations of this law.

"Contribution" – shall have the same meaning as set forth in New York State Election Law Section 14-100.

"Covered Election" – shall mean any primary, special election, or general election for nomination for election, or election for the office of Suffolk County Legislator.

"Election Cycle" – shall mean the 1<sup>st</sup> day of January in the year following a general election for the office of County Legislator and continuing through December 31<sup>st</sup> in the year of the subsequent general election for the office of County Legislator (i.e. January 1, 2018 through December 31, 2019).

"Fund" – shall mean the Public Campaign Finance Fund established hereunder.

"Lobbyist" – shall have the same meaning as set forth in Chapter 540 of the Suffolk County Code.

“Matchable Contribution” – shall mean a contribution or contributions made by a natural person residing within a participating candidate’s legislative district, which has been reported in full to the New York State Board of Elections and the Board in accordance with §C42-6, which is contributed on or before December thirty-first in the last year of the covered election cycle that may be matched by public funds in accordance with the provisions of this law. Any contribution, contributions, or portion of a contribution determined to be invalid for matching funds by the Board, may not be treated as a matchable contribution for any purpose. A loan may not be treated as a matchable contribution. The following contributions are not matchable:

- (a) In-kind contributions of property, goods, or services;
- (b) Contributions in the form of the purchase price paid for an item with significant intrinsic and enduring value;
- (c) Contributions that are not itemized;
- (d) Contributions in the form of the purchase price paid for or otherwise induced by a chance to participate in a raffle, lottery, or similar drawing for valuable prizes;
- (e) Contributions from individuals under the age of 18 years;
- (f) Contributions from individual vendors to whom the participating candidate or his or her principal committee makes an expenditure, in furtherance of the nomination for election or election covered by the candidate’s certification;
- (g) Contributions from lobbyists registered with the County of Suffolk pursuant to Chapter 540 of the Suffolk County Code.

“Participating Candidate” - shall mean any candidate for election to the Suffolk County Legislature who files a written certification pursuant to §C42-2 of this law.

“Principal Committee” – shall mean the authorized committee designated by a candidate pursuant to §C42-2 of this law.

“Qualified Campaign Expenditure” – shall mean an expenditure for which public funds may be used.

“Threshold for Eligibility” – shall mean the total amount of matchable contributions that a participating candidate and his or her principal committee must raise in order for such candidate to qualify for public financing.

“Transfer” - shall have the same meaning as set forth in New York State Election Law 14-100.

#### **§C42-2. Eligibility and other Requirements.**

- A. To be eligible for public financing under this law, a candidate for nomination for election must:
  - (1) be a candidate for the Suffolk County Legislature.

- (2) meet all the requirements of law, including a designation by the Board of Elections petition process, to have his or her name a primary or general election ballot.
- (3) choose to participate in the public campaign financing provisions of this law by filing a written certification on such form as may be prescribed by the Campaign Finance Board, which sets forth his or her acceptance of and agreement to comply with the terms and conditions for the provisions of such funds. The deadlines for filing such certification shall be:
  - (a) the tenth day of June in the year of the covered election, or such other later date as the Board shall provide, provided, however, that any candidate who files such written certification prior to such date shall be permitted to rescind such certification in writing on or before such date.
  - (b) for a special election to fill a legislative vacancy, within seven days after the effective date of the resolution setting the date of the election.
- (4) met the threshold for eligibility for public financing set forth in §C42-3.
- (5) have an opponent in the covered election.
- (6) obtain and furnish to the Board any information it may request relating to his or her campaign expenditures or contributions and furnish such documentation and other proof of compliance with this law as may be requested by such Board, provided.
- (7) notify the Board in the candidate's written certification as to:
  - (a) the existence of each committee authorized by such candidate that has not been terminated;
  - (b) whether any such committee also has been authorized by any other candidate;
  - (c) whether the candidate has authorized more than one committee and which authorized committee has been designated by the candidate as the candidate's principal committee for the election covered by the candidate's certification. Such principal committee shall be the only committee authorized by such candidate to aid or otherwise take part in the election covered by the candidate's certification. Such principal committee shall not be an authorized committee of any other candidate, and shall not have been authorized or otherwise active for any election prior to the election covered by the candidate's certification. The use of an entity other than the designated principal committee to aid or otherwise take part in the election covered by the candidate's certification shall be a violation of this law and shall trigger the application to such entity of all provisions of this law governing principal committees.
- (8) during an election cycle, not accept, and his principal committee not accept either directly or by transfer, any contribution or contributions from any one individual,

corporation, limited liability corporation or partnership which in the aggregate exceeds \$1,000.00.

- (9) during an election cycle, not accept, and his principal committee or authorized committees must not accept, either directly or by transfer, any contribution or contributions from any individual, partnership, political committee, labor organization or other entity for any legislative election in which he or she is a participating candidate which in the aggregate exceeds \$100,000.00; except in the event a participating candidate is opposed in both a primary and general election during the same election cycle, the aggregate limit for contributions will be \$150,000.00.
- (10) not make and his or her principal committee must not make expenditures within an election cycle which in the aggregate exceed \$100,000.00; except in the event a participating candidate is opposed in both a primary and general election during the same election cycle the aggregate limit for expenditures will be \$150,000.00.
- (11) maintain and his or her principal committee or authorized committees must maintain such records of receipts and expenditures as required by the Board.

#### **§C42-3. Eligibility Threshold.**

- A. Participating candidates must raise during an election cycle a minimum of \$7,500.00 in matchable contributions comprised of sums of up to \$250.00, received from no less than seventy five individual donors, to meet the threshold of eligibility for matching funds. In the event a participating candidate receives a matchable contribution that exceeds \$250.00, only \$250.00 of such contribution shall count towards the \$7,500.00 eligibility threshold.
- B. Candidates who are seeking nomination or election exclusively as write-in candidates or who are unopposed in a covered election or who are opposed in a covered election only by candidates seeking nomination or election as a write-in candidate shall not be eligible to receive public funding.

#### **§C42-4. Availability of Public Funds.**

- A. In the event a participating candidate's principal committee has obtained and reported to the New York State Board of Elections and to the Board matchable contributions equal to the threshold for eligibility set forth in paragraph A of §C42-3, then the authorized committee shall receive payments for qualified campaign expenditures of two dollars for each one dollar of matchable contributions received by the participating candidate or the candidate's primary committee, up to \$50,000.00 in public financing for the election cycle then prevailing.
- B. In the event a participating candidate is in a contested primary election for nomination and a contested general election for office during the same election cycle, the principal committee shall receive payments for qualified campaign expenditures of two dollars for each one dollar of matchable contributions up to \$70,000.00 in public financing for the election cycle then prevailing.

**§C42-5. Qualified Campaign Expenditures.**

- A. Public funds provided under the provisions of this law may be used only for expenditures by a participating candidate or his or her principal committee to further the participating candidate's nomination for election or election, either in a special election to fill a vacancy, or during the calendar year in which the primary and general election in which the candidate is seeking nomination for election or election is held.
- B. Public funds may only be used for election efforts, including but not limited to mailings, political literature, polling and staff.
- C. There shall be a rebuttable presumption that the following expenditures are in furtherance of a political campaign for legislative office; provided, however, that the presumptions contained in this subdivision shall not apply to an expenditure to a person or entity associated with the candidate; and provided further that in rebutting any such presumption the Board may consider factors including the timing of the expenditure and whether the campaign had an unusually high amount of spending on a particular type of expenditure. For purposes of this subdivision "a person or entity associated with a candidate" shall include the candidate's spouse, domestic partner, child, parent, or sibling or a person or entity with whom or with which the candidate has a business or other financial relationship.
  - (1) Travel related solely and exclusively to a political campaign; provided, however, that any travel not related solely and exclusively to a political campaign shall be subject to the provisions of paragraph D;
  - (2) Legal defense of a non-criminal matter arising out of a political campaign;
  - (3) Computer hardware, software and other office technology purchased more than two weeks before the date of a primary election, in the case of a candidate who is opposed in the primary election, or two weeks before the date of a general election, in the case of a candidate who was not opposed in a primary election;
  - (4) A post-election event for staff, volunteers and/or supporters held within thirty days of the election;
  - (5) Payment of non-criminal penalties or fines arising out of a political campaign;
  - (6) Costs incurred in demonstrating eligibility for the ballot or public funds payments or defending against a claim that public funds must be repaid; and
  - (7) Food and beverages provided to campaign workers and volunteers.
  - (8) Costs incurred in fundraising, including payments to fundraising consultants and costs incurred by online fundraising.
- D. The campaign funds of a participating candidate shall not be converted to a personal use which is unrelated to a political campaign. Expenditures not in furtherance of a political campaign for elective office include the following:

- (1) Expenditures to defray the normal living expenses of the candidate, immediate family of the candidate or any other individual except for the provision of such expenses for professional staff as part of a compensation package;
- (2) Any residential or household items, supplies or expenditures;
- (3) Clothing, haircuts or other personal grooming;
- (4) Funeral, cremation or burial expenses including any expenses related to a death within a candidate's or officeholder's family;
- (5) Automobile purchases;
- (6) Tuition payment and childcare costs;
- (7) Dues, fees or gratuities at a country club, health club, recreational facility or other nonpolitical organization unless part of a specific fundraising event that takes place on the organization's premises;
- (8) Admission to a sporting event, theater, concert or other entertainment event not part of a specific campaign activity;
- (9) Expenditure for non-campaign related travel, food, drink or entertainment; if a candidate uses campaign funds to pay expenses associated with travel that involves both personal activities and campaign activities the incremental expenses that result from the personal activities shall be considered for personal use unless the candidate benefiting from the use reimburses the campaign account within thirty days for the full amount of the incremental expenses; and
- (10) Gifts, except for brochures, buttons, signs and other campaign materials and token gifts valued at not more than fifty dollars that are for the purpose of expressing gratitude, condolences or congratulations.

E. Public funds may not be used for:

- (1) Any expenditure in violation of any law;
- (2) Payments made to the candidate or a spouse, domestic partner, child, grandchild, parent grandparent, brother or sister, or to a business entity in which the candidate or any such person has a ten percent or greater ownership interest;
- (3) Payments in excess of the fair market value of services, materials, facilities or other things of value received in exchange;
- (4) Any expenditure made after the candidate has been finally disqualified or had his or her petitions finally declared invalid by the Suffolk County Board of Elections or a court of competent jurisdiction.
- (5) Any expenditure made after the only remaining opponent of the candidate has been finally disqualified or had his or her petitions declared invalid by the Suffolk County Board of Elections or a court of competent jurisdiction.

- (6) Payments in cash;
  - (7) Any contribution, transfer, or loan made to another candidate or political committee;
  - (8) Gifts except brochures, buttons, signs and other printed campaign material;
  - (9) Any expenditures made to challenge or defend the validity of petitions of designation or nomination or of certificates of nomination, acceptance, authorization, declination, or substitution, and expenses related to the canvassing of election results;
  - (10) An expenditure made primarily for the purpose of expressly advocating a vote for or against a ballot proposal, other than expenditures made also to further the participating candidate's nomination for election or election;
  - (11) Payment of any penalty or fine imposed pursuant to federal, state or local law.
  - (12) Transfers to other candidates, political committees or party committees.
- F. All receipts accepted by a participating candidate and his or her principal committee shall be deposited in an account of the principal committee by its treasurer. All deposits shall be made within ten business days of receipt; provided, however, that deposits of contributions made in the form of checks more than one year before the first covered election for which such candidate is seeking nomination or election may be made within twenty business days of receipt. Each disclosure report filed pursuant to §C42-6 of this law shall include the date of receipt of each contribution accepted.
- G. Unused matching funds must be returned to the Board within 30 days of the general election.

#### **§C42-6. Reporting Requirements.**

- A. Each participating candidate and his or her principal committee shall report to the Board every contribution, loan, guarantee, or other security for such loan received by the candidate and such committee, the full name, residential address, occupation, employer, and business address of each contributor, lender guarantor, or provider of security and of each person or entity which is the intermediary for such contributions, loan, guarantee, or other security for such loan, and every expenditure made by the candidate and such committee, including expenditures not subject to §C42-5. Disclosure reports shall be submitted at such times and in such form as the Board shall require and shall be clearly legible.
- B. Each participating candidate shall submit, in a contemporaneous manner, the disclosure reports required pursuant to this law, filed in accordance with the schedule specified by the New York State Board of Elections for the filing of campaign receipt and expenditure statements, and such other disclosure reports as the rules of the Board may require, in order for any contributions received during the periods covered by such reports and prior to the last date upon which such candidate may file a certification pursuant to §C42-2 to qualify as matchable contributions.

- C. The Board shall review each disclosure report timely submitted prior to the last date upon which such candidate may file a certification and issue to the candidate a review before the next disclosure report is due. Such review shall inform the candidate of relevant questions the Board has concerning the candidate's (i) compliance with requirements of this law and of the rules issued by the Board; and (ii) qualification for receiving public funds pursuant to this law. The candidate shall have an opportunity to respond and to correct potential violations before the deadline for filing a certification and give candidates an opportunity to address questions the Board has concerning their matchable contribution claims or other issues concerning eligibility for receiving public funds pursuant to this law. Nothing in this paragraph shall preclude the Board from subsequently reviewing such disclosure reports and taking any action otherwise authorized under this law.

**§C42-7. Campaign Finance Board.**

- A. There shall be a Campaign Finance Board ("Board") that is empowered and authorized to establish and promulgate all rules, policy and procedures as it deems necessary for the proper administration of this law.
- B. The Board shall consist of three members. One member shall be appointed each by the County Executive, the Legislative Majority Leader and the Legislative Minority Leader. The original members of the Board shall be appointed during the calendar year 2017.
- C. Each member must have experience in at least one of the following areas of expertise: law, academia and education or the not-for-profit sector. No two members shall be from the same political party.
- D. Members may not serve simultaneously as an officer of any political party, nor serve in any capacity in any political campaign, nor act as a lobbyist nor have been registered as a lobbyist for the twelve (12) months prior to their appointment.
- E. Members may not be the spouse, domestic partner or child of any current County elected or appointed official or candidate for any public office.
- F. Members may not make any donations to candidates for any County elective office or their respective political committees.
- G. The Board may render advisory opinions with respect to issues arising under this law. The Board may render these opinions at the written request of a candidate or authorized or principal committee, or upon its own motion.
- H. Each member shall serve a term of five (5) years and may only be removed for cause by the County Legislature upon notice and hearing. Members will receive \$200.00 for each Board meeting they attend but they shall not receive more than \$4,800.00 in any one year.
- I. The Board shall meet no less than four (4) times per year.
- J. Not later than the first day of March in the year two thousand twenty and every fourth year thereafter, the Campaign Finance Board shall (i) determine the percentage

difference between the average over a calendar year of the consumer price index for Long Island published by the United States Bureau of Labor Statistics for the twelve (12) months preceding the beginning of such calendar year and the average over the calendar year 2017 of such consumer price index; (ii) adjust each maximum contribution applicable by the amount of such percentage difference to the nearest fifty dollars; and (iii) publish such adjusted maximum contribution in the official newspapers. Such adjusted maximum contribution shall be in effect for any election held before the next such adjustment.

- K. The Board shall appoint an executive director, a secretary, independent counsel and such other staff as may be necessary to exercise its powers and fulfill its obligations subject to appropriations by the County Legislature. The Board shall be deemed the appointing authority for all such personnel. The Board, its staff and funding shall be treated as a separate agency for purposes of presentation and adoption in the annual County operating budget.

#### **§C42-8. Board Reports.**

- A. The Campaign Finance Board shall review and evaluate the effect of this law upon the conduct of legislative election campaigns in the County of Suffolk and shall submit a report to the County Executive and each member of the County Legislature on or before September 1, 2020, and every fourth year thereafter, and at any other time as the Board deems appropriate.
- B. The reports shall contain the following:
- (1) The number and names of candidates qualifying for and choosing to receive public funds pursuant to this law, and of candidates failing to qualify or otherwise not choosing to receive such funds, in each election during the four preceding calendar years.
  - (2) The amount of public funds provided to the principal committee of each candidate pursuant to this law and the contributions received and expenditures made by each such candidate and the principal committee of such candidate, in each election during the four (4) preceding calendar years.
  - (3) The number and names of candidates filing a certification pursuant to this law in each election during the four (4) preceding calendar years, together with the expenditures made by each such candidate and the principal committee of such candidate in each such election.
  - (4) The number and names of non-participating candidates in each election during the four (4) preceding calendar years, together with the expenditures made by each such candidate and the authorized committees of such candidate in each such election.
  - (5) Recommendations as to whether the provisions of this law governing maximum contribution amounts, thresholds for eligibility and expenditure limitations should be amended and setting forth the amount of, and reasons for, any amendments it recommends.

- (6) An analysis of the effect of this law on political campaigns, including its effect on the sources and amounts of private financing, the level of campaign expenditures, voter participation, the number of candidates and the candidates' ability to campaign effectively for public office.
- (7) A review of the procedures utilized in providing public funds to candidates.
- (8) Such recommendations for changes in this law as it deems appropriate.

**§C42-9. Examinations and Audits; repayments.**

- A. The Board is hereby authorized and empowered to audit and examine all matters relating to the performance of its functions and any other matter relating to the proper administration of this law. The Board shall conduct its campaign audits in accordance with generally accepted government auditing standards, and shall promulgate rules regarding what documentation is sufficient to demonstrate financial activity. These audit and examination powers extend to all participating candidates, and the principal and authorized committees of all participating candidates provided that:
- B. Any advisory opinion provided by the Board or its staff shall be presumptive evidence that such action, if taken in reliance on such advice, should not be subject to a penalty or repayment obligation.
- C. If the Board determines that any portion of the payment made to the principal committee of a participating candidate from the Fund was in excess of the aggregate amount of payments which such candidate was eligible to receive pursuant to this law, it shall notify such committee and such committee shall pay to the Board an amount equal to the amount of excess payments. If the Board determines that any portion of the payment made to a principal committee of a participating candidate from the Fund was used for purposes other than qualified campaign expenditures, it shall notify such candidate and committee of the amount so disqualified and such candidate and committee shall pay to the Board an amount equal to such disqualified amount.
- D. If the total of contributions, other receipts, and payments from the Fund received by a participating candidate and his or her principal committee exceed the total campaign expenditures of such candidate and committee, such candidate and committee shall use such excess funds to reimburse the Fund for payments received by such committee from the Fund during such calendar year. No such excess funds shall be used for any other purpose, unless the total amount of the payments received from the Fund by the principal committee has been repaid.
- E. If a participating candidate whose principal committee has received funds is disqualified by a court of competent jurisdiction on the grounds that such candidate committed fraudulent acts in order to obtain a place on the ballot and such decision is not reversed, such candidate and his or her principal committee shall pay to the Board an amount equal to the total of public funds received by such principal committee.
- F. No claim for the repayment of public funds shall be made against any candidate or committee without written notice to such candidate or committee and an opportunity to appear before the Board. Any such repayment claim shall be based on a final determination issued by the Board following adjudication before the Board consistent

with the procedures set forth in §42-10 unless such procedures are waived by the candidate or principal committee. Such final determination shall be included in and made part of the final audit which shall be issued within thirty (30) days of such determination.

**§C42-10. Findings of Violation or Infraction; Adjudications; Final Determinations.**

- A. The Board shall determine whether a participating candidate, his or her principal committee, committee treasurer or any other agent of such candidate has committed a violation or infraction of any provision of this law for which the Board may assess a civil penalty pursuant to this law. The Board shall promulgate rules defining infractions, and such definitions shall include, but not be limited to failures to comply with the provisions of this law or the rules promulgated hereunder.
- B. The Board shall give written notice and the opportunity to appear before the Board to any participating candidate or his or her principal committee, committee treasurer or any other agent of such candidate, if the Board has reason to believe that such has committed a violation or infraction, before assessing any penalty for such action. In the case of a written notice issued prior to the date of an election, or after an election in the case of a notice regarding an alleged failure to respond to a request for audit documentation, such notice may be issued prior to the issuance of a draft audit. The Board shall issue a final determination within thirty days of the conclusion of the adjudication proceeding.
- C. The Board shall include in every final determination: notice of the respondent's right to bring a special proceeding challenging the Board's final determination in New York State Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules; and notice of the commencement of the four-month period during which such a special proceeding may be brought pursuant to Article 2 of the Civil Practice Law and Rules.

**§C42-11. Penalties.**

- A. Any participating candidate and his or her principal committee that fails to file in a timely manner a statement or record required to be filed by this law or the rules of the Board in implementation thereof or that violate any provision of this law or rule promulgated thereunder, and any committee treasurer or any other agent of a participating candidate who commits such a violation or infraction, shall be subject to a civil penalty in an amount not to exceed \$5,000.00.
- B. In addition to the penalties provided by subsection A, if the aggregate amount of expenditures by a participating candidate and such candidate's principal committee exceed the expenditure limitation contained in this law, such candidate and principal committee shall be subject to a civil penalty in an amount not to exceed three times the sum by which such expenditures exceed the applicable expenditure limitation.
- C. The intentional or knowing furnishing of any false or fictitious evidence, books or information to the Board under this law, or the inclusion in any evidence, books, or information so furnished of a misrepresentation of a material fact, or the falsifying or concealment of any evidence, books or information relevant to any audit by the Board or the intentional or knowing violation of any other provision of this law shall be punishable as a class A misdemeanor in addition to any other penalty as may be provided under

law. The Board shall assess penalties for such conduct and seek to recover any public funds obtained.

- D. Notwithstanding any provision of the law to the contrary, any participating candidate and his principal committee or any other person who commits any violation of this law or any rules promulgated hereunder and who takes all steps necessary to correct such violation prior to receiving written notice from the Board of the existence of the potential violation shall not be subject to any penalty for such violation.

**§C42-12. Suffolk County Elections Public Finance Fund.**

- A. There is hereby established a fund to be known as the Suffolk County Public Campaign Finance Fund, which shall be non-lapsing. The money in the Fund shall be expended by the Board only for payments to eligible participating candidates and the hiring of Board staff in accordance with the provisions of this law; but no more than 20% of the moneys deposited into the Fund annually may be utilized by the Board for staffing purposes.
- B. Each year, beginning in fiscal year 2017, a share of the proceeds received by the County of Suffolk as a result of the operation of video lottery terminals by the Suffolk County Regional Off-Track Betting Corporation shall be deposited in the Fund. The amount deposited will be 20% of the County's annual share of the proceeds or \$1 million, whichever amount is greater.

II. Section C2-5 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**§C2-5. Term of Office for Legislators.**

- A. The term of office of a County Legislator shall be [two] four years, which shall begin on the first day of January following the general election at which the County Legislators are elected.
- B. No person shall serve as a County Legislator for more than 12 consecutive years subject to the exemption set forth in paragraph (C) herein.
- C. In the event a County Legislator in office on January 1, 2018 is subsequently elected to a four year term of office in a general election that is held during his or her tenth consecutive year of service, that County Legislator may serve his or her full year term of office notwithstanding that his or her term of consecutive service as a County Legislator shall exceed twelve years.

\* \* \* \*

III. Section C4-6 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**§C4-6. Submission of Proposed Budget by County Executive.**

\* \* \* \*

- N. The County Executive shall include in the proposed 2018 expense budget and all subsequent proposed expense budgets a transfer to the Suffolk County Public Campaign Finance Fund. The amount provided in the proposed budget will come from

the County's share of revenue from the Suffolk County Regional Off-Track Betting Video Lottery Terminal Program and shall be in an amount of \$1 million or 20% of the County's annual share of such revenue, whichever amount is greater.

IV. Section C4-10 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

\* \* \* \*

**§C4-10. Action by County Legislature on Proposed Budget.**

N. The 2018 adopted expense budget and all subsequent adopted expense budgets shall include a transfer to the Suffolk County Public Campaign Finance Fund, the revenue to come from the Suffolk County Regional Off-Track Betting Video Lottery Terminal Program and in an amount of \$1 million or 20% of the County's share of such revenue, whichever amount is greater.

**Section 3. Applicability.**

1. Monies shall be deposited in the Campaign Finance Fund beginning in fiscal year 2017 in accordance with the provisions of this law.
2. The Campaign Finance Board shall receive certifications and provide funding for participating candidates for the legislative election cycle beginning January 1, 2018 and ending December 31, 2019 in all subsequent election years.

**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. Form of Proposition.**

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

**Resolution No. -2016 A Charter Law Establishing a Public Campaign Financing Law.**

“Resolution No. -2016, is a Charter Law that proposes to i) establish a public campaign finance fund which will be funded entirely from revenues generated by the operation of video lottery terminals operated by the Suffolk County Regional Off-Track Betting Corporation; ii) offer public funding to candidates for the Suffolk County Legislature who agree to campaign fundraising and spending limits; and iii) extend the term of County Legislators from two to four years.

Shall Resolution No. -2016 be approved?”

**Section 7. Conflicting Referenda.**

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

**Section 8. Effective Date.**

This law shall not take effect until it has been approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting upon a proposition for its approval in conformity with the provisions of Section 34 of the NEW YORK MUNICIPAL HOME RULE LAW and has been filed in the office of the Secretary of State.

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: MAY 26, 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 CHARTER LAW ESTABLISHING A PUBLIC CAMPAIGN FINANCING LAW

SPONSOR: LEGISLATOR CALARCO

DATE OF RECEIPT BY COUNSEL: 5/26/2016 PUBLIC HEARING: 6/21/2016

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed charter law, if enacted, would establish a voluntary public financing system for elections to the County Legislature. This law would also increase the term of office for County Legislators from two (2) to four (4) years.

Candidates and their campaign committees would have to comply with a number of conditions to be eligible to receive public funding for their campaigns, including the following:

1. Meet all legal requirements to have their name appear on a primary, special or general election ballot (write-in candidates are not eligible to receive public funding).
2. Have an opponent in the election.
3. Agree not to accept any campaign contribution in excess of \$1,000.00 during the prevailing election cycle.
4. Raise during the two (2) year election cycle a minimum of \$7,500.00 in matchable contributions. A "matchable contribution" is defined as a contribution of \$250.00 or less from a natural person residing within the participating candidate's legislative district.
5. Agree not to accept contributions or make campaign expenditures which, in the aggregate, exceed \$100,000.00 during the prevailing election cycle. This fundraising and expenditure limit would be raised to \$150,000.00 for participating candidates who are required to run in both a primary and general election during the same election cycle.

Candidates meeting the eligibility requirements for public financing would be authorized to receive payments of \$2 for each \$1 of matchable contributions received by the candidate, up to a maximum of \$50,000.00 in public financing for the election cycle then prevailing. Public funds received by a candidate may be used only for "qualified campaign expenditures, which are defined generally as those used for election efforts, including mailings, political literature, polling

and staff." The campaign funds of participating candidates cannot be converted to personal uses unrelated to a political campaign.

This law would establish a Campaign Finance Board to administer and enforce the provisions of this law. The Board will consist of three (3) members with the County Executive, Majority Leader and Minority Leader of the County Legislature each selecting one (1) member. The Board members must have expertise in law, academia and education or the not-for-profit sector. Members cannot serve as a political party officer, serve in any capacity in a political campaign or act as a lobbyist. Board members will be paid \$200.00 for each Board meeting they attend.

This Board is authorized under this law to audit all participating candidates and their election committees to ensure compliance with this law's requirements. Further, the Board is authorized to issue advisory opinions and to hire staff subject to appropriations by the County Legislature.

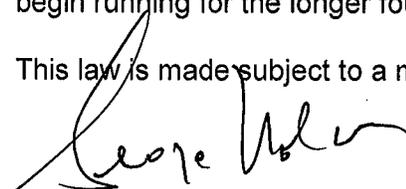
The Board is authorized to assess civil penalties against candidates and committees which fail to file required statements and reports in a timely manner or otherwise violate a provision of this law or a rule promulgated thereunder, up to an amount of \$5,000.00. Additionally, the intentional filing of false information with the Board or the intentional violation of any provision of this law is punishable as a class A misdemeanor.

This law establishes a Suffolk County Public Campaign Finance Fund. Each year, beginning in fiscal year 2017, 20% of the proceeds received by County the Suffolk as a result of the operation of video lottery terminals by the Suffolk County Regional Off-Track Betting Corporation, or \$1 million, whichever amount is greater, will be deposited in this Fund. The monies deposited in this Fund can only be used to make payments to eligible candidates and to hire Board staff.

As noted earlier in this Memorandum, this law would increase the term of the County Legislator from two (2) to four (4) years. The County's current twelve (12) year term limit law would remain in effect except in the event a County Legislator in office on January 1, 2018 is subsequently elected to a four (4) year term during their tenth year of service in which case the Legislator may serve his or her full four (4) year term.

The Campaign Finance Board will begin receiving a candidate certifications and providing funding to eligible candidates for the 2019 legislative election cycle. Legislative candidates will begin running for the longer four (4) year term beginning in the 2019 general election.

This law is made subject to a mandatory voter referendum.



**GEORGE NOLAN**  
**Counsel to the Legislature**

**GN:js**

s:\rule28\28-campaign-financing

1567

Intro. Res. No. -2016  
Introduced by Legislator Calarco

Laid on Table 6/11/16

**RESOLUTION NO. -2016, AUTHORIZING USE OF  
CATHEDRAL PINES COUNTY PARK FOR A JERRY JAM  
MUSICAL FESTIVAL FUNDRAISER**

**WHEREAS**, the Patchogue Arts Council, Inc., is hosting its 10<sup>th</sup> annual Jerry Jam Music Festival Fundraiser to raise funds and awareness of the projects and programs sponsored by the Patchogue Arts Council; and

**WHEREAS**, Jerry Jam celebrates the music of an American icon, Jerry Garcia, whose musical explorations included blue grass, blues, gospel, jazz and rock and; and

**WHEREAS**, the festival will be held on Saturday, August 6, 2016 from 9:00 a.m. to 11:00 p.m. and Sunday, August 7, 2016 from 10:00 a.m. to 10:00 p.m. at Cathedral Pines County Park; and

**WHEREAS**, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured has been provided by the Patchogue Arts Council; now, therefore be it

**1st RESOLVED**, that the use of County-owned property, i.e., Cathedral Pine County Park by the Patchogue Arts Council, in consideration of the payment of Five Hundred Eighty-Three (\$583.00) Dollars for Saturday, August 6, 2016 from 9:00 a.m. to 11:00 p.m. and the payment of Three Hundred Ninety (\$390.00) for Sunday, August 7, 2016 from 10:00 a.m. to 10:00 p.m. for the purpose of hosting a Jerry Jam Musical Festival Fundraiser is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Law; and be it further

**2nd RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for the Patchogue Arts Council, Inc. at Cathedral Pines County Park; and be it further

**3rd RESOLVED**, that the Patchogue Arts Council, Inc., also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

**4th RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no

permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

s:\res\use-cathedral-pines-county-park

1568

Intro. Res. No. -2016  
Introduced by Presiding Officer on request of the County Executive

Laid on Table 6/1/2016

**RESOLUTION NO. -2016, TO APPROVE THE PROVISION OF DEFENSE AND INDEMNIFICATION TO PARENTS FOR MEGAN'S LAW, NOW KNOWN AS CRIME VICTIMS CENTER, INC. TO GIVE FULL EFFECT TO THE COMMUNITY PROTECTION ACT**

**WHEREAS**, this Legislature, through the enactment of the Community Protection Act, found that implementing a series of enforcement, monitoring and verification measures focusing on all sex offenders residing in the County including homeless sex offenders, would make families and communities in Suffolk County safer; and

**WHEREAS**, Local Law 10-2013 authorized the Commissioner of the Suffolk County Police Department (Department) to execute a contract with Parents for Megan's law, now known as Crime Victims Center, Inc. (CVC) to provide, among other things, sex offender address verification, monitoring and reporting services; and

**WHEREAS**, CVC has, for the past three years, provided such services and the Department desires to continue to contract with CVC, such services having been funded in the Department's 2016 Budget as line item funding under pseudo code JQU1 for continuation of services set forth in the Community Protection Act; and

**WHEREAS**, CVC has informed the County that due to the nature of the services provided for address verification it is unable to procure liability insurance to cover the provision of the contractual services; and

**WHEREAS**, the County may, upon approval of the County Legislature, provide indemnification and defense of CVC's officials and employees in consideration of the services provided by CVC to the County in furtherance of the Community Protection Act; now therefore be it

**1<sup>st</sup> RESOLVED**, that the County is hereby authorized to provide defense and indemnification to CVC's officials and employees in consideration of the services contractually provided by CVC to the County in furtherance of the Community Protection Act; and be it further

**2<sup>nd</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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:

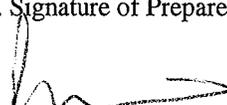
APPROVED BY:

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County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>TO APPROVE THE PROVISION OF DEFENSE AND INDEMNIFICATION TO PARENTS FOR MEGAN'S LAW, NOW KNOWN AS CRIME VICTIMS CENTER, INC. TO GIVE FULL EFFECT TO THE COMMUNITY PROTECTION ACT</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes <u>XX</u> No</b>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<input checked="" type="radio"/> <b>County</b>	<input type="radio"/> <b>Town</b>	<input type="radio"/> <b>Economic Impact</b>
<input type="radio"/> <b>Village</b>	<input type="radio"/> <b>School District</b>	<input type="radio"/> <b>Other (Specify):</b>
<input type="radio"/> <b>Library District</b>	<input type="radio"/> <b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Financial impact is indeterminate at this point.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Indeterminate at this point		
8. Proposed Source of Funding		
Unknown		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Patricia Saunders Principal Research Analyst		5/27/16

**FINANCIAL IMPACT  
2016 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	<b>\$0</b>	<b>\$0.00</b>	\$0.000

**POLICE DISTRICT AND DISTRICT COURT**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	<b>\$0</b>	<b>\$0.00</b>	\$0.000

**COMBINED**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	<b>\$0</b>	<b>\$0.00</b>	\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2015.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2015-2016.
- 3) SOURCE FOR EQUALIZATION RATES: 2015 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1569

Introductory Resolution No. -2016  
Introduced by Presiding Officer on request of the County Executive

Laid on the Table 6/1/16

**RESOLUTION NO. -- 2016 ACCEPTING AND APPROPRIATING  
A GRANT AWARD INCREASE FROM THE STATE UNIVERSITY  
OF NEW YORK FOR A SUNY CHILD CARE PROGRAM 100%  
REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY  
COMMUNITY COLLEGE**

**WHEREAS**, the 2015-2016 College operating budget provides \$194,200 from the State University of New York for a SUNY Child Care Program, for the period of July 1, 2015 through June 30, 2016; and

**WHEREAS**, the grant award has been increased by \$14,738, bringing the total amount of the grant award to \$208,938; and

**WHEREAS**, it is necessary to amend the 2015-2016 College operating budget in the amount of \$14,738 to provide for the increase in the grant award; and

**WHEREAS**, the program will provide general support for the child care centers' operating budgets on the Ammerman and Grant campuses of Suffolk County Community College; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the amendment to the College operating budget for the increase to the grant program in the amount of \$14,738, on May 19, 2016 by Resolution No. 2016.36; and

**WHEREAS**, the College anticipates spending the increase in the grant award in the amount of \$14,738, in accordance with the terms of said grant before June 30, 2016; now therefore, be it

**1<sup>st</sup> RESOLVED**, that said 2015-2016 College operating budget be amended to reflect the increase in the grant award, from The State University of New York, for a SUNY Child Care Program in the amount of \$14,738, and said amount be accepted and appropriated for the operation of the program as follows:

<b><u>REVENUES:</u></b>	<b><u>AMOUNT:</u></b>
State Grant: Child Care:	
GC12-GC1216-543202-G000	\$ 14,738

<b><u>APPROPRIATIONS:</u></b>	<b><u>AMOUNT:</u></b>
Child Care 15-16: GC12-GC1216	\$ 14,738

Suffolk County Community College  
SUNY Child Care  
GC12-GC1216

714000-Contractual Expenses  
714770-Special Services

\$ 14,738  
14,738

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

1569

**2016 INTERGOVERNMENTAL RELATIONS  
MEMORANDUM OF SUPPORT**

**TITLE OF BILL:** Accepting and Appropriating a Grant Award increase from the State University of New York for a SUNY Child Care Program 100% reimbursed by State Funds at Suffolk County Community College

**PURPOSE OR GENERAL IDEA OF BILL:** To accept and appropriate a grant award increase, in the amount of \$14,738 for a SUNY Child Care Program during the 2015-2016 fiscal year.

**SUMMARY OF SPECIFIC PROVISIONS:** This legislation will increase the budget for Suffolk County Community College by accepting and appropriating the grant award increase from the State University of New York in the amount of \$14,738 for a SUNY Child Care Program.

**JUSTIFICATION:** This grant award increase from the State University of New York for the SUNY Child Care Program will provide general support for the child care centers' operating budgets on the Ammerman and Grant campuses of Suffolk County Community College.

**FISCAL IMPLICATIONS:** None

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

1. Type of Legislation

Resolution  X                       Local Law \_\_\_\_\_                      Charter Law \_\_\_\_\_

2. Title of Proposed Legislation

Accepting and Appropriating a Grant Award Increase from the State University of New York for a SUNY Child Care Program 100% Reimbursed by State Funds at Suffolk County Community College

3. Purpose of Proposed Legislation

To accept and appropriate a grant award increase from the State University of New York in the amount of \$14,738, for a SUNY Child Care Program at Suffolk County Community College, during the 2015-2016 fiscal year.

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

The grant award increase from the State University of New York, in the amount of \$14,738, will provide for operating costs for the SUNY Child Care Program during the 2015-2016 fiscal year.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdiv.  
Not Applicable

8. Proposed Source of Funding:    The State University of New York

9. Timing of Impact:                      July 1, 2015 through June 30, 2016

10. Name & Title of Preparer  
Henrietta Ytuarte  
Accountant

11. Signature of Preparer  
*Henrietta Ytuarte*

12. Date  
May 27, 2016



Office of the President

BOARD OF TRUSTEES

May 19, 2016

**RESOLUTION NO. 2016.36 - AMENDING THE COLLEGE BUDGET FOR A GRANT AWARD INCREASE FROM THE STATE UNIVERSITY OF NEW YORK FOR A SUNY CHILD CARE PROGRAM**

WHEREAS, the 2015-2016 College operating budget provides \$194,200.00 from the State University of New York for a SUNY Child Care Program, and

WHEREAS, this grant supports the provision of quality child care services at the Ammerman and Michael J. Grant Campuses, and

WHEREAS, the grant award has been increased by \$14,738.00, bringing the total amount of the grant award to \$208,938.00, and

WHEREAS, it is necessary to amend the 2015-2016 College operating budget in the amount of \$14,738.00 to provide for the increase in the grant award, and

**RESOLVED**, that the 2015-2016 College operating budget be amended to reflect an increase in the amount of \$14,738.00, from the State University of New York for a SUNY Child Care Program, and the College President, or his designee, is authorized to execute any required documentation with the administering agency.

Project Director: Barbara E. Hurst, Director of Business Affairs

Note: No full-time positions  
No in-kind contribution required

  
Bryan Lilly  
Secretary

Central Administration  
533 College Road  
Selden, NY 11784-2899  
(631) 451-4112

Ammerman Campus  
533 College Road  
Selden, NY 11784-2899  
(631) 451-4110

Western Campus  
Crooked Hill Road  
Brentwood, NY 11717-1092  
(831) 851-8700

Eastern Campus  
121 Speonk-Riverhead Road  
Riverhead, NY 11901-3499  
(631) 548-2500

1569

Board of Trustees Meeting  
Date: May 19, 2016

ABSTRACT

Grant Proposal  Grant Award

Funding Source: State University of New York

Project Title: SUNY Child Care Program

Project Director: Barbara E. Hurst, Director of Business Affairs

Project Period: July 1, 2015 through June 30, 2016

Campus: College-wide

Amount of Award Amendment: \$ 14,738.00

Total Amount of Award: \$ 208,938.00

Match/In-kind Contribution/Fees: \$ 0

Full-Time Positions/Reassigned Time: none

No. of Students to be Served: Approximately 250

Type of Student to be Served: Parents of children enrolled in the child care centers

Description of Project:

The SUNY Child Care Program will provide general support for the child care centers' operating budgets on the Ammerman and Grant Campuses of Suffolk County Community College.



Review Payments

Payment Details

SUFFOLK COMMUNITY COLLEGE

3042541

Invoice Number CHILD CARE GRANT  
 Method ACH  
 Amount \$14,738.00  
 Paid To SUFFOLK COMMUNITY COLLEGE

Business Unit: SNY01  
 Payment Date 05/05/2016  
 Pay Status Paid  
 Currency USD

Country USA United States  
 Address 1 533 COLLEGE RD STE 232  
 Address 2  
 Address 3

City SELDEN  
 County  
 State NY New York  
 Postal 11784

From Key Bank

Payment Advice		Personalize   Find       First 1 of 1			
Invoice	Gross Amount	Discount	Discount Taken	Paid Amount	Payment Message
CHILD CARE GRANT	14,738.00 USD	0.00 USD	0.00 USD	14,738.00 USD	

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The State University of New York  
Student Assembly

1569

**Resolution 1516-129**  
Jackson

State University Plaza, N501  
353 Broadway, Albany, NY 12246  
P: (518) 3201288 | F: (518) 3201555  
www.sunysa.org

**RESOLUTION 1516-129**

**TO: Members of the General Assembly**  
**FROM: Marie Jackson, Secretary of the Monroe Community College SGA**  
**DATE: April 15, 2016**  
**TITLE: Childcare Funding Increase**

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**Action Requested**

SUNY Campuses are requested to provide better access to childcare for students with young children and the state of New York is requested to provide appropriate funding to SUNY childcare centers to facilitate better opportunities for student retention.

**Resolution**

We recommend that the Student Assembly of the State University of New York (SUNYSA) adopt the following resolution:

Whereas diversity on a college campus goes beyond just the color of one's skin or the nature of the environment in which you were raised, but in fact includes those students who have dependent children whom they may or may not be raising by themselves.  
And,

Whereas a 2014 study by the Institute for Women's Policy Research found that 4.8 million college students in 2011 were parents of dependent children which constitutes about 26% of the undergraduate college students, of that percentage of students 71% are women. And,

Whereas 43% of the 4.8 million students were found to live below the federal poverty line during the 2011-2012 school year according to data from the Department of Education. And,

1569.  
Whereas the average cost of childcare in New York State is \$330 per week for infants, \$255 per week for Toddlers, \$217 per week for Preschoolers, and \$210 per week for school age children. And,

Whereas per year those costs add up to between \$10,920 to \$17,160 which is significantly more than the average cost of tuition at a public university which is about \$6,170 per year. And,

Whereas students who are also parents need to put their children into a childcare situation in order to attend classes and those who do not have access to affordable childcare are more likely to leave school before graduating. And,  
Whereas the State University of New York has 53 childcare centers spread across university campuses and community college campuses in New York State which currently educate approximately 5,000 children. And,

Whereas these SUNY childcare centers also provide on campus access to work-study, and internships for students who are studying fields child development, education, nursing, psychology, physical therapy, occupational therapy and more. And,

Whereas these childcare centers offer grants which subsidize the cost of childcare for the students of the college to provide them the opportunity to remain in school while their child receives a quality education; currently the grant is funding 1,500 children of students who are income eligible. And,

Whereas Assembly Speaker Carl Heastie and Higher Education Committee Chair Deborah J. Glick released the final 2015-16 state budget which included increased funding to SUNY childcare centers of \$1.1 million which brings the total fund to \$2.1 million. And,

Whereas that \$2.1 million spread evenly across the 53 SUNY childcare centers is on average \$39,623 dollars each. And,

Whereas the operating cost of running a childcare center is approximately \$1.1 million per year per childcare center which means the state is on average funding 3% of the operating costs each year. Be it,

Resolved that the Student Assembly of the State University of New York calls for the State of New York to increase the funding for SUNY childcare centers to at least 10% of the operating cost. Be it further,

Resolved that the Student Assembly of the State University of New York shall forward copies of this Resolution to Governor Andrew M. Cuomo, Lt. Governor Kathleen C. Hochul, the members of the New York State Legislature, the SUNY Board of Trustees, SUNY Chancellor Zimpher, University Faculty Senate, Faculty Council of Community Colleges, SUNY Campus Presidents, SUNY student governing bodies, and all other parties deemed necessary and proper.

# Suffolk

COUNTY COMMUNITY COLLEGE

1569



## Office of Business and Financial Affairs

To: Jon Schneider, Deputy County Executive  
From: Gail Vizzini, Vice President for Business & Financial Affairs  
Date: May 27, 2016  
Subject: Request for a Resolution Accepting and Appropriating a Grant Award increase for a Suffolk County Community College Program

Enclosed are the application and requisite forms to request acceptance and appropriation of an amendment to the 2015-2016 College budget for a grant award increase at Suffolk County Community College.

Proposal \_\_\_\_\_ Grant Award X Subcontract \_\_\_\_\_

Project Name: SUNY Child Care

Funding Source: State University of New York (SUNY)

Amount of Grant Amendment: \$ 14,738

Full Time Positions: none

An e-mail version of the resolution was sent to CE RESO REVIEW:  
File names: Reso-SCCC-CHILDCARE2 Amend 16.docx  
Backup-SCCC-CHILDCARE2 Amend 16.SCIN  
175A.docx

cc: Barbara E. Hurst, Director of Business Affairs  
John Bullard, Jr., Associate Dean for Financial Affairs

Central Administration  
533 College Road  
Selden, NY 11784-2899  
(631) 451-4112

Ammerman Campus  
533 College Road  
Selden, NY 11784-2899  
(631) 451-4110

Grant Campus  
Crooked Hill Road  
Brentwood, NY 11717-1092  
(631) 851-6700

Eastern Campus  
121 Speonk-Riverhead Road  
Riverhead, NY 11901-3499  
(631) 548-2500

**RESOLUTION NO. -2016, ADOPTING LOCAL LAW  
NO. -2016, A LOCAL LAW AMENDING CHAPTER 189 OF  
THE SUFFOLK COUNTY CODE TO REQUIRE ONLINE FILING  
OF CONTRACT AGENCY DISCLOSURE FORMS AND TO  
CLARIFY PROVISIONS RELATING TO CONTRACT AGENCY  
ADMINISTRATIVE EXPENDITURES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on 2016, a proposed local law entitled, "**A LOCAL LAW AMENDING CHAPTER 189 OF THE SUFFOLK COUNTY CODE TO REQUIRE ONLINE FILING OF CONTRACT AGENCY DISCLOSURE FORMS AND TO CLARIFY PROVISIONS RELATING TO CONTRACT AGENCY ADMINISTRATIVE EXPENDITURES**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

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

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

**A LOCAL LAW AMENDING CHAPTER 189 OF THE SUFFOLK  
COUNTY CODE TO REQUIRE ONLINE FILING OF CONTRACT  
AGENCY DISCLOSURE FORMS AND TO CLARIFY  
PROVISIONS RELATING TO CONTRACT AGENCY  
ADMINISTRATIVE EXPENDITURES**

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

**Section 1. Legislative Intent.**

This Legislature finds that the County of Suffolk has adopted guidelines and technical requirements, as well as financial filing and reporting requirements, for County contract agencies for the purpose of increasing oversight and accountability in the use of County funds by these agencies.

The Legislature further finds that these requirements provide that there be a separate resolution, passed by a two-thirds vote of the full membership of the Legislature, for approval of County funds to a contract agency that has administrative expenditures greater than twenty percent of its agency program expenses in a fiscal year.

The Legislature finds that in addition to these requirements, contract agencies must file annual disclosure forms with the Suffolk County Department of Audit and Control containing information regarding the contract agency's program revenues, direct program expenses, administrative expenses and top five employee salaries.

This Legislature further finds that in an effort to facilitate the filing of these disclosure forms, along with associated documents (audited financial statements or financial report; schedule of

all employees and their salaries) and to allow for a more concise and expedient review, the Department of Audit and Control has developed a new online reporting tool.

This Legislature further finds that confusion persists in regard to which contract agencies are required to file, as well as what constitutes "administrative expenses" for both funding and filing purposes.

This Legislature finds and determines that in order to streamline the filing process, refine the technical requirements and support the Department of Audit and Control's objective of achieving contract agency filing compliance, Chapter 189 of the SUFFOLK COUNTY ADMINISTRATIVE CODE should be amended to provide greater clarity and precision regarding technical and filing requirements.

Therefore, the purpose of this local law is to amend Chapter 189 of the SUFFOLK COUNTY CODE to clarify certain guidelines and requirements for contract agencies and to require online filing of contract agency disclosure forms and other financial documentation.

**Section 2. Amendments.**

1. Article VII of Chapter 189 of the SUFFOLK COUNTY ADMINISTRATIVE CODE shall be amended as follows:

**Chapter 189**

**PURCHASING and CONTRACTS**

\*\*\*\*

**Article VII**

**Guidelines and Requirements for Contract Agencies**

**§ 189-39. Legislative Intent.**

\*\*\*\*

C. This Legislature also finds that while the use of contract agencies has proven to be cost-effective, the Suffolk County Legislature has enacted legislation to increase oversight and accountability, including Local Law No. [9-2001] 18-2013, which requires that each contract agency submit their completed Contract Agency Disclosure Form, most recent audited financial statements or financial report for the Contract Agency's most recent fiscal year, and a schedule of full-time employees and their salaries for the previous calendar year to the Suffolk County Department of Audit and Control no later than September 15<sup>th</sup> of each year [expenditure disclosure by contract agencies. More recently, Resolution No. 1153-2006 established an Ad Hoc Contract Agency Oversight Committee in the County Legislature to identify potential duplication of services and promote accountability and efficiency among contract agencies].

\*\*\*\*

**§ 189-40. Definitions.**

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

**ADMINISTRATIVE EXPENSES**

Expenses associated with the maintenance and administration of a contract agency's day-to-day business and which are not directly associated with contract agency program expenditures. Administrative Expenses may include salaries and related benefits for the Contract Agency's highest level of management (i.e., Executive Director, Chief Executive Officer, etc.), their supporting staff (i.e., administrative assistants, secretarial staff, clerical staff, etc.) and the cost of operating the administrative office (i.e., professional fees, accounting fees, office expenses, equipment rental, utilities, etc.). [Expenses incurred in the general direction of an enterprise as a whole, as contrasted with expenses of a more specific programmatic function. This term shall include salaries of top officers and associated general office expenses, but shall not include the costs of administering a corps of volunteers; administering federal, state or other pass-through funds; disseminating educational materials for a public purpose; or administering the collection and distribution of food to the needy.]

\*\*\*\*

**§ 189-41. Requirements.**

\*\*\*\*

C. No contract agency, determined by the County Department of Audit and Control, pursuant to § C4-35 of the Suffolk County Charter, to have incurred total administrative expenses greater than 20% of reported total agency [program] expenses in a fiscal year, shall be eligible for funding by the County of Suffolk from County funds, in any subsequent fiscal year, unless: (1) such funding is approved by a separate, standalone resolution or procedural motion of the Suffolk County Legislature. Such a resolution will require a two-thirds vote of the full membership of the Legislature for approval; or (2) the Suffolk County Department of Audit and Control determines that the contract agency has reduced its total administrative expenses to below 20% of reported total agency expenses. The provisions of this subsection shall not apply to any contract agency whose total reported revenues were fifty thousand dollars (\$50,000) or less for the previous fiscal year or any contract agency which does not have any salaried employees and is solely comprised of volunteers. [In the event a contract agency reduces such administrative expenses to 20% or less of reported agency program expenditures, as determined by the Department of Audit and Control, then such contract agency shall become eligible again for funding by the County of Suffolk.]

- 2. Article XIII of Chapter 189 of the SUFFOLK COUNTY ADMINISTRATIVE CODE shall be amended as follows:

**Chapter 189**

**Article XIII**

**Evaluation of Contract Agencies by County Departments; Contract Agency Financial Disclosure Requirements**

\*\*\*\*

**§ 189-66. Disclosure by contract agencies.**

A. Each contract agency shall be required to complete and submit an online contract agency disclosure form to the Department of Audit and Control no later than September 15<sup>th</sup> of each year. Such contract agency disclosure form shall include such content and be in such form as determined by the Department of Audit and Control, but, at a minimum, shall require that the contract agency set forth the contract agency's program revenues from all sources and expenses from all sources, administrative expenses and contract agency's top five employee salaries.

B. Simultaneously with the contract agency's submission of the online contract agency disclosure form, the contract agency shall also submit, online, its most recent audited financial statements or IRS Form 990, or profit/loss statement and balance sheet for the contract agency's most recent fiscal year and a schedule of all full-time employees and their salaries for the previous calendar year.

C. No later than June 30<sup>th</sup> of each year, the Department of Audit and Control shall send notification of the disclosure requirements required by this section to each contract agency. Such notification shall include the link or website portal address where the contract agency may access the online contract agency disclosure form and the individual password that the contract agency must use to access and submit the contract agency disclosure form.

[A. No later than June 30 of each year, the Department of Audit and Control shall send a contract agency disclosure form to each contract agency. The information provided in the disclosure form shall include, but not be limited to, the contract program's revenues from all sources, its direct program expenses and administrative expenses and top five employee salaries.

B. All contract agencies must submit their completed disclosure form, their most recent audited financial statements or a financial report for the agency's most recent fiscal year, and a schedule of all employees and their salaries for the previous calendar year to the Department of Audit and Control no later than September 15 each year.]

C.] D. A contract agency's failure to submit its disclosure form and/or any other required document shall constitute noncompliance. A noncompliant contract agency shall not receive funding for any of its programs in the subsequent year's operating budget. Funding may be restored through a standalone resolution only after all required information has been submitted.

[D.] E. This section shall not apply to any town, village, fire district, library district or ambulance district.

### **Section 3. Applicability.**

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

### **Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

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

[ ] Brackets denote deletions of material.

\_\_\_ Underscore denotes the addition of new material

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: MAY 31, 2016

TO: CLERK OF THE COUNTY LEGISLATURE

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

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PROPOSED LOCAL LAW YEAR 2016

TITLE: I.R. NO. -2016; A LOCAL LAW AMENDING CHAPTER 189 OF THE SUFFOLK COUNTY CODE TO REQUIRE ONLINE FILING OF CONTRACT AGENCY DISCLOSURE FORMS AND TO CLARIFY PROVISIONS RELATING TO CONTRACT AGENCY ADMINISTRATIVE EXPENDITURES

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 5/27/2016 PUBLIC HEARING: 6/21/2016

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

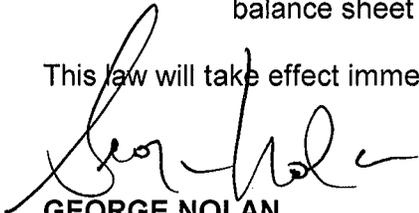
By the enactment of several prior local laws, now codified at Chapter 189 of the SUFFOLK COUNTY CODE, the County of Suffolk has imposed rules and requirements on the County's contract agencies. These agencies must annually file a financial disclosure form with the County Comptroller and they must limit their administrative expenses to 20% of total agency expenses in each fiscal. A contract agency which fails to comply with these requirements is ineligible to receive County funding unless it is approved by a separate standalone resolution of the County Legislature.

This proposed law would amend Chapter 189 of the County Code to make the following changes to the rules governing contract agencies:

- 1) Would amend the definition of "administrative expenses" to read as follows: "Expenses associated with the maintenance and administration of a contract agency's day-to-day business and which are not directly associated with contract agency program expenditures. Administrative expenses may include salaries and related benefits for the contract agency's highest level of management (i.e., Executive Director, Chief Executive Officer, etc.), their supporting staff (i.e., administrative assistants, secretarial staff, clerical staff, etc.) and the cost of operating the administrative office (i.e., professional fees, accounting fees, office expenses, equipment rental, utilities, etc.)."
- 2) Would exempt contract agencies which have total revenues less than \$50,000 or which are comprised solely of volunteers, from the existing cap on administrative expenses.
- 3) Would allow the Comptroller to reinstate funding for a contract agency when the Comptroller determines that an agency has brought their administrative expenses below the 20% threshold.

- 4) Would require online filing of disclosure forms by contract agencies and the simultaneous submission of the contract agency's most recent audited financial statements, IRS form 990 or profit /loss statement and balance sheet for the most recent fiscal year.

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



**GEORGE NOLAN**  
**Counsel to the Legislature**

**GN:js**

s:\rule28\28-online-filing-contract-agency-disclosure-forms

COUNTY OF SUFFOLK



OFFICE OF THE COMPTROLLER

JOHN M. KENNEDY, JR.  
Comptroller

May 23, 2016

Mr. Jon Schneider, Deputy County Executive  
12<sup>th</sup> Floor, Dennison Bldg.  
100 Veterans Highway  
Hauppauge, N.Y. 11788

Re: Resolution Request

Dear Mr. Schneider:

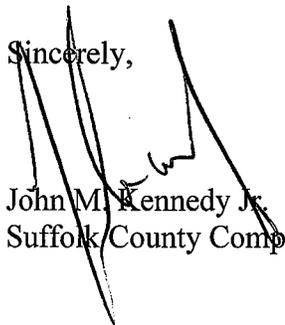
Attached please see a draft Local Law, prepared by my office in conjunction with the County Attorney's office, addressing modifications to Chapter 189 of the Suffolk County Administrative Code, as it relates to the filing of compliance documents for contract agencies vending services on the behalf of the County.

Presently, our office processes approximately 500 sets of documents each year, required to demonstrate that the subject agencies do not expend in excess of 20% of their budgets on Administrative expense. Further, the agencies are likewise compelled to disclose salaries for their executive level staff, and to furnish an IRS 990, a profit and loss statement, or other financial documents associated with their operations.

In an effort to facilitate information exchange, our office has worked with the Department of Information Technology to build an online reporting tool. We are in a position to deploy this tool, would like to have the benefit of the clarity, and threshold changes that the Local Law would effectuate, and believe that this will streamline a presently cumbersome process.

As this is a Local Law, under normal circumstances, the earliest that the Legislature could act on this, assuming we can lay on at the June 1<sup>st</sup> meeting, would be July 26<sup>th</sup>. I will ask that you consider a Certificate of Necessity for June 17<sup>th</sup> and my team will appear before the subject committee in the cycle prior to the 17<sup>th</sup>. Thank you for this consideration.

Sincerely,

  
John M. Kennedy Jr.  
Suffolk County Comptroller

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation  
Resolution                      **Local Law XX**                      Charter Law

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2. Title of Proposed Legislation: Adopting local law xxx 2016 amending Chapter 189 of the Suffolk County Code to require online filing of contract agency disclosure forms and to clarify provisions relating to contract agency administrative expenditures.

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3. Purpose of Proposed Legislation: Adopting local law xxx 2016 amending Chapter 189 of the Suffolk County Code to require online filing of contract agency disclosure forms and to clarify provisions relating to contract agency administrative expenditures.

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

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

<b>County</b>	<b>Town</b>	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	

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6. If the answer to item 5 is "yes," Provide Detailed Explanation of Impact

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7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Positive – reduce staff time associated with review, submission, etc.

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8. Proposed Source of Funding

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9. Timing of Impact

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

John M. Kennedy  
County Comptroller

1571  
Intro. Res. No. -2016  
Introduced by Presiding Officer on request of the County Executive

Laid on the Table 6/1/16

**RESOLUTION NO. -2016, AUTHORIZING THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES TO AMEND POLICY AND AUTHORIZING THE SUFFOLK COUNTY BOARD OF HEALTH TO AMEND THE SUFFOLK COUNTY SANITARY CODE TO ALLOW FOR THE APPROVAL, REGISTRATION AND MANAGEMENT OF INNOVATIVE AND ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS**

**WHEREAS**, Suffolk County ("County"), with a population of 1.5 million persons, has in excess of 365,000 existing residential on-site systems, comprised mostly of cesspools and leaching pools, with 209,000 of these onsite systems in especially environmentally sensitive areas which could benefit from nitrogen-reducing technologies; and

**WHEREAS**, the County, which is Federally recognized as having a sole source aquifer system for its drinking water supply, is acutely aware of the need to preserve this valuable resource by reducing the amount of nitrogen discharged into the groundwater by traditional on-site residential sanitary systems; and

**WHEREAS**, the Suffolk County Comprehensive Water Resources Management Plan (2015) has documented the devastating effects of high levels of nitrogen pollution, not only on our drinking water quality, but also on coastal ecosystems, dissolved oxygen, water clarity, eelgrass, wetlands, shellfish, coastal resilience and in triggering harmful algal blooms; and

**WHEREAS**, the County issued Requests for Expressions of Interest in April 2014 and March 2016 in order to attract applicants (i.e. manufacturers) who wished to demonstrate the effectiveness of their residential Innovative and Alternative On-Site Wastewater Treatment Systems (hereinafter "I/A OWTS") in the County; and

**WHEREAS**, an I/A OWTS is an innovative and alternative onsite wastewater treatment technology that is capable of achieving significantly and measurably reduced total nitrogen concentrations as compared to conventional onsite wastewater treatment systems; and

**WHEREAS**, heretofore, I/A OWTSs have only been permitted in the County on a limited and experimental basis, requiring a Suffolk County Department of Health Services (hereinafter "Department") Board of Review variance for demonstration, as the systems are not currently specifically authorized under the Suffolk County Sanitary Code; and

**WHEREAS**, the Suffolk County Septic Demonstration Tour (2014) documented that tens of thousands of I/A OWTS are being successfully utilized to reduce nitrogen in unsewered areas in proximate jurisdictions such as Rhode Island, Massachusetts, New Jersey and Maryland; and

**WHEREAS**, the County desires to adopt a policy that allows the Department to evaluate, approve, register, oversee and facilitate I/A OWTS to achieve reductions in nitrogen pollution; an

**WHEREAS**, the Suffolk County Board of Health is considering adoption of a proposed amendment to the Suffolk County Sanitary Code adding a new Article 19, attached hereto as Exhibit "A" to establish a framework for the Department, as the Responsible Management Entity, to evaluate, approve, register, oversee and facilitate the use of I/A OWTS; and

**WHEREAS**, upon amendment of the Suffolk County Sanitary Code, the Department will have the framework to evaluate, approve, register, oversee and facilitate the use of I/A OWTS for use in 2016 (provided that the systems and proposed sites meet all applicable County and New York State standards) and to ensure that the I/A OWTS continue to function effectively over the long-term and to benefit the environment; and

**WHEREAS**, after such amendment of the Suffolk County Sanitary Code, approval of an I/A OWTS in compliance with the Suffolk County Sanitary Code and other applicable regulations and standards may be authorized by and registered with the Department, with no variance from the Board of Review required, and

**WHEREAS**, upon amendment of the Suffolk County Sanitary Code, the Department, acting as the Responsible Management Entity for purposes of registering and overseeing I/A OWTS, shall administer and conduct a comprehensive set of activities and have the legal authority and technical capacity to ensure the long-term operation, maintenance and management of all I/A OWTS, and such activities shall include, but not be limited to, inspection, monitoring I/A OWTS operation and maintenance, and data management; and

**WHEREAS**, these policy and Suffolk County Sanitary Code changes are consistent with the recommendations of the Suffolk County Comprehensive Water Resources Management Plan; and

**WHEREAS**, Suffolk County Charter Section C9-5(C) requires that any amendment to the Suffolk County Sanitary Code which implements a recommendation of the updated Suffolk County Comprehensive Water Resources Management Plan shall not take effect until such time as the amendment is approved by the Suffolk County Legislature by a duly enacted resolution; and

**WHEREAS**, Suffolk County Administrative Code Section A9-9 requires that prior to enacting a change in County policy in accordance with recommendations set forth in the updated Suffolk County Comprehensive Water Resources Management Plan the Department shall obtain the approval of the Suffolk County Legislature for such change by the enactment of a duly enacted resolution; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature hereby finds and determines that the proposed Article 19 of the Suffolk County Sanitary Code, which will establish a framework to evaluate, approve, register, oversee and facilitate the use of I/A OWTS, is consistent with the Suffolk County Comprehensive Water Resources Management Plan of 2015; and be it further

**2<sup>nd</sup> RESOLVED**, that this Legislature deems I/A OWTS to be a necessary component of a comprehensive strategy to protect the public health and combat nitrogen pollution of our drinking water and coastal ecosystems; and be it further

**3<sup>rd</sup> RESOLVED**, that this Legislature hereby approves of the Department to act as the Responsible Management Entity to evaluate, approve, register, oversee and facilitate the

use of I/A OWTS and to effectuate the intent of this resolution through necessary policy changes; and be it further

**4<sup>th</sup> RESOLVED**, that the proposed new Article 19 (Management of Innovative and Alternative Onsite Wastewater Treatment Systems) of the Suffolk County Sanitary Code is hereby approved, subject to approval by the Suffolk County Board of Health, in substantially the same form attached hereto as Exhibit "A," with such changes as are deemed necessary by the Suffolk County Board of Health and the Department consistent with the intent of this resolution; and be it further

**5<sup>th</sup> RESOLVED**, that the adoption of the proposed new Article 19 (Management of Innovative and Alternative Onsite Wastewater Treatment Systems) of the Suffolk County Sanitary Code by the Suffolk County Board of Health, together with any necessary changes consistent with the above, shall be conclusive evidence of the approval thereof by this Legislature; and be it further

**6<sup>TH</sup> RESOLVED**, that the Department is hereby authorized to implement such policies as it deems necessary to administer the above amendment of the Suffolk County Sanitary Code; and be it further

**7<sup>TH</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA), N.Y. Evtl. Conserv. Law Art. 8, and Chapter 450 of the Suffolk County Code, hereby determines that this resolution constitutes an unlisted action, pursuant to 6 N.Y.C.R.R. § 617.2(ak), and further determines that the implementation of this action will not have a significant adverse impact on the environment for the following reason:

The proposed action will not exceed any of the criteria in 6 N.Y.C.R.R. § 617.7, which sets forth thresholds for determining significant adverse impacts on the environment, as demonstrated in the Environmental Assessment Form;

and be it further

**8<sup>th</sup> RESOLVED**, that this Legislature hereby adopts a determination of non-significance (negative declaration) and directs, in accordance with Section 450-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality to prepare and 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:

HSV #34-2016

**ARTICLE 19**  
**MANAGEMENT OF INNOVATIVE AND ALTERNATIVE ONSITE WASTEWATER**  
**TREATMENT SYSTEMS**

(Last Rev. 5-13-16)

**§760-1901 Declaration of Policy**

The designated best use of all groundwater of Suffolk County is for public and private water supply, and of most surface waters for food production, bathing, and recreation. The federal government has officially designated the aquifer below Suffolk County as a sole source for water supply. Therefore, it is hereby declared to be the policy of the County of Suffolk to maintain water resources as near to their natural condition of purity as reasonably possible for the safeguarding of the public health and, to that end, to facilitate the best available onsite wastewater management technologies to minimize and prevent water pollution from residential onsite wastewater treatment systems.

**§760-1902 Statement of Purpose**

When properly designed, sited, installed, managed, and maintained, Innovative and Alternative Onsite Wastewater Treatment Systems (I/A OWTS) provide a cost-effective and environmentally sound alternative to sewers in portions of the County that are outside the designated sewer areas. The intent and purpose of this Article is to facilitate development and use of I/A OWTS in Suffolk County as a conservation measure and to authorize the Suffolk County Department of Health Services, as a Responsible Management Entity, to develop and use resources, standards, capabilities and systems to ensure that I/A OWTS are properly managed and maintained, and provide a level of treatment superior to Conventional Septic Systems, which is consistent with the above-stated Declaration of Policy.

**§760-1903 Definitions**

- A. **Commissioner** means the Commissioner of the Suffolk County Department of Health Services.
- B. **Conventional Septic System or Conventional Onsite Wastewater Treatment System (OWTS)** means an onsite sanitary system consisting of a septic tank and any associated interconnecting piping, a leaching structure(s) and any associated interconnecting piping that does not have any active or mechanical means of treatment or any supplemental filtration components.
- C. **Department** means the Suffolk County Department of Health Services.
- D. **Innovative and Alternative Onsite Wastewater Treatment System(s) (I/A OWTS)** means onsite wastewater treatment technologies that are accepted by the Department as capable of achieving the total nitrogen concentrations that are less than Conventional Onsite Wastewater Treatment Systems.
- E. **I/A OWTS Management Program** means comprehensive oversight and activities that address issues critical to I/A OWTS including planning, education, maintenance, residuals

management, training certification, licensing, inspections, monitoring, corrective action and enforcement, recordkeeping, inventorying, reporting, financial assistance, and funding.

- F. **Maintenance Provider** means a private entity hired by a Property Owner to provide operation and maintenance and contractual service of an I/A OWTS.
- G. **Management Information System** means any computer-based system capable of capturing, storing, analyzing, and displaying specifically referenced information.
- H. **Operation and Maintenance (O&M)** means the act of performing tasks specified by the Department and / or the manufacturer of the I/A OWTS including, but not limited to, cleaning, inspection, and adjustment of control settings to ensure proper operation of I/A OWTS and related components.
- I. **Operation and Maintenance Contract** means a signed contract between the Property Owner and the Maintenance Provider setting forth all required Operation and Maintenance procedures and monitoring schedules along with effective dates of the contract.
- J. **Property Owner(s)** means the owner(s) of the real property upon which such I/A OWTS is installed or proposed for installation.
- K. **Registration** means the approval process by which a Property Owner completes and submits routine documentation required by the Department so as to certify his/her/its ownership and use of an I/A OWTS. For the purposes of this Article, Registration shall be deemed the equivalent of a permit as defined in Suffolk County Sanitary Code Article 3, except where Suffolk County Sanitary Code Article 3 is inconsistent with this Article 19.
- L. **Responsible Management Entity** means the Department, which shall administer and conduct a comprehensive set of activities and have the legal authority and technical capacity to ensure the long term operation, maintenance, and management of all I/A OWTS.

#### **§760-1904 Powers and Responsibilities**

The Department, as a Responsible Management Entity, shall have the authority and responsibility to administer the following activities to ensure the long term operation, maintenance, and management of all I/A OWTS:

- A. The Department shall have the responsibility to administer and conduct the day to day operation of the I/A OWTS Management Program, including all technical and administrative requirements, in order to protect the public health and the environment.
- B. The Department shall oversee the installation, maintenance and operation of all I/A OWTS.
- C. In addition to any required approval issued under Article 5 and/or 6 of the Suffolk County Sanitary Code, the Department shall require Registration of I/A OWTS pursuant to this Article for installation and operation of all existing and future I/A OWTS.

- D. The Department shall receive and maintain information and reports as required by this Article.
- E. The Department shall have the authority to promulgate procedures, protocols and standards as necessary for the implementation of this Article, including, but not limited to, those standards referenced herein under Sections 760-1903 and 760-1905 through 760-1907.
- F. The Department may inspect I/A OWTS and sample discharges as often as deemed necessary by the Department to determine compliance, upon reasonable notice to the Property Owner.
- G. The Department shall enforce this Article.

**§760-1905 I/A OWTS Registration Requirements**

- A. The Department shall require a registration procedure as a condition of its approval for installation and operation of an I/A OWTS in accordance with this Article and in addition to any applicable requirements in Articles 5 and 6 of the Suffolk County Sanitary Code. Registration shall provide a mechanism for the Department to manage Property Owner compliance with this Article.
- B. In order to register an I/A OWTS, the Property Owner shall submit a Registration form provided by the Department, together with any required documentation specified below, as well as any required approvals under Suffolk County Sanitary Code Articles 5 and/or 6, where applicable.
- C. Upon satisfactory completion of the Registration process, the Department shall notify the Property Owner in writing whether or not the Registration has been approved.
- D. In addition to any applicable approval issued under Articles 5 and/or 6 of the Suffolk County Sanitary Code, the Department shall establish registration requirements including, but not limited to, the following:
  - 1. Property Owner information
  - 2. Current, executed Operation and Maintenance Contract
  - 3. Other requirements as determined by Department standards
- E. By completing the Registration process, the Property Owner shall agree to:
  - 1. Provide access to the Commissioner or his authorized representative to inspect and sample the I/A OWTS and its discharges upon reasonable notice for the purpose of determining compliance with this Article.
  - 2. Provide access to the Commissioner or his authorized representative, for inspection of all records required by this Article or the Department, upon reasonable notice to the Property Owner, for the purpose of determining compliance with the Article. Where requested by a Maintenance Provider, the

Property Owner shall execute any documents required for release of required information to the Department.

- F. Every Property Owner shall be responsible for compliance with the responsibilities specified in the Registration approval and this Article.
- G. Every Property Owner shall register new I/A OWTS prior to construction, upon property transfer to a new Property Owner, and every 36 months after the initial Registration. Every Property Owner shall register all existing I/A OWTS with the Department within one year of the effective date of this Article.

**§760-1906 Operation and Maintenance Requirements**

- A. Every Property Owner shall have an active Operation and Maintenance Contract with a company that has a current Liquid Waste License and Endorsement K (Innovative and Alternative Treatment System Service Provider Endorsement) through the Suffolk County Department of Labor, Licensing and Consumer Affairs, pursuant to Suffolk County Code § 563-79.
- B. The Property Owner is responsible for implementing all O&M requirements to maintain a properly functioning I/A OWTS.
- C. An I/A OWTS shall meet all applicable requirements and standards including, but not limited to, the requirements of this Article and Suffolk County Sanitary Code Articles 5 and 6. In addition, an I/A OWTS shall meet all New York State requirements.
- D. A fully executed Operation and Maintenance Contract between Maintenance Provider(s) and Property Owner(s) must be in place prior to receiving final approval from the Department.
- E. The Operation and Maintenance Contract shall require the Property Owner to authorize the Maintenance Provider to enter onto the Property Owner's property, when necessary, for periodic inspection, pumping, maintenance, and repair of an I/A OWTS.
- F. Maintenance Providers shall notify the Department within 30 days when an Operation and Maintenance Contract is not renewed or is canceled.
- G. At a minimum, annual O&M shall be required for all I/A OWTS. O&M shall be conducted in accordance with standards, protocols and procedures established by the Department.
- H. Maintenance Providers shall report all O&M and emergency I/A OWTS service to the Department. Maintenance Providers shall maintain said records for inspection by the Commissioner for at least five (5) years after the date of the event or occurrence.
- I. Maintenance Providers are responsible for following best management practices as specified in the standards promulgated by the Department.

**§760-1907 Performance Requirements, Parameters, and Frequency of Sampling**

- A. The Department shall establish standards setting performance parameters and requirements for the frequency of sampling I/A OWTS.
- B. The performance standards shall require I/A OWTS to achieve a greater reduction in total nitrogen (TN), biological oxygen demand (BOD), and total suspended solids (TSS) than that of a Conventional Onsite Wastewater Treatment System, in addition to other applicable standards of the County or State for protection of public health.
- C. I/A OWTS must be readily accessible to ensure continued environmental compliance.
- D. The Department shall establish technical criteria for experimental, piloting, provisional, and general approval for the use of I/A OWTS technologies in Suffolk County.
- E. The Department shall maintain a list of approved I/A OWTS technologies in Suffolk County.

**§760-1908 Reporting and Record Keeping**

- A. The Department shall be responsible for maintaining a Management Information System which, at a minimum shall track the approval and registration information, inspection, sampling, and O&M of all approved I/A OWTS.
- B. It shall be unlawful for a Maintenance Provider to fail to comply with any reporting or record-keeping requirements in this Article or associated standards.

**§760-1909 Enforcement**

- A. The Department, acting as a Responsible Management Entity of I/A OWTS, shall enforce this Article and shall utilize the enforcement procedures established in Article 2 of the Suffolk County Sanitary Code entitled: “The Department of Health Services Administration and Enforcement.”
- B. In addition to existing penalties and remedies for noncompliance as provided for in the Suffolk County Sanitary Code, after notice and the opportunity for a hearing for a Property Owner under Suffolk County Sanitary Code Article 2, the Commissioner may order the Property Owner to conduct additional sampling, maintenance, inspections, and/or monitoring based on previous inspection and/or performance monitoring results.

**§760-1910 Variances, Waivers and Exemptions**

The Commissioner, in his discretion, and upon recommendation of the Suffolk County Board of Review, may grant or deny a variance or waiver from the specific sections of this Article after an application requesting such relief is made and supporting evidence has been presented to the Suffolk County Board of Review in accordance with the provisions of §760-609 of the Suffolk County Sanitary Code.

**§760-1911 Severability**

It is expressly agreed that if any term or provision of this Suffolk County Sanitary Code Article 19, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this Article, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this Article shall be valid and shall be enforced to the fullest extent permitted by law.

*Adopted* \_\_\_/\_\_\_/2016

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

1. Type of Legislation		
Resolution                      Local Law <u>  X  </u> Charter Law		
2. Title of Proposed Legislation Authorizing the Suffolk County Department of Health Services to amend policy and authorizing the Suffolk County Board of Health to amend the Suffolk County Sanitary Code to allow for the approval, registration and management of Innovative and Alternative Onsite Wastewater Treatment Systems		
3. Purpose of Proposed Legislation This legislation is needed to create a new Article 19 of the Suffolk County Sanitary Code and to comply with Suffolk County Charter Section C9-5(C) and the Suffolk County Administrative Code Section A9-9, requiring the County Legislature to approve any amendment to the Suffolk County Sanitary Code or change to the Suffolk County Comprehensive Water Resources Management Plan. The amendment will allow the Suffolk County Department of Health Services to adopt a policy to evaluate, approve, register, oversee and facilitate the use of Innovative and Alternative Onsite Wastewater Treatment Systems (I/A OWTS) in order to achieve reductions in nitrogen pollution.		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <u>  </u> NO <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Not applicable		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Not applicable		
8. Proposed Source of Funding Not applicable		
9. Timing of Impact Upon approval of the resolution		
10. <i>Typed Name &amp; Title of Preparer</i> Susan B. Hodosky Principal Financial Analyst  Diane E. Weyer Chief Financial Analyst	11. <i>Signature of Preparer</i>  	12. <i>Date</i> 5/25/16  5/27/16

**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):

Suffolk County Department of Health Services  
3500 Sunrise Hwy, Suite 124  
Great River, NY 11739

Department Contact Person  
(Name & Phone No.):

Walter Dawydiak  
852-5804

Suggestion Involves:

Technical Amendment

New Program

Grant Award

Contract (New \_\_\_ Rev. \_\_\_)

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

This legislation is needed to create a new Article 19 of the Suffolk County Sanitary Code and to comply with Suffolk County Charter Section C9-5(C) and the Suffolk County Administrative Code Section A9-9, requiring the County Legislature to approve any amendment to the Suffolk County Sanitary Code or change to the Suffolk County Comprehensive Water Resources Management Plan. This policy will allow the Suffolk County Department of Health Services to permit and manage Innovative and Alternative Onsite Wastewater Treatment Systems (I/A OWTS) to achieve reductions in nitrogen pollution.

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

The addition of a new Article 19 of the Suffolk County Sanitary Code

PLEASE FILL IN REVERSE SIDE OF FORM

**FINANCIAL IMPACT  
2016 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>	<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>	<b>\$0.000</b>

**COMBINED**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>	<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2015.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2015-2016.
- 3) SOURCE FOR EQUALIZATION RATES: 2015 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

# COUNTY OF SUFFOLK



**STEVEN BELLONE**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

**JAMES L. TOMARKEN, MD, MPH, MBA, MSW**  
Commissioner

PRIVILEGED AND CONFIDENTIAL  
INTER-OFFICE/INTRA-AGENCY COMMUNICATION  
NOT SUBJECT TO FOIL DISCLOSURE

To: Susan Hodosky  
Principal Financial Analyst

From: Walter Dawydiak, Jr., P.E., J.D.  
Director, Division of Environmental Quality

Date: May 18, 2016

Subject: Request for Introductory Resolution authorizing the Suffolk County Department of Health Services to amend policy and authorizing the Board of Health to amend the Suffolk County Sanitary Code to allow for the approval, registration, and management of Innovative and Alternative Onsite Wastewater Treatment Systems

Applicant: Suffolk County Departments of Health Services

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I request drafting of an Introductory Resolution Request authorizing the Suffolk County Department of Health Services to amend policy and authorizing the Board of Health to amend the Suffolk County Sanitary Code to allow for the approval, registration, and management of Innovative and Alternative Onsite Wastewater Treatment Systems.

Project Sponsor: Suffolk County Departments of Health Services

## **Background**

Suffolk County, with a population of 1.5 million persons, has in excess of 365,000 existing residential on-site systems, comprised mostly of cesspools and leaching pools, with 209,000 of these onsite systems in especially environmentally sensitive areas which would benefit from nitrogen-reducing technologies. Currently, Innovative and Alternative Onsite Wastewater Treatment Systems (I/A OWTS) have only been permitted in the County on a limited demonstration basis and are not specifically authorized under the Suffolk County Sanitary Code.



DIVISION OF ENVIRONMENTAL QUALITY  
Office of Ecology  
360 Yaphank Ave. - Suite 2B, Yaphank, NY 11980  
(631) 852-5760 Fax (631) 852-5812

Tens of thousands of I/A OWTS have been used successfully as nitrogen reducing technologies in unsewered areas in proximate jurisdictions such as Rhode Island, Massachusetts, New Jersey and Maryland, as documented in the Suffolk County Septic Demonstration Tour (2014). The County desires to adopt policy to allow the Department to permit and manage I/A OWTS to achieve reductions in nitrogen pollution.

The Suffolk County Department of Health Services proposes to create a new Article 19 of the Suffolk County Sanitary Code. This proposed Article titled "Management of Innovative and Alternative Onsite Wastewater Treatment Systems (I/A OWTS)" will authorize the Department to function as a Responsible Management Entity (RME) of all I/A OWTS installed within Suffolk County. As and RME, the Department will be responsible to promulgate standards to ensure the long term operation, maintenance, and management of all I/A OWTS.

### **Key Components of Article 19:**

- Article 19 establishes a framework for the Department, as the Responsible Management Entity, to evaluate, approve, register, oversee, and facilitate the use of I/A OWTS
- Under Article 19 the Department will have this framework for use in 2016, provided that the systems and proposed sites meet all applicable standards.
- Article 19 allows the Department the authority to promulgate procedures, protocols, and standards to evaluate, approve, register, oversee, and facilitate the use of I/A OWTS
- Article 19 allows the Department to ensure that I/A OWTS continue to function effectively over the long-term and to benefit the environment.
- The Department acting as the Responsible Management Entity for purposes of registering and overseeing I/A OWTS , shall administer and conduct a comprehensive set of activities and have the legal authority and technical capacity to ensure the long-term operation, maintenance and management of all I/A OWTS, and such activities shall include, but not be limited to, inspection, monitoring, operation and maintenance, and data management.

### **Required Legislative Approval:**

Suffolk County Charter Section C9-5(C) requires that any amendment to the Suffolk County Sanitary Code which implements recommendations set forth in the updated Suffolk County Comprehensive Water Resources Management Plan shall not take effect until such time as the amendment is approved by the Suffolk County Legislature by a duly enacted resolution.

### **Consistency with the Comprehensive Water Resources Management Plan:**

In 2015 Suffolk County released the Comprehensive Water Resources Management Plan. The Comp Plan looked at the increasing trends of water quality degradation in Suffolk County and developed a Management Plan that identified recommended actions to address water quality problems, most notable, the fate of Nitrogen from onsite wastewater treatment systems. The Management Plan Framework Chart recommends the following actions that are facilitated by the proposed Article 19. These recommendations include:

- Monitor effectiveness of on-site demonstration septic systems
- Develop SCDHS Process to approve and permit I/A OWTS systems. Mandate maintenance contracts on all I/A OWTS Systems
- Modify Sanitary Code and allow for establishment of construction standards for I/A OWTS
- Authorize the Department
- Establish a framework to enable the installation and compliance/performance monitoring of appropriate wastewater technology County-wide. Including, authorization of the Department to act as a Responsible Management Entity.
- Establish a database of onsite systems (current and new) to track installation, maintenance, inspection, and performance and use to guide identification of approvable technologies.

cc: Chris Lubicich, PE, Chief – Office of Ecology  
Justin Jobin, Environmental Projects Coordinator – Office of Ecology

**2016 Intergovernmental Relations  
Memorandum of Support**

TITLE OF BILL: Authorizing the Suffolk County Department of Health Services to amend policy and authorizing the Suffolk County Board of Health to amend the Suffolk County Sanitary Code to allow for the approval, registration and management of Innovative and Alternative Onsite Wastewater Treatment Systems.

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to create a new Article 19 of the Suffolk County Sanitary Code and to comply with Suffolk County Charter Section C9-5(C) and the Suffolk County Administrative Code Section A9-9, requiring the County Legislature to approve any amendment to the Suffolk County Sanitary Code or change to the Suffolk County Comprehensive Water Resources Management Plan. The amendment will allow the Suffolk County Department of Health Services to adopt a policy to evaluate, approve, register, oversee and facilitate the use of Innovative and Alternative Onsite Wastewater Treatment Systems (I/A OWTS) in order to achieve reductions in nitrogen pollution.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: The Department will have the framework to evaluate, approve, register, oversee and facilitate the use of Innovative and Alternative Onsite Wastewater Treatment Systems (I/A OWTS) and to ensure that the I/A OWTS continue to function effectively over the long-term and to benefit the environment.

FISCAL IMPLICATIONS: None.

# COUNTY OF SUFFOLK



**STEVEN BELLONE**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

**JAMES L. TOMARKEN, MD, MPH, MBA, MSW**  
Commissioner

May 25, 2016

Jon Schneider, Deputy County Executive  
County Executive's Office, 12<sup>th</sup> Floor  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution authorizing the Suffolk County Department of Health Services to amend policy and authorizing the Suffolk County Board of Health to amend the Suffolk County Sanitary Code to allow for the approval, registration and management of Innovative and Alternative Onsite Wastewater Treatment Systems. This legislation is needed to create a new Article 19 of the Suffolk County Sanitary Code and to comply with Suffolk County Charter Section C9-5(C) and the Suffolk County Administrative Code Section A9-9, requiring the County Legislature to approve any amendment to the Suffolk County Sanitary Code or any change to the Suffolk County Comprehensive Water Resources Management Plan.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Walter Dawydiak at 2-5804. Also, an e-mail version of this Resolution and accompanying Exhibit were sent to CE RESO REVIEW and the file names are "Reso-HSV-EQ Amend Sanitary Code.docx" and "Reso Exhibit A-HSV-EQ Amend Sanitary Code.docx."

Sincerely,

James L. Tomarken, MD, MPH, MBA, MSW  
Commissioner

Enclosures

C: Christina Capobianco, CPA, Deputy Commissioner  
Barbara Marano, CPA, Executive Assistant for Finance & Administration  
Jennifer Culp, MPA, Assistant to the Commissioner of Health Services  
Walter Dawydiak, P.E., Director, Division of Environmental Quality  
Susan B. Hodosky, Principal Financial Analyst



OFFICE OF THE COMMISSIONER  
3500 Sunrise Highway, Suite 124, P. O. Box 9006, NY 11739-9006  
Phone (631) 854-0000 Fax (631) 854-0108

# Department of Health Services Introductory Resolution Routing Form

**TO: BUDGET & PURCHASING**

**FROM DIVISION OF: ENVIRONMENTAL QUALITY**

**DATE: 5/25/2016**

**Introductory Resolution Name: AUTHORIZING THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES TO AMEND POLICY AND AUTHORIZING THE SUFFOLK COUNTY BOARD OF HEALTH TO AMEND THE SUFFOLK COUNTY SANITARY CODE TO ALLOW FOR THE APPROVAL REGISTRATION AND MANAGEMENT OF INNOVATIVE AND ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS**

**Division Contact Person: WALTER DAWYDIAK**

**Phone # 852-5804**

*Please review the attached document, note any problems in the COMMENTS section, initial and date where indicated for approval and return to the Budget & Purchasing Unit.*

**ROUTE TO:**

**INITIAL:**

**DATE:**

**1. Finance**

CC

5/24/16

**2. Commissioner - Sign Cover Memo**

WT

5/25/16

**3. Approvals received by Budget/Purchasing Unit**

\_\_\_\_\_

\_\_\_\_\_

**COMMENTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1572

Intro. Res. No - 2016  
Introduced by Legislator Krupski

Laid on Table

6/1/16

**RESOLUTION NO. -2016, AUTHORIZING THE  
RECONVEYANCE OF COUNTY-OWNED REAL ESTATE  
PURSUANT TO SECTION 215, NEW YORK STATE COUNTY  
LAW TO ALEXANDER CZARNECKI**

**WHEREAS**, the County of Suffolk is the fee owner of the following described parcel:

ALL that certain plot, piece or parcel of land with any buildings and improvements thereon erected, situate, lying and being in Manorville, Town of Brookhaven, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0200, Section 460.00, Block 01.00, Lot 009.000, and acquired by tax deed on November 25, 2013, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 26, 2013, in Liber 12754, at Page 133, and otherwise known as District 0200, Section 460.00, Block 01.00, Lot 009.000

and

**WHEREAS**, Alexander Czarneski was the former owner of said real property; and

**WHEREAS**, the time for redemption of this real property under Local Law No. 16-1976 has expired; and

**WHEREAS**, an investigation by the office of Legislator Krupski has determined that said non-payment of taxes on the part of Alexander Czarnecki was not an intentional act and that the County's failure to convey the property to Alexander Czarnecki would be unjust and inequitable; and

**WHEREAS**, it would be in the best interest of the County of Suffolk to return said parcel to the tax rolls; and

**WHEREAS**, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of \$2,061.81 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Alexander Czarnecki  
Vacant Land - North Street  
Manorville, NY 11949

upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in the above-described real estate; and be it further

**2nd**            **RESOLVED**, in the event Mr. Czarnecki fails to pay all amounts due and owing the County within 60 days of the effective date of this resolution, the Division of Real Property Acquisition and Management shall not convey the subject property to Alexander Czarnecki.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

s:\word\215 redemption\

1573

Intro. Res. No. -2016  
Introduced by Legislator Lindsay

Laid on Table

6/1/16

**RESOLUTION NO. -2016, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO AUDREY SAULLO, EXECUTOR OF THE ESTATE OF MARGARET R. SAULLO (SCTM NO. 0500, 352.00, 02.00, 009.000)**

**WHEREAS**, the County of Suffolk is the fee owner of the following described parcel:

ALL that certain plot, piece or parcel of land with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0500, Section 352.00, Block 02.00, Lot 009.000, and acquired by tax deed on September 9, 2013, from Angie Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 10, 2013, in Liber 12743, at Page 671, and otherwise known as and by Town of Islip, as Lot No. 67, on a certain map entitled "Oakdale Shores, Section 3", filed in the Office of the Clerk of Suffolk County on September 22, 1961 as Map No. 3415; and

and

**WHEREAS**, Frank and Margaret Saullo, now deceased, were the former owners of said real property; and

**WHEREAS**, the time for redemption of this real property under Local Law No. 16-1976 has expired; and

**WHEREAS**, an investigation by the office of Legislator Lindsay has determined that said non-payment of taxes was not an intentional act but was due to circumstances beyond the prior owners' control; and

**WHEREAS**, it would be in the best interest of the County of Suffolk to return said parcel to the tax rolls; and

**WHEREAS**, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of \$131,389.67 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Audrey Saullo, Executor of the Estate of Margaret Saullo  
83 Bayview Drive  
Oakdale, NY 11769

upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in the above-described real estate; and be it further

**2nd RESOLVED**, in the event Audrey Saullo fails to pay all amounts due and owing the County within 60 days of the effective date of this resolution, the Division of Real Property Acquisition and Management shall not convey the subject property to Audrey Saullo.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

s:\word\215 redemption\Saullo

1574

Intro Res. No -2016 Laid on Table on 6/1/16  
 Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2015, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$265,013 FOR THE EMERGENCY SOLUTIONS GRANTS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS**

**WHEREAS**, the Suffolk County Department of Economic Development and Planning has submitted an application for an Emergency Solutions Grant for Federal Fiscal Year 2016 under The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009; and

**WHEREAS**, the County has been awarded a FY 2016 Emergency Solutions Grant in the amount of \$265,013.00; and

**WHEREAS**, \$19,876.00 of said funds are to be used for operational costs; and

**WHEREAS**, these funds have been included in the 2016 Adopted Operating Budget; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Legislature hereby authorizes the County Executive, or his designee, to accept the Emergency Solutions Grant and to contract with the cooperating non-profit organizations for the expenditure of these funds; and, be it further

**2<sup>nd</sup> RESOLVED**, that \$19,876.00 of these funds be used to reimburse budgeted County expenses and that the County Comptroller and County Treasurer be, and they hereby are, authorized to accept and appropriate the following funds:

REVENUES – Community Development – Federal Aid

Fund	Department	Unit	Revenue Code	Amount
354	CDV	8685	4915	265,013

ORGANIZATIONS

ECONOMIC DEVELOPMENT AND PLANNING  
 EMERGENCY SOLUTIONS GRANT PROGRAM  
 354-CDV-8685  
 \$245,137

<u>4980-CONTRACTED SERVICES:</u>	\$245,137
4980-Contracted Agencies	\$245,137

INTERFUND TRANSFER  
TRANSFER TO FUND 351  
FD-IFT-9600 - \$19,876.00

9000-INTERFUND TRANSFERS: \$19,876.00

Fund	Dept	Budget Type	Unit	Object	Activity	Description	Amount
354	IFT	ODE	E351	9600	0000	Admin expenses	19,876

and be it further

**3<sup>rd</sup> RESOLVED**, that the reporting category for the County Integrated Financial Management System (IFMS) is CD16; and be it further

**4<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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.

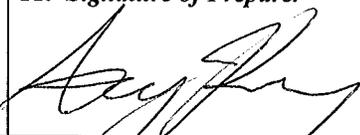
DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

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

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO.      - 2015, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$265,013 FOR THE EMERGENCY SOLUTIONS GRANTS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS</b>		
3. Purpose of Proposed Legislation		
To accept 2016 Emergency Solutions Grant funding.		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <u>  </u> NO <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
Total award is \$265,013		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
Federal funds		
9. Timing of Impact		
Upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Amy Keyes Government Liaison Officer Economic Development & Planning		5/24/16





U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

OFFICE OF THE ASSISTANT SECRETARY FOR  
COMMUNITY PLANNING AND DEVELOPMENT

February 16, 2016

Mr. Steven Bellone  
County Executive of Suffolk County  
100 Veterans Hwy  
Hauppauge, NY 11788-5402

Dear County Executive Bellone:

I am pleased to inform you of your jurisdiction's Fiscal Year (FY) 2016 allocations for the Office of Community Planning and Development's (CPD) formula programs, which provide funding for housing, community and economic development activities, and assistance for low and moderate-income persons and special populations across the country. President Obama signed Public Law 114-113 on December 18, 2015, which includes FY 2016 funding for these programs. Your jurisdiction's FY 2016 available amounts are:

Community Development Block Grant (CDBG)	\$2,917,444
HOME Investment Partnerships (HOME)	\$1,178,091
Housing Opportunities for Persons with AIDS (HOPWA)	\$ 0
Emergency Solutions Grants (ESG)	\$265,013

This letter highlights several important points related to these programs. First, Secretary Julián Castro is committed to making HUD the "Department of Opportunity" and has established a number of initiatives intended to achieve that goal. In 2015, we celebrated the 50<sup>th</sup> anniversary of the Department's establishment, and these initiatives build on HUD's mission to promote homeownership, support community development, and increase access to affordable housing free from discrimination. The Department is working hard with grantees on these key goals and urges you to review the entire plan at: <http://portal.hud.gov/hudportal/HUD?src=/hudvision>. In an era when the nation's severe shortage of affordable rental housing creates substantial housing instability—contributing to homelessness, family mobility and unequal educational attainment—I am particularly interested in working with grantees to increase affordable housing production through our CPD formula programs.

Second, HUD recommends that grantees effectively plan and implement programs that leverage these critical Federal financial resources to achieve the greatest possible return for the communities and individuals they are intended to assist.

- HUD urges grantees to consider using CDBG funds, to the extent possible, to support investments in predevelopment activities for infrastructure and public facilities activities that can provide multiple benefits for communities.
- HUD has created a Renewable Energy Toolkit specifically tailored to CPD grantees. To the extent that grantees are interested in using funds for renewable energy projects, please feel free to access that toolkit online at [www.hudexchange.info](http://www.hudexchange.info).
- If you would like assistance from CPD in redesigning, prioritizing or targeting your programs,

either you or the head of the agency that administers your program may request assistance through your local CPD Director.

Third, CPD is asking grantees to renew their focus on administration and management of these programs as part of an effort to ensure effective use of the funds. Throughout 2016, CPD and HUD's Office of the Inspector General expect to issue a range of guidance that will highlight particular areas where grantees commonly stumble. I urge grantees to actively review their policies and procedures governing these programs and to strengthen management practices, particularly with regard to recordkeeping, in order to avoid problems and risk this vital funding. This focus on administration is particularly critical because the Integrated Disbursement and Information System (IDIS), which is HUD's financial and data system for managing these formula programs, will no longer commit and disburse grant funds on a first-in first-out (FIFO) basis beginning with the FY 2015 grants. All FY 2015 and future grants will be committed and disbursed on a grant specific basis.

The Office of Community Planning and Development is looking forward to working with you to promote simple steps that will enhance the viability and performance of these critical programs and successfully meet the challenges that our communities face. Please contact your local CPD office if you or your staff has any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Harriet Tregoning", with a stylized flourish at the end.

Harriet Tregoning  
Principal Deputy Assistant Secretary

1575

Intro. Res. No .-2016

Laid on Table 6/1/16

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2016, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$1,178,091 FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS**

**WHEREAS**, the Suffolk County Department of Economic Development and Planning has submitted an application for a HOME Investment Partnership Program Grant for Federal Fiscal Year 2016 under Title II of the National Affordable Housing Act of 1990 (P.L. 101-625); and

**WHEREAS**, the County has been awarded a HOME Investment Partnerships Program FY 2016 grant in the amount of \$1,178,091.00; and

**WHEREAS**, \$117,810.00 of said funds are to be used for operational costs; and

**WHEREAS**, these funds have been included in the 2016 Adopted Operating Budget; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Legislature hereby authorizes the County Executive, or his designee, to accept the HOME Investment Partnerships Program grant and to execute agreements with HUD, cooperating municipalities, non-profit and for-profit organizations for the expenditure of these funds; and be it further

**2<sup>nd</sup> RESOLVED**, that \$117,810.00 of these funds be used to reimburse budgeted County expenses and that the County Comptroller and County Treasurer be, and they hereby are, authorized to accept and appropriate the following funds:

REVENUES – Community Development – Federal Aid

Fund	Department	Unit	Revenue Code	Amount
353	CDV	8663	4911	1,178,091

ORGANIZATIONS:

ECONOMIC DEVELOPMENT AND PLANNING  
HOME INVESTMENT PARTNERSHIPS  
353-CDV-8663

Contracted Services

\$1,060,281

4980-Contracted Agencies

\$1,060,281

INTERFUND TRANSFER  
TRANSFER TO FUND 351  
IFT-9600

9000-INTERFUND TRANSFERS: \$117,810

Fund	Dept	Budget Type	Unit	Object	Activity	Description	Amount
353	IFT	ODE	E351	9600	0000	Admin expenses	117,810

**3<sup>rd</sup> RESOLVED**, that the reporting category for the County Integrated Financial Management System (IFMS) is CD16; and be it further

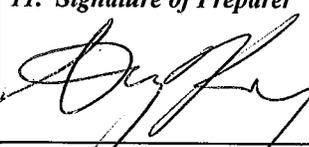
**4<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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:

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law      Charter Law		
2. Title of Proposed Legislation		
<b>RESOLUTION NO.      - 2016, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$1,178,091 FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS</b>		
3. Purpose of Proposed Legislation		
To accept 2016 HUD HOME Investment Partnerships Program funding.		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
Total award is \$1,178,091		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
Federal funds		
9. Timing of Impact		
Upon adoption.		
10. <i>Typed Name &amp; Title of Preparer</i> Amy Keyes Government Liaison Officer Economic Development & Planning	11. <i>Signature of Preparer</i> 	12. <i>Date</i> 5/24/16





U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

OFFICE OF THE ASSISTANT SECRETARY FOR  
COMMUNITY PLANNING AND DEVELOPMENT

February 16, 2016

Mr. Steven Bellone  
County Executive of Suffolk County  
100 Veterans Hwy  
Hauppauge, NY 11788-5402

Dear County Executive Bellone:

I am pleased to inform you of your jurisdiction's Fiscal Year (FY) 2016 allocations for the Office of Community Planning and Development's (CPD) formula programs, which provide funding for housing, community and economic development activities, and assistance for low and moderate-income persons and special populations across the country. President Obama signed Public Law 114-113 on December 18, 2015, which includes FY 2016 funding for these programs. Your jurisdiction's FY 2016 available amounts are:

Community Development Block Grant (CDBG)	\$2,917,444
HOME Investment Partnerships (HOME)	\$1,178,091
Housing Opportunities for Persons with AIDS (HOPWA)	\$ 0
Emergency Solutions Grants (ESG)	\$265,013

This letter highlights several important points related to these programs. First, Secretary Julián Castro is committed to making HUD the "Department of Opportunity" and has established a number of initiatives intended to achieve that goal. In 2015, we celebrated the 50<sup>th</sup> anniversary of the Department's establishment, and these initiatives build on HUD's mission to promote homeownership, support community development, and increase access to affordable housing free from discrimination. The Department is working hard with grantees on these key goals and urges you to review the entire plan at: <http://portal.hud.gov/hudportal/HUD?src=/hudvision>. In an era when the nation's severe shortage of affordable rental housing creates substantial housing instability—contributing to homelessness, family mobility and unequal educational attainment—I am particularly interested in working with grantees to increase affordable housing production through our CPD formula programs.

Second, HUD recommends that grantees effectively plan and implement programs that leverage these critical Federal financial resources to achieve the greatest possible return for the communities and individuals they are intended to assist.

- HUD urges grantees to consider using CDBG funds, to the extent possible, to support investments in predevelopment activities for infrastructure and public facilities activities that can provide multiple benefits for communities.
- HUD has created a Renewable Energy Toolkit specifically tailored to CPD grantees. To the extent that grantees are interested in using funds for renewable energy projects, please feel free to access that toolkit online at [www.hudexchange.info](http://www.hudexchange.info).
- If you would like assistance from CPD in redesigning, prioritizing or targeting your programs,

either you or the head of the agency that administers your program may request assistance through your local CPD Director.

Third, CPD is asking grantees to renew their focus on administration and management of these programs as part of an effort to ensure effective use of the funds. Throughout 2016, CPD and HUD's Office of the Inspector General expect to issue a range of guidance that will highlight particular areas where grantees commonly stumble. I urge grantees to actively review their policies and procedures governing these programs and to strengthen management practices, particularly with regard to recordkeeping, in order to avoid problems and risk this vital funding. This focus on administration is particularly critical because the Integrated Disbursement and Information System (IDIS), which is HUD's financial and data system for managing these formula programs, will no longer commit and disburse grant funds on a first-in first-out (FIFO) basis beginning with the FY 2015 grants. All FY 2015 and future grants will be committed and disbursed on a grant specific basis.

The Office of Community Planning and Development is looking forward to working with you to promote simple steps that will enhance the viability and performance of these critical programs and successfully meet the challenges that our communities face. Please contact your local CPD office if you or your staff has any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Harriet Tregoning", with a large, stylized flourish at the end.

Harriet Tregoning  
Principal Deputy Assistant Secretary

Gen 4-03

Intro. Res. No. 1576-16  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/1/16

**RESOLUTION NO. -2016 APPROVING AND AUTHORIZING A CONTRACT FOR A MILITARY SUSTAINABILITY MARKETING PLAN TO SUPPORT BASE ADVOCACY AND OUTREACH EFFORTS AGAINST FUTURE BASE REALIGNMENT AND CLOSURE (BRAC)**

**WHEREAS**, in 2012 Suffolk County was awarded a grant under the NYSESD Military Base Retention Grant Program to safeguard the future of the Air National Guard (ANG) base at Gabreski Airport, one of the two phases of which was to create a Military Sustainability Marketing Plan; and

**WHEREAS**, the County of Suffolk, through its Department of Economic Development and Planning, issued a Request for Proposals (RFP) in March 2016, to provide the County with a Comprehensive Military Sustainability Marketing Plan for Gabreski Air National Guard Base in Westhampton Beach, NY; and

**WHEREAS**, the Purchasing Division of the Department of Public Works advertised for these services and received only one response from Sanna Mattson Macleod, Inc., located at 811 West Jericho Turnpike, Suite 109E, Smithtown, NY 11787; and

**WHEREAS**, an independent evaluation committee has reviewed this response and recommends that the County move forward and enter into a contractual agreement with the sole responder; and

**WHEREAS**, the total amount of the contract will be funded with the remaining monies available through the NYSESD Military Base Retention Grant; and

**WHEREAS**, Local Law No. 3-1996 requires County Legislature to approve any contract in excess of \$20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; now, therefore be it

**1st RESOLVED**, that upon receiving two-thirds vote of the County Legislature as required by Local Law No. 3-1996, the County Executive is authorized to execute an agreement with Sanna Mattson MacLeod to provide the services outlined within the Request for Proposal No. 16012; and be it further

**2nd RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(20)(27) as this legislative decision involves the routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As such, this Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

---

County Executive of Suffolk County  
Date:

1577-16  
Intro. Res. No. -2016  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/1/16

**RESOLUTION NO. -2016, ACCEPTING AND APPROPRIATING 80% FEDERAL GRANT FUNDS FROM THE NEW YORK METROPOLITAN TRANSPORTATION COUNCIL (NYMTC) IN THE AMOUNT OF \$100,190.40 FOR THE "BUS RAPID TRANSIT DESIGN STANDARDS STUDY" ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING AND TO EXECUTE GRANT RELATED AGREEMENTS**

**WHEREAS**, Resolution No. 1033-2012 authorized the County to execute a Metropolitan Planning Organization Member Agency Federal-Aid Project Agreement, with the New York State Department of Transportation in order for the County to be eligible for future grant funding; and

**WHEREAS**, NYMTC, through the Program, Finance, and Administration Committee, passed Resolution 2016-1, Adoption of the 2016-2017 Unified Planning Work Program (UPWP); and

**WHEREAS**, the 2016-2017 UPWP will provide funds to the County for the preparation of the Bus Rapid Transit Design Standards Study; and

**WHEREAS**, this grant has a start date of 04/01/2016 and end date of 03/31/2017 in which the County will receive 80% grant funding in the amount of \$100,190.40; and

**WHEREAS**, said funds have not been including in the 2016 Operating Budget; and

**WHEREAS**, \$25,047.60 is the County cost share in the form of existing staff time already included in the 2016 Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, the County Comptroller be and they hereby are authorized to accept \$100,190.40 and appropriate said grant funds as follows:

**REVENUES:**

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Revenue Code</u>	<u>Amount</u>
001	EDP	8047	4528	\$100,190.40

**ORGANIZATIONS:**

Suffolk County Department of  
Economic Development and Planning  
2016-2017 UPWP  
001-EDP-8047-\$100,190.40

**4000-Contractual Services:**

<u>Fund</u>	<u>Department</u>	<u>Budget Type</u>	<u>Unit</u>	<u>Object</u>	<u>Activity</u>	<u>Description</u>	<u>Amount</u>
001	EDP	NONE	8047	4560	xxxx	Fees for Service	\$100,190.40

**2<sup>nd</sup>**           **RESOLVED**, the Department of Economic Development and Planning is authorized to use existing staff time for the County cost share; and be it further

**3<sup>rd</sup>**           **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or designee, to execute and deliver, on behalf of the County, such agreements, instruments or authorizations as may be contemplated by, or necessary or advisable to consummate or otherwise give full effect to execute any and all contract documents related to these projects, conduct all related planning activities, and receive reimbursement on behalf of the County of Suffolk in the above referenced project; and be it further

**4<sup>th</sup>**           **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (C)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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:

1578

Intro. Res. No. -2016

Introduced by Presiding Officer on request of the County Executive

Laid on Table 6/1/16

**RESOLUTION NO. -2016, ACCEPTING AND APPROPRIATING 80% FEDERAL GRANT FUNDS FROM THE NEW YORK METROPOLITAN TRANSPORTATION COUNCIL (NYMTC) IN THE AMOUNT OF \$300,278.40 FOR THE "RONKONKOMA RAILROAD STATION/LONG ISLAND MACARTHUR AIRPORT – PLANE-TO-TRAIN CONNECTIVITY STUDY" ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING AND TO EXECUTE GRANT RELATED AGREEMENTS**

**WHEREAS**, Resolution No. 1033-2012 authorized the County to execute a Metropolitan Planning Organization Member Agency Federal-Aid Project Agreement, with the New York State Department of Transportation in order for the County to be eligible for future grant funding; and

**WHEREAS**, NYMTC, through the Program, Finance, and Administration Committee, passed Resolution 2016-1, Adoption of the 2016-2017 Unified Planning Work Program (UPWP); and

**WHEREAS**, the 2016-2017 UPWP will provide funds to the County for the preparation of the Ronkonkoma Railroad Station/Long Island MacArthur Airport – Plane-to-Train Connectivity Study; and

**WHEREAS**, this grant has a start date of 04/01/2016 and end date of 03/31/2017 in which the County will receive 80% grant funding in the amount of \$300,278.40; and

**WHEREAS**, said funds have not been including in the 2016 Operating Budget; and

**WHEREAS**, \$75,069.60 is the County cost share in the form of existing staff time already included in the 2016 Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, the County Comptroller be and they hereby are authorized to accept \$300,278.40 and appropriate said grant funds as follows:

REVENUES:

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Revenue Code</u>	<u>Amount</u>
001	EDP	8046	4527	\$300,278.40

ORGANIZATIONS:

Suffolk County Department of  
Economic Development and Planning  
2016-2017 UPWP  
001-EDP-8046-\$300,278.40

4000-Contractual Services:

<u>Fund</u>	<u>Department</u>	<u>Budget Type</u>	<u>Unit</u>	<u>Object</u>	<u>Activity</u>	<u>Description</u>	<u>Amount</u>
001	EDP	NONE	8046	4560	xxxx	Fees for Service	\$300,278.40

**2<sup>nd</sup>**           **RESOLVED**, the Department of Economic Development and Planning is authorized to use existing staff time for the County cost share; and be it further

**3<sup>rd</sup>**           **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or designee, to execute and deliver, on behalf of the County, such agreements, instruments or authorizations as may be contemplated by, or necessary or advisable to consummate or otherwise give full effect to execute any and all contract documents related to these projects, conduct all related planning activities, and receive reimbursement on behalf of the County of Suffolk in the above referenced project; and be it further

**4<sup>th</sup>**           **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (C)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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:

1579

Intro. Res. No. -2016

Laid on Table

6/1/16

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2016, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A START-UP NY AFFILIATION AGREEMENT WITH SUFFOLK COUNTY COMMUNITY COLLEGE FOR THE PURPOSE OF INCLUDING COUNTY OWNED LAND, LOCATED ADJACENT TO THE AMMERMAN CAMPUS (SELDEN), IN THE COLLEGE'S START-UP NY CAMPUS PLAN FOR DESIGNATION AS A TAX-FREE NEW YORK AREA**

**WHEREAS**, the New York State Legislature has determined that to revitalize the economy of the State of New York, it is necessary and appropriate to promote entrepreneurship and job creation by transforming public higher education institutions through the establishment of tax-free areas, to attract high tech businesses, startup companies, venture capital, new business and investments from around the world; and

**WHEREAS**, in furtherance of this objective, the State Legislature created the START-UP NY Program (the "Program"), in accordance with Chapter 68 of the Laws of 2013 (the "Act") which authorizes the creation of tax-free New York areas on eligible campuses in New York State, including SUNY and community college campuses, for new and expanding businesses to both foster job creation and enhance the academic mission of the participating universities and colleges; and

**WHEREAS**, Suffolk County Community College (the "College") wishes to participate in the Program, however lacks "on-campus" space on its Ammerman Campus, located in Selden, NY, to include in its Plan for Designation of Tax-Free Areas (the "Plan") as described by the Act; and

**WHEREAS**, the Act allows the inclusion of property not owned by or on the campus of a college to be included in the College's Plan, by entering into a START-UP NY Affiliation Agreement (the "Agreement") with property owners, including Suffolk County; and

**WHEREAS**, Suffolk County owns vacant land located adjacent to the College's Ammerman Campus in Selden; and

**WHEREAS**, Suffolk County, through its Department of Economic Development and Planning (the "Department") is interested in entering into a START-UP NY Affiliation Agreement with the College to further the purposes of the Act which are consistent with the mission of the Department; and

**WHEREAS**, the Legislature agrees that the inclusion of the Premises in the Program is in the best interest of the County and its taxpayers, as well as in furtherance of the mission of both the College and the Department; now therefore be it

**1st**           **RESOLVED**, the County Executive, or his designee, is hereby authorized and empowered to enter into the Agreement with the College outlining the responsibilities of the parties with regard to the College's Plan and approving the use of the Premises, as described therein, for inclusion in the College's Plan for the duration of the agreement; and be it further

**2nd**           **RESOLVED**, that the County Executive, or his designee, is authorized and empowered to make such changes to the Agreement as is deemed necessary and appropriate to effectuate the purposes of this resolution, subject to the approval of the Department of Law and the Commissioner of the Department, and the execution and delivery of such agreement shall be conclusive evidence of his approval of any such changes and of the authorization and direction thereof by the Legislature; and be it further

**3rd**           **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this Project constitutes both Type II and Unlisted Actions, pursuant to Section 617.4 and 617.5 of Title 6 of New York Code of Rules and Regulations ("NYCRR"). The contractors for this project shall be solely responsible for all activities and costs necessary to obtain a SEQRA determination of significance and will prepare all necessary documentation to meet SEQRA requirements; and be it further

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: \_\_\_\_\_, 2016

1580

Intro. Res. No. - 2016

Laid on the Table

6/1/16

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2016, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE US DEPT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$2,917,444 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS**

**WHEREAS**, the Suffolk County Department of Economic Development and Planning has submitted an application for a Community Development Entitlement Block Grant for Federal Fiscal Year 2016 under the Housing and Community Development Acts of 1974 (P.L.93-383), as amended; and

**WHEREAS**, the County has been awarded a FY 2016 entitlement Community Development Block Grant in the amount of \$2,917,444; and

**WHEREAS**, \$371,329 of said funds are to be used for operational costs; and

**WHEREAS**, said funds have been included in the 2016 Operating Budget; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Legislature hereby authorizes the County Executive, or his designee to accept the Community Development Block Grant and to execute agreements with HUD and the cooperating municipalities for the expenditure of these funds; and be it further

**2<sup>nd</sup> RESOLVED**, that \$371,329 of these funds be used to reimburse budgeted County expenses and that the County Comptroller be, and they hereby are authorized to accept and appropriate the following funds:

REVENUES- Community Development - Federal Aid

Fund	Department	Unit	Revenue Code	Amount
352	CDV	8005	4920	2,917,444

**ECONOMIC DEVELOPMENT AND PLANNING  
GRANTS TO COOPERATING MUNICIPALITIES**

352-CDV-8005

\$2,546,115

4980-CONTRACTED SERVICES: \$2,546,115

Fund	Dept	Budget Type	Unit	Object	Activity	Description	Amount
352	CDV	NONE	8005	4980	xxxx	Town of Brookhaven	1,805,000.00
352	CDV	NONE	8005	4980	xxxx	Town of East Hampton	100,000.00

352	CDV	NONE	8005	4980	xxxx	Town of Riverhead	135,000.00
352	CDV	NONE	8005	4980	xxxx	Town of Smithtown	172,480.00
352	CDV	NONE	8005	4980	xxxx	Town of Southampton	95,000.00
352	CDV	NONE	8005	4980	xxxx	Town of Southold	30,000.00
352	CDV	NONE	8005	4980	xxxx	Village of Bellport	30,000.00
352	CDV	NONE	8005	4980	xxxx	Village of Lake Grove	28,243.00
352	CDV	NONE	8005	4980	xxxx	Village of Patchogue	122,330.00
352	CDV	NONE	8005	4980	xxxx	Village of Southampton	18,062.00
352	CDV	NONE	8005	4980	xxxx	Long Island Housing Services	10,000.00

INTERFUND TRANSFER  
TRANSFER TO FUND 351  
IFT-9600 - \$ 371,329

9600-INTERFUND TRANSFERS: \$ 371,329

Fund	Dept	Budget Type	Unit	Object	Activity	Description	Amount
352	IFT	ODE	E351	9600	0000	County Operational Costs	\$371,329

and be it further

**3<sup>rd</sup> RESOLVED**, that the reporting category for the County Integrated Financial System (IFMS) is CD16; and be it further

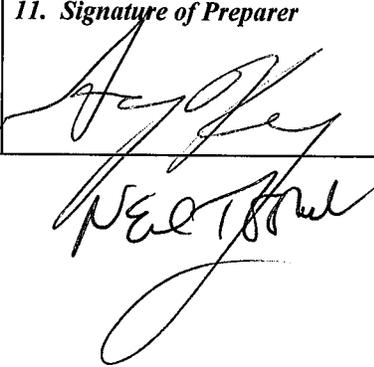
**4<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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:

/s/ Steven Bellone  
County Executive of Suffolk County  
Date:

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law Charter Law		
2. Title of Proposed Legislation		
<b>RESOLUTION NO. - 2015 ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$2,917,444 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS</b>		
3. Purpose of Proposed Legislation To accept 2016 CDBG funding.		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
Total award is \$2,917,444		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
Federal funds		
9. Timing of Impact		
Upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Amy Keyes Government Liaison Officer Economic Development & Planning		5/24/16

**FINANCIAL IMPACT  
2016 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

**POLICE DISTRICT AND DISTRICT COURT**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

**COMBINED**

	2016 PROPERTY TAX LEVY	2016 COST TO AVG TAXPAYER	2016 FV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2015.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2015-2016.
- 3) SOURCE FOR EQUALIZATION RATES: 2015 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

OFFICE OF THE ASSISTANT SECRETARY FOR  
COMMUNITY PLANNING AND DEVELOPMENT

February 16, 2016

Mr. Steven Bellone  
County Executive of Suffolk County  
100 Veterans Hwy  
Hauppauge, NY 11788-5402

Dear County Executive Bellone:

I am pleased to inform you of your jurisdiction's Fiscal Year (FY) 2016 allocations for the Office of Community Planning and Development's (CPD) formula programs, which provide funding for housing, community and economic development activities, and assistance for low and moderate-income persons and special populations across the country. President Obama signed Public Law 114-113 on December 18, 2015, which includes FY 2016 funding for these programs. Your jurisdiction's FY 2016 available amounts are:

Community Development Block Grant (CDBG)	\$2,917,444
HOME Investment Partnerships (HOME)	\$1,178,091
Housing Opportunities for Persons with AIDS (HOPWA)	\$ 0
Emergency Solutions Grants (ESG)	\$265,013

This letter highlights several important points related to these programs. First, Secretary Julián Castro is committed to making HUD the "Department of Opportunity" and has established a number of initiatives intended to achieve that goal. In 2015, we celebrated the 50<sup>th</sup> anniversary of the Department's establishment, and these initiatives build on HUD's mission to promote homeownership, support community development, and increase access to affordable housing free from discrimination. The Department is working hard with grantees on these key goals and urges you to review the entire plan at: <http://portal.hud.gov/hudportal/HUD?src=/hudvision>. In an era when the nation's severe shortage of affordable rental housing creates substantial housing instability—contributing to homelessness, family mobility and unequal educational attainment—I am particularly interested in working with grantees to increase affordable housing production through our CPD formula programs.

Second, HUD recommends that grantees effectively plan and implement programs that leverage these critical Federal financial resources to achieve the greatest possible return for the communities and individuals they are intended to assist.

- HUD urges grantees to consider using CDBG funds, to the extent possible, to support investments in predevelopment activities for infrastructure and public facilities activities that can provide multiple benefits for communities.
- HUD has created a Renewable Energy Toolkit specifically tailored to CPD grantees. To the extent that grantees are interested in using funds for renewable energy projects, please feel free to access that toolkit online at [www.hudexchange.info](http://www.hudexchange.info).
- If you would like assistance from CPD in redesigning, prioritizing or targeting your programs,

either you or the head of the agency that administers your program may request assistance through your local CPD Director.

Third, CPD is asking grantees to renew their focus on administration and management of these programs as part of an effort to ensure effective use of the funds. Throughout 2016, CPD and HUD's Office of the Inspector General expect to issue a range of guidance that will highlight particular areas where grantees commonly stumble. I urge grantees to actively review their policies and procedures governing these programs and to strengthen management practices, particularly with regard to recordkeeping, in order to avoid problems and risk this vital funding. This focus on administration is particularly critical because the Integrated Disbursement and Information System (IDIS), which is HUD's financial and data system for managing these formula programs, will no longer commit and disburse grant funds on a first-in first-out (FIFO) basis beginning with the FY 2015 grants. All FY 2015 and future grants will be committed and disbursed on a grant specific basis.

The Office of Community Planning and Development is looking forward to working with you to promote simple steps that will enhance the viability and performance of these critical programs and successfully meet the challenges that our communities face. Please contact your local CPD office if you or your staff has any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Harriet Tregoning", with a stylized flourish at the end.

Harriet Tregoning  
Principal Deputy Assistant Secretary

1581

Intro. Res. No. -2016  
Introduced by Legislator Stern

Laid on Table 6/1/16

**RESOLUTION NO. - 2016, ADOPTING LOCAL LAW NO.  
-2016, A LOCAL LAW TO AMEND THE COUNTY'S  
PURCHASING AND CONTRACT ELIGIBILITY REQUIREMENTS**

**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 AMEND THE COUNTY'S PURCHASING AND CONTRACT ELIGIBILITY REQUIREMENTS**"; 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 AMEND THE COUNTY'S PURCHASING AND CONTRACT  
ELIGIBILITY REQUIREMENTS**

**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 some individual and business entities have called for and are actively boycotting nations allied with the United States.

This Legislature finds that New York State has enacted legislation which disqualifies persons and businesses that boycott our nation's allies from doing business with the State.

This Legislature supports New York State's position on this issue and concludes that the County of Suffolk should amend its procurement law to reflect New York's policy.

Therefore, the purpose of this local law is to disqualify purchasing and contract bids submitted to the County by persons and businesses that boycott American allies.

**Section 2. Amendments.**

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

**CHAPTER 189.  
PURCHASING AND CONTRACTS**

\* \* \* \*

**Article II. Disqualification of Nonresponsible Bidders.**

\* \* \* \*

**§ 189-4. Definitions.**

For the purposes of this article, the following terms shall have the meanings indicated:

Awarding Agency – the agency authorized by law to amend the bid.

Boycott Israel – to engage in any activity, or to promote or encourage others to engage in any activity, that will result in any person abstaining from commercial, social, or political relations, with the State of Israel, or companies based in the State of Israel, with the intent to penalize, inflict, or cause harm to, or otherwise promote or cast disrepute on the State of Israel, its people or its commercial products.

Entity – Any individual, firm, association, partnership, institution, joint venture, joint-stock association or corporation, including an officer of a corporation, a shareholder owning over 5% of the outstanding shares of a corporation or a relative within the third degree of consanguinity of an officer or a shareholder owning over 5% of the outstanding shares of a corporation, participating in the municipal bidding process in the County of Suffolk.

Person - (i) A corporation, company, limited liability company, business, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group or (ii) Any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subparagraph (i) of this paragraph.

\* \* \* \*

**§ 189-5. Nonresponsible bidder; prohibited acts.**

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

\* \* \* \*

D. An entity that is identified on a list established by the State of New York, pursuant to New York State Finance Law section 165-B, as a person that boycotts Israel.

\* \* \* \*

**§ 189-7. Disclosure requirements.**

\* \* \* \*

C. Any entity bidding on a County project or contract must disclose in writing, at the time of the bid, whether the entity is identified on the list developed and published by New York State, pursuant to State Finance Law section 165-B.

**Section 3. Applicability.**

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

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

This law shall take effect on January 1, 2017.

\_\_\_ Underlining denotes addition of new language

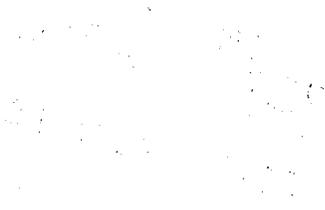
DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

s:\laws\l-amend-purchasing-contract-eligibility-requirements



# 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: June 1, 2016

TO: CLERK OF THE COUNTY LEGISLATURE

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

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## PROPOSED LOCAL LAW YEAR 2016

TITLE: I.R. NO. -2016; A LOCAL LAW TO AMEND THE COUNTY'S PURCHASING AND CONTRACT ELIGIBILITY REQUIREMENTS

SPONSOR: Leg. Stern

DATE OF RECEIPT BY COUNSEL: 6/1/2016 PUBLIC HEARING: 6/21/2016

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would amend Chapter 189 of the SUFFOLK COUNTY CODE to bar entities, identified as one that boycotts Israel, from doing business with the County of Suffolk. Entities bidding on County projects or contracts must disclose, in writing, whether they are identified on the New York State list established pursuant to State Finance Law § 165-B as an entity which boycotts Israel.

This law will take effect on January 1, 2017.

A handwritten signature in black ink, appearing to read "George Nolan", is written over a horizontal line.

GEORGE NOLAN  
Counsel to the Legislature

GN:

s:\rule28\28-purchasing and contract eligibility requirement amendment

1582

Intro. Res. No. -2016  
Introduced by Legislator McCaffrey

Laid on Table

6/1/16

**RESOLUTION NO. -2016, ADOPTING LOCAL LAW NO. -2016, A LOCAL LAW TO EXTEND TO INDEPENDENTLY ELECTED COUNTY OFFICIALS AUTHORITY TO APPROVE EDUCATIONAL CONFERENCE OR SEMINAR ATTENDANCE**

**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 EXTEND TO INDEPENDENTLY ELECTED COUNTY OFFICIALS AUTHORITY TO APPROVE EDUCATIONAL CONFERENCE OR SEMINAR ATTENDANCE**", and said local law in final form is the same as when presented and introduced; now, therefore be it

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

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

**A LOCAL LAW TO EXTEND TO INDEPENDENTLY ELECTED COUNTY OFFICIALS AUTHORITY TO APPROVE EDUCATIONAL CONFERENCE OR SEMINAR ATTENDANCE**

**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 pursuant to the Suffolk County Charter § C3-3(A) the County Executive has general supervision over all administrative units of the County, except as otherwise provided in the Charter.

This Legislature also finds that other, discrete functions of government fall under the direction and supervision of independently elected officials, including the Suffolk County District Attorney, the Suffolk County Clerk, the Suffolk County Comptroller, and the Suffolk County Sheriff, in accordance with federal, State and local laws.

This Legislature further finds that in certain cases, the independently elected officials may receive federal or State funding that is not treated as General Fund revenue as a direct result of activities associated with their respective staffs in effectuating arrests and criminal prosecutions of defendants.

This Legislature further finds that these funds, commonly referred to as "Asset Forfeiture Funds," are authorized for distribution directly to specific local offices of government pursuant to various federal and State laws and through the Department of Justice and the Department of the Treasury Equitable Sharing Programs and may, in some instances, be specifically approved for purposes of training, education, and conference attendance by the staff of the independently elected officials.

This Legislature also finds that, in addition to the above referenced sources of funding, the County Operating Budget may also include funding for continuing training and education in connection with law enforcement.

This Legislature finds that, pursuant to SUFFOLK COUNTY ADMINISTRATIVE CODE Section A2-17, only the County Executive and Presiding Officer are empowered to approve payment of tuition and expenses and the attendance of County officers and employees at schools, seminars, institutes and the like, conducted for the betterment of County government.

This Legislature further finds that it would be more prudent and practical for the independently elected officials to be permitted to authorize their respective staffs to attend required and beneficial continuing education conferences, seminars and other training activities relating to the performance of their work duties so that they can be fully trained in a complex range of areas associated with their respective duties, functions and missions for the purposes of County governance.

Therefore, the purpose of this local law is to amend Section A2-17 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to authorize the independently elected County officials to approve the attendance and the payment of tuition and expenses for their respective officers and employees at schools, seminars, institutes and similar educational/training programs for the betterment of the conduct of the official duties of their offices or departments.

## **Section 2. Amendment**

Section A2-17 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is amended to read as follows:

### **§ A2-17. Authority to approve payment of expenses for attendance at certain educational activities.**

- A. Pursuant to the provisions of § 77-b of the General Municipal Law, there is hereby delegated to the County Executive and the Presiding Officer the authority to approve the payment of tuition and expenses and the attendance of County officers and employees at schools, seminars, institutes and the like conducted for the betterment of municipal government. Notwithstanding the foregoing, independently elected County officials shall be authorized to approve the attendance and the payment of tuition and expenses for their respective officers and employees at schools, seminars, institutes and similar educational/training programs for the betterment of the conduct of the official duties of that office or department.
- B. All requests for approval of attendance and the payment of related tuition, fees and expenses for such educational/training programs must be submitted and approved by the respective County elected official at least thirty (30) days prior to the requested educational/training program. No such tuition, fees or expenses shall be paid by the Comptroller without the prior approval of the respective County elected official, or his/her authorized designee.
- C. Payment of any tuition, fees or expenses under this Section A2-17 shall be subject to sufficient appropriations for such expenses in the Operating Budget or the availability of other recognized funds available for such expenses, such as Asset Forfeiture funds, provided that such other funds have been duly claimed and remitted to the Department/Office seeking to use the funds, as evidenced by either a written approval of

funds claimed or a written acknowledgement of receipt into a Departmental Account specifically detailing the claim, the amount approved, and the amount received.

**Section 3. Applicability.**

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

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

This Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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.

**Section 6. Effective Date.**

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

\_\_ Underlining denotes addition of new language

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

s:\laws\l-authority-elected-approve-conference-attendance

# 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: JUNE 1, 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 EXTEND TO INDEPENDENTLY ELECTED COUNTY OFFICIALS AUTHORITY TO APPROVE EDUCATIONAL CONFERENCE OR SEMINAR ATTENDANCE

SPONSOR: LEGISLATOR MCCAFFREY

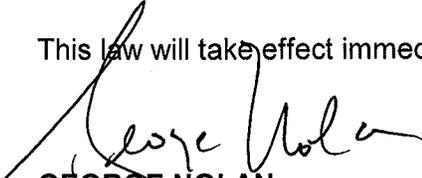
DATE OF RECEIPT BY COUNSEL: 6/1/2016 PUBLIC HEARING: 6/21/2016

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would authorize the County's independently elected officials -- the District Attorney, Comptroller, Sheriff and Clerk -- to approve the attendance and payment of tuition and expenses for employees in their respective departments, when they attend a school, seminar or institute. Presently, only the County Executive and Presiding Officer are authorized to approve such expenses.

Additionally, this proposed law would require that all requests for approval of attendance and tuition be submitted and approved by the appropriate County elected official at least 30 days prior to the date of subject educational/training program. Payment of tuition and fees for education/training programs is made subject to the availability of sufficient appropriations in the operating budget or any other recognized source available for such expenses.

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

  
GEORGE NOLAN  
Counsel to the Legislature

GN:js

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2016 JUN 1 11:00 AM  
COUNTY OF SUFFOLK  
CLERK OF THE COUNTY LEGISLATURE  
WILLIAM H. ROGERS BUILDING  
P.O. BOX 6100  
HAUPPAUGE, NY 11788-0099  
(631) 853-5494  
(631) 853-4415

1583

Intro. Res. No. -2016  
Introduced by Legislator Calarco

Laid on Table

6/1/16

**RESOLUTION NO. -2016, AUTHORIZING USE OF SMITH  
POINT COUNTY PARK FOR A HOLIDAY LIGHT SHOW  
FUNDRAISER**

**WHEREAS**, the Girl Scouts of Suffolk County has traditionally hosted a Holiday Light Show Fundraiser; and

**WHEREAS**, the light show has enabled the Girl Scouts to increase and expand its services to children in underserved communities across the County, to continue to send children in need to summer camp and to maintain its stewardship over its two camp properties, Camp Edey in Bayport wetland and Camp Sobaco in Yaphank in the Pine Barrens on the banks of the Carman's River; and

**WHEREAS**, in addition to being a key fundraiser for the Girl Scouts, the light show has become a holiday tradition for thousands of Suffolk County families; and

**WHEREAS**, the Girl Scouts wish to host their 2016 Holiday Light Show Fundraiser at Smith Point County Park; and

**WHEREAS**, the light show will be held from Thursday, December 1, 2016 through Friday, December 23, 2016, from 4:00 p.m. to approximately 11:00 p.m. each evening, with set-up beginning on November 1, 2016; and

**WHEREAS**, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured has been provided by the Suffolk County Girl Scouts; now, therefore be it

**1st RESOLVED**, that the use of County-owned property, i.e., Smith Park County Park by the Suffolk County Girl Scouts, in consideration of the payment of \$2.00 per car for the first 10,000 to enter the light show, and \$3.00 for each car beyond that number from Thursday, December 1, 2016 through Friday, December 23, 2016 from 4:00 p.m. to approximately 11:00 p.m. each evening, with set-up beginning on November 1, 2016, for the purpose of hosting a Holiday Light Show Fundraiser, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Girl Scouts of Suffolk County, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Law; and be it further

**2nd RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for the Suffolk County Girl Scouts at Smith Point County Park; and be it further

**3rd RESOLVED**, that the Suffolk County Girl Scouts also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible

personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

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

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

s:\res\r-use-smith-point-girl-scouts-holiday-light-show

1584  
Intro. Res. No. -2016  
Introduced by Presiding Officer on request of the County Executive

Laid on Table

6/1/16

**RESOLUTION NO. -2016, AMENDING THE 2016  
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING  
FUNDS IN CONNECTION WITH HEAVY DUTY EQUIPMENT  
AND OTHER EQUIPMENT FOR COUNTY PARKS (CP 7011)**

**WHEREAS**, the Commissioner of Parks, Recreation and Conservation has requested funds for heavy duty equipment and other equipment for County parks; and

**WHEREAS**, the Parks Department has had several vehicles decommissioned by the Department of Public Works over the past several years, without a corresponding replacement of said vehicles; and

**WHEREAS**, Chapter 186 of the Suffolk County Code (Resolution 321-2003) requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; and

**WHEREAS**, sufficient funds are not included in the 2016 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, amortizing the bonds over the period of probable usefulness ("PPU") of the purchase of heavy duty equipment may be fiscally beneficial as compared to including the items in the weighted average maturity ("WAM") determined for a typical bond issue; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution No. 461-2006, and re-revised by Resolution 439-2012 established the use of a priority ranking system, implemented in the Adopted 2016 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 \$150,000 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this action constitutes a Type II action, pursuant to Section 617.5 (C) (15), (18), (25) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty eight (38), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006 and re-revised by Resolution 439-2012; and be it further

**3<sup>rd</sup> RESOLVED**, that the purchase of vehicles/equipment as detailed on the attached is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard; and be it further

4<sup>th</sup> **RESOLVED**, that if it is determined to be fiscally beneficial, the heavy duty equipment will be financed utilizing the PPU of the equipment; and be it further

5<sup>th</sup> **RESOLVED**, that the 2016 Capital Budget and Program be and they are hereby amended as follows:

Project No. 7050  
 Project Title: Improvements to Peconic Dunes County Park

	<u>Total Est'd Cost</u>	<u>Current 2016 Capital Budget &amp; Program</u>	<u>Revised 2016 Capital Budget &amp; Program</u>
1. Planning	<u>\$130,000</u>	<u>\$150,000B</u>	<u>\$0B</u>
Total	\$2,940,000	\$150,000	\$0

Project No. 7011  
 Project Title: Heavy Duty Equipment and Other Equipment for County Parks

	<u>Total Est'd Cost</u>	<u>Current 2016 Capital Budget &amp; Program</u>	<u>Revised 2016 Capital Budget &amp; Program</u>
5. Furniture & Equipment	<u>\$1,650,000</u>	<u>\$0B</u>	<u>\$150,000B</u>
Total	\$1,650,000	\$0	\$150,000

; and be it further

6<sup>th</sup> **RESOLVED**, that the proceeds of \$150,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7011.531 (Fund 001-Debt Service)	60	Heavy Duty and Other Equipment for County Parks	\$150,000

Dated:

APPROVED BY:

\_\_\_\_\_  
 County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO. -2016, AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH HEAVY DUTY EQUIPMENT AND OTHER EQUIPMENT FOR COUNTY PARKS (CP 7011)</b>		
3. Purpose of Proposed Legislation		
See above.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify):
<input type="radio"/> Library District	<input type="radio"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS. AMORTIZING THE BONDS OVER THE PERIOD OF PROBABLE USEFULNESS ("PPU") OF THE HEAVY DUTY EQUIPMENT MAY BE FISCALLY BENEFICIAL AS COMPARED TO INCLUDING THE ITEMS IN THE WEIGHTED AVERAGE MATURITY ("WAM") DETERMINED FOR A TYPICAL BOND ISSUE. AT THE TIME OF ISSUANCE, IF IT IS DETERMINED TO BE FISCALLY BENEFICIAL, THE HEAVY DUTY EQUIPMENT WILL BE FINANCED UTILIZING THE PPU OF THE EQUIPMENT.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
IT IS ANTICIPATED THAT BONDS WILL BE ISSUED FALL OF 2016 AND DEBT SERVICE WILL COMMENCE FALL 2017. THERE IS NO FISCAL IMPACT IN 2016. EARLIEST DEBT SERVICE FISCAL IMPACT WILL BE IN THE 2017 OPERATING BUDGET. ATTACHED 2017 CAT BASED ON 2016 DATA.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Principal Budget Examiner		May 30, 2016

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2017 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

	2017 PROPERTY TAX LEVY	2017 COST TO AVG TAXPAYER	2017 FV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$31,847</b>	<b>\$0.06</b>	<b>\$0.000</b>

**POLICE DISTRICT AND DISTRICT COURT**

	2017 PROPERTY TAX LEVY	2017 COST TO AVG TAXPAYER	2017 FV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$3,603,112</b>	<b>\$7.78</b>	<b>\$0.185</b>

**COMBINED**

	2017 PROPERTY TAX LEVY	2017 COST TO AVG TAXPAYER	2017 FV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$3,634,959</b>	<b>\$7.84</b>	<b>\$0.085</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2015.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2015-2016.
- 3) SOURCE FOR EQUALIZATION RATES: 2015 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County

General Obligation Serial Bonds  
Level Debt

Term of Bonds: 5  
Amount to Bond: \$150,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2016					
11/1/2017	2.000%	\$28,809.35	\$3,037.50 \$1,227.06	\$31,846.85 \$1,227.06	\$31,846.85
11/1/2018	2.000%	\$29,392.74	\$1,227.06 \$929.45	\$30,619.80 \$929.45	\$31,846.85
11/1/2019	2.000%	\$29,987.95	\$929.45 \$625.83	\$30,917.40 \$625.83	\$31,846.85
11/1/2020	2.000%	\$30,595.20	\$625.83 \$316.05	\$31,221.03 \$316.05	\$31,846.85
11/1/2021	2.125%	\$31,214.75	\$316.05	\$31,530.80	\$31,846.85
11/1/2022		\$150,000.00	\$9,234.27	\$159,234.27	\$159,234.27
11/1/2023					
11/1/2024					
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					
11/1/2031					
11/1/2032					
11/1/2033					
11/1/2034					

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF  
PARKS, RECREATION AND CONSERVATION

GREG DAWSON  
COMMISSIONER

## 2016 INTERGOVERNMENTAL RELATIONS MEMORANDUM OF SUPPORT

**TITLE OF BILL:** Amending the 2016 Capital Budget and Program and appropriating funds in connection with Heavy Duty Equipment and Other Equipment for County Parks (CP 7011).

**PURPOSE OR GENERAL IDEA OF BILL:** To amend the 2016 Capital Budget and Program and appropriate funds adopted in the 2016 Capital Budget to allow for the Parks Department to purchase replacement vehicles that have been decommissioned by the Department of Public Works.

**SUMMARY OF SPECIFIC PROVISIONS:** This resolution amends the 2016 Capital Budget and Program by offsetting the funds for vehicle purchase in CP 7011 with the funds adopted in the 2016 Capital Budget in connection with Improvements to Peconic Dunes County Park (CP 7050).

**JUSTIFICATION:** This program will allow the Parks Department to begin to restore its fleet of pool vehicles that have been decommissioned by the Department of Public Works, but which have not been replaced with new vehicles. The Parks Department has had several vehicles decommissioned without replacement over the past several years, which has created a shortage of available vehicles for staff to utilize. This is especially problematic during the Summer season when numerous field personnel are in need of transportation to sites throughout the County in order to properly maintain our vast, far-flung Parks system.

**FISCAL IMPLICATIONS:** Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred by the County over the life of the bonds.



**COUNTY OF SUFFOLK**



**STEVEN BELLONE**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF  
PARKS, RECREATION AND CONSERVATION

**GREG DAWSON**  
COMMISSIONER

**TO: JON SCHNEIDER, Deputy County Executive**

**FROM: GREG DAWSON, Commissioner**

**DATE: May 27, 2016**

**RE: INTRODUCTORY RESOLUTION AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH HEAVY DUTY EQUIPMENT AND OTHER EQUIPMENT FOR COUNTY PARKS (CP 7011)**

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Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Amending the 2016 Capital Budget and Program and Appropriating Funds for Heavy Duty Equipment and Other Equipment for County Parks (CP 7011).doc".

The program will provide funding for the Department to purchase vehicles to replace decommissioned vehicles that have not been returned. The resolution seeks to appropriate \$150,000 in Equipment funds.

Should you require anything further, please contact my office at 4-4984.

Enclosures



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 Parks, Recreation and Conservation PO Box 144 W. Sayville, NY 11796	Department Contact Person (Name & Phone No.):  Terry Maccarrone 854-4947
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Suggestion Involves:

Technical Amendment _____  Grant Award _____	New Program _____ Contract _____ New _____ Rev. _____ Other <input checked="" type="checkbox"/> X
--	---

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

To amend the 2016 Capital Budget and Program and appropriate funds in connection with Heavy Duty Equipment and Other Equipment for County Parks (CP 7011).

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

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

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

Intro Res. No. 1585-16  
Introduced by Presiding Officer on request of the County Executive

Laid on Table 6/1/16

**RESOLUTION NO. - 2016, AMENDING RESOLUTION NO. 869-2015, AUTHORIZING PUBLIC HEARINGS PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF THE STATE OF NEW YORK IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF THE FIRE ISLAND BARRIER BEACH AND DUNE NETWORK FROM THE FIRE ISLAND INLET TO MORICHES INLET, TOWNS OF BROOKHAVEN AND ISLIP, SUFFOLK COUNTY NEW YORK (C.P. 5382)**

**WHEREAS**, this involves a public works project and thus, pursuant to Suffolk County Administrative Code § A8-7, the hearing officer designated shall be the Commissioner of Public Works or in his absence the Chief Deputy Commissioner of the Department of Public Works; and

**WHEREAS**, the public hearing has not yet been scheduled; now therefore be it

**1<sup>st</sup> RESOLVED**, that the Sixth Whereas clause is amended to read as follows:

**WHEREAS**, following the above, additional lands were identified [and determined to be necessary to be acquired, in part,] for acquisition and or temporary easements due to the need [in order] to provide emergency vehicular access as well as private access to parcels that are losing access due to construction of the Project or because field inspections have revealed that the improvements interfere with the construction of the Project; and

**2<sup>nd</sup> RESOLVED**, that the Eighth Whereas clause is amended to read as follows:

**WHEREAS**, said maps were prepared on or about October 5, 2015 and revised on or about June 1, 2016, and are entitled "SUPPLEMENTAL ABSTRACT REQUEST MAP SHOWING PROPERTIES TO BE [PARTIALLY] ACQUIRED FOR THE RECONSTRUCTION OF THE FIRE ISLAND BARRIER BEACH AND DUNE NETWORK FROM THE FIRE ISLAND INLET TO MORICHES INLET, TOWNS OF BROOKHAVEN AND ISLIP, SUFFOLK COUNTY NEW YORK" ("Supplemental Abstract Request Map"); and

**3<sup>rd</sup> RESOLVED**, the following Whereas clauses are added to read as follows:

**WHEREAS**, pursuant to the State Environmental Quality Review Act, N.Y. Env. Conserv. Law Art. 8 ("SEQRA") and Title 6 New York Code of Rules and Regulations ("NYCRR") Part 617, the New York State Department of Environmental Conservation, acting as lead agency, classified the Project as a Type I action under 6 NYCRR §617.4, determined that implementation of the Project as proposed will not result in any significant adverse environmental impacts and issued a negative declaration ("Amended Negative Declaration") regarding the Project; and

**WHEREAS**, a coordinated SEQRA review was performed; and

WHEREAS, the County of Suffolk, as an involved agency, following coordinated review, is bound by the Negative Declaration (see 6 NYCRR Section 617.6(b)(3)(iii)); now therefore, be it

4<sup>th</sup> **RESOLVED**, that the 1<sup>st</sup> RESOLVED clause is amended to read as follows:

1<sup>st</sup> RESOLVED, that, in addition, the Commissioner of the Suffolk County Department of [Economic Development and Planning, or in her absence , the Director of Real Property of the Suffolk County Division of Real Property Acquisition and Management], Public Works, or in his absence, the Chief Deputy Commissioner of the Suffolk County Department of Public Works, shall be deemed Hearing Officer with full authority to conduct public hearings and make Determination and Findings pursuant to Section 204 of the Eminent Domain Procedure Law; and be it further

5<sup>th</sup> **RESOLVED**, that the 2<sup>nd</sup> RESOLVED clause is amended to read as follows:

2<sup>nd</sup> **RESOLVED**, that [upon conclusion of the aforesaid hearings,] pursuant to Eminent Domain Procedure Law, the Hearing Officer shall file written Determination and Findings with the Clerk of the Legislature within 90 days of the conclusion of the Public Hearing provided for in Article 2 of the Eminent Domain Procedure Law; and be it further

6<sup>th</sup> **RESOLVED**, that the following RESOLVED clauses be added to read as follows:

7<sup>th</sup> **RESOLVED**, this Legislature finds that pursuant to the State Environmental Quality Review Act, N.Y. Env. Conserv. Law Art, 8 ("SEQRA") and Title 6 New York Code of Rules and Regulations ("NYCRR") Part 617, the New York State Department of Environmental Conservation, acting as lead agency, classified the Project as a Type I action under 6 NYCRR §617.4, determined that implementation of the Project as proposed will not result in any significant adverse environmental impacts and issued a negative declaration ("Amended Negative Declaration") regarding the Project; and

8<sup>th</sup> **RESOLVED**, this Legislature, pursuant to SEQRA and Chapter 450 of the Suffolk County Code, hereby finds and determines that the County is bound by the Amended Negative Declaration issued by NYSDEC on May 17, 2016 and that, the Legislature has no further responsibilities under SEQRA.

9<sup>th</sup> **RESOLVED**, that the Suffolk County Department of Law in conjunction with the Departments of Public Works and Economic Development and Planning are authorized to perform all acts necessary to acquire, either voluntarily or pursuant to the provisions of the Eminent Domain Procedure Law any additional lands and easements indicated in the Supplemental Abstract Request Map.

[ ] means deletions  
\_\_ means additions

DATED:

APPROVED BY:

---

County Executive of Suffolk County  
Date of Approval: