

L A I D O N T H E T A B L E J A N U A R Y 2 , 2 0 0 8

LADS REPORT PREPARED BY:
Michele Gerardi and Caroline Sandvik

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1001. To implement Welfare to Work Commission Recommendations. (Romaine) HEALTH & HUMAN SERVICES
1002. Authorizing preliminary work to be performed by County Departments, Divisions and Agency to confirm a 1954 Resolution of Declaration of County Highway Surplus by the County Board of Supervisors and for the further purpose of authorizing two additional small parcels as surplus adjacent thereto, all on CR 79 Bridgehampton-Sag Harbor Turnpike Right-Of-Way, in the Town of Southampton, Suffolk County, New York (SCTM No. 0900-026.00-01.00-110.000). (Schneiderman) WAYS & MEANS
1003. Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Crystal Bay Construction, Inc. property, Town of Riverhead. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
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1029. Authorizing alteration of rates for South Ferry, Inc. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION
1030. Authorizing certain technical correction to Adopted Resolution No. 1000-2007. (Co. Exec.) WAYS & MEANS
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1033. Adopting Local Law No. -2008, A Local Law to establish a prompt contracting policy for not-for-profit organizations. (Montano) WAYS & MEANS
1034. Establishing a Sex Offender Alert Program. (Browning) PUBLIC SAFETY
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1000

Intro. Res. No. -2008
Introduced by Legislator Romaine

Laid on Table 1/2/08

**RESOLUTION NO. - 2008, TO STRENGTHEN COUNTY
POLICY TO COMPLY WITH ZONING AND BUILDING CODE
REQUIREMENTS IN DEPARTMENT OF SOCIAL SERVICES'
PLACEMENTS**

WHEREAS, the placement of public assistance recipients in substandard housing is a long-standing problem in our County; and

WHEREAS, the County of Suffolk has enacted several local laws designed to prevent the placement of Department of Social Services' clients in housing that is substandard, unsafe and/or non-compliant with local building and zoning codes; and

WHEREAS, despite these efforts, the unfortunate practice of placing public assistance recipients in substandard housing continues; and

WHEREAS, this Legislature wishes to establish that it shall be the policy of Suffolk County to house recipients of public assistance in accommodations that comply with applicable laws and codes; now, therefore be it

1st RESOLVED, that the Commissioner of the Department of Social Services shall ensure that all recipients of public assistance, housed with the assistance of the Suffolk County Department of Social Services, reside in a housing accommodations that are in compliance with all applicable building codes, ordinances and regulations of the municipality in which the housing accommodation is located; and be further

2nd RESOLVED, that the Commissioner of the Department of Social Services, upon discovering that an individual or individuals housed with the assistance of the Suffolk County Department of Social Services is residing in a housing accommodation that is not in compliance with all applicable building codes, ordinances and regulations shall cause the relocation of such individual or individuals to emergency housing within 24 hours of said discovery, and shall cause such individual or individuals to continue to be housed in such emergency housing until such time as the initial housing accommodation in which such individual or individuals resided in is brought into compliance with all applicable building codes, ordinances and regulations of the municipality in which the housing accommodation is located, or until a suitable permanent housing accommodation is located, whichever occurs earlier; and be it further

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

DATED:

APPROVED BY:

**RESOLUTION NO. -2008, TO IMPLEMENT WELFARE
TO WORK COMMISSION RECOMMENDATIONS**

WHEREAS, the Welfare to Work Commission (Commission) issued a report recommending the implementation of evening hours at Suffolk County Department of Social Services (DSS) Centers throughout Suffolk County; and

WHEREAS, evening hours would assist those Suffolk County residents who may work part time and would benefit from not having to take time off during the workday to visit a DSS center; and

WHEREAS, a flex-time schedule could be implemented with County employees in order to accommodate the extended office hours, thereby giving employees flexibility with their child care and other family obligations; and

WHEREAS, the Commission also recommended that the DSS centers be open to the public from 3 p.m. to 5 p.m. on business days to allow clients to pick up applications or drop off documentation; and

WHEREAS, this program has been implemented in other municipalities such as Nassau County where an additional 200 clients per week are provided services during the evening hours; and

WHEREAS, it is the desire of this Legislature to explore the feasibility of opening DSS centers until 5 p.m. and offering evening hours to assist those clients who may not be able to visit a center during the workday; now, therefore be it

1st RESOLVED, that the Commissioner of the Department of Social Services is hereby authorized, empowered, and directed to present in writing to the County Executive and each member of the County Legislature, a plan of implementation to keep DSS centers open until 5 p.m. each business day and to offer evening hours at DSS centers throughout Suffolk County, said plan to include, but not be limited to, estimated costs of operation and staffing these centers including the filling of budgeted positions to accomplish this goal; and be it further

2nd RESOLVED, that this written plan is to be submitted to the County Executive and County Legislature no later than June 1, 2008 for this Legislature to review and take any action necessary to implement this plan; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-dss-hours

1002
Intro Res. No. -2008
Introduced by Legislator Schneiderman

Laid on Table 1/2/08

RESOLUTION NO. -2008, AUTHORIZING PRELIMINARY WORK TO BE PERFORMED BY COUNTY DEPARTMENTS, DIVISIONS AND AGENCY TO CONFIRM A 1954 RESOLUTION OF DECLARATION OF COUNTY HIGHWAY SURPLUS BY THE COUNTY BOARD OF SUPERVISORS AND FOR THE FURTHER PURPOSE OF AUTHORIZING TWO ADDITIONAL SMALL PARCELS AS SURPLUS ADJACENT THERETO, ALL ON CR 79 BRIDGEHAMPTON-SAG HARBOR TURNPIKE RIGHT-OF-WAY, IN THE TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK (SCTM NO. 0900-026.00-01.00-110.000)

WHEREAS, pursuant to an October 25, 1948 Resolution of the Suffolk County Board of Supervisors, C.R. 79, Bridgehampton-Sag Harbor Turnpike was made part of the County Highway System; and

WHEREAS, pursuant to a further resolution of the Board of Supervisors on March 1, 1954 the Board of Supervisors declared 6,880 ± Square Feet or 0.158 ± Acres surplus for access to the adjoining property owner, George Ward, by quitclaim deed, the predecessor-in-interest to the current owner, Catherine Reid, for the consideration of \$100.00; and

WHEREAS, there is no record of the quitclaim deed for that parcel ever being recorded in the Suffolk County Clerk's Office; and

WHEREAS, the Suffolk County Department of Public Works by and through its Commissioner is amenable to confirming this 1954 declaration of surplus along with a further declaration of surplus of two additional small parcels adjacent to this 1954 parcel, in the diagram annexed hereto, all of which would provide the current adjacent owner access to C.R. 79 and appropriately accommodate the overall re-configuration of this area which the Suffolk County Department of Public Works desires; and

WHEREAS, it should be further noted that part of the initial 1954 Declaration of Surplus had been subsequently conveyed to the Town of Southampton for access to one of its parks; and

WHEREAS, it is further intended that the two additional small parcels shall be incorporated into a map/survey with the 1954 parcel, and the two additional small parcels be appraised at their fair market value for sale to the adjacent property owner for access purposes; and

WHEREAS, in order to undertake this work it is necessary for the Suffolk County Department of Public Works, the Division of Real Property Acquisition and Management of the Department of Environment and Energy, the Department of Planning, the Real Property Tax Service Agency and the Suffolk County Department of Law to either perform work, or cause work to be performed which would enable this matter to be subsequently authorized and consummated by a further authorizing resolution; now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Public Works, the Division of Real Property Acquisition and Management of the Department of Environment and Energy, the Department of Planning, the Real Property Tax Service Agency and the Department of Law, along with any other necessary County entities, be authorized to perform the above described work or cause this work to be performed; and be it further

2nd **RESOLVED**, that the performance of this work is conditioned upon the payment of the adjacent owner for the appropriate map/survey to be made and for the retention of appraisers to prepare the appraisals for the two additional small parcels; and be it further

3rd **RESOLVED**, that upon this work being completed and paid for by the adjacent owner as noted above, the aforestated confirmation of surplus, the additional declaration of surplus, confirmation of conveyance and the additional conveyance shall all be subject to a further authorizing resolution of this Legislature.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE CRYSTAL BAY CONSTRUCTION, INC. PROPERTY, TOWN OF RIVERHEAD

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Crystal Bay Construction, Inc. Property, Town of Riverhead", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 7.72 acres of land by Suffolk County for open space preservation purposes; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Planning and subsequently sent out to all concerned parties; and

WHEREAS, at its December 12, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated December 12, 2007 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Crystal Bay Construction, Inc. Property, Town of Riverhead constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
- 2.) The proposed use of the subject parcel(s) is passive recreation; and

- 3.) If not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have;

and be it further

2nd RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\resls-crystal-bay-construction

**RESOLUTION NO. -2008, REPEALING HOME ENERGY
NUISANCE TAXES ON SUFFOLK COUNTY RESIDENTS**

WHEREAS, the New York Tax Law authorizes counties to reduce the sales and compensating use tax rate on residential energy sources and services; and

WHEREAS, the County Legislature wishes to lift an unfair nuisance tax from the backs of the residents of Suffolk County by repealing the sales and use taxes on residential energy sources and services, at a time when the cost of fuel oil and gasoline has skyrocketed all across Long Island; and

WHEREAS, such a tax cut will prevent residents of Suffolk County from being thrown out into the freezing cold by ensuring affordable residential energy sources and services and, by not forcing people to choose between buying food or heating their homes; and

WHEREAS, this Legislature wishes to completely eliminate the sales and use taxes on residential energy sources and services; now, therefore be it

1st RESOLVED, that Section 2-A of Resolution No. 745-1968, as amended by Resolution Nos. 813-1980, 1025-2001, and 1034-2005, is hereby repealed; and be it further

2nd RESOLVED, that Section 6 of Resolution No. 745-1968, as amended by Resolution No. 973-1999, is hereby amended by adding a new subdivision (i) to read as follows:

- (i)(1) Receipts from the retail sale or use of fuel oil and coal used for residential purposes, the retail sale or use of wood used for residential heating purposes, and the sale, other than for resale, of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes and the use of gas or electricity used for residential purposes shall be exempt from the taxes imposed by this Resolution. The provisions of this paragraph shall not apply to a sale or use of (i) diesel motor fuel which involves a delivery at a filling station or into a repository which is equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and (ii) enhanced diesel motor fuel except in the case of a sale or use of such enhanced diesel motor fuel used exclusively for residential purposes which is delivered into a storage tank which is not equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and such storage tank is attached to the heating unit burning such fuel, provided that each delivery of such fuel of over four thousand five hundred (4,500) gallons shall be evidenced by a certificate signed by the purchaser stating that the product will be used exclusively for residential purposes.
- (2) The exemption set forth in this subdivision shall apply to receipts from all retail sales and uses described in paragraph (1) of this subdivision made,

rendered or arising therefrom on or after June 1, 2008, although made on or rendered under a prior contract, if delivery or transfer of possession of such property or services is made after such date. Where such property or service is sold on a monthly, quarterly, or other term basis, and the bills for such property or service are based on meter readings, the amount received on each bill for such property or service for a month, quarter or other term shall be exempt, but such exemption shall be applicable to all bills based on meters read on or after June 1, 2008, only where more than one-half of the number of days included in the month or other period billed are days subsequent to May 31, 2008.

- (3) Where a residence is part of a multiple dwelling or other premises consisting of residential and nonresidential units, or where a portion of a residence is used for nondwelling purposes, including the conduct of a trade or business, the same rules and regulations shall be applicable that have been established by the Commissioner of Taxation and Finance in order to allocate to such residence the portion of the sale of energy sources or services attributable to the residential portion.
- (4) If the Commissioner of Taxation and Finance has prescribed a certificate to be taken by the vendor of the energy sources or services specified in paragraph (1) of this subdivision from the purchaser of such energy sources or services, such certificate shall be applicable for the purposes of this section. Where a certificate is required, unless such vendor shall have received such certificate in such form as the Commissioner may prescribe, signed by the purchaser and setting forth the purchaser's name and address, together with such other information as the Commissioner August require, stating that the premises, for which such energy sources or services are purchased, are used solely as a residence or identifying the residential portion of premises, for which such energy sources or services are purchased including instances where a multiple dwelling unit or other premises consists of residential and nonresidential units or where a portion of a residence is used for nondwelling purposes, such as the conduct of a trade or business, the provisions of this subdivision shall not apply and the tax shall be imposed at the rate provided for in Sections 2 and 4 of this Resolution. No further certificate need be furnished for any subsequent purchase for such premises if the information set forth in the certificate last furnished the vendor has not materially changed, except that in the case of exempt purchases of enhanced diesel motor fuel in amounts of over forty-five hundred (4,500) gallons, a separate certificate must be furnished for each purchase.

and be it further

3rd **RESOLVED**, that the Clerk of this Legislature is hereby directed to file a certified copy of this Resolution within five (5) days with the Commissioner of Taxation and Finance at the Commissioner's office in Albany (via certified mail return receipt requested), the Suffolk County Clerk, the New York State Secretary of State, and the New York State Comptroller; and be it further

4th **RESOLVED**, this Resolution shall take effect on June 1, 2008, except that all administrative procedures necessary to implement this Resolution may commence immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-refile-repeal-home-energy-tax-2008

1005

Intro. Res. No. -2008
Introduced by Legislator Alden

Laid on Table 1/2/08

**RESOLUTION NO. -2008, ESTABLISHING A PROGRAM
TO REDUCE UNFAIR HOME ENERGY NUISANCE TAXES ON
SUFFOLK COUNTY RESIDENTS**

WHEREAS, Resolution No. 1025-2001, imposed an energy conservation tax of one and one-half per cent (1-1/2%) on residential energy sources and services, in addition to the existing one per cent (1%) and compensating use tax on residential energy sources and services; and

WHEREAS, the New York Tax Law authorizes Counties to reduce the sales and compensating use tax rate on residential energy sources and services; and

WHEREAS, members of the Suffolk County Legislature now wish to reduce these unfair nuisance taxes from residents in the County of Suffolk by reducing a portion of the sales and use taxes on residential energy sources and services; and

WHEREAS, through the reduction of these taxes, members of the Legislature will take a major step in preventing residents of the County of Suffolk from being forced out of their homes, in addition to making certain that residents are not forced to choose between purchasing food or heating their homes; and

WHEREAS, this tax is regressive and places an undue burden on a majority of Suffolk County homeowners, particularly our senior citizen population which includes residents living on fixed incomes; and

WHEREAS, members of this Legislature wish to eliminate the sales and use taxes on residential energy sources and services over a two year period to afford residents the benefit of a much needed tax reduction while maintaining fiscal stability by a gradual reduction in this revenue; now, therefore be it

1st RESOLVED, that Section 2-A of Resolution No. 745-1968, as amended by Resolution Nos. 813-1980, 1025-2001, and 1034-2005, is hereby amended to read as follows:

* * * * *

2-A. TAX RATE ON CERTAIN ENERGY SOURCES AND RELATED SERVICES

- a.) Notwithstanding the rate of tax set forth in Section 2 of this resolution, the taxes imposed on the receipts from the retail sale of fuel oil and coal used for residential purposes; the receipts from the retail sale of wood used for residential heating purposes; and the receipts from every sale, other than for resale, of propane (except when sold in containers of less than one hundred pounds) natural gas, electricity, steam and gas, electric and steam services used for residential purposes (together, hereinafter referred to as "residential energy sources and services") shall be paid at the rate of one and one-half percent (1.5%) for the period beginning June 1, 2008 and ending May 31, 2009; and at the rate of one percent (1.0%) for the period beginning June 1, 2009 and continuing thereafter. The

provisions of this subdivision shall not apply to a sale of (i) diesel motor fuel which involves a delivery at a filling station or into a repository which is equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and (ii) enhanced diesel motor fuel except in the case of a sale of such enhanced diesel motor fuel used exclusively for residential purposes which is delivered into a storage tank which is not equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and such storage tank is attached to the heating unit burning such fuel, provided that each delivery of such fuel of over four thousand five hundred (4,500) gallons shall be evidenced by a certificate signed by the purchaser stating that the product will be used exclusively for residential purposes.

- b.) Notwithstanding the rate of tax set forth in Section 4 of this Resolution, the compensating use tax imposed by such section on the use of residential energy sources and services shall be at the rate of one and one-half percent (1.5%) for the period beginning June 1, 2008 and ending May 31, 2009; and at the rate of one percent (1.0%) for the period beginning June 1, 2009 of the consideration given or contracted to be given for such sources and services or for the use of such sources and services, plus the cost of transportation except where such cost is separately stated in the written contract, if any, and on the bill rendered to the purchaser. The provisions of this subdivision shall not apply to a use of (i) diesel motor fuel which involves a delivery at a filling station or into repository which is equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and (ii) enhanced diesel motor fuel except in the case of a use of such enhanced diesel motor fuel used exclusively for residential purposes which is delivered into a storage tank which is not equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and such storage tank is attached to the heating unit burning such fuel.
- c.)
 - (1) The rate set forth in this section for the period beginning June 1, 2008 and ending May 31, 2009, shall apply in accordance with applicable transitional provisions of the New York Tax Law.
 - (2) The rate set forth in this section effective for the period beginning on June 1, 2009 shall apply in accordance with applicable transition provisions of the New York Tax Law.
- d.) Where a residence is part of a multiple dwelling or other premises consisting of residential and nonresidential units, or where a portion of a residence is used for non-dwelling purposes, including the conduct of a trade or business, the same rules and regulations shall be applicable that have been established by the Commissioner of Taxation and Finance in order to allocate to such residence the portion of the sale of energy sources or services attributable to the residential portion.
- e.) If the Commissioner of Taxation and Finance has prescribed a certificate to be taken by the vendor of the energy sources or services specified in

subdivision (a) of this section from the purchaser of such energy sources or services, such certificate shall be applicable for the purposes of this section. Where a certificate is required, unless such vendor shall have received such certificate in such form as the Commissioner may prescribe, signed by the purchaser and setting forth his name and address, together with such other information as the Commissioner may require, stating that the premises, for which such energy sources or services are purchased, are used solely as a residence or identifying the residential portion of premises, for which such energy sources or services are purchased, including instances where a multiple dwelling unit or other premises consist of residential and nonresidential units or where a portion of a residence is used for non-dwelling purposes, such as the conduct of a trade or business, the provisions of this section shall not apply and the tax shall be imposed at the rate provided for in sections 2 and 4 of this Resolution. No further certificate need be furnished for any subsequent purchase for such premises if the information set forth in the certificate last furnished the vendor has not materially changed, except that in the case of exempt purchases of enhanced diesel motor fuel in amounts of over forty-five hundred (4,500) gallons, a separate certificate must be furnished for each purchase;

and be it further

2nd **RESOLVED**, by the County Legislature of the County of Suffolk, that this Resolution shall take effect June 1, 2008; and be it further

3rd **RESOLVED**, that the Clerk of this Legislature is hereby directed to file a certified copy of this Resolution within five (5) days with the Commissioner of Taxation and Finance at the Commissioner's office in Albany (via certified mail RRR), the Suffolk County Clerk, the New York State Secretary of State, and the New York State Comptroller.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-refile-reduce-home-energy-tax-2008

1006
Intro. Res. No. -2008
Introduced by Legislator Alden

Laid on Table 1/2/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW
NO. -2008, A CHARTER LAW TO STREAMLINE THE
PROCESS BY WHICH RESOLUTIONS AND LOCAL LAWS
ARE INTRODUCED**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008 a proposed local law entitled, "**A CHARTER LAW TO STREAMLINE THE PROCESS BY WHICH RESOLUTIONS AND LOCAL LAWS ARE INTRODUCED**"; now, therefore be it

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

LOCAL LAW NO. -2008, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO STREAMLINE THE PROCESS BY WHICH
RESOLUTIONS AND LOCAL LAWS ARE INTRODUCED**

**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 amount of paper used by the Suffolk County Legislature in order to introduce resolutions has increased dramatically in the past several years, with each Legislator often receiving hundreds of sheets of paper when the packet of new resolutions is laid on the table.

This Legislature also finds and determines that the Rules of the County Legislature require that any proposed local law or resolution that is filed with the Clerk of the Legislature must be accompanied by an electronic version of said resolution or local law.

This Legislature further finds and determines that the electronic version of proposed local laws and resolutions are necessary for internal documentation and tracking, but these electronic documents can easily be printed out when necessary.

This Legislature finds that the Clerk of the Legislature is developing a comprehensive bill tracking system that will allow easy access to every proposed bill that is before the Legislature.

This Legislature determines that the County of Suffolk has taken great strides to reduce the amount of unnecessary paperwork, including the passage of the Paperwork Reduction and Regulatory Reform measure (Local Law No. 14-1994), and such efforts should continue to be implemented with the development of new technology.

This Legislature also finds that the first step in reducing the amount of unnecessary paperwork is to define a written local law or resolution as including an electronic version of such a document.

Therefore, the purpose of this law is to allow for the introduction of proposed local laws and resolutions in an electronic format.

Section 2. Amendment.

Section C2-11 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

ARTICLE II, The County Legislature

* * * *

§ C2-11. Introduction of local laws and resolutions.

- A. A proposed local law or resolution may be introduced only by a member of the County Legislature. The presiding officer of the County Legislature shall, on request of the County Executive, introduce a proposed local law or resolution. Such proposed local law or resolution shall bear the legend "Introduced by, on request of the County Executive."
- B. Any proposed local law or resolution shall not be introduced unless first reduced to writing, which for the purposes of this Section shall be deemed to include an electronic version of said proposed local law or resolution.

Section 3. Applicability.

This law shall apply to the introduction of local laws and resolutions 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 thirty (30) days after its filing in the Office of the Secretary of State.

[] Brackets denotes deletion of language

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\cl-refile-electronic-bills

1007

Intro. Res. No. -2008
Introduced by Legislator Cooper

Laid on Table 1/2/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO.
-2008, A LOCAL LAW TO EXPAND QUALIFICATIONS FOR
VANDERBILT MUSEUM TRUSTEES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2008, a proposed local law entitled, "**A LOCAL LAW TO EXPAND QUALIFICATIONS FOR VANDERBILT MUSEUM TRUSTEES**" now, therefore, be it

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

LOCAL LAW NO. -2008, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO EXPAND QUALIFICATIONS FOR VANDERBILT
MUSEUM TRUSTEES**

**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 membership on the Board of Trustees of the Suffolk County Vanderbilt Museum is limited to those who have a background in public education, cultural affairs or an expertise in a subject matter area reflected in the Museum's collection.

This Legislature further finds that in order for the Museum to properly maintain its buildings and grounds and provide worthwhile programs for the residents of Suffolk County, new efforts must be undertaken to increase corporate donations and, in general, enhance private support for the Museum.

This Legislature also determines that it would be beneficial for the Museum's fundraising efforts to have trustees that possess a background in that particular field.

Therefore, the purpose of this local law is to add fundraising experience as a valid criteria for membership on the Suffolk County Vanderbilt Museum's Board of Trustees.

Section 2. Amendments.

Chapter 184 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 184, VANDERBILT MUSEUM, SUFFOLK COUNTY

* * * * *

§ 184-7. Membership of Commission.

* * * *

B. No person shall be appointed or reappointed to a position under Subsection A of this section unless such person shall demonstrate:

- 1) Relevant, previous, personal commitment to public education or expertise in a subject matter area reflected in the collection strength of the Suffolk County Vanderbilt Museum, including but not limited to history and natural history of Suffolk County, with particular emphasis in those areas directly affecting the collection of the museum and/or the historic and natural resources of Suffolk County historic trust and/or the Suffolk County nature preserve trust as per Article I of the Suffolk County Charter; [and/or]
- 2) A widely recognized and acknowledged record of cultural affairs, philanthropy or related voluntarism[.]; or
- 3) At least five (5) years prior experience in fundraising for charitable, non-profit organizations.

* * * *

Section 3. Applicability.

This law shall apply to all appointments to the Vanderbilt Museum Board of Trustees occurring on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-vm-qualifications

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
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

IAN P. BARRY
ASSISTANT COUNSEL TO THE LEGISLATURE
email: ian.barry@suffolkcountyny.gov

DATE: DECEMBER 21, 2007

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2008

TITLE: A LOCAL LAW TO EXPAND QUALIFICATIONS FOR VANDERBILT MUSEUM TRUSTEES

SPONSOR: LEGISLATOR COOPER

DATE OF RECEIPT BY COUNSEL: 12/21/2007

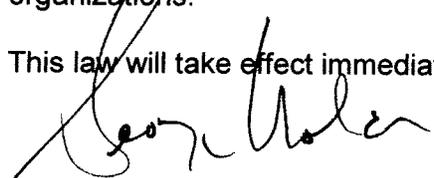
PUBLIC HEARING: /2008

DATE ADOPTED/NOT ADOPTED: _____

CERTIFIED COPY RECEIVED: _____

Enactment of this proposed local law would expand the qualifications for membership on the Board of Trustees of the Suffolk County Vanderbilt Museum to include persons who have a widely recognized record of philanthropy or experience in fund raising for charitable, non-profit organizations.

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


GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-vm-qualifications

1008

Intro Res. No. -2008

Laid on Table 1/2/08

Introduced by the Presiding Officer on the request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING
EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD
OF SUFFOLK COUNTY SEWER DISTRICT NO. 7 - MEDFORD WITH
ENECON-SILVERI PARCEL (BR-0880.1)

WHEREAS, Enecon-Silveri Parcel is located outside the boundary of Suffolk County Sewer District No. 7 - Medford; and

WHEREAS, Enecon-Silveri Parcel has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 7 - Medford; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency via its Resolution 20-2007 with a connection fee of \$30.00 per gallon per day of sewage capacity; with a daily flow of 150 gallons, for a total connection fee of \$4,500.00 and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 7 - Medford and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore, be it

^{1st} RESOLVED, that the Administrative Head of the District be and hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 7 - Medford and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

1008

SUFFOLK COUNTY SEWER AGENCY
RESOLUTION NO: 20-2007
AUTHORIZING THE CONNECTION OF
ENECON/SILVERI PARCEL (BR-0880.1) TO
SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD

WHEREAS, Enecon/Silveri Parcel is a 2-acre parcel which is part of the South Silver Industrial Park subdivision located in Medford, New York, situated on property identified on the Suffolk County Tax Map as District 0200, Section 812.00, Block 03.00, Lots 002.004, and

WHEREAS, the sewage flow from the Enecon/Silveri Parcel is expected to be one thousand one hundred ninety-five gallons per day (1,195 gpd), and

WHEREAS, Enecon/Silveri Parcel is not located within the boundaries of Suffolk County Sewer District No. 7 - Medford (the "District"), but is within the boundaries of the South Silver Industrial Park and already has an allocation of one thousand forty-five gallons per day (1,045 gpd), and

WHEREAS, Enecon/Silveri Parcel has applied to this Agency for permission to purchase and connect an additional one hundred fifty gallons per day (150 gpd) flow to the sanitary sewerage facilities of the District, which volume is required by the SC Department of health Standards, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the additional sewage which is expected to emanate from Enecon/Silveri Parcel, and

WHEREAS, the connection of Enecon/Silveri Parcel to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

1st RESOLVED, that Enecon/Silveri Parcel be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

2nd RESOLVED, that one hundred fifty gallons per day (150 gpd) of capacity in the District's sewage treatment plant be allocated to Enecon/Silveri Parcel, and it is further

3rd RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

1008

4th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the owner of Enecon/Silveri Parcel, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

5th RESOLVED, that the connection fee to be paid for Enecon/Silveri Parcel shall be paid upon the execution of the Connection Agreement at the rate of \$30.00 per gallon of sewage per day for a total of \$4,500.00 and it is further

6th RESOLVED, that Enecon/Silveri Parcel shall, at its sole cost, expense and effort, construct a sewage collection facility for Enecon/Silveri Parcel, and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

7th RESOLVED, that no Certificate of Occupancy shall be issued for any portion of Enecon/Silveri Parcel until the sewage collection facility for Enecon/Silveri Parcel has been completed and Enecon/Silveri Parcel has been connected to the sanitary sewerage facilities of the District, all to the satisfaction of DPW, and it is further

8th RESOLVED, that the developer of Enecon/Silveri Parcel shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for Enecon/Silveri Parcel, as well as for all of the developer's obligations under the Connection Agreement, and it is further

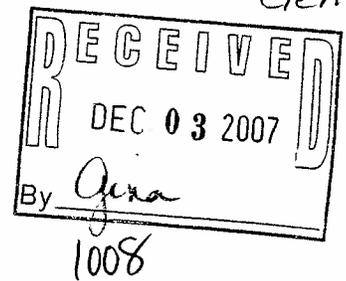
9th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of Enecon/Silveri Parcel if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency meeting 09/17/07)

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE



DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner *Thomas LaGuardia*

DATE: November 26, 2007

SUBJECT: **Introductory Resolution Calling for Approval of the Connection of Enecon-Silveri Parcel (BR-0880.1) to the Suffolk County Sewer District No. 7 - Medford**

Attached is a draft resolution filed as Reso DPW-SA 0880.1 BR Enecon-Silveri Parcel and the requested backup forms are included with the attached file

This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 7 – Medford with the Enecon-Silveri Parcel.

Project Facts	
Type/units:	Industrial Parcel within the So. Silver Ind. Park
Acreage:	2 acre
Flow:	150 gpd in addition to previous allocation of 1,045 gpd
Sewer District:	SCSD No. 7 – Medford
Groundwater Zone:	III
SEQRA:	Complete
SC Tax Parcel	0200-812.00-03.00-002.004
Legislative District	3 rd

GA:BW:bc:sg

cc: Brian Beedenbender- County Executive Assistant
 Brendan Chamberlain
 Gilbert Anderson, PE, Commissioner - SCDPW
 Ben Wright, PE
 E-mail to CE Reso Review

SA\BR\0880.1 BR Enecon-Silveri Parcel. Legis.Intro Res. TR memo BC 26Nov07

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1008

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation RESOLUTION NO. ___-2007, AUTHORIZING THE EXECUTUION OF AN AGREEMENT TO CONNECT & DISCHARGE OF SEWAGE TO THE S. C. SEWER DISTRICT NO. 7 - MEDFORD BY ENECON-SILVERI PARCEL (BR-0880.1)											
3. Purpose of Proposed Legislation To authorize execution of an agreement by the administrative head of Suffolk County Sewer District No. 7 - Medford with the Enecon-Silveri Parcel, a single commercial building complex in Brookhaven, seeking permission to discharge 150 gpd. (BR-0880.1)											
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <input checked="" type="checkbox"/>											
5. If the answer to Item 4 is "yes," on what will it impact? (circle appropriate category) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
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 											
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A											
8. Proposed Source of Funding N/A											
9. Timing of Impact N/A											
10. Typed Name & Title of Preparer Bob Carballeira, P.E. Associate Civil Engineer	11. Signature of Preparer 	12. Date 11/26/2007									

This project is a 2-acre parcel, the last parcel of a subdivision known as the South Silver Industrial Park. The gallonage originally purchased for the subdivision has a balance of 1,045 gpd and this proposed building requires 1,195 gpd to meet the SC Department of Health standards. The developer is applying for permission to connect to this facility to SC Sewer District No. 7- Medford and wants to acquire an additional 150 gpd from the District's capacity which was set aside for undeveloped parcels.

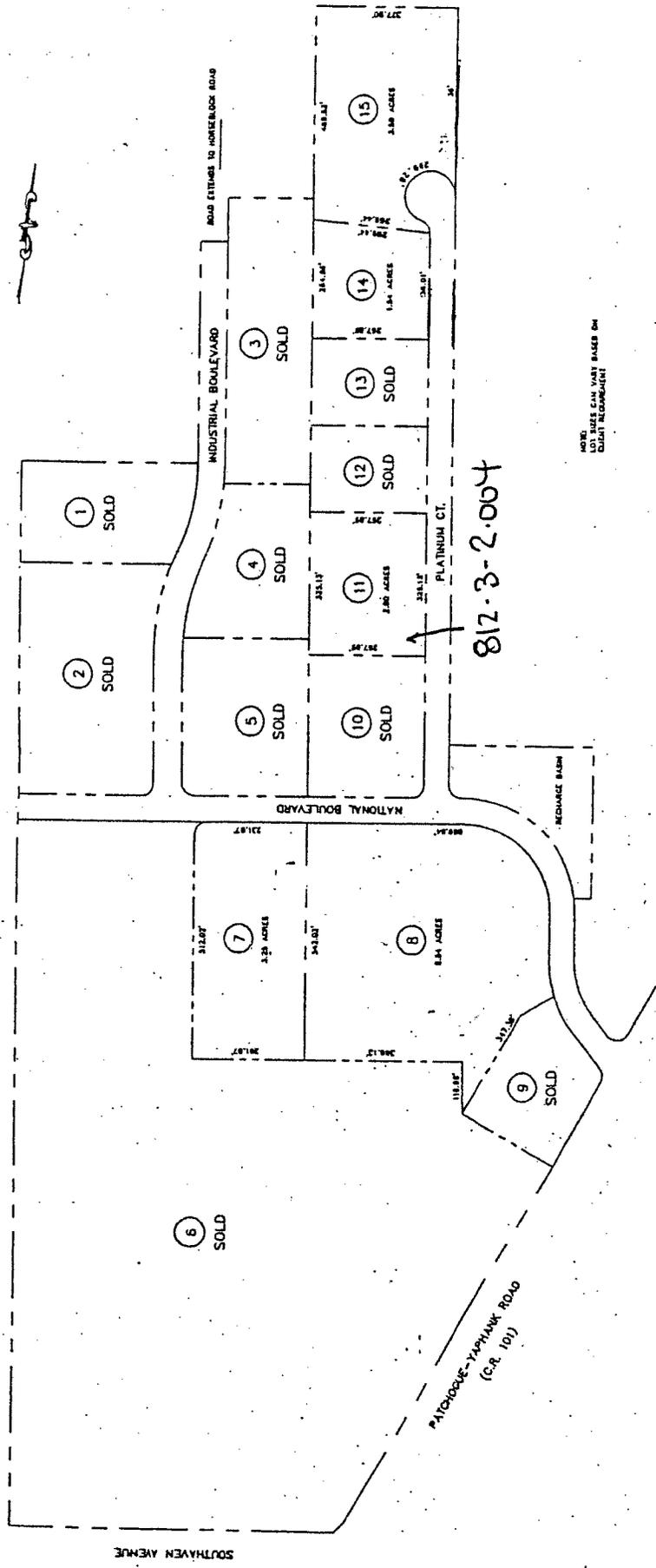
This project is situated on Platinum Court and is the original lot number 11 of that subdivision. Since it is part of the subdivision, it can be connected to the subdivision's sewers but requires the additional 150 gpd to meet the DHS requirements for that size building. The District's STP has sufficient excess treatment capacity to process the additional 150 gpd expected from this subdivision.

It is noted that due to County Resolution 38-2007, the connection fee has been raised to \$30.00 per gallon per day. This would amount to a total of \$4,500 for the connection fees.

Staff recommends granting the Formal Approval to this project.

Project Facts

Type/units:	Industrial Parcel within the So. Silver Ind. Park
Acreage:	2 acre
Flow:	150 gpd in addition to previous allocation of 1,045 gpd
Sewer District:	SCSD No. 7 – Medford
Groundwater Zone:	III
SEQRA:	Complete
SC Tax Parcel	0200-812.00-03.00-002.004
Legislative District	3 rd



812-3-2.004

1008

NOTE: LOT SIZES CAN VARY BASED ON SURVEY REQUIREMENTS



PREPARED BY:

**BOWNE
ASSET
GROUP**
Where Experience Matters
1100 West
Vestal
Slattery B. Bowne
& Son, LLP
235 East Jencks Turnpike
Millsboro, NY 11501
Phone: 516-717-1304
Fax: 516-717-1306
www.bownegroup.com

South Silver Industrial Park
520 Old Country Road West
Hicksville, NY 11801
Phone: 516-681-0562
Fax: 516-681-0571

SOUTHAVEN AVENUE

PATYCHOQUE-YAPHANK ROAD
(C.R. 101)

INDUSTRIAL BOULEVARD

NATIONAL BOULEVARD

PLATINUM CT.

RECREATION BASIN

ROAD ENTRANCE TO HUNTERBROOK ROAD

APPLICATION TO THE SUFFOLK COUNTY SEWER AGENCY FOR FORMAL APPROVAL
(Projects Which Have Completed SEQRA)

1008

Job No. _____

Application Received _____
Enter as: mm/dd/yyyy

- 1. Applicant's or contractee's exact name: Angelo Silveri
- 2. Applicant's or contractee's address: 520 Old Country Rd West, P.O. Box 1818
Hicksville, Ny 11802
- 3. Phone Number: 516-681-0562 Federal Tax ID No.: _____
- 4. Name of person to contact: STEPHEN R. Cody
- 5. Name of Plat: SOUTH SILVER INDUSTRIAL PARK, SECTION 1

NOTE: If the map name is changed in the future, it will require a new application.

- 6. Real Property Tax Map No(s): 0200-812-3-2.004
- 7. Town: TOWN OF BROOKHAVEN
- 8. Exact address of ALL owners of the land. If individuals, give home address. If corporation, give corporation address, plus name and office in the corporation held by party who will execute Agreement with Agency. In addition please furnish names of all principals of corporation. THIS IS NOT OPTIONAL (Attach extra sheets, if necessary)
Angelo Silveri, 53 Mill River Road, Oyster Bay, NY 11771

9. Name, address and phone number of owner's attorney: PETER CURRY, ESQ. FARRELL FRITZ
1320 RECKSON PLAZA, UNIONDale, NY 11556 516-227-0700

10. Name, address and phone number of owner's engineer: Joseph T. Matthews Assoc.,
2160 Joshua's Path, Hauppauge, NY 11788 631-348-4500

11. Number of acres in Plat: 2.0

Number of plots: 1
Number of units: 1
Number of GPD: 150

12. Type of Development: INDUSTRIAL LOT Please Select 1 or 2 Type(s) of Development
- a. Subdivision - Residential
 - b. Subdivision - Commercial
 - c. Subdivision - Industrial
 - d. Homeowner's Association Subdivision (QC)
 - e. Garden Apartments
 - f. Shopping Center
 - g. Planned Retirement Community
 - h. Condominium
 - i. Combination of uses - list above
 - k. Other - List above

13. The following must accompany the application:
- A. Check in the amount of \$550.00 payable to Suffolk County Treasurer.
 - B. Copy of deed in the name of number 7 (above).
 - C. Copy of Lead Agency's SEQRA Negative Declaration.
 - D. Other pertinent information, such as site plan and/or survey of property or SCDHS Board of Review Determination.

The applicant certifies that the applicable zoning and variances have been secured from the Town.

Angelo Silveri
Applicant's Signature & Title

8/29/07
Date

APPLICATIONS NOT COMPLETE WILL NOT BE PROCESSED

Intro. Res. No. 1009-08 Laid on Table 1/2/08
Introduced by Presiding Officer at request of County Executive

RESOLUTION NO. -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$21,600 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2008) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, the New York State Governor's Traffic Safety Committee has made \$21,600 in funds available to Suffolk County for the (GTSC FFY2008) Selective Traffic Enforcement Program (STEP) to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, this program provides high visibility to reduce aggressive driving and speeding in an effort to save lives and reduce motor vehicle accidents; and

WHEREAS, the operational period of the program is from October 1, 2007 through September 30, 2008; and

WHEREAS, said grant funds have not been included in the 2007 and 2008 Operating Budget; now, therefore be it

1st RESOLVED, that the County Executive and Sheriff are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant funds; and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$21,600.00 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4392-Federal Aid: Sheriff – Traffic Safety Initiative	\$21,600

APPROPRIATION:

Suffolk County Sheriff's Office
Sheriff Traffic Safety Initiative
001-SHF-3114

<u>1000-Personal Services</u>	<u>\$21,600</u>
1120-Overtime Salaries	\$21,600

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval: _____

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

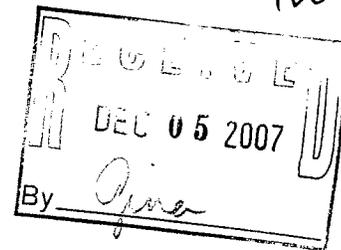
1009

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law		
2. Title of Proposed Legislation ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$21,600 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2008) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE		
3. Purpose of Proposed Legislation –See number 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)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. \$21,600 of grant money will be used. This program provides high visibility to reduce aggressive driving and speeding in an effort to save lives and reduce motor vehicle accidents.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
n/a		
8. Proposed Source of Funding – New York State Governor's Traffic Safety Committee (GTSC FFY 2008) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)		
9. Timing of Impact - FY 2008		
10. Typed Name & Title of Preparer Alan R. Otto Chief of Staff	11. Signature of Preparer 	12. Date: 11/30/2007

Gen A2

1009

Memorandum



To: Ben Zwirn, Deputy County Executive

From: Alan R. Otto, Chief of Staff *ARO*

Date: 11/30/07

Re: Selective Traffic Enforcement Program, Request for Legislation

The Sheriff's Office is a successful applicant for \$21,600 in the New York State, Governor's Traffic Safety Committee [GTSC FFY2008], Selective Traffic Enforcement Program Grant.

The \$21,600 of grant money will be used for 100% overtime costs to participate in providing high visibility enforcement of the Vehicle and Traffic Law to reduce aggressive driving and speeding in an effort to save lives and reduce motor vehicle accidents.

Thank you for your consideration in reviewing this draft resolution.

cc: Brendan Chamberlain, County Executive Assistant ✓

ARO/dlh

Att.

Intro. Res. No. 1010-08
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 1/2/08

**RESOLUTION NO. -2008, A RESOLUTION CALLING
FOR A PUBLIC HEARING FOR THE PURPOSE OF
CONSIDERING THE DISSOLUTION OF THE PROPOSED
SEWER DISTRICT NO. 4 – SMITHTOWN GALLERIA**

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Suffolk, New York has established a County sewer district designated and known as Suffolk County Sewer District No. 4 – Smithtown Galleria but title of the sanitary facilities has not been transferred to the district; and

WHEREAS, a map and plan, together with an estimate of cost, had been prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to the proposed creation of said sewer district; and

WHEREAS, the proposed sewer district budget was updated in accordance with the criteria of the Suffolk County Budget Office and found to be in excess of \$1,000 per unit per year for the sewer use charges; and

WHEREAS, the Administrative Head of the Sewer District has received requests from legal counsel of both developers of the District's facilities to dissolve the District until such time as the tax base can be expanded; and

WHEREAS, the Administrative Head of the Sewer District has concerns as to the acceptability of the proposed rate to both the future Sewer District residents and the New York State Comptroller; and

WHEREAS, it is now desired to call a public hearing thereon; pursuant to Section 254 of County Law; now, therefore be it

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

Section 1. A meeting of the County Legislature of the County of Suffolk, New York, shall be held in the William H. Rogers Building, Rose Y. Caracappa Auditorium 725 Veterans Memorial Highway, Smithtown, New York, in said County, on the 5th day of February, 2008 at 2:30 PM, Prevailing Time, for the purpose of conducting a public hearing on the aforesaid matter and for such other action on the part of said County Legislature as may be required by law or proper in premises.

Section 2. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of said County, and such other newspaper as the Legislature may designate, if any, said publication to be made in each of such newspapers not less than ten, nor more than twenty, days before the day set herein for said public hearing. Such notice shall be in substantially the following form, to wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the County Legislature of the County of Suffolk, New York, will meet in the William H. Rogers Building, Rose Y. Caracappa Auditorium 725 Veterans Memorial Highway, Smithtown, New York in said County, on the 5thⁿ day of

February, 2008 at 2:30 PM, Prevailing Time, for the purpose of conducting a public hearing upon a proposal to dissolve the Suffolk County Sewer District No. 4 – Smithtown Galleria.

Section 3. This resolution shall take effect immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Intro. Res. No. 1011-07
Introduced by Presiding Officer, on request of the County Executive and Legislator Horsley

Laid on Table 1/2/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW
NO. -2008, A LOCAL LAW TO BAN LOW-EFFICIENCY
INCANDESCENT LAMPS AND TO CREATE THE ENERGY
EFFICIENT LIGHTING TASK FORCE**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on January 2, 2008, a proposed local law entitled, "**A LOCAL LAW TO BAN LOW-EFFICIENCY INCANDESCENT LAMPS AND TO CREATE THE ENERGY EFFICIENT LIGHTING TASK FORCE**"; 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. -2008, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO BAN LOW-EFFICIENCY INCANDESCENT LAMPS
AND TO CREATE THE ENERGY EFFICIENT LIGHTING TASK FORCE**

**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 low-efficiency incandescent light bulbs, also known as lamps, are not energy efficient and cost consumers and businesses millions of dollars each year due to their inefficiency.

This Legislature also finds and determines that these lamps cause harmful pollutants to be emitted into the air.

This Legislature further finds that legislation has been introduced across the country banning the sale and use of these lamps.

This Legislature also finds that the use of other, more energy-efficient lamps will result in consumers and businesses in Suffolk County realizing extraordinary financial savings by reducing energy costs and reducing the public's heavy reliance on foreign oil.

This Legislature further finds that Suffolk County should study alternatives to low-efficiency incandescent lamps, establish minimum energy efficiency standards that all lamps must meet and make recommendations for the towns in Suffolk County to enhance recycling programs and develop new ones for alternative lighting.

Therefore, the purpose of this law is to ban the purchase, sale, and use of low-efficiency incandescent lamps in Suffolk County and to create the Energy Efficient Lighting Task Force.

Section 2. Definitions.

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

LOW-EFFICIENCY INCANDESCENT LAMP - a standard incandescent or halogen type lamp that is intended for general service applications and does not meet or exceed the energy efficiency standards established by the Energy Efficient Lighting Task

Force established hereunder and adopted via duly enacted resolution of the Suffolk County Legislature.

PERSON - any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association, or other entity or business organization of any kind.

Section 3. Prohibited acts; inspections.

A. No person shall offer for sale, purchase or use a low-efficiency incandescent lamp within the County of Suffolk.

B. No person shall import into the County of Suffolk for sale, or sell, dispense or offer for sale a low-efficiency incandescent lamp within the County of Suffolk.

C. The Suffolk County Department of Environment and Energy, or any County representative authorized by the Department of Environment and Energy, upon presentation of appropriate credentials, shall have the right to enter upon or through any retail outlet to make inspections to ensure compliance with this article.

Section 4. Penalties for offenses.

Penalties for violation of this article shall be as determined by the Energy Efficient Lighting Task Force established hereunder and adopted via duly enacted resolution of the Suffolk County Legislature.

Section 5. Enforcement.

This article shall be enforced by the Suffolk County Department of Environment and Energy, which Department is authorized to enter into agreements and/or memorandums of understanding with the Office of Consumer Affairs and any other County division, department, or agency, for the purpose of implementing and enforcing this legislation.

Section 6. Rules and Regulations.

The Commissioner of the Suffolk County Department of Environment and Energy is hereby authorized to promulgate and issue such rules and regulations as he may deem necessary to implement the provisions of this article.

Section 7. Task Force.

(A.) An Energy Efficient Lighting Task Force (Task Force) is hereby created consisting of the following nine (9) members:

- (1.) The Commissioner of the Suffolk County Department of Environment and Energy, or his or her designee, who shall serve as Chair of the Task Force;
- (2.) The Suffolk County Executive, or his or her designee;
- (3.) The Presiding Officer of the Suffolk County Legislature, or his or her designee;
- (4.) The Chair of the Economic Development, Higher Education, and Energy Committee of the Suffolk County Legislature, or his or her designee;
- (5.) A representative of a non-governmental organization with recognized expertise in energy efficiency or alternate energy, to be appointed by the County Executive;

- (6.) A representative of a non-governmental organization with recognized expertise in energy efficiency or alternate energy, to be appointed by the County Legislature;
- (7.) A recognized expert in energy efficiency research, currently conducting research at an accredited institution, to be appointed by the Presiding Officer;
- (8.) A recognized expert in alternative energy research, currently conducting research at an accredited institution, to be appointed by the County Executive;
- (9.) A representative from the Long Island Power Authority (LIPA) whom is directly involved with LIPA's Clean Energy Initiative Program, to be appointed by the Chairman of LIPA.

(B.) The Task Force is hereby authorized and directed to establish minimum energy-efficient standards and criteria that all lamps must meet, upon which the prohibitions set forth in this article shall apply, establish penalties for violation of this article and to make recommendations thereon to the County Executive and the Suffolk County Legislature. The Task Force is further authorized and directed to establish criteria and standards with respect to alternative technologies to low-efficiency incandescent lamps and make recommendations thereon to the County Executive and Suffolk County Legislature. The analysis for such criteria and standards shall include an examination of the alternative technology's use of toxic substances, including mercury and lead; energy efficiency rating; cost, practicability, and availability to consumers. The Task Force is further authorized and directed to establish criteria to enhance existing recycling programs and develop new programs for the ten (10) Suffolk County towns for compact fluorescent lamps and other alternative energy lamps and to make recommendations thereon to the County Executive and the Suffolk County Legislature.

(C.) The Task Force shall establish its rules of procedure and shall meet on a schedule adopted by its members.

(D.) The Task Force shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the Chairperson of the Task Force, who shall be the Commissioner of the Department of Environment and Energy, for the purpose of organization and the appointment of a vice chairperson and a secretary.

(E.) The members of the Task Force shall serve without compensation and shall serve at the pleasure of their respective appointing authorities.

(F.) The Task Force shall keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the Chairperson upon his or her own initiative or upon receipt of a written request therefore signed by at least four (4) members of the Task Force. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting.

(G.) Five (5) members of the Task Force shall constitute a quorum to transact the business of the Task Force at both regular and special meetings.

(H.) The Task Force may submit requests to the County Executive and/or the County Legislature for approval for the provision of secretarial services, travel expenses, or retention of consultants to assist the Task Force with such endeavors, said total expenditures not to exceed Five Thousand (\$5,000.00) dollars per fiscal year, which services shall be subject to Legislative approval.

(I.) Clerical services involving the month-to-month operation of this Task Force, as well as supplies and postage as necessary, will be provided by the staff of the County Department of Environment and Energy.

(J.) The Task Force may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary.

(K.) The Task Force may delegate to any member of the Task Force the power and authority to conduct such hearings and meetings.

(L.) The Task Force shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain.

(M.) The Task Force shall submit a written report of its findings and determinations together with its recommendations for action to each member of the County Legislature, the Commissioner of Environment and Energy, and the County Executive no later than six (6) months subsequent to the effective date of this article for consideration, review, and appropriate action by the entire County Legislature.

(N.) Action required to be taken by the County of Suffolk in connection with the Task Force recommendations must be by local law, duly enacted by the County of Suffolk no later than June 30, 2011.

(O.) The Task Force shall expire, and the terms of office of its members terminate, as of July 1, 2011 at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature.

Section 8. Applicability.

Sections 2 through 6 of this law shall apply to prohibit conduct occurring on and after January 1, 2012. Section 7 of this law shall apply to all actions taken by the Task Force immediately upon filing of this law in the Office of the Secretary of State.

Section 9. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, 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 judgment or order shall be rendered.

Section 10. SEQRA Determination.

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

Section 11. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date

Intro. Res. No. 1012-08
Introduced by Presiding Officer at the request of the Suffolk County Executive

Laid on Table 1/2/08

**RESOLUTION NO. 2008, DELEGATING AUTHORITY
TO REFUND CERTAIN ERRONEOUS TAX PAYMENTS TO
THE SUFFOLK COUNTY TREASURER**

Whereas, Section 556, New York **REAL PROPERTY TAX LAW** has been amended to permit the Suffolk County Legislature to delegate its authority to refund erroneous tax payments of **TWO THOUSAND FIVE HUNDRED (\$2500.00) DOLLARS** or less; now, therefore, be it

Resolved, that this Legislature hereby delegates to the Suffolk County Treasurer the authority to grant real property tax refunds of **TWO THOUSAND FIVE HUNDRED (\$2500.00) DOLLARS** or less to property owners in the County of Suffolk upon receipt of written reports of investigation and recommendation by the County Director of Real Property Tax Service Agency; and be it further

Resolved, that if the County Treasurer denies the refund, in whole or in part, the County Treasurer shall transmit to the Suffolk County Legislature together with copies of the application and the reasons for denial of the refund, and be it further

Resolved, that the County Treasurer shall submit a report of the refunds processed to the Suffolk County Legislature on or before the fifteenth (15) day of each month for the actions taken during the preceding month amount of the refund; and be it further

Resolved, that this resolution shall only be in effect through December 31st of 2008.

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

1012

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
ResolutionXXX Local Law Charter Law

2. Title of Proposed Legislation
To readjust, compromise and grant refunds and charge backs on Correction of Errors/County Treasurer By: County Treasurer

3. Purpose of Proposed Legislation
To cancel or adjust taxes and make refunds and charge backs due to erroneous or improper assessments.

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

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

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

6. If the answer to item 5 is "yes," Provide Detailed Explanation of Impact
In the case of refunds, the County will initially refund the amount of the incorrect tax. Approximately 81% of the refunded amount will be charged back to the Town to be added to the subsequent year's tax warrant. The remainder will be a County charge. If the original tax is unpaid, the same procedure would apply, however, no County monies would be refunded and it will be charged back to the Town within twelve to eighteen months.

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

8. Proposed Source of Funding
To be refunded from the County General Fund

9. Timing of Impact
Variable

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

Angie M. Carpenter
County Treasurer

Gen AE

DEC 03 2007



SUFFOLK COUNTY TREASURER

330 CENTER DRIVE RIVERHEAD, N.Y. 11901-3311

Telephone: (631) 852-1500 FAX (631) 852-1507

ANGIE M. CARPENTER
COUNTY TREASURER

DOUGLAS W. SUTHERLAND
CHIEF DEPUTY

DIANE M. STUKE
DEPUTY

1012

MEMORANDUM

TO: Ben Zwirn, County Executive Assistant for Intergovernmental Relations

FROM: Douglas W. Sutherland, Chief Deputy County Treasurer

DATE: November 30, 2007

RE: **PROPOSED RESOLUTION: ERRONEOUS ASSESSMENTS UNDER \$2500.00**

Enclosed, please find a proposed resolution, which this office requests be submitted to the Suffolk County Legislature for approval. Please be sure to submit this at the first legislative session of 2008.

DWS:dz
Enc.

Introductory Resolution No. 1013-08 Laid on Table 1/2/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
**JOHN A. FENECH a/k/a JOHN FENECH and KIMBERLY C. FENECH a/k/a
KIMBERLY FENECH, his wife
0200-081.00-01.00-012.003**

WHEREAS, the COUNTY OF SUFFOLK acquired 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 Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 081.00, Block 01.00, Lot 012.003, and acquired by tax deed on July 17, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007, in Liber 12515, at Page 222, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lot No. 3 on a certain map entitled, "Map of Little Oaks", and filed in the Office of the Clerk of the County of Suffolk on 05/16/86 as Map No. 8112; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 17, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007 in Liber 12515 at Page 222.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, JOHN FENECH a/k/a JOHN A. FENECH and KIMBERLY FENECH a/k/a KIMBERLY C. FENECH, his wife, have made application of said above described parcel and JOHN FENECH a/k/a JOHN A. FENECH and KIMBERLY FENECH a/k/a KIMBERLY C. FENECH, his wife, have paid the application fee and \$53,227.75, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; and

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

2nd - RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN A. FENECH a/k/a JOHN FENECH and KIMBERLY C. FENECH a/k/a KIMBERLY FENECH, his wife, 5 East Street, Shoreham, New York 11786, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1013

November 23, 2007

Tax Map No.: 0200-081.00-01.00-012.003

Name of Last Legal Fee Owner: JOHN A. FENECH a/k/a JOHN FENECH and KIMBERLY C.
FENECH a/k/a KIMBERLY FENECH, his wife

TREASURER'S COMPUTATION..... \$52,377.75

Taxes.....2006/2007..... INCLUDED

Recording Fees collected for County Clerk. . N/A

License Fee..... \$ 850.00

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$53,227.75

Monies Received..... \$53,227.75

RESOLUTION AMOUNT..... \$53,227.75

APPROVED:

Karen A. Slater 11/27/07
Accounting
LB:sc

PREPARED BY:

Lori Bertone

Lori Bertone
Redemption Unit
(631) 853-5932

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1013

1. Type of Legislation

Resolution X
Tax Map Number 0200-081.00-01.00-012.003

2. Title of Proposed Legislation

Authorizing Director Christopher E. Kent, and/or his designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

County

Town

Economic Impact

Village

School District Other (Specify):

Library District

Fire District

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

The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2007

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

Lori Bertone

Lori Bertone

11/27/07

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>		<u>LOT</u>
0200	081.00	01.00	1013	012.003

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2002/03	895.83
2003/04	13065.92
2004/05	12474.46
2005/06	12013.89
2006/07	9613.14

TOTAL: 48063.24

B. INTEREST DUE	1820.33
C. TOTAL	49883.57
D. 5% LINE C	2494.18
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

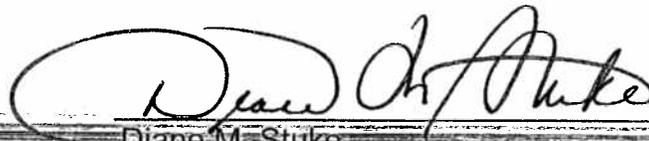
\$52,377.75

9/25/07
ef

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 20-Sep-07



Diane M. Stuke

Deputy County Treasurer

**Interest and penalty computed to
and including 03/18/08

dz

Revisions
 02-28-97
 04-24-00
 05-08-01

1013

SEE SEC. N
 MATCH
 TOWN OF
 BROOKHAVEN
 25
 3.5A



0200-081-01-012.3

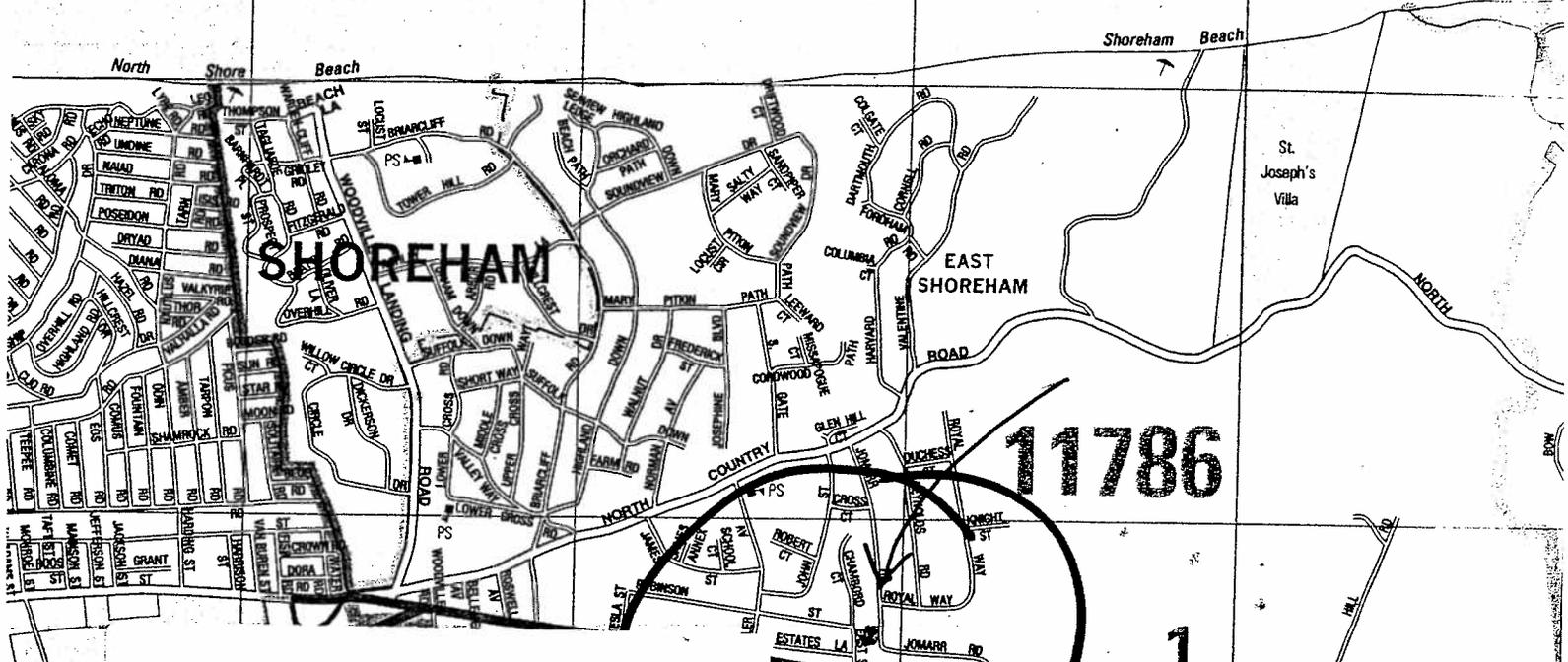
SOUND AVE. SR 25

0200-081-01-012.3	Property or All Line	Subdivision Lot No.	UNLESS DRAWN	D
	Districts Contour	Subdivision Block/Block	ARE WITHIN	THE
	Subdivision Lot Line	Block Dimension	SCHOOL	IS
	Stream / Shore	Scold Dimension	FIRE	F.I.A.
	Parcel No.	23	Dead Area 12.1 A(c) or 12.1A	Town Line
		Calculated Area 12.1 A(c)	Wedge Line	---
			Park District Line	---
			Sewer District Line	---
			Bestwater District Line	---
			AMBULANCE	---

1013

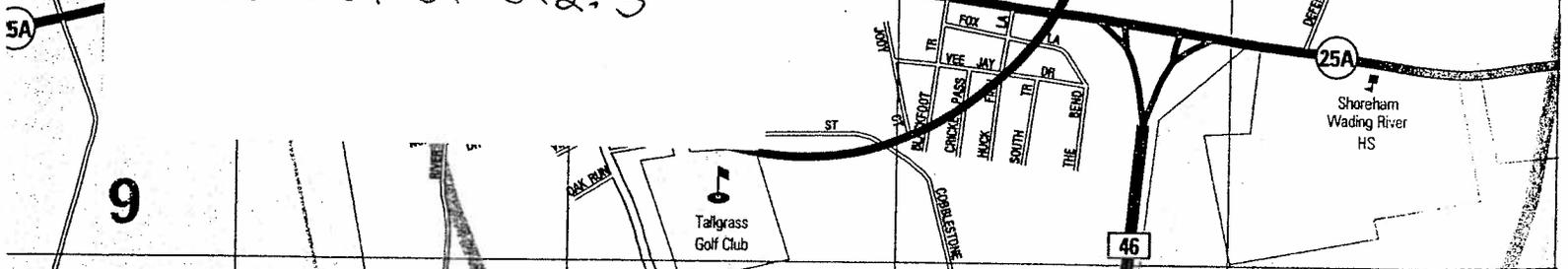
ISLAND

LONG



0200-081-01-012.3

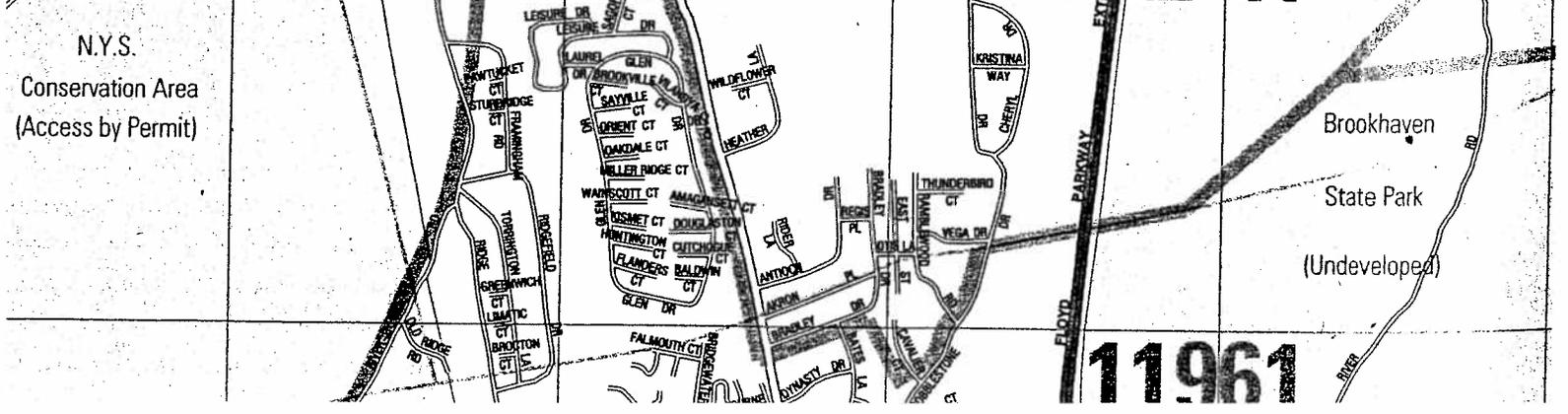
1



11778

BROOKHAVEN

N.Y.S. Conservation Area (Access by Permit)



COUNTY OF SUFFOLK

DEC 06 2007

Gen 46



1013

CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

Ben Zwirn
Assistant Deputy County Executive for
Intergovernmental Relations
H. Lee Dennison Bldg. - 11th Floor
Hauppauge, New York 11788-0099

December 4, 2007

Re: Tax Map No. 0200-081.00-01.00-012.003
JOHN A. FENECH a/k/a JOHN FENECH and KIMBERLY C. FENECH a/k/a
KIMBERLY FENECH, his wife

Dear Mr. Zwirn:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law 16-1976, as amended - Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda as soon as possible after your examination.

Very truly yours,

Christopher E. Kent
Director of Division of Real Property
Acquisition and Management

CEK:sc

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer's Computation

Copy of Resolution to:
Ben Zwirn, Assistant Deputy County Executive for I. R. (original plus 1 hard copy)
Steve Forst, Budget Office (hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
Connie Corso, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.

Introductory Resolution No. 1014-08

Laid on Table

1/2/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
DELORIS SMILEY, a Married Woman
0100-121.00-03.00-014.000

WHEREAS, the COUNTY OF SUFFOLK acquired 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 Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 121.00, Block 03.00, Lot 014.000, and acquired by tax deed on April 6, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 13, 2006, in Liber 12445, at Page 172, and otherwise known as and by Town of Babylon, County of Suffolk and State of New York, and being lots known as and by the numbers 2, 4, 6, 8, and 10 on Block 23, said lots being designated and delineated on the map entitled "Revised Plot No. 1, Parkwood, Long Island, New York", and filed in the Suffolk County Clerk's Office the 22nd day of December, 1926, Map No. 339; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 6, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 13, 2006 in Liber 12445 at Page 172.

WHEREAS, in accordance with Suffolk County Local Law 16- 1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, DELORIS SMILEY, a Married Woman, has made application of said above described parcel and DELORIS SMILEY, a Married Woman, has paid the application fee and will be paying \$48,446.57 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2nd - RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to DELORIS SMILEY, a Married Woman, 5 Lincoln Avenue, East Farmingdale, New York 11735, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.1

1014

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

December 4, 2007

Tax Map No.: 0100-121.00-03.00-014.000

Name of Last Legal Fee Owner: DELORIS SMILEY, a Married Woman

TREASURER'S COMPUTATION..... \$43,329.07

Taxes.....2006/07..... INCLUDED

Recording Fees collected for County Clerk.. N/A

License Fee \$ 4,930.00

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... \$ 187.50 – Process Service Fees

TOTAL..... \$48,446.57

Monies to be Received.....\$48,446.57

RESOLUTION AMOUNT.....\$48,446.57

APPROVED:

PREPARED BY:

Cathy O'Neal
Cathy O'Neal
Redemption Unit
(631) 853-5937

Karen A. Slater 12/4/07
Accounting
CO:sc

1014

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-121.00-03.00-014.000

2. Title of Proposed Legislation

Authorizing Director Christopher E. Kent, and/or his designee to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

6. If the answer to item 4 is "yes", provide detailed explanation of Impact
The County will recoup the amount of taxes paid on the property taken by the tax deed.

7. Total Financial Cost of Funding over 5 years on each affected Political or other subdivision
N/A

8. Proposed Source of Funding
N/A

9. Timing of Impact
2007

10. Typed Name & Title of Preparer	Signature of Preparer	Date
<u>Cathy O'Neal</u>	<u>Cathy O'Neal</u>	<u>12/4/07</u>

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	121.00	03.00	014.000

1014

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2000/01		1781.81
2001/02		3443.85
2002/03		6818.03
2003/04		6740.00
2004/05		6538.03
2005/06		5661.42
2006/07		6118.99

TOTAL: 37102.13

B. INTEREST DUE	4163.65
C. TOTAL	41265.78
D. 5% LINE C	2063.29
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

\$43,329.07

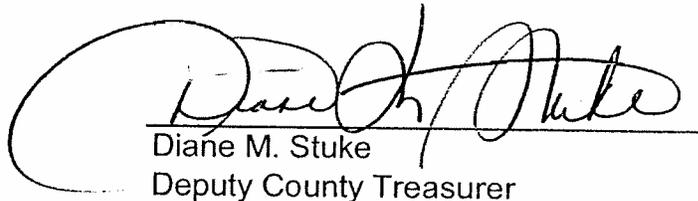
12/3/07
ef

CERTIFICATION BY COUNTY TREASURER

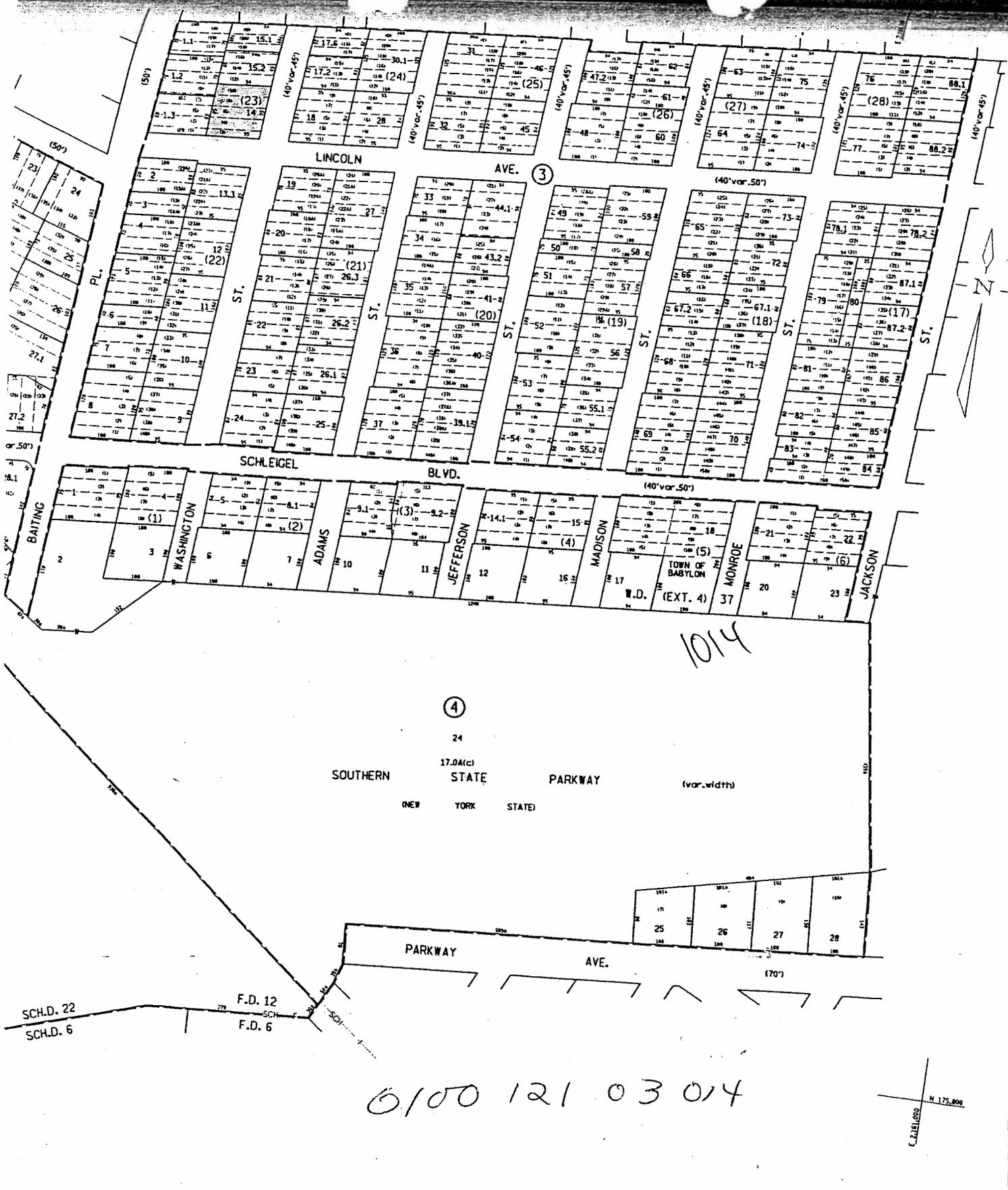
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York.

28-Nov-07


Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 05/26/08



ALL PROPERTIES DISTRICTS 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50	NOTICE MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.		COUNTY OF SUFFOLK Real Property Tax Service Agency County Center Riverhead, N Y 11901 SCALE IN FEET: 1" = 100'	KEY MAP HALEMOUNT COUNTY 095 121 163 096 122 172	TOWN OF BABYLON VILLAGE OF DISTRICT NO 0100	SECTION NO 121 PROPERTY MAP
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COUNTY OF SUFFOLK

Gen A7
DEC 14 2007



CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

December 10, 2007

1014

Ben Zwirn
Assistant Deputy County Executive for
Intergovernmental Relations
H. Lee Dennison Bldg. - 11th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0100-121.00-03.00-014.000
DELORIS SMILEY, a Married Woman

Dear Mr. Zwirn:

Enclosed herewith for your approval is original and one (1) copy of the proposed resolution with documentation pursuant to:

Local Law 16-1976, as amended - Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda as soon as possible after your examination.

Very truly yours,

Christopher E. Kent
Director of Division of Real Property
Acquisition and Management

CEK:sc

Enclosures
Resolution + one copy
Closing Statement
Legislative Memorandum
Treasurer's Computation

Copy of Resolution to:
Ben Zwirn, Assistant Deputy County Executive for I. R. (original plus 1 hard copy)
Steve Forst, Budget Office (hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
Connie Corso, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.

1015

Intro. Res. No. -2008

Laid on Table

1/2/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION No. -2008, PERMITTING THE CENTER MORICHES FIRE DISTRICT TO PURCHASE FUEL FROM THE COUNTY

WHEREAS, the Fire District wishes to purchase fuel on an emergency basis from the County under the County's Fuel Management/Preventive Maintenance Inventory Control System which was authorized by Resolution 1233-1997; and

WHEREAS, the County agrees to provide the services requested by the Fire District; and

WHEREAS, the Fire District agrees to pay for all costs associated with retrofitting their vehicles to conform to the County's Fuel Management/Preventive Maintenance Inventory Control System; and

WHEREAS, the Fire District will reimburse the County for the cost of fuel used by Fire District vehicles, in addition to a ten percent (10%) administrative fee; and

WHEREAS, the County and the Fire District are permitted to enter into joint cooperation Agreements, now therefore be it

1st RESOLVED, that the Fire District at their own expense, will conform with the County's Fuel Management/Preventive Maintenance Inventory Control System and reimburse the County for the cost of fuel used by their vehicles, plus a ten percent (10%) administrative fee;

2nd RESOLVED, that the County Executive or his designee is hereby authorized to execute an Agreement, with the Fire District on behalf of the County providing for the purchase of fuel as indicated heretofore, and be it further

3rd 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 Vol. 6 of the New York Code of Rules and Regulations (NYCRR) Section 617.5 (c) (20) (27) in that the resolution concerns purchase or sale of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibility under SEQRA.

DATED: _____, 2008

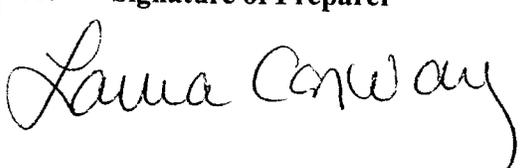
APPROVED BY:

County Executive of Suffolk

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1015

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation PERMITTING THE CENTER MORICHES FIRE DISTRICT TO PURCHASE FUEL FROM THE COUNTY		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> </u> No <u> X </u>		
5. If the answer to Item 4 is "yes," on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding N/A		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Laura Conway, CPA, Director of DPW Administrative Services	11. Signature of Preparer 	12. Date 11/30/07

COUNTY OF SUFFOLK



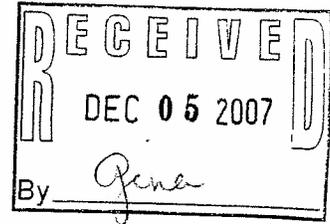
STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER



MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Thomas LaGuardia, P.E.  Chief Deputy Commissioner

SUBJECT: **A Draft Resolution Permitting the Center Moriches Fire District to Purchase Fuel from the County**

DATE: November 30, 2007

Attached is a draft resolution (filed as Reso DPW Center Moriches FD – Fuel Purchase) and the appropriate forms (filed as Reso-backup DPW Center Moriches FD – Fuel Purchase) which will enable the Center Moriches Fire District to purchase fuel from the County.

This will be done at no cost to the County. The Center Moriches Fire District shall assume and be responsible to pay all fuel usage, as reported by the Department's Fleet Services Unit, in addition to a ten percent (10%) administrative fee.

The Center Moriches Fire District will also be responsible for making their own arrangements with the County designated fuel dispensing vendor and pay their respective share of costs to retrofit vehicles to conform to the County's Fuel Management/Preventative Maintenance Inventory Control System. They will also be responsible to pay for any future costs associated with maintaining and/or upgrading the system.

TL:LC:al
Encl.

cc: Brian Beedenbender, County Executive Assistant
Gilbert Anderson, P.E., Commissioner
Laura Conway, CPA, Director of DPW Administrative Services
Peter Burke, Assistant Director Highway Maint./Fleet Services
Carmine Chiusano, Chief Financial Analyst
CE RESO REVIEW

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**RESOLUTION No. -2008, PERMITTING THE YAPHANK
FIRE DISTRICT TO PURCHASE FUEL FROM THE COUNTY**

WHEREAS, the Fire District wishes to purchase fuel on an emergency basis from the County under the County's Fuel Management/Preventive Maintenance Inventory Control System which was authorized by Resolution 1233-1997; and

WHEREAS, the County agrees to provide the services requested by the Fire District; and

WHEREAS, the Fire District agrees to pay for all costs associated with retrofitting their vehicles to conform to the County's Fuel Management/Preventive Maintenance Inventory Control System; and

WHEREAS, the Fire District will reimburse the County for the cost of fuel used by Fire District vehicles, in addition to a ten percent (10%) administrative fee; and

WHEREAS, the County and the Fire District are permitted to enter into joint cooperation Agreements, now therefore be it

1st RESOLVED, that the Fire District at their own expense, will conform with the County's Fuel Management/Preventive Maintenance Inventory Control System and reimburse the County for the cost of fuel used by their vehicles, plus a ten percent (10%) administrative fee;

2nd RESOLVED, that the County Executive or his designee is hereby authorized to execute an Agreement, with the Fire District on behalf of the County providing for the purchase of fuel as indicated heretofore, and be it further

3rd 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 Vol. 6 of the New York Code of Rules and Regulations (NYCRR) Section 617.5 (c) (20) (27) in that the resolution concerns purchase or sale of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibility under SEQRA.

DATED: _____, 2008

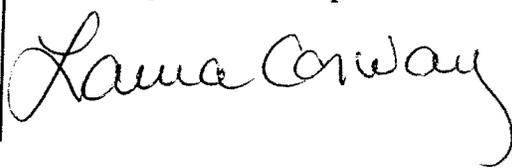
APPROVED BY:

County Executive of Suffolk

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1016

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>											
2. Title of Proposed Legislation PERMITTING THE YAPHANK FIRE DISTRICT TO PURCHASE FUEL FROM THE COUNTY											
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE											
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> </u> No <u> X </u>											
5. If the answer to Item 4 is "yes," on what will it impact? (circle appropriate category) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
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 											
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A											
8. Proposed Source of Funding N/A											
9. Timing of Impact N/A											
10. Typed Name & Title of Preparer Laura Conway, CPA, Director of DPW Administrative Services	11. Signature of Preparer 	12. Date 11/30/07									

COUNTY OF SUFFOLK



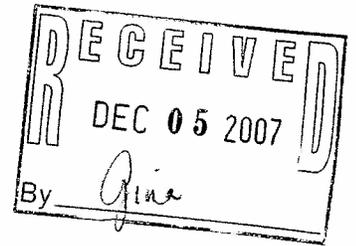
STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER



1016

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Thomas LaGuardia, P.E. Chief Deputy Commissioner 

SUBJECT: **A Draft Resolution Permitting the Yaphank Fire District to Purchase Fuel from the County**

DATE: November 30, 2007

Attached is a draft resolution (filed as Reso DPW Yaphank FD – Fuel Purchase) and the appropriate forms (filed as Reso-backup DPW Yaphank FD – Fuel Purchase), which will enable the Yaphank Fire District to purchase fuel from the County.

This will be done at no cost to the County. The Yaphank Fire District shall assume and be responsible to pay all fuel usage, as reported by the Department's Fleet Services Unit, in addition to a ten percent (10%) administrative fee.

The Yaphank Fire District will also be responsible for making their own arrangements with the County designated fuel dispensing vendor and pay their respective share of costs to retrofit vehicles to conform to the County's Fuel Management/Preventative Maintenance Inventory Control System. They will also be responsible to pay for any future costs associated with maintaining and/or upgrading the system.

TL:LC:al
Encl.

cc: Brian Beedenbender, County Executive Assistant
Gilbert Anderson, P.E., Commissioner
Laura Conway, CPA, Director of DPW Administrative Services
Peter Burke, Assistant Director Highway Maint./Fleet Services
Carmine Chiusano, Chief Financial Analyst
CE RESO REVIEW

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Introductory Resolution No. 1017-08 Laid on Table 1/2/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
JOHN BECKHAM and SCHAUNE BECKHAM
0500-163.00-05.00-013.001

WHEREAS, the COUNTY OF SUFFOLK acquired 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, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 163.00, Block 05.00, Lot 013.001, and acquired by tax deed on July 6, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007, in Liber 12513, at Page 421, and otherwise known as and by Town of Islip, Suffolk County Tax Map Number: District 0500, Section 163.00, Block 05.00, Lot 013.001; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 6, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007 in Liber 12513 at Page 421.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, SCHAUNE BECKHAM and JOHN BECKHAM have made application of said above described parcel and JOHN BECKHAM has paid the application fee and \$5,348.87, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; and

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

2nd - RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN BECKHAM and SCHAUNE BECKHAM, 1251 Windwood Drive, Mobile, Alabama 36605, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.1

1017

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

December 11, 2007

Tax Map No.: 0500-163.00-05.00-013.001

Name of Last Legal Fee Owner: JOHN BECKHAM and SCHAUNE BECKHAM

TREASURER'S COMPUTATION..... \$5,348.87

Taxes.....2006/2007..... INCLUDED

Taxes.....2007/2008..... OPEN

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$5,348.87

Monies Received..... \$5,348.87

RESOLUTION AMOUNT..... \$5,348.87

APPROVED:

Karen A. Slater 12/17/07

Accounting
CO:sc

PREPARED BY:

Cathy O'Neal

Cathy O'Neal
Redemption Unit
(631) 853-5937

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

10/7

1. Type of Legislation

Resolution

Tax Map Number 0500-163.00-05.00-013.001

2. Title of Proposed Legislation

Authorizing Director Christopher E. Kent, and/or his designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

County

Town

Economic Impact

Village

School District Other (Specify):

Library District

Fire District

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

The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2007

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

Cathy O'Neal

Cathy O'Neal

12/11/07

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	163.00	05.00	013.001

1017

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	804.65
2005/06	2428.68
2006/07	1611.85

TOTAL: 4845.18

B. INTEREST DUE	248.98
C. TOTAL	5094.16
D. 5% LINE C	254.71
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

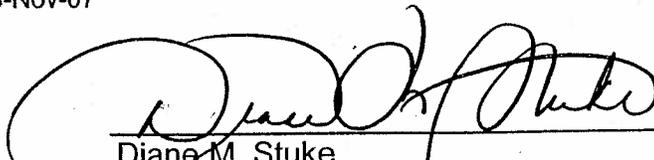
\$5,348.87

12/13/07
ef

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 28-Nov-07

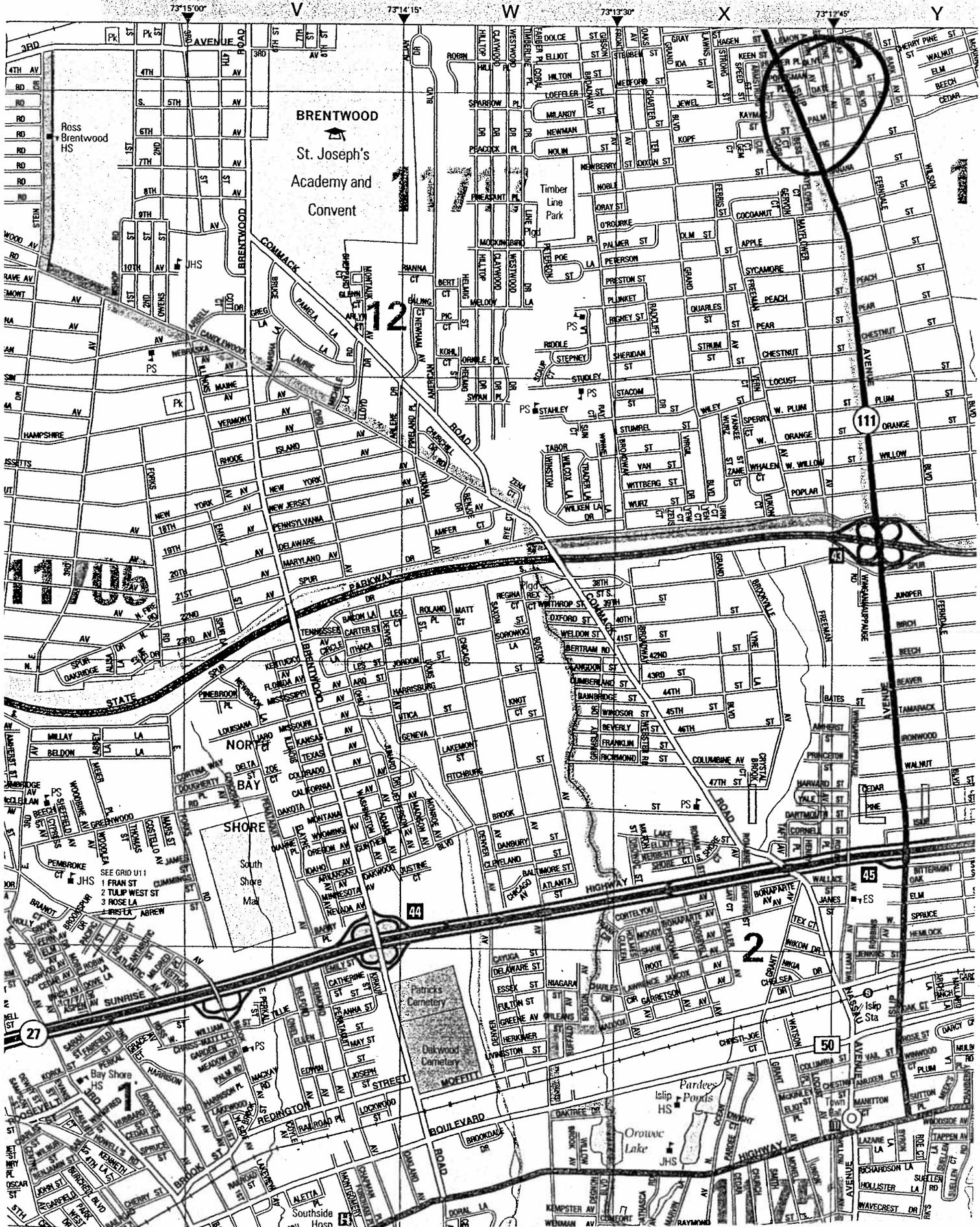

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 05/26/08

Suffolk Co.

Joins Map 15

1017
0500 163 05 013.001



Introductory Resolution No. 1018-07

Laid on Table 1/2/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
BRUCE MacDONALD a/k/a BRUCE L. MacDONALD
0200-799.00-03.00-040.002

WHEREAS, the COUNTY OF SUFFOLK acquired 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 Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 799.00, Block 03.00, Lot 040.002, and acquired by tax deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007, in Liber 12528, at Page 281, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 799.00, Block 03.00, Lot 040.002; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007 in Liber 12528 at Page 281.

WHEREAS, in accordance with Suffolk County Local Law 16- 1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, BRUCE L. MacDONALD a/k/a BRUCE MacDONALD, has made application of said above described parcel and BRUCE L. MacDONALD a/k/a BRUCE MacDONALD, has paid the application fee and will be paying \$20,062.05 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2nd - RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to BRUCE MacDONALD a/k/a BRUCE L. MacDONALD, 70 Riviera Drive, Selden, New York 11784, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

50.1

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-799.00-03.00-040.002

1018

2. Title of Proposed Legislation

Authorizing Director Christopher E. Kent, and/or his designee to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

The County will recoup the amount of taxes paid on the property taken by the tax deed.

7. Total Financial Cost of Funding over 5 years on each affected Political or other subdivision
N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2007

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

Lori Bertone

Introductory Resolution No. 1019-08 Laid on Table 1/2/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
MOTEL ON THE BAY OWNERS CORP.
0600-092.00-04.00-008.000

WHEREAS, the COUNTY OF SUFFOLK acquired 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 Riverhead, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0600, Section 092.00, Block 04.00, Lot 008.000, and acquired by tax deed on November 17, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 24, 2006, in Liber 12480, at Page 49, and otherwise known as and by Town of Riverhead, Suffolk County Tax Map Number: District 0600, Section 092.00, Block 04.00, Lot 008.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 17, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 24, 2006 in Liber 12480 at Page 49.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, ROBERT PATCHELL, President of Motel on the Bay Owners Corp., has made application of said above described parcel and ROBERT PATCHELL, President of Motel on the Bay Owners Corp., has paid the application fee and \$255,860.76, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; and

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

2nd - RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MOTEL ON THE BAY OWNERS CORP., c/o Robert Patchell, 67 Front Street, South Jamesport, New York 11970, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

50.1

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0600-092.00-04.00-008.000

2. Title of Proposed Legislation

Authorizing Director Christopher E. Kent, and/or his designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

The County will recoup the amount of taxes paid on the property taken by the tax deed.

7. Total Financial Cost of Funding over 5 years on each affected Political or other subdivision
N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2007

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

Lori Bertone

1020

Intro. Res. No. -2008

Laid on Table 1 / 2 /2008

Introduced by the Presiding Officer on Request of the County Executive

**RESOLUTION NO. - 2008, AUTHORIZING
EXECUTION OF A MUTUAL AID AND
ASSISTANCE AGREEMENT FOR
EPIDEMIOLOGY DISEASE CONTROL DURING
LOCAL DISASTERS AND OTHER
EMERGENCIES**

WHEREAS, local governments in New York State and throughout the country have developed a greater awareness and recognition within the last few years of their vulnerabilities when confronted with local disasters or other emergencies and the need to plan for coordinated responses and sharing of essential resources to respond to such disasters or emergencies; and

WHEREAS, New York State law requires county health officers to routinely investigate cases of communicable diseases and take steps to reduce morbidity and mortality, and during times of a local or regional emergency, a county health department may find itself unable to perform these functions; and

WHEREAS, the County of Suffolk and the County of Onondaga each own and control various County services and equipment and are interested in and willing to utilize these services and equipment to assist each other in times of need, when assistance beyond the availability of their own resources is necessary ; and

WHEREAS, a Mutual Aid and Assistance Agreement will enable the two counties to have greater resources available should a local disaster or emergency arise and enable them to fulfill their public health responsibilities; now, therefore be it

RESOLVED, that the Commissioner of the Department of Health Services and the County Executive, or his designee, are authorized to execute a Mutual Aid and Assistance Agreement with the County of Onondaga, in the form annexed.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1020

MUTUAL AID AND ASSISTANCE AGREEMENT

THIS AGREEMENT made this ____ date of _____ 2008 by and between the County of Onondaga and the County of Suffolk.

Purpose

The provision of Mutual Aid Services by one county, the Assisting County, to the other county, the Affected County, in the event of a natural or man-made disaster or emergency where the Affected County is unable to continue normal epidemiological disease case investigation and amelioration.

Definitions

The "Affected County" is a party to this agreement whose Epidemiology staff is unable to initiate or complete normal disease case investigation because of a disaster or other emergency or other events in the county that have disrupted the normal functioning of the staff. This may include loss of physical utilities, unusual weather conditions, or loss of staff due to an unusual outside force, illness, or quarantine. The "Assisting County" is a party to this agreement whose Epidemiology staff's ability is not so compromised and can offer some degree of assistance with disease case prioritization, and /or investigation and possible amelioration to the Affected County.

A "Disaster or other emergency" is the occurrence or imminent threat of widespread or severe damage, injury, loss of life or property resulting from any man-made causes, including, but not limited to fire, flood, earthquake, hurricane, tornado, high water, landslide, mudslide, wind, storm, wave action, volcanic activity, epidemic, air contamination, intentional, accidental or unintended release of any substance or material in any form or quantity which poses an unreasonable risk to safety and health and to property when released, natural incidents, explosions, fires, collapses, blight, drought, infestation, radiological accident, water contamination, bridge failure or bridge collapse or any other incident which directly affects public safety.

Background

The mission of Public Health is to prevent disease, premature death, and disability. The New York Code of Rules and Regulations, NYCRR Title 10, Section 2.6, charges the Health Officer of a county with the duty to investigate, verify infection, and take steps to reduce morbidity and mortality. During an emergency, either local or regional, a county health department may find itself in the position where it is unable to continue its day to day functioning to meet this obligation. Specifically, the county's Bureau of Epidemiology and Disease Control may be unable to access or receive laboratory, hospital, or physician reports of communicable diseases. In addition, Epidemiology staff may be unable to verify and further investigate priority diseases reported in a timely manner. These limitations may be caused by extremes of weather, natural disasters, bioterrorism or other man-made emergencies, resulting in loss of utilities and /or decreased staff, or staff that is overwhelmed with reports.

Understanding of the Obligations of the Parties

If a request is made by the affected county for mutual aid assistance, the assisting county may act as an investigation resource, by making its best efforts to obtain reports of communicable diseases of the Affected County, as specified by the Affected County, and prioritize attempts to initiate or complete case investigations. Mutual Aid will be implemented only in the event the Assisting County is not overwhelmed itself with communicable disease investigation activities, and has available trained disease investigation personnel to assist the Affected County with its communicable disease investigation responsibilities. It is understood that the Assisting County may only be able to assist in a limited capacity or with high priority disease investigations (e.g. Hepatitis A, bacterial meningitis, or E. coli 0157, etc).

If, at any time, the Assisting County is no longer able to aid the Affected County, the county will be notified verbally and in writing by the Assisting County's Commissioner/Public Health Director or his/her designee.

Each party to this agreement agrees that it will only utilize approved laboratories as that term is defined in 10 NYCRR 2.2 (f).

Activation Process

Request for mutual aid will be made by the Affected County's Commissioner of Health/Public Health Director or his/her designee to the Commissioner of Health/Public Health Director or his/her designee in the Assisting County. The request shall indicate it is being made pursuant to this agreement.

Responsibilities of the Assisting County

The Mutual Aid may consist of one or more of the following activities:

- I. Investigation to verify diagnoses, attempt to ascertain the source of infection, and discover contacts and unreported cases.
 - A. Electronic Laboratory Report System (ECLRS) reports of the Affected County will be downloaded by the Assisting County.
 - B. In lieu of a functioning ECLRS system, laboratory, hospital, and physician reports may be faxed, called, or mailed from the Affected County to the Assisting County.
 - C. Communicable disease reports of the Affected County will be prioritized for investigation at the discretion of the Commissioner/Public Health Director or his/her designee of the Assisting County.
- II. Notification of investigation results:
 - A. The Assisting County will notify the Affected County contacts of investigation results as soon as the results are available and an available method of communication is present. This may include telephone, fax, computer, or mail communication.

Responsibilities of the Affected County

- I. The Affected County will to the best of its ability make available communicable disease reports to the Assisting County.
- II. The Affected County will to the best of its ability follow-up with necessary actions as needed to ameliorate the disease outbreak once it has been notified of case investigation results. This activity is at the discretion of the Commissioner/Public Health Director of the Affected County or his/her designee.

Implementation

This Mutual Aid Agreement will be effective upon execution of this agreement and shall remain in effect until either party chooses to terminate. Written notice of intent to terminate this agreement shall be given 30 days prior to termination. Suffolk and Onondaga Counties will provide 24/7 contact information to each other for Mutual Aid requests.

Period of Assistance; Renewability

The duration of the Assisting County's assistance shall be for an initial period of up to twenty-four (24) hours, starting from the commencement of assistance. Thereafter, assistance may be extended in increments agreed upon by the authorized representatives of the Assisting County and Affected County. Unless otherwise provide in writing agreed to by the parties, additional increments of assistance shall not exceed twenty-four (24) hours.

Recall

Assisting County's personnel, equipment and other resources shall remain subject to recall by Assisting County to provide for its own residents and businesses, as determined in Assisting County's sole discretion. Assisting County shall make a good faith effort to provide at least eight (8) hours advance notification to Affected County of Assisting County's intent to terminate the Aid and Assistance, unless such notice is not practicable, in which case as much notice as is reasonable under the circumstances shall be provided.

Assisting County's Employees

When the Assisting County's employees are rendering aid pursuant to this agreement, such employees remain the financial and legal responsibility of the Assisting County and shall retain the same powers, duties and immunities and privileges they ordinarily possess if performing their duties for the Assisting County. Such employees are not to be considered the employees of the Affected County for any purpose whatsoever.

Hold Harmless

To the extent permitted by law, each party (as Indemnitor) agrees to protect, defend, indemnify, and hold the other party (as Indemnitee), and its officers, employees and agents, free and harmless from and against any and all losses, penalties, damages, assessments, costs, charges, professional fees, and other expenses or liabilities of every kind and nature arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind in connection with or arising out of Indemnitor's negligence, acts, errors and/or omissions in the performance of any duties or obligations pursuant to this agreement. To the extent that immunity does not apply pursuant to law including but not limited to N.Y. Exec. Law Sect.25(5)...", each party shall bear the risk of its own actions, as it does with its day-to-day operations, and determine for itself what types of insurance, and in what amounts, it should carry. Each party understands and agrees that any insurance protection obtained shall in no way limit the responsibility to indemnify, keep, and save harmless the other parties to this Agreement.

The obligations stated herein shall not be construed to imply that a party shall be obligated to indemnify its officers, employees and agents or another party and its officers, employees and agents for actions outside the scope of this agreement or the course of employment.

Status of the Parties:

The parties hereto agree that none of the parties, nor any of their officers, directors or employees will hold itself or themselves out as, or claim to be, an officer or employee of the other party by reason of this Agreement, and that neither it nor any of them will, by reason thereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the other party, including, but not limited to, Worker's Compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credits.

No Assignment

The parties agree not to assign, transfer, convey, sublet or otherwise dispose of the Agreement, or any of their right, title or interest therein, or their power to execute this Agreement, or assign all or any portion of the monies that may be due or become due hereunder, to any other person or corporation, without the prior consent in writing of the other party, and any attempt to do any of the foregoing without such consent shall be of no effect.

Date
Cynthia B. Morrow, M.D., M.P.H.
Commissioner of Health,
Onondaga County Health Department

Date
Humayun J. Chaudhry, DO, MS
Commissioner of Health,
Suffolk County Department of Health Services

Date
Onondaga County Executive

Date
Steve Levy
Suffolk County Executive

1021

Intro. Res. No. -2008
Introduced by Legislator Romaine

Laid on Table 1/2/08

**RESOLUTION NO. -2008, TO PROMOTE
ENVIRONMENTAL PROTECTION THROUGHOUT SUFFOLK
COUNTY BY REQUIRING THE REMEDIATION OF
BROWNFIELDS PROPERTIES**

WHEREAS, the County of Suffolk has recently initiated auctions for the sale of Brownfield property tax liens pursuant to Resolution 1258-2006; and

WHEREAS, through ownership of a particular property's tax lien, a person can initiate foreclosure proceedings on the property at a later date in order to take full fee ownership of the property; and

WHEREAS, once a Brownfield property's tax lien has been sold, all rights that the County of Suffolk once had in that property are extinguished, and at present there is no mechanism available to the County to mandate that any of these Brownfield properties be remediated; and

WHEREAS, it should be the policy of the County of Suffolk to require that the owner of a Brownfield property tax lien, purchased at auction from the County, shall begin remediation efforts on such parcels in a timely manner; now, therefore be it

1st RESOLVED, that the Director of the County Division of Real Property Acquisition and Management is hereby authorized, empowered and directed to require in any contract of sale between the County of Suffolk and the highest bidder on any Brownfield property tax lien sold at auction, that said highest bidder shall initiate foreclosure proceedings on the subject parcel within one (1) year of the effective date of the contract of sale, and shall initiate remediation efforts on the subject parcel within two (2) years after the date of foreclosure; and be it further

2nd RESOLVED, that the Director of the County Division of Real Property Acquisition and Management is hereby further authorized, empowered and directed to require in any contract of sale between the County of Suffolk and the highest bidder on any Brownfield property tax lien sold at auction, that said highest bidder shall file with the Director appropriate documentation, as determined by the Director, indicating that foreclosure proceedings have been initiated, and remediation efforts have been undertaken in a timely manner; and be it further

3rd RESOLVED, that the Director of the County Division of Real Property Acquisition and Management is hereby further authorized, empowered and directed to require in any contract of sale between the County of Suffolk and the highest bidder on any Brownfield property tax lien sold at auction, that ownership of any Brownfield property tax lien shall revert to the County of Suffolk if foreclosure proceedings have not been initiated on said property within one (1) year of the effective date of the contract of sale; and be it further

4th RESOLVED, that the County Attorney is hereby authorized, empowered and directed to bring an action in a court of competent jurisdiction against any person or entity who, being the highest bidder on a Brownfield property tax lien sold at auction and having entered into a contract of sale with the County, has not initiated remediation efforts on a subject Brownfield property within two (2) years after the date of foreclosure on said property; and be it further

5th **RESOLVED**, that the Director of the County Division of Real Property Acquisition and Management is hereby further authorized, empowered and directed, with the assistance of the County Attorney, to draft rules and regulations for the implementation of this Resolution and to submit such rules and regulations to the Clerk of the County Legislature within 90 days of the effective date of this Resolution for the approval of the County Legislature; and be it further

6th **RESOLVED**, that the Director of the County Division of Real Property Acquisition and Management is hereby further authorized, empowered and directed to amend the current year's auction rules to include language which reflects the spirit and intent of this Resolution so as to provide adequate notice to potential bidders of their rights and obligations as they relate to the sale of Brownfield property tax liens at auction; and be it further

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\lr-brownfields-cleanup-contract

1022

Intro. Res. No. -2008
Introduced by Legislator Kennedy

Laid on Table 1/2/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (SMITHTOWN BOULEVARD PROPERTY) TOWN OF SMITHTOWN (SCTM NO. 0800-168.00-04.00-001.000)

WHEREAS, Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE for farmland purposes; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, there are sufficient revenues to fund land acquisition in Capital Project No. 7177, Project Name: "Suffolk County Multifaceted Land Preservation Program"; now, therefore be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 2nd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 7177, to acquire fee title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Acquisition Program for acquisitions to be consummated for parkland purposes;

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0800 Section 168.00 Block 04.00 Lot 001.000	±.35	Nesconset Land Corp. 305 Union Boulevard West Islip, NY 11795

and be it further

2nd RESOLVED, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Planning Department, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

3rd RESOLVED, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be

appropriated to future and subsequent acquisitions under the Suffolk County Multifaceted Land Preservation Program; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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 continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\l-refile- smithtown-blvd-multifac-preserv-plan-steps

1073

Intro. Res. No. -2008
Introduced by Legislator Kennedy

Laid on Table

1/2/08

RESOLUTION NO. -2008, DIRECTING THE SUFFOLK COUNTY SEWER AGENCY AND DEPARTMENT OF PUBLIC WORKS TO FINALIZE THE CREATION OF SEWER DISTRICT NO. 4 - SMITHTOWN GALLERIA

WHEREAS, Suffolk County Resolution No. 949-2002 authorized a public hearing upon a proposal to form Suffolk County Sewer District No. 4 in accordance with NEW YORK COUNTY LAW, Section 254; and

WHEREAS, after the public hearing was conducted, Suffolk County Resolution No. 1403-2004 authorized the establishment and formation of the proposed sewer district to be known as "Suffolk County Sewer District No. 4-Smithtown Galleria"; and

WHEREAS, subsequent to the aforementioned public hearing and the adoption of Resolution No. 1403-2004, the Commissioner of the Department of Public Works, as the administrative head of the sewer district, revised the district's annual recommended budget to include non-direct costs of operation, increasing the district's budget from \$262,970 to \$589,622 and the per unit cost in the sewer district to \$1,070 per year, an increase of over 100% from the original proposal; and

WHEREAS, pursuant to applicable provisions of NEW YORK COUNTY LAW and the SUFFOLK COUNTY CODE, charges for sewer service are subject to the review and approval of the Suffolk County Legislature; and

WHEREAS, the Suffolk County Legislature has never taken an action authorizing the imposition of non-direct costs upon the operation of sewer districts; and

WHEREAS, this Legislature wishes to complete the formation of Sewer District No. 4-Smithtown Galleria in accordance with the terms of the previously enacted resolutions; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Public Works and the Suffolk County Sewer Agency are hereby directed to consummate the creation of Sewer District No. 4-Smithtown Galleria, in accordance with the terms and conditions of Suffolk County Resolution Nos. 949-2002 and 1403-2004 within 90 days of the effective date of this resolution; and be it further

2nd RESOLVED, that the Commissioner of the Department of Public Works shall notify the County Executive and each member of the Legislature, in writing at the end of the aforementioned 90-day period, of the steps taken by the Department and the Sewer Agency to comply with this resolution; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations,

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-refile-smithtown-galleria

1024

Intro. Res. No. -2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 1/2/2008

**RESOLUTION NO. -2008, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
1105-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1105-2007; and

WHEREAS, this resolution when adopted contained a technical errors; and

WHEREAS, the County Executive desires a technical corrections to this resolution; now, therefore be it

RESOLVED, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 1105-2007

In the 9th WHEREAS paragraph delete the ± Sign:

FROM:

\$1,355,200.00±

TO:

\$1,355,200.00

In the 1st RESOLVED paragraph delete the ± Sign:

FROM:

\$1,355,200.00±

TO:

\$1,355,200.00

In the 2nd RESOLVED paragraph delete the ± Sign:

FROM:

\$1,355,200.00±

TO:

\$1,355,200.00

In the 4th RESOLVED paragraph delete the ± Sign:

FROM:

\$1,355,200.00_±

TO:

\$1,355,200.00

In the 5th RESOLVED paragraph delete the ± Sign:

FROM:

\$1,355,200.00_±

TO:

\$1,355,200.00

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1025

Intro. Res. No. -2008
Introduced by Legislator Cooper

Laid on Table 1/2/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (KRAFT PROPERTY) TOWN OF HUNTINGTON (SCTM NO. 0400-089.00-02.00-018.000)

WHEREAS, Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE for farmland purposes; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, there are sufficient revenues to fund land acquisition in Capital Project No. 7177, Project Name: "Suffolk County Multifaceted Land Preservation Program"; now, therefore be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 2nd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 7177, to acquire fee title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Acquisition Program for acquisitions to be consummated for parkland purposes;

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0400 Section 089.00 Block 02.00 Lot 018.000	23	Warren Kraft, Sr. 473 Woodbury Road Cold Spring Harbor, NY 11724

and be it further

2nd RESOLVED, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Planning Department, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

3rd RESOLVED, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future

and subsequent acquisitions under the Suffolk County Multifaceted Land Preservation Program; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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 continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\2008\r-plan-steps-kraft

1026

Intro. Res. No. -2008
Introduced by Legislator Cooper

Laid on Table 1/2/08

**RESOLUTION NO. -2008, APPOINTING MEMBER TO THE
SUFFOLK COUNTY WATER AUTHORITY (JAMES F.
GAUGHRAN)**

WHEREAS, Resolution No. 152-2007 appointed Michael J. Deering as a member of the Suffolk County Water Authority for a term of office to expire on March 24, 2008; and

WHEREAS, Michael J. Deering tendered his resignation as a member of the Suffolk County Water Authority effective December 17, 2007; now, therefore be it

1st RESOLVED, that **James F. Gaughran**, of Huntington, New York, is hereby appointed as a member of the Suffolk County Water Authority to fill the unexpired term of Michael J. Deering with said term of office to expire March 24, 2008, said appointment having been made pursuant to the provisions of Section 1077(1) of the NEW YORK PUBLIC AUTHORITIES LAW; and be it further

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

DATED:

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

s:\res\r-scwa-appoint-gaughran

Elected Public Offices

- Suffolk County Legislator, 17th District Suffolk County, NY. 1988 to 1993
Chair, Public Safety Committee (1988)

Significant Accomplishments: Sponsored open space and drinking water preservation legislation saving over 6500 acres of significant watershed, wetland, waterfront and environmentally significant properties; revised County's historic trust statutes to preserve various unique historic properties; sponsored amendment to County Charter to permanently require balanced capital budgets and programs; sponsored county's first "crack house" law against drug dealers; as Chair of Suffolk County's Public Safety Committee reformed one of the nation's largest police departments and presided over such delicate issues as public misconduct and the allocation of scarce security resources.

- Huntington Town Councilman, Huntington, New York
Member, Huntington Community Development Agency Board,
Trustee, Huntington Board of Trustees,
Commissioner, Dix Hills Water District
1984 to 1987

Significant Accomplishments: Authored one of the States first full-disclosure laws requiring local officials to disclose all sources of outside income and exposing any possible conflicts of interest; revised town's land use policies to require economic and environmental reviews; ended decades of corrupt garbage collection practices by creating municipal solid waste districts; as lone Democrat became fiscal watchdog over budgetary issues.

Education

- Juris Doctor, Hofstra School of Law, 1983
- Bachelor of Arts (Political Science), SUNY Stony Brook, 1979
- Graduate, Half Hollow Hills High School, Dix Hills, NY, 1975

Bar Admissions

- New York 1984
- U.S. District Court, Eastern District New York 1988

Personal

- Married to Carol in 1987
- Children, Kaitlin and Michael
- Lifelong Resident of Long Island currently residing in Northport, NY

1026

1027

Intro. Res. No. -2008
Introduced by Legislator Cooper

Laid on Table 1/2/07

**RESOLUTION NO. -2008, ADOPTING LOCAL
LAW NO. -2008 A CHARTER LAW TO PROMOTE
ACCOUNTABILITY AND TRANSPARENCY IN GOVERNMENT
BY REQUIRING AN AGENCY OVERSIGHT REPORT**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008, a proposed local law entitled, "A CHARTER LAW TO PROMOTE ACCOUNTABILITY AND TRANSPARENCY IN GOVERNMENT BY REQUIRING AN AGENCY OVERSIGHT REPORT"; now, therefore be it

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

LOCAL LAW NO. -2008, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO PROMOTE ACCOUNTABILITY AND
TRANSPARENCY IN GOVERNMENT BY REQUIRING AN AGENCY
OVERSIGHT REPORT**

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 in order for the Legislature to make informed decisions regarding the County's budget, all information concerning each County department must be made readily available in order to be reviewed and analyzed.

This Legislature also finds and determines that the County Executive's Budget Office is in the best position to track and analyze the statistical data of County departments, such as staffing numbers, caseloads and workloads.

This Legislature further finds and determines that the Budget Office should make this information available on a regular and continuing basis.

Therefore, the purpose of this law is to require the County Executive's Budget Office to periodically file an Agency Oversight Report with the County Legislature in order for the Legislature to make sound and rational determinations regarding the budgets of County departments.

Section 2. Amendments.

Section C4-5 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

§ C4-5. Submission of estimates, requests and proposals by department heads.

- A) The head of each county department shall submit to the County Executive, on forms prescribed by the County Executive, in each fiscal year, departmental estimates of revenues and operating expenses in the ensuing fiscal years; departmental capital requests, if any, for capital funds in the ensuing fiscal years; and departmental proposals, if any, for capital improvements in the ensuing three-year period or for such longer period as may be prescribed by the County Executive. Once adopted, departmental estimates of revenues and operating expenses for the year shall only be amended or adjusted by a department if the Legislative Budget Review Office and the County Executive's Budget Office both agree in writing as to that change.
- B) The Suffolk County Legislature's Budget Review Office and the County Executive's Budget Office shall:
 - 1) Meet on a quarterly basis beginning in September 2008 to review year-to-date expenditures;
 - 2) Project current expenditure trends against adopted expenditure and review forecasts included in the operating budget; and
 - 3) Develop consensus revenue and expenditure forecasts for the next eight quarters based upon the most current economic and financial data.
- C) These consensus forecasts shall include but not be limited to:
 - 1) Revenues: real property tax collections, property tax delinquencies, sales tax revenues, state and federal aid; and
 - 2) Expenditures: payroll expenditures on a departmental basis including overtime, holiday, terminal vacation and sick leave payment; health insurance; insurance liability; supplies and materials; heat, light and power; Social Services program expenses; and health programmatic expenses.
- D) Consensus forecasts for these expenditures and revenue categories shall be updated against the eight-quarter budget model to be jointly developed by the two offices and significant (more than 5% or \$1,000,000, whichever is less) deviations are to be reported in writing to both the Executive and to each member of the County Legislature.
- E) The budget model shall include a linkage between the Capital and Operating Budgets to reflect the Operating Budget impact associated with implementing the proposed and/or adopted Capital Budget and Program.
- F) The County Executive's Budget Office shall, on a quarterly basis, file with the Clerk of the County Legislature an Agency Oversight Report detailing the current staffing levels of each County department, including filled staff positions and vacant funded positions. This report shall also contain an analysis of each department's total caseload and caseload per position when applicable.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

S:\laws\2008\I-agency-oversight-refile

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
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

IAN P. BARRY
ASSISTANT COUNSEL TO THE LEGISLATURE
email: ian.barry@suffolkcountyny.gov

DATE: December 20, 2007

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2008

TITLE: A CHARTER LAW TO PROMOTE ACCOUNTABILITY AND TRANSPARENCY IN
GOVERNMENT BY REQUIRING AN AGENCY OVERSIGHT REPORT

SPONSOR: LEGISLATOR COOPER

DATE OF RECEIPT BY COUNSEL: 12/20/07 **PUBLIC HEARING:** 1/08

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

Enactment of this proposed Charter Law would require the County Executive's Budget Office to file an Agency Oversight Report quarterly with the Clerk of the Legislature.

This Agency Oversight Report would be required to detail current staffing levels of each county department, including filled staff positions and vacant funded positions. This report would also contain an analysis of each department's total caseload and caseload per positions where applicable.

This Charter Law would take effect immediately upon filing in the Office of the Secretary of State, and would be apply to all actions on or after the effective date of this law.

GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-agency-oversight-refile

1028

UPDATED VERSION AS OF 12/26/07

Intro. Res. No. -2008

Laid on Table 1/2/2008

Introduced by the Presiding Officer pursuant to Rule 3-F-13 of the Suffolk County Legislature

**RESOLUTION NO. -2008, AUTHORIZING PUBLIC
HEARING FOR ALTERATION OF RATES FOR SOUTH FERRY,
INC.**

WHEREAS, The South Ferry Co., Inc. has applied to the Suffolk County Legislature, by a Petition dated and verified, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Local Law No. 7 of 1982 of Suffolk County for the approval of a passenger and freight ferry license and franchise for its existing lateral service between Shelter Island, New York and North Haven, New York on the mainland of Long Island, which lie within the County of Suffolk, at existing approved rates, to December 2008, it is; now, therefore

RESOLVED, that consideration of the Petition of The South Ferry Co., Inc. for the purpose of publication of the notice required by the Suffolk County Legislature, the Public Hearing on this Petition shall be held at the Regular Meeting of the Suffolk County Legislature at 2:30 p.m. on --- 2008 at Hauppauge, New York; and be it further

RESOLVED, that pending the consideration of the Petition and the Public Hearing, the Petition be and is hereby referred to the Public Works and Transportation Committee for its consideration and recommendation to the Suffolk County Legislature.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

S:\res\2008-r-public-hearing-south-ferry

Intro. Res. No. 1029-08
 Introduced by Presiding Officer pursuant to Rule 3(A)(14) of the Suffolk County Legislature

Laid on Table 1/2/08

**RESOLUTION NO. -2008, AUTHORIZING
 ALTERATION OF RATES FOR SOUTH FERRY, INC.**

WHEREAS, South Ferry, Inc. has applied to the Suffolk County Legislature, by its verified Petition, pursuant to Article 8 of the Navigation Law, Section 71 of the Transportation Corporations Law and Section 131-g of the Highway Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County for the alteration of its ferry rates and seeks authorization for future emergency relief pursuant to Local Law 10; and

WHEREAS, the Office of Legislative Budget Review has submitted its recommendations to this Legislature; and

WHEREAS, a public hearing has been duly held thereon; now, therefore, be it

RESOLVED, that:

The verified Petition of South Ferry, Inc. is approved as follows:

REGULAR SCHEDULED SERVICE BETWEEN SHELTER ISLAND, NEW YORK
 AND NORTH HAVEN, NEW YORK, NOT TO EXCEED:

<u>CATEGORY</u>	<u>CURRENT FARE</u>	<u>PROPOSED FARE</u>	<u>PERCENTAGE CHANGE</u>
<u>CARS & 4 WHEEL PICKUPS UNDER 20':</u>			
<u>CASH:</u>			
ONE WAY	\$10.00	\$12.00	20.0%
ROUND TRIP (SAME DAY)	\$12.00	\$15.00	25.0%
<u>10 ROUND TRIP CAR BOOK:</u>			
GENERAL PUBLIC	\$77.00	\$85.00	10.4%
SHELTER ISLAND RESIDENT	\$47.00	\$52.00	10.6%
<u>10 ONE WAY CAR BOOK:</u>			
GENERAL PUBLIC	\$62.00	\$70.00	12.9%
SHELTER ISLAND RESIDENT	\$45.00	\$50.00	11.1%
<u>WORKER/STUDENT COMMUTER TICKET:</u>			
5 - DAY	\$20.00	\$22.00	10.0%
6 - DAY	\$23.00	\$26.00	13.0%
7 - DAY	\$28.00	\$31.00	10.7%
<u>FOOT PASSENGERS:</u>			
EACH WAY	\$1.00	\$1.00	0.0%
30 TRIP BOOK - GENERAL PUBLIC	\$25.00	\$25.00	0.0%
30 TRIP BOOK - SHELTER ISLAND RESIDENT	\$17.00	\$17.00	0.0%
<u>TWO WHEELED:</u>			
<u>MOTORIZED:</u>			

ROUND TRIP	\$40.00	\$50.00	25.0%
<u>UNDER 22':</u>			
ONE WAY	\$15.00	\$15.00	0.0%
ROUND TRIP	\$25.00	\$30.00	20.0%

NOTES:

Note 1. Flat rate of \$2 each way for racks holding bikes, fishing platforms, pool carts and other similar items when attached to vehicle bumpers and which extend length of vehicle

Note 2. Add base \$3 each way to all towed items.

Current \$.50 per foot does not correlate to value of deck space. Percentage of change varies at every foot marker. A 15 foot towed item's fare will increase 40%; a 38-foot item's fare will increase 7.5%

Note 3. Definition of "Light" and "Heavy" in 40' to 59'11" category:

"Light": 10 wheelers & vehicles (other than tractors and dump trucks) with trailers, or single frames (full or empty), with an overall length of 40' to 59'11", transporting items including, but not limited to:

1. Lawn & light landscaping equipment
2. Horses & livestock
3. Golf carts
4. Canoes/Kayaks & other personal watercraft
5. Light bulldozer, excavator, ditch witch, skid steer, etc.

"Heavy": All non hazardous material 18-wheelers (tankers and boxed tractor trailers) and Tractor-trailers with heavy loads on flatbeds, including, but not limited to:

1. Heavy bulldozer, payloador, backhoe, pavement roller, paver, etc.
2. Precast concrete cesspools & vaults
3. Steel, cable, stone, building materials

Note 4. New fare category for vehicles 60 feet and longer.

Current rate structure provides no category to address the longer, heavier 18-wheeled trucks being carried today. The \$10 increase each way for trucks from 60 feet to over 75 feet long is for the extra 20 to 35 feet of deck space occupied by the largest tractor trailers.

Note 5. Standard, bulk Haz-mat, gas, propane, etc. trucks:

All vehicles requiring a dedicated vessel and traveling during normal business hours will be charged same rate per trip, provided no other special conditions exist. To spread impact of increase, small tank truck fares shall be phased in as follows:
Phase 1) \$10 each way increase at the time of Legislative approval
Phase 2) \$10 each way increase at one year anniversary date of Phase 1
Phase 3) \$10 each way increase at the two year anniversary date of Phase 1

Note 6. Purchase of Shelter Island Resident Books require proof of residency or property ownership & must be purchased through South Ferry office. Round trip tickets may only be used when travel originates from Shelter Island

Note 7. Shelter Island Resident Ticket Books may only be purchase one book every two weeks per eligible person

Note 8. Vehicles over 80,000 pounds, gross weight, and/or requiring special handling, shall be priced per agreement between South Ferry and vehicle owner

Note 9. Extended service fee of \$2 per transaction will be charged for travel commencing after midnight

Note 10. Foot passengers 8 years and older shall pay full fare

Note 11. Vehicle passengers exceeding number of legal DOT seat belts available in vehicle shall be charged as walk on passengers

Note 12. Discount ticket books are available for all fare categories

AND, WHEREAS, South Ferry, Incorporated requests to exercise, in emergencies, the right, under Suffolk County Local Law 10-1986, to alter future fares by applying the transportation component of the consumer price index for all urban consumers – New York and northeastern New Jersey, be it

RESOLVED, that:

South Ferry is authorized future emergency rate relief in accordance with Suffolk County Local Law 10.

DATED:

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

South Ferry, Inc.
Statements of Income- Unaudited
For the Years Ended December 31,

Rate inc	0.00%	13.28%	4.43%
Traffic Inc	2.25%	0.00%	0.00%
Normal	3.50%	3.50%	3.50%
Fuel	20.00%	20.00%	20.00%
Wage	5.00%	5.00%	5.00%
Insurance(Health, etc)	12.00%	12.00%	12.00%

	2006	2007	2008	2009
Income				
Sales	4,088,504	4,180,495	4,735,456	4,945,000
Cost of Goods Sold				
Beginning Inventory	71,934	64,287	66,537	68,866
Labor	2,312,722	2,504,294	2,629,509	2,760,984
Parts and Supplies	67,466	113,308	117,274	121,378
Boat Fuel	219,115	229,595	275,514	330,617
Ending Inventory	(64,287)	(66,537)	(68,866)	(71,276)
Total Cost Of Goods Sold	2,606,950	2,844,947	3,019,968	3,210,569
Gross Profit	1,481,554	1,335,548	1,715,488	1,734,431
Operating Expenses				
Advertising	20,835	24,203	25,050	25,927
Amortization	-	-	-	-
Crew Supplies and Uniforms	5,849	14,201	14,698	15,212
Depreciation	289,772	222,944	352,352	476,787
Donations	16,250	4,250	4,399	4,553
Dues and Subscriptions	32,355	20,896	21,627	22,384
Equipment Rental	-	-	-	-
Fringe Benefits, Vehicle and Travel	270,567	265,638	274,935	284,558
Insurance	238,633	270,037	302,441	338,734
Interest	72,899	73,658	208,390	230,545
Legal and Professional Fees	37,902	43,332	44,849	46,418
Office Expense	14,949	18,495	19,142	19,812
Rent	28,100	39,900	39,900	39,900
Repairs and Maintenance	153,677	140,259	145,168	150,249
Sundry	20,632	23,866	24,701	25,566
Taxes and Licenses	195,621	207,235	214,488	221,995
Telephone	10,571	12,497	12,934	13,387
Tickets	31,635	35,706	36,956	38,249
Utilities	21,301	19,311	19,987	20,686
Total Operating Expenses	1,461,548	1,436,428	1,762,019	1,974,964
Net Income From Operations	20,006	(100,880)	(46,530)	(240,533)
Depreciation	289,772	222,944	352,352	476,787
Fuel Tank Principal		-	(50,079)	(58,692)
Maint Barn Principal		-	(93,657)	(56,897)
Bldg Improv Principal				(34,429)
Vessel Principal	(431,990)	(45,999)	(11,409)	(71,115)
New Vessel Sales Tax			(163,875)	
Sinking Fund		(100,000)	(100,000)	(100,000)
Expand/Re-Roof Office				(52,572)
New Truck			(30,000)	
West Bulkhead		(55,000)	-	
Parking Improvements			(20,000)	
New hardware (Computer)			(50,000)	
Platforms (2) ~ 2nd in 2010			(100,000)	
Dredging			(15,000)	
Normal Capital Proj	(96,271)	(70,000)	(70,000)	(70,000)
Net Cash from operations	(218,483)	(148,935)	(398,198)	(207,451)
Other Income				
Sundry Income	47,459	47,510	49,173	50,894
Rental Income	8,914	8,756	9,062	9,380
Total Other Income	56,373	56,266	58,235	60,274
Net Cash Before Income Tax and Extraordinary Items	(162,110)	(92,669)	(339,963)	(147,178)

1030

Intro. Res. No. -2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 1/2/2008

**RESOLUTION NO. -2008, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
1000-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1000-2007; and

WHEREAS, this resolution when adopted contained technical errors; and

WHEREAS, the County Executive desires technical corrections to this resolution; now, therefore be it

RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 1000-2007

In the 9th WHEREAS paragraph delete the + Sign:

FROM:

\$2,486,400.00±

TO:

\$2,486,400.00

In the 4th RESOLVED paragraph delete the ± Sign:

FROM:

\$2,486,400.00±

TO:

\$2,486,400.00

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1031

Intro. Res. No. -2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 1/2/2008

**RESOLUTION NO. -2008, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
1129-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1129-2007; and

WHEREAS, this resolution when adopted contained a technical errors; and

WHEREAS, the County Executive desires technical corrections to this resolution; now, therefore be it

RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 1129-2007

In the 9th WHEREAS paragraph delete the ± Sign and change amount:

FROM:

\$3,674,562.50_±

TO:

\$3,674,563.00

In the 4th RESOLVED paragraph delete the ± Sign and change amount:

FROM:

\$3,674,562.50_±

TO:

\$3,674,563.00

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1032
Intro. Res. No. -2008
Introduced by Legislator Browning

Laid on Table 1/2/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW
NO. -2008, A LOCAL LAW IN RELATION TO
DISPOSITION OF AUCTION PROPERTIES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008, a proposed local law entitled, "**A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES**"; now, therefore be it

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

LOCAL LAW NO. -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk disposes of many properties acquired through the provisions of the SUFFOLK COUNTY TAX ACT by public auction.

This Legislature further determines that Local Law No. 13-1990 imposed a requirement that the auction of parcels with structures be limited to those persons who agreed to occupy the premises for a period of at least 5 years. This requirement was intended to discourage speculators, encourage home ownership, and to strengthen neighborhoods throughout Suffolk County.

This Legislature also finds that it is necessary to extend the occupancy requirement for auctioned properties from 5 to 10 years in order to better achieve the stated goals of Local Law No. 13-1990.

Therefore, the purpose of this law is to restrict the auction of County parcels with structures to individuals who agree to occupy such parcels for a minimum of ten (10) years.

Section 2. Amendments.

Section A42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

A42-4. Disposition of property acquired through Suffolk County Tax Act.

* * * * *

G. Public auction. All parcels approved for disposition, except those that may be sold as provided in Subsection H or as provided under § A36-2A of the Suffolk County Administrative Code, shall be offered for sale to the highest bidder at public auction pursuant to regulations established for such auctions by the Commissioner. All parcels approved for disposition, which have structures affixed thereto capable of physical occupancy by individuals, shall only be offered for sale to the highest bidder at public auction who is willing to agree, in writing, to a restrictive covenant in such deed as may convey title to such individual requiring said bidder, or his or her natural children or natural parents, to occupy said premises for a period of at least [five] ten years subsequent to the taking of title pursuant to regulations established for such auction by the Commissioner. In those instances in which a former property owner has affirmatively waived, in writing, his, her or its right of redemption of property under Subsections A and B of this section, then the Commissioner, or his or her designee, shall take such measures as shall be necessary and appropriate to expedite the offering for sale of such parcels to the highest bidder at public auction in accordance with the provisions of this article at the earliest possible date.

(1) The Director of the Division of Real Property Acquisition and Management in the Department shall take such measures as shall be necessary and appropriate to ensure that the transfer of title for sale of such parcels shall take place within two years after the signing of the contract of sale for such parcels.

(2) If the transfer of title for sale of such parcels shall not take place within two years after the signing of the contract of sale, then the Director of the Division of Real Property Acquisition and Management in the Department shall provide a written report to the County Legislature and appear before the Ways and Means Committee and the Parks and Cultural Affairs Committee of the County Legislature, or any successor committees thereto, in order to continue the transfer process.

(3) The Director of the Division of Real Property Acquisition and Management in the Department shall lower the upset price for the public auction of such County-owned real estate parcels approved for such disposition as many times as shall be necessary and appropriate to effectuate the sale of such parcel at the third public auction if such parcel has been unsuccessfully listed at public auction two prior times.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1032

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

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

IAN P. BARRY
ASSISTANT COUNSEL TO THE LEGISLATURE
email: ian.barry@suffolkcountyny.gov

DATE: DECEMBER 20, 2007

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2008

TITLE: A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES

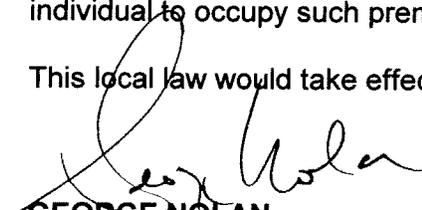
SPONSOR: LEGISLATOR BROWNING

DATE OF RECEIPT BY COUNSEL: 12/18/07 **PUBLIC HEARING:** _____

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

Enactment of this proposed local law would amend Section A42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to require that any individual purchasing surplus County property with a structure affixed suitable for physical occupancy, must agree to occupy the premises for a period of at least ten (10) years subsequent to taking title. Currently, the law requires such an individual to occupy such premises for a period of five (5) years.

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


GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-auction-10-years -08

1033

Intro. Res. No. - 2008
Introduced by Legislators Montano and Romaine

Laid on Table 1/2/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW
NO. -2008, A LOCAL LAW TO ESTABLISH A PROMPT
CONTRACTING POLICY FOR NOT-FOR-PROFIT
ORGANIZATIONS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008, a proposed local law entitled, **“A LOCAL LAW TO ESTABLISH A PROMPT CONTRACTING POLICY FOR NOT-FOR-PROFIT ORGANIZATIONS”**; now, therefore be it

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

LOCAL LAW NO. -2008, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO ESTABLISH A PROMPT CONTRACTING POLICY
FOR NOT-FOR-PROFIT ORGANIZATIONS**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk has historically utilized outside not-for-profit agencies to provide important services to veterans, seniors, young people, handicapped citizens and other residents who depend on programs funded by the County.

This Legislature further finds that many not-for-profit organizations are funded every year by the County of Suffolk and are often identified in the county operating budget as a “line item” to receive funding.

This Legislature also determines that notwithstanding their inclusion in the Suffolk County Operating Budget, not-for-profit organizations are often unable to consummate a contract with the County for many months even though the terms and conditions of these agreements vary little from year to year. In the absence of a fully executed contract, these agencies are unable to receive payment for the services they render.

This Legislature also finds that this contracting lag places not-for-profit organizations in an unenviable position, where they incur salary and other expenses to deliver a service but must wait many months for reimbursement from the County because no contract is in place. As a result of these delays, some not-for-profit organizations must borrow money to continue services and thereby incur additional interest costs.

This Legislature further finds and determines that unnecessary delays in executing contracts and making payments to not-for-profit organizations may result in service interruptions and could ultimately discourage such organizations from doing business with the County.

Therefore, the purpose of this law is to address a longstanding problem and establish a prompt contracting policy for not-for-profit organizations that provide services to Suffolk County residents.

Section 2. Definitions.

The following terms shall have the meanings indicated:

“ADMINISTERING DEPARTMENT” - the department, office or agency of Suffolk County government to which an appropriation is made, on a line-item basis, in the Suffolk County Operating Budget to fund a not-for-profit organization.

“FULLY EXECUTED CONTRACT” – a contractual agreement executed by an administering department and a not-for-profit organization, and any other county official as may be required, and approved by the Suffolk County Attorney.

“NOT-FOR-PROFIT ORGANIZATION”- a not-for-profit corporation as defined in section 102 of the NEW YORK NOT-FOR-PROFIT CORPORATION LAW, which renders human services to the residents of Suffolk County, including services related to health, welfare/social services, parks/recreation, economic development, cultural affairs, veterans’ affairs, handicapped programs, public safety, youth, aging/senior citizens’ program, minority affairs, women’s affairs, labor/employment services, and education.

Section 3. Prompt contracting requirements.

- A. An administering department shall fully execute a contract with any not-for-profit organization that is funded on a line-item basis within their department in the Suffolk County Operating Budget by March 1 of the applicable budget year. In the event an administering department did not contract with the not-for-profit organization in the preceding budget year, the administering department shall fully execute a contract with the not-for-profit organization by April 1 of the applicable budget year.
- B. In the event line item funding for a not-for-profit organization is approved via a resolution amending an adopted operating budget, the administering department shall have not more than sixty (60) days following the effective date of the resolution to fully execute a contract with the not-for-profit organization so funded.
- C. In the event an administering department is unable to comply with the time frames set forth in paragraphs (A) and (B) of this section due to circumstances beyond the control of the department, the administering department shall document the basis for its inability to comply in a written notice to the Presiding Officer of the Suffolk County Legislature, the Chairman of the Suffolk County Legislature’s Budget and Finance Committee, the Director of the Division of the Budget and the affected not-for-profit organization on or before the deadline date for the execution of the contract.

Section 4. Applicability.

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

Section 5. Severability.

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

Section 6. SEQRA Determination.

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

Section 7. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



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

WILLIAM H. ROGERS BUILDING
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IAN P. BARRY
ASSISTANT COUNSEL TO THE LEGISLATURE
email: ian.barry@suffolkcountyny.gov

DATE: DECEMBER 20, 2007
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2008

TITLE: A LOCAL LAW TO ESTABLISH A PROMPT CONTRACTING POLICY FOR NOT-FOR-PROFIT ORGANIZATIONS

SPONSOR: LEGISLATOR MONTANO

DATE OF RECEIPT BY COUNSEL: 12/18/07 **PUBLIC HEARING:** _____

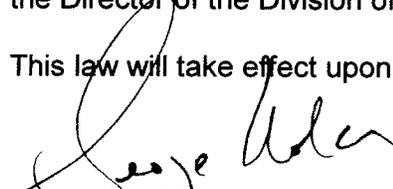
DATE ADOPTED/NOT ADOPTED: _____ **CERTIFIED COPY RECEIVED:** _____

This proposed Local Law would establish a new policy, requiring County Departments to contract promptly with not-for-profit organizations that are funded in the Suffolk County Operating Budget.

Specifically, this law would apply to not-for-profit organizations that are funded on a line-item basis in the operating budget. This law would require departments responsible for administering contracts with not-for-profit organizations to execute contracts with the not-for-profits within 90 days of the final adoption of the budget. In the event line-item funding for a not-for-profit organization is approved by a resolution amending the adopted operating budget, the administering department must execute a contract with the not-for-profit organization within sixty days of the effective date of the resolution.

The law further provides that should an administering department be unable to comply with the time frames set forth above due to circumstances beyond its control, the department must document the basis for its inability to comply in a written notice to the Presiding Officer of the Suffolk County Legislature, the chairman of the Legislature's Budget and Finance Committee, the Director of the Division of the Budget and the affected not-for-profit organization.

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


GEORGE NOLAN
Counsel to the Legislature

GN:tm
s:\rule28\28prompt-contracting-08

1034
Intro. Res. No. -2008
Introduced by Legislator Browning

Laid on Table 1/2/08

**RESOLUTION NO. -2008, ESTABLISHING A SEX
OFFENDER ALERT PROGRAM**

WHEREAS, sex offenders pose a serious and continuing threat to public safety after they are released from incarceration; and

WHEREAS, Megan's Law alerts residents to the presence of sex offenders in their communities; and

WHEREAS, the County of Suffolk wishes to establish a program that supplements Megan's Law, by educating residents about the conduct, behavior and practices of sex offenders; and

WHEREAS, such a program will enhance the safety of children and the public at-large; and

WHEREAS, educating landlords who rent to sex offenders would be a special point of emphasis of such a program; now, therefore be it

1st RESOLVED, that the Director of the Department of Probation is hereby authorized, empowered and directed to establish, within available appropriations, a Sex Offender Alert Program, which will be offered to the public at no charge; and be it further

2nd RESOLVED, that the Director of the Department of Probation is hereby authorized, empowered and directed to select, on a competitive basis, a not-for-profit corporation to develop a curriculum and to offer a program that will educate enrollees about the conduct, behavior and practices of sex offenders as well as the high rate of recidivism among sex offenders; and be it further

3rd RESOLVED, that the curriculum of this program shall, at a minimum, address the following topics:

- 1.) the nature of childhood sexual abuse;
- 2.) internet and cell phone predators;
- 3.) abduction;
- 4.) awareness of techniques used by sexual predators;
- 5.) protective and precautionary measures that can be taken to protect against sex offenders;
- 6.) populations vulnerable to sex offenders;
- 7.) sex offender registry programs; and
- 8.) community notification and responsible use of sex offender information;

and be it further

4th RESOLVED, that the Sex Offender Alert Program's presentation shall be offered at least twice annually; and be it further

5th RESOLVED, that the not-for-profit corporation selected to develop and present a sex offender alert program shall provide a list of its instructors and a curricula vitae for each instructor; develop a plan for producing on-going assistance and education to program enrollees; designate a program director; and develop a program budget, including matching funds; and be it further

6th RESOLVED, that within sixty (60) days after an agreement is reached with a program provider, the Department of Probation shall publish notice in at least two (2) successive issues of the official newspapers of the County, of the Suffolk inviting enrollment, and stating the date, time, place and content of the program; and be it further

7th RESOLVED, that no later than thirty (30) days before any program offering occurs, the Department of Social Services shall mail a notice of the program to every provider of wholly or partially subsidized housing in Suffolk County with an invitation to enroll in the program; and be it further

8th RESOLVED, that additionally the Department of Probation shall take all reasonable steps to identify other landlords who rent to sex offenders and invite their enrollment in the program; and be it further

9th RESOLVED, that the Department of Probation is authorized to promulgate and issue such rules and regulations as it shall deem necessary and appropriate to implement this program; and be it further

10th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:/2008/res/refile 1978 sex offender alert

1035
Intro. Res. No. -2008
Introduced by Legislators Montano and Romaine

Laid on Table 1/2/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW
NO. -2008, A LOCAL LAW TO ESTABLISH A
NOTIFICATION REQUIREMENT FOR CONSULTANT
CONTRACTS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008 a proposed local law entitled, "**A LOCAL LAW TO ESTABLISH A NOTIFICATION REQUIREMENT FOR CONSULTANT CONTRACTS**"; now, therefore be it

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

LOCAL LAW NO. -2008, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO ESTABLISH A NOTIFICATION REQUIREMENT
FOR CONSULTANT CONTRACTS**

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 NEW YORK GENERAL MUNICIPAL LAW requires that when goods and services are not procured by competitive bidding, they must be procured in a manner so as to ensure the prudent use of public money, the acquisition of goods and services of maximum quality at the lowest cost possible, and to guard against favoritism, extravagance, fraud and corruption.

This Legislature also finds that Chapter 708, Article 3 of the SUFFOLK COUNTY CODE governs procurement of consulting services by the County of Suffolk. While this section of the SUFFOLK COUNTY CODE generally requires advertised Request for Proposals ("RFP") for consultant contracts in excess of \$20,000, the County Executive is permitted to waive RFP's for certain services "requiring special or technical skills".

This Legislature further determines the hiring of consultants by the County of Suffolk is currently done with little or no legislative oversight.

This Legislature also finds that the legislative oversight of consultant hiring should be strengthened to ensure that consultants are not performing functions that would be better carried out by County employees. Further, strong oversight and scrutiny is required to ensure that RFP's are being utilized in all possible instances and that consultants are hired strictly on the basis of merit and that favoritism is not influencing the process.

Therefore, the purpose of this law is to require County department heads to notify the Legislature when they contract for consulting services.

Section 2. Definitions.

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

CONSULTING SERVICES - the expertise, advise, professional services or any other personal services provided by any individual, corporation, partnership or other entity to the County of Suffolk, including, but not limited to, design work, planning work and medical, legal, engineering, computer, accounting, budgeting, lobbying or educational services.

DEPARTMENT HEAD – the Commissioner or Director of any duly established department, office or agency of Suffolk County Government.

Section 3. Notification Requirements.

- A) A department head shall notify each member of the Suffolk County Legislature, in writing, when his or her department, office or agency hires and contracts for consulting services. Such notification shall be made whether or not the consulting services contract results from a Request for Proposals. Notification shall be made by a department head within fifteen (15) days of the execution of a contract for consulting services.
- B) The notification provided by a department head pursuant to subsection (A) herein, shall include the following information:
 - 1. the name and business address of the consultant;
 - 2. the term of the agreement;
 - 3. the amount of the consulting services agreement;
 - 4. whether the contract for consulting services resulted from a Request for Proposals; and
 - 5. if no Request for Proposals was issued, an explanation why a Request for Proposals was not issued.
- C) Within thirty (30) days of the effective date of this law, department heads shall notify each member of the Suffolk County Legislature, in writing, of all active contracts their department, office or agency entered into for consulting services prior to this law's effective date. This notification shall provide the information described in subsection (B) herein for each such contract.
- D) A department head shall provide a copy of a consulting services contract to any member of the County Legislature who makes a request for said contract.

Section 4. Exceptions.

The provisions of this local law shall not apply to the Suffolk County District Attorney's Office, the Suffolk County Police Department and the Suffolk County Sheriff's Office.

Section 5. Applicability.

This law shall apply to contracts for consulting services entered into on or after the effective date of this law except that the notification requirement contained in Section 3(C) of this law shall pertain to active contracts entered into prior to the effective date of this law.

Section 6. 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 7. 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 8. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1035

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
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(631) 853-4415 (FAX)

IAN P. BARRY
ASSISTANT COUNSEL TO THE LEGISLATURE
email: ian.barry@suffolkcountyny.gov

DATE: DECEMBER 20, 2007

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2008

TITLE: A LOCAL LAW TO ESTABLISH A NOTIFICATION REQUIREMENT FOR CONSULTANT CONTRACTS

SPONSOR: LEGISLATOR MONTANO

DATE OF RECEIPT BY COUNSEL: 12/18/07 PUBLIC HEARING: _____

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

This proposed local law would require all Suffolk County department heads to notify each member of the County Legislature, in writing, when his or her department, office or agency hires and contracts for consulting services.¹ The notification must be made by the department head within fifteen (15) days of the execution of any contract for consulting services.

The notification provided by a department head pursuant to the requirements of this law shall include the following information:

- 1.) the name and business address of the consultant;
- 2.) the term of the agreement;
- 3.) the amount of the consulting services agreement;
- 4.) whether the contract for consulting services resulted from a Request for Proposals (RFP); and
- 5.) if no Request for Proposals was issued, an explanation why a RFP was not issued.

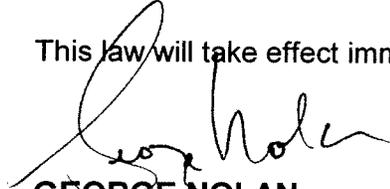
Lastly, the law provides that a department head shall provide a copy of a consulting services contract upon the request of any member of the County Legislature.

¹ "Consulting Services" is defined in the law as the expertise, advise, professional services or any other personal services provided by any individual, corporation, partnership or other entity to the County of Suffolk, including, but not limited to, design work, planning work and medical, legal, engineering, computer, accounting, budgeting, lobbying or educational services.

1035

This law will apply to contracts for consulting services entered into on or after the effective date of this law.

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



GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-notification-process-for-consultant-contracts 08

Intro. Res. No 1036-08
Introduced by Legislator Romaine

Laid on Table 1/2/08

RESOLUTION NO. -2007, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO THE ESTATE OF RONALD DECONZA BY PATRICIA MURPHY AS ADMINISTRATOR

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 Holbrook, 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 886.00, Block 04.00, Lot 050.000, and acquired by tax deed on August 4, 2006, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006, in Liber 12465, at Page 374, and otherwise known and designated as Lot 2 on a certain map entitled, "Map of Senic Estates" filed in the Office of the Clerk of the County of Suffolk on August 4, 1976 as Map No. 6424.

and

WHEREAS, Ronald Deconza was the former owner of said real property; and

WHEREAS, Ronald Deconza passed away on October 14, 2003; 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 Romaine has determined that said non-payment of taxes was not an intentional act but was due to circumstances beyond the Deconza's Family control, more fully described in the documents attached hereto; 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 above described parcel has been appraised by the County Department of Environment and Energy, Division of Real Property Acquisition and Management, at \$250,000.00; 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 \$10,329.36 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

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:

The Estate of Ronald Deconza
by Patricia Murphy
9 Coleridge Road
Holbrook, NY 11741

upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in the above-described real estate.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\word\215 redemption\Deconza-Murphy 215 reso

COUNTY OF SUFFOLK



CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

December 5, 2007

George Nolan, Esq., Counsel
Suffolk County Legislature
Legislature Building
Hauppauge, NY 11788

Re: Tax Map No.: 0200-886.00-04.00-050.000
Name of Redemptor: ESTATE OF RONALD DECONZA by
Patricia Murphy as Administrator

Dear Mr. Nolan:

We are forwarding herewith copy of a Section 215 County Law Computation together with a copy of the County Treasurer's Computation concerning the above property, as well as other pertinent information.

For your reference, we are also enclosing copy of letter sent this date to Legislator Edward P. Romaine.

Please draw the Resolution to restore title to ESTATE OF RONALD DECONZA by Patricia Murphy as Administrator in line with the Title Report submitted and enclosed herewith.

Very truly yours,

Cathy O'Neal
Redemption Unit
(631) 853-5937

CO:sc
Enclosures

pc: Legislator: The Honorable Edward P. Romaine

57

COUNTY OF SUFFOLK



CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

December 5, 2007

Honorable Edward P. Romaine
Suffolk County Legislator
423 Griffing Avenue, Suite 2
Riverhead, New York 11901

Re: Section 215 Redemption
Tax Map No.: 0200-886.00-04.00-050.000
Redemptor: ESTATE OF RONALD DECONZA by Patricia Murphy as
Administrator

Dear Legislator Romaine:

With respect to your request regarding the procedure for redemption of the above property, we enclose the following:

1. "Treasurer's Computation" indicating unpaid taxes, assessments and penalties due.
2. "215 Computation" which shows the additional monies due the County, such as, the administration fee, appraisal and review of appraisal.

The total amount to be paid in order for the County to release its interest in this property is \$10,329.36. That amount will increase if payment is not made before the next tax due date.

Very truly yours,

Cathy O'Neal
Redemption Unit
(631) 853-5937

CO:sc
Enclosures

pc: George Nolan, Esq., Counsel to the Legislature

57A

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT

Redemption Unit
215 COMPUTATION

December 5, 2007

Tax Map No. 0200-886.00-04.00-050.000 VACANT

Date Acquired: August 4, 2006 Taken by: Tax Deed

Prior Fee Owner: ESTATE OF RONALD DECONZA by Patricia Murphy as
Administrator

<u>STATEMENT OF EXPENDITURES</u>	<u>AMOUNT</u>
1. Treasurer's Computation.....	\$9,829.36
2. Outstanding Tax Bills - not included in computation.....2007/2008.....	Not yet available
3. Recording Fees.	N/A
4. Administration Expense.....	\$ 200.00
5. License Fee (as per License Fee statement)	N/A
6. Repairs.....	N/A
7. Other County Expenditures.....	N/A
8. Appraisal and Review Fee.....	\$ 300.00

TOTAL.....\$10,329.36

PREPARED BY:

Cathy O'Neal

Cathy O'Neal
Redemption Unit

Description: Town of Brookhaven, County of Suffolk, State of New York, acquired by Tax Deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006, in Liber 12465 at Page 374, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lot 2 on a certain map entitled, "Map of Senic Estates" filed in the Office of the Clerk of the County of Suffolk on August 4, 1976 as Map No. 6424.

APPROVED:

Karen A. Slates 12/10/07

Accounting Unit

COMPUTATION OF SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	886.00	04.00	050.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04	2069.09
2004/05	2595.91
2005/06	1945.44
2006/07	2046.18

TOTAL: 8656.62

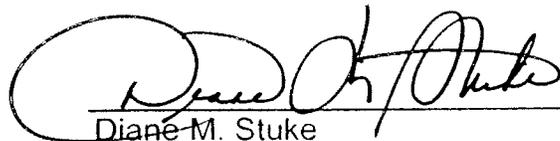
B. INTEREST DUE	704.67
C. TOTAL	9361.29
D. 5% LINE C	468.06
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$9,829.36 e.k.

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 19-Sep-07



Diane M. Stuke

Deputy County Treasurer

**Interest and penalty computed to
and including 03/17/08

IF THE WORD "APPEARS" IS PRINTED BELOW
SEE THE COUNTY TREASURER'S NOTICE
ON THE REVERSE SIDE

STATEMENT OF TAXES

DECEMBER 1, 2006 TO NOVEMBER 30, 2007 TAXES FOR
TOWN OF BROOKHAVEN SUFFOLK COUNTY, NEW YORK
TAXABLE STATUS DATE MARCH 1, 2006
TAXES BECOME A LIEU DECEMBER 1, 2008

ITEM NUMBER 49-40002 7
Est. State Aid
SCH 9,148,678 TWN 30,267,339
CTY 280,556,732 SEW

MAKE FUNDS PAYABLE TO:

GEORGE A. DAVIS
RECEIVER OF TAXES
ONE INDEPENDENCE HILL SUITE 110
FARMINGVILLE, NEW YORK 11738 -2149

OFFICE PAYMENT HOURS
MON. TO FRI. 9 A.M. to 4:00 P.M.
PHONE: 631-451-9009 FAX: 631-451-9008
taxoffice@brookhaven.org

Important for School Inquiries: **631-878-0052**

If property has been sold
transferred after March 1, 2006
please forward this statement to
new owner or return to this office
with forwarding information.

School District	33	SWIS	472233	Exemption Description		Exempt	Exemption Value
Suffolk County Tax Map Number							
Dist	Sect	Block	Lot	Description of Property			
0200	886.00	04.00	050.000	SENIC ESTATES 6424 2			
Type	Acreage	Tax Code	Roll Section				
3B312	0.74	272	1				
Physical Address				Bank and Mortgage Number	Bill Number	Land Assessment	
9 SENIC DR CENTER MORICHES 11934					102966	700	
2005 - 2006 Tax Payment Information				Assessed Value	Uniform Percent	Full Value	
1st Half				700	Which is 0.76%	of 97,222	
2nd Half							
Owner as of Taxable status date of March 1, 2006				Tax Billing Address			
DECONZA RONALD				DECONZA RONALD			
9 COLERIDGE RD				9 COLERIDGE RD			
HOLBROOK NY 11741				HOLBROOK NY 11741			

Levy Description	District Taxable Value	District Tax Amount	Prior Year % Change	Exempt Code	Taxable Value Adjusted by Exemption	Tax Rate Per \$100	Tax Amount
SCHOOL TAX		74.27 %	of total bill		School Tax Amount		1,519.64
SCHOOL DIST - CENTER MORICHES UFSD	8,056,859	14,219,026.19	1.70		700	207.793	1,454.55
LIBRARY DIST - CENTER MORICHES UFSD	8,056,859	749,208.41	9.00		700	9.299	65.09
COUNTY TAX		11.67 %	of total bill		County Tax Amount		238.75
COUNTY OF SUFFOLK	475,951,525	16,334,691.47	-1.50		700	3.432	24.02
COUNTY OF SUFFOLK - POLICE	475,951,525	145,998,664.24	0.70		700	30.675	214.73
TOWN TAX		6.57 %	of total bill		Town Tax Amount		134.39
TOWN GENERAL - TOWN WIDE FUND	476,040,281	21,279,124.21	N/A		700	4.470	31.29
HIGHWAY - TOWN WIDE FUND	476,040,281	13,576,657.70	59.40		700	2.852	19.96
TOWN GENERAL - PART TOWN FUND	416,513,001	5,668,777.66	110.00		700	1.361	9.53
HIGHWAY - PART TOWN FUND	416,513,001	43,800,645.88	15.40		700	10.516	73.61
OTHER TAX		7.49 %	of total bill		Other Tax Amount		153.40
\$100M BOND ACT OF 2004	476,040,281	5,003,208.89	N/A		700	1.051	7.36
FIRE DIST - CENTER MORICHES	8,762,603	1,381,775.90	0.70		700	15.769	110.38
LIGHTING DISTRICT	436,625,884	8,488,031.30	60.90		700	1.944	13.61
REAL PROPERTY TAX LAW - ARTICLE 7	475,951,525	4,992,773.71	-2.50		700	1.049	7.34
REAL PROPERTY TAX LAW	475,951,525	9,999,790.26	16.00		700	2.101	14.71
	0.00		0.00				0.00
First Half Tax	1,023.09	Second Half Tax	1,023.09	Total Tax		2,046.18	

Due December 1, 2006. Payable without penalty to January 10, 2007.
See reverse side for penalty schedule.

Due December 1, 2006. Payable without penalty to May 31, 2007.
See reverse side for penalty schedule and County Treasurer's Notice.

This total tax may be paid
in one or two installments.

Total Tax
2,046.18

When Paying by mail, detach for 2nd Half Payment (Return both stubs for Total Payment)
Town of Brookhaven

ITEM NUMBER
49-40002 7

2006 - 2007 Tax Levy
MAKE FUNDS PAYABLE TO: **GEORGE A. DAVIS, RECEIVER OF TAXES**

Second Payment ()
Due December 1, 2006
Payable without penalty
to May 31, 2007. May be
paid with first payment

Please Do Not Staple Checks to Bills
Write Item number on check. Mail Stub with Payment.

Owner as of Taxable status date March 1, 2006

Tax Billing Address

DECONZA RONALD
9 COLERIDGE RD
HOLBROOK NY 11741

DECONZA RONALD
9 COLERIDGE RD
HOLBROOK NY 11741

Second Payment	
1,023.09	
Full Payment	Pay By
2,046.18	1/10/07
2,056.41	2/13/07
2,066.64	3/12/07

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)

IAN P. BARRY
ASSISTANT COUNSEL TO THE LEGISLATURE
email: ian.barry@suffolkcountyny.gov

May 7, 2007

Hon. Edward P. Romaine
County Legislator, First District
423 Griffing Avenue, Suite 2
Riverhead, New York 11901

Re: County Law, Section 215 Application for Redemption
Redemptor: Estate of Ronald Deconza
S.C.T.M. No. 0200-886.00-04.00-050.000

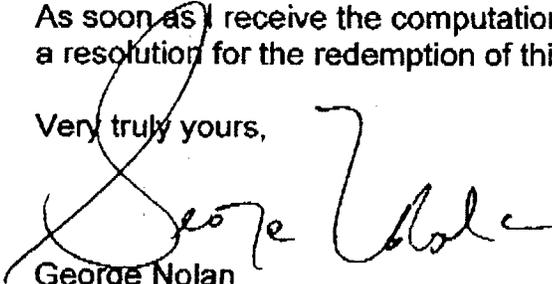
Dear Legislator Romaine:

Please be advised that I have reviewed the application and other materials forwarded to me by your office and believe that the captioned matter qualifies for a Chapter 27 conveyance.

You may, therefore, forward the application with backup material to the County Division of Real Estate for further processing.

As soon as I receive the computation from the Department of Real Estate, I will prepare a resolution for the redemption of this property under the Section 215 process.

Very truly yours,


George Nolan
Counsel to the Legislature

GN/tm

cc: Cathy O'Neal, Division of Real Property Acquisition and Management,
Redemption Unit

EXHIBIT A

Regent Abstract Services, Ltd

150 Motor Parkway, Suite 205
Hauppauge, NY 11788
Telephone: 631 234-6200
Fax: 631 234-6205

Title No.: REG 15219

Regent Abstract Services hereby certifies to the County of Suffolk that it has searched the records in the Suffolk County Clerk's Office for a period of 10 years.

Charles J. Hughes and Karen Hughes, His wife

To

Jim Johnston Films, Inc

D: 8/31/1981
R: 9/3/1981
L: 9064
P: 11

Jim Johnston Films, Inc

To

D: 3/9/1998
R: 6/18/1998
L: 11899
P: 915

James Juliano and Celia Juliano, His wife

Jim Johnston Films, Inc

To

D: 3/9/1998
R: 8/16/1999
L: 11957
P: 806

James Juliano and Celia Juliano, his wife

(Correction Deed)

James Juliano and Celia Juliano

To

Ronald Deconza

D: 6/24/1999
R: 7/8/1999
L: 11974
P: 431

Angie M. Carpenter, the County Treasurer

To

County of Suffolk

D: 8/4/2006
R: 8/18/2006
L: 12465
P: 374

DEPT. ENVIRONMENT & ENERGY
DIV. OF REAL PROPERTY ACQUISITION & MANAGEMENT

FAIR MARKET REVIEW FOR REDEMPTION PURPOSES

TAX MAP NO. : 0200-886-4-50
APPRAISER: Glenn A. Gabberty

DATE OF VALUE: JULY 20, 2007
DATE REC'D: JULY 30, 2007
APPRAISED AMT: \$250,000.00

is appraisal has been field reviewed in accordance with the policy of the Department. The field review is effectively a screening process to determine if there are any obvious significant errors, omissions or inconsistencies in the areas of appraisal technique, appraisal judgment, pertinent data and valuation.

COMMENTS: The subject is a 32,234 s.f. (.74 acres) vacant lot located on the east side of Senic Drive, approximately 350 feet west of Union Avenue, Center Moriches, New York 11934. The property is an irregular shaped parcel with 51 feet of frontage on the northwest side of the end of Senic Drive, a cul-de-sac. In addition, the property has 101 linear feet of frontage on Senix Creek, per Suffolk County Tax Map. Senix Creek is a navigable waterway with open access to both Moriches Bay and the Atlantic Ocean. The subject property is located on a section of Senix Creek where the water depth is shallow and navigability is determined by the fluctuation of high and low tides. The subject is considered an undersized lot and does not meet the minimum lot size for A1 residential zoning which requires a 40,000 s.f. Per the appraiser, it has been determined that the surrounding lots are improved with single family homes. Through single and separate laws it is likely that the subject parcel will be buildable by variance.

The consultant utilized three comparable sales. Two of the sales were waterfront properties as the subject. One sale is a non-waterfront lot. In researching the area for other waterfront sales, I found one listing in contract located on Senix Creek with similar waterfront, navigable water restrictions and located within close proximity. When consulting the Real Estate Broker involved with the sale, she explained that she is not permitted to give me the exact contract price but assured me that the property is in contract for just under \$400,000. In recognition of this new sale, I am inclined to say the consultants estimate of value is understated.

Although I feel the consultant's indicated value is understated, I feel Gabberty did a good job defining the property being appraised and I agree with his highest and best use conclusion. In addition, the appraisal report meets Suffolk County's contract requirements and is acceptable in form.

Accordingly, a more reasonable range of value for the subject is \$300,000 - \$325,000. All supporting documentation is contained in my workfile.

By: _____

Debra Wilson

Date: 9/26/07

Debra Wilson, Appraisal Reviewer
NYS Certified Real Estate Appraiser
License No. 4500013198

CC: Christopher E. Kent, Director
Fred Ford, Senior Appraisal Reviewer

215 REDEMPTION APPRAISAL

**OWNER: ESTATE OF RONALD DECONZA BY
PATRICIA MURPHY AS ADMINISTRATOR**

LOCATION: 7 SENIC DRIVE, CENTER MORICHES, NY 11934

TAX MAP NUMBER: 200-886-4-50

SUBJECT PROPERTY DESCRIPTION

Township: BROOKHAVEN

DISTRICT: 200 **SECTION:** 886 **BLOCK:** 4 **LOT:** 50

LOCATION: East side of Senic Drive, approximately 350 feet west of Union Avenue, Center Moriches, New York 11934

DESCRIPTION OF PROPERTY: The subject is an irregular-shaped parcel with 51 feet of frontage on the northwest side of the end of Senic Drive, a cul-de-sac, and having 101 linear feet of frontage on Senix Creek, as per the Suffolk County Tax Map. Senix Creek is a navigable waterway with open access to both Moriches Bay and the Atlantic Ocean.

UTILITIES: Public Water, electric, cable.

AREA TRENDS: The overall residential market in this area has been sluggish over the past year. This includes waterfront properties. Vacant land still realizes a premium due to the extreme shortage of available land to builders and developers, with waterfront parcels in very strong demand.

NEIGHBORHOOD: The neighborhood is improved primarily with single family homes of various design and age. The trend for new construction continues to be large homes (3,000-4,000 square feet), typically of traditional colonial design.

ZONING & CLASSIFICATIONS: The subject is designated "A1" residential. This calls for a minimum lot size of 40,000 square feet. The subject does not meet this requirement however it may be a candidate for development under the Single and Separate laws. For purposes of this appraisal, I have considered the most probable use of the subject property. In order to meet zoning requirements both under the single and separate laws and A-1 zoning, the subject needs ~~175 feet of frontage at a point 50 feet in from the street.~~ At this point, the subject would ~~have only about 75 feet of frontage.~~ It should be noted however, that the property next to the subject, (lot #48) is improved with a single family residence and has only about 100 feet of frontage, meaning that it also does not meet frontage requirements under zone A-1

or Single and Separate laws. Based on the existence of this property, and the fact that it abuts the subject site, it is my opinion that the subject property would most probably be build-able through the zoning board of appeals, even when Single and Separate laws are considered.

HIGHEST & BEST USE: Improvement with a single family home under the Single and separate laws.

FINAL VALUE CONCLUSION: \$250,000

TWO HUNDRED FIFTY THOUSAND DOLLARS

Certification of the Appraiser

I hereby certify that Glenn A. Gabberty, RM, SRA was employed to appraise the current market value to be used as the price for redemption from tax sale or direct sale of the property know as:

Tax Map No. 200-886-4-50

Neither Glenn A. Gabberty Appraisals, Inc. nor I have a present of future contemplated interest in the real estate that is the subject of this appraisal report, and I have no personal interest or bias with the respect to the parties involved.

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

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

My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent value.

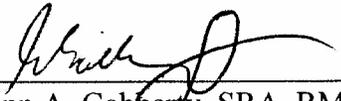
My analyses, opinions and conclusions were developed, and in this report have been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

I have personally inspected the property herein appraised. I have also made a personal field inspection of the comparable sales relied upon in making said appraisal. I have verified each transaction with a party to, or a third person directly involved in, the transaction. The subject and the comparable sales were as represented by my statements and said appraisal.

I have not revealed the findings and results of this appraisal to anyone other than the proper officials of the Suffolk County Department of Planning, Division of Real Estate. I will not do so until authorized by County officials or until I am required by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

My opinion of value of the subject property, as of the 20th day of July, 2007 is \$250,000, based upon my independent appraisal and the exercise of my professional judgment.

Date: July 30, 2007

Signature: 
Glenn A. Gabberty, SRA, RM

ADJUSTMENT GRID

	Subject	Sale #1		Sale #2		Sale #3	
Tax Map Number	200-886-4-50	200-943-1-26.2		200-825-2-8.2		200-943-1-32.4	
Date of Sale		2/15/2007		10/20/2005		11/10/2005	
Exact Location/Address	Senic Drive	26 SWConvent Road		225 Barnes Road		Estate Road	
Zoning	A-1	A-1		A-1		A-1	
Paperstreet/Landlocked	paved	paved		paved		paved	
Dimensions, SF/Acre	Irregular-32,234SF .74Acre	98 X 386 Irregular-35,249 SF/.81 Acre	No Adj.	Flag Lot- Irregular 47,916 SF 1.1 Acre	-10,000	100 x 244 .56 Acre	+10,000
Description of Improvement	N/A	N/A		N/A		N/A	
Purchase Price	-	\$625,000		\$300,000		\$277,500	
Verified Date/With Whom	-	Public Record/MLS		Public Record/MLS		Public Record/MLS	
Adjustments							
Special Conditions of Sale	-	None		None		None	
Time	7/20/2007	2/15/2007		11/1/2005		11/1/2005	
Location	Waterfront	Superior Water	-156,000	Inferior Water	+75,000	Non- Waterfront	+97,000
Size	.74 Acre	.81 Acre	-7000	1.1 Acre	-27000	.56 Acre	+18000
Configuration	Functional	Functional		Flag Lot Functional		Functional	
Topography		Gentle Slope		Gentle Slope		Gentle Slope	
Zoning	A-1	A-1		A-1		A-1	
Improvements	None	None		None		None	
Marketability	Average	Similar		Similar		Similar	
Permits	None	Permit in place	-219,000	Permit in place	-105,000	Permit in place	-97,000
Net Adjustment			-382,000		-67,000		+28000
Indicated Value			\$243,000		\$233,000		\$305,500

Explanation of Adjustments:

Time: No adjustments are warranted for time during the periods reflected in this approach.

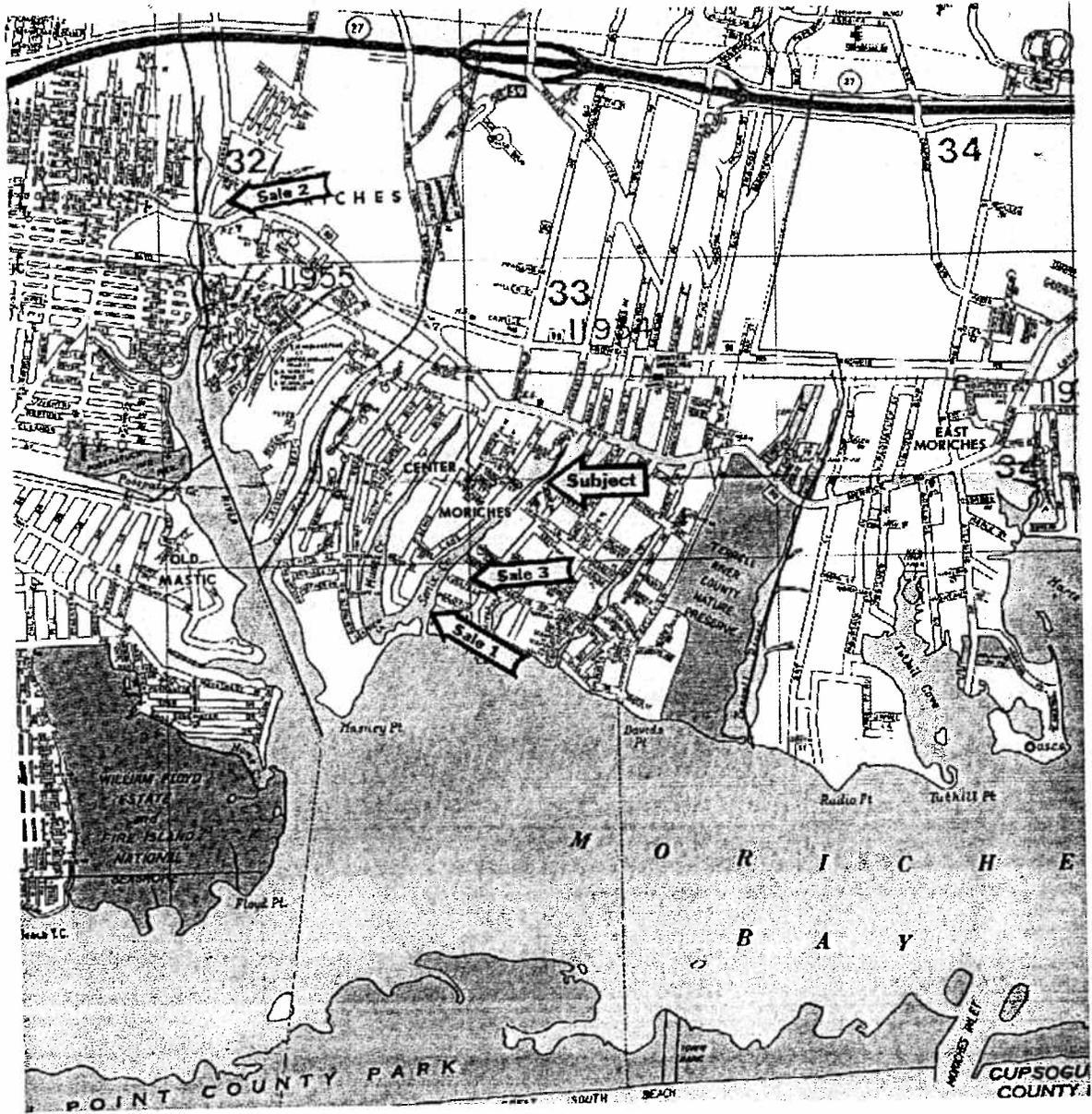
Location: Sale #1 is located on a wider canal area, closer to the bay and is adjusted downward 25%. Sale #2 is located on a non-navigable lake and is therefore, adjusted upward 25%. Sale #3 is a non-waterfront lot from the subject's immediate neighborhood. It is adjusted upward 35% for its non-water location.

Lot Size: Lot sizes are adjusted at a rate of \$100,000 per acre.

Permits: All sales are adjusted downward 35% to reflect the fact that they sold with building and sewer permits in place.

Reconciliation: All sales support a somewhat close range of value. Sales #1 and #2 are given most weight as they are waterfront sites.

COMPARABLE SALES MAP

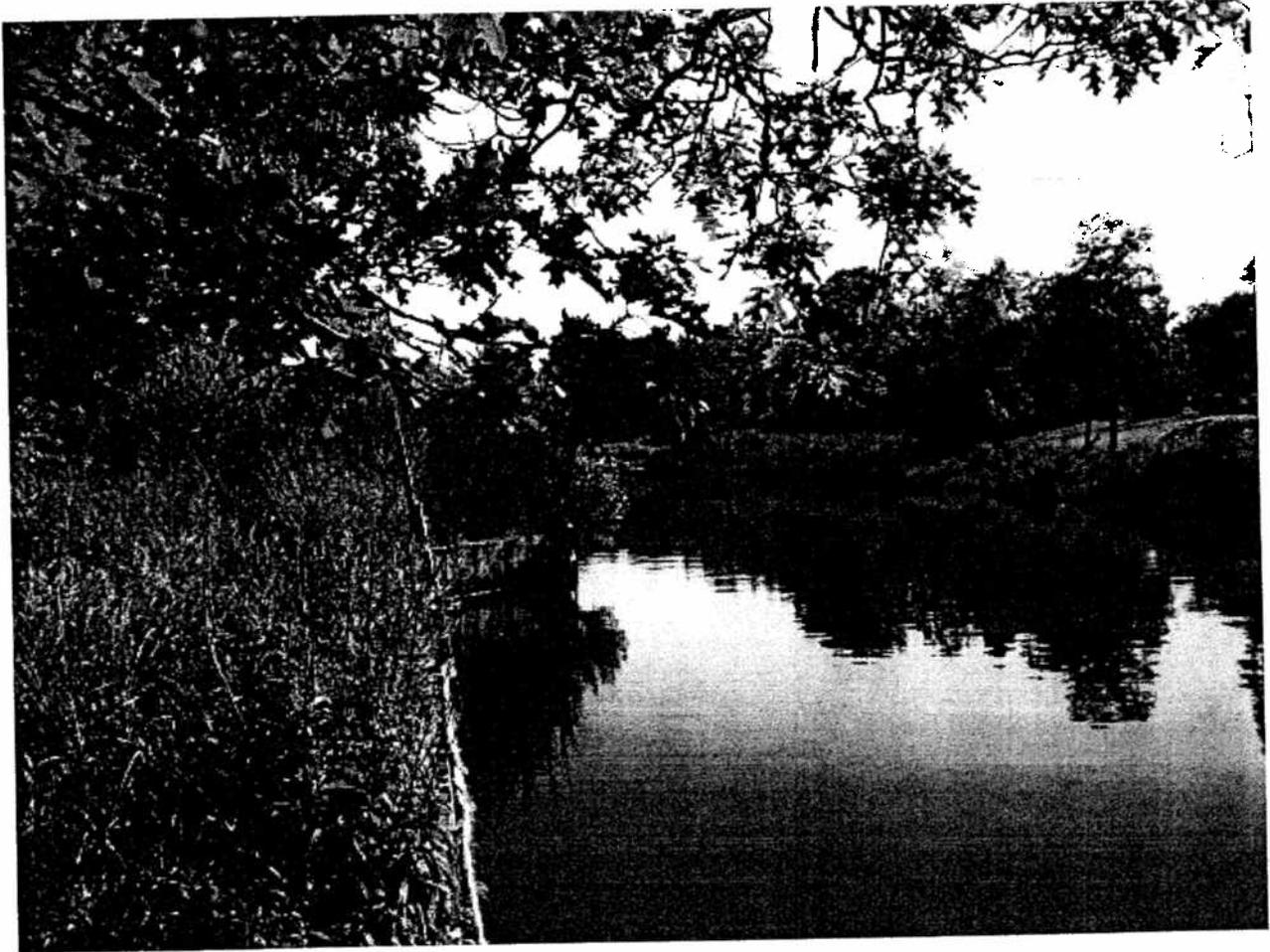


0200 886 04050

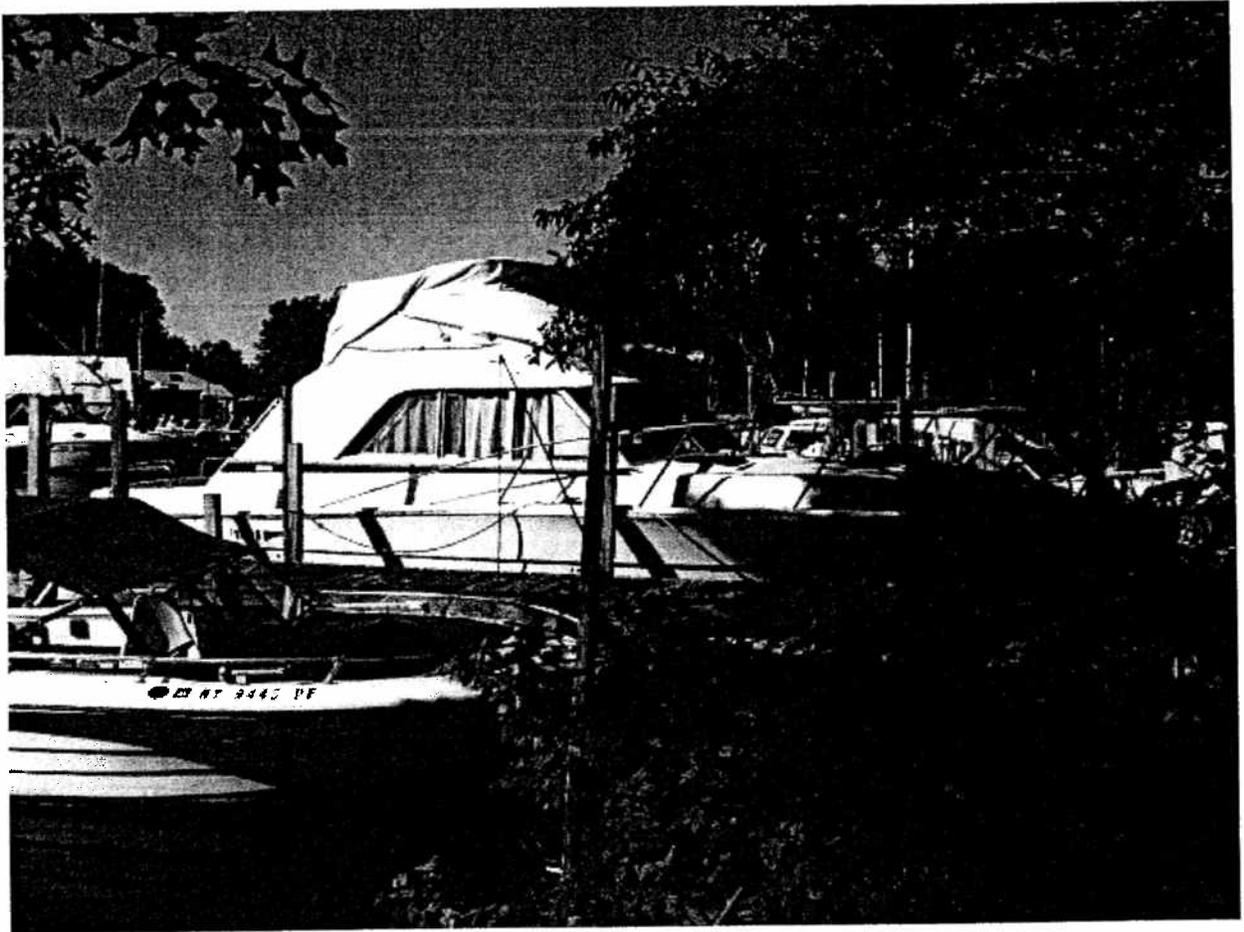
SUBJECT FRONT



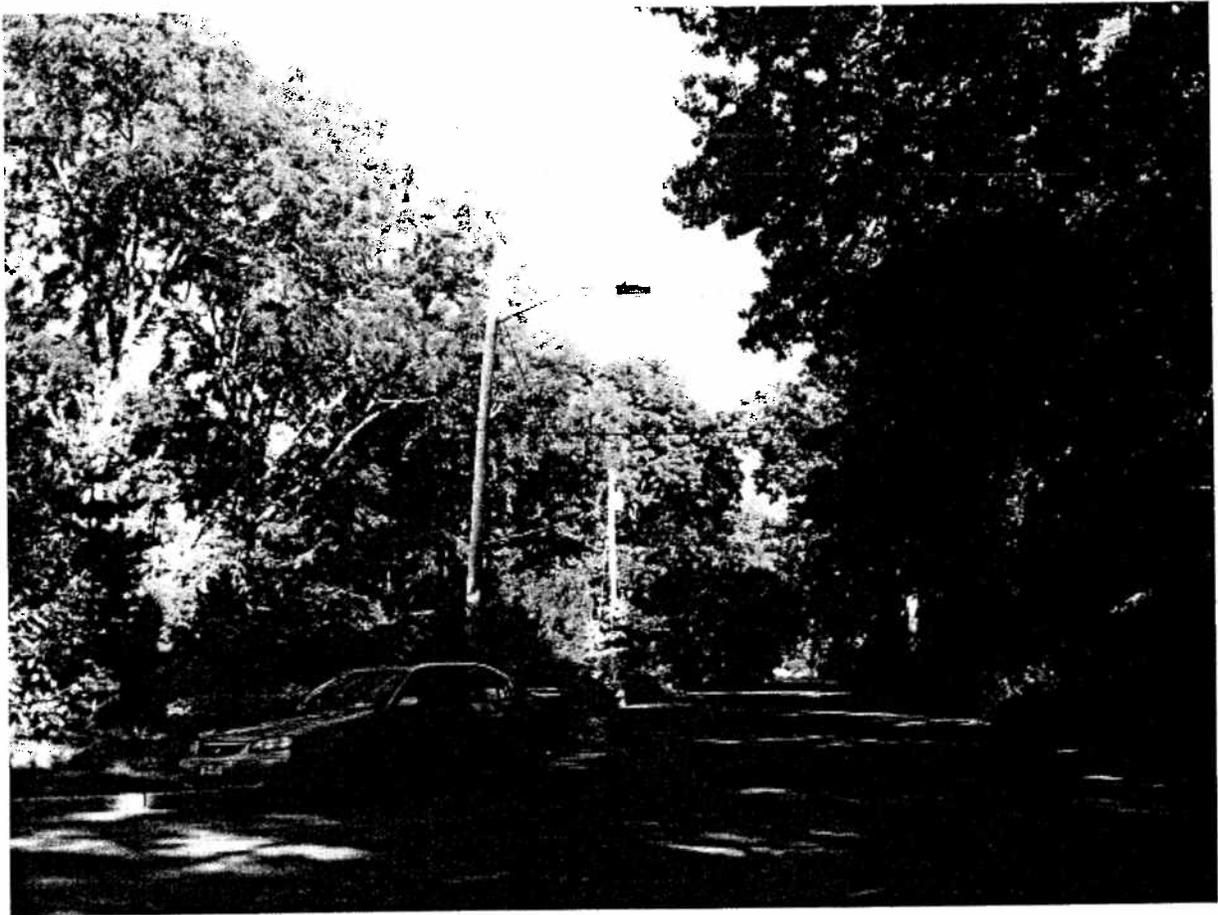
SUBJECT CANAL FRONTAGE-FACING SOUTH



SUBJECT CANAL FRONTAGE-FACING NORTH



SUBJECT STREET SCENE



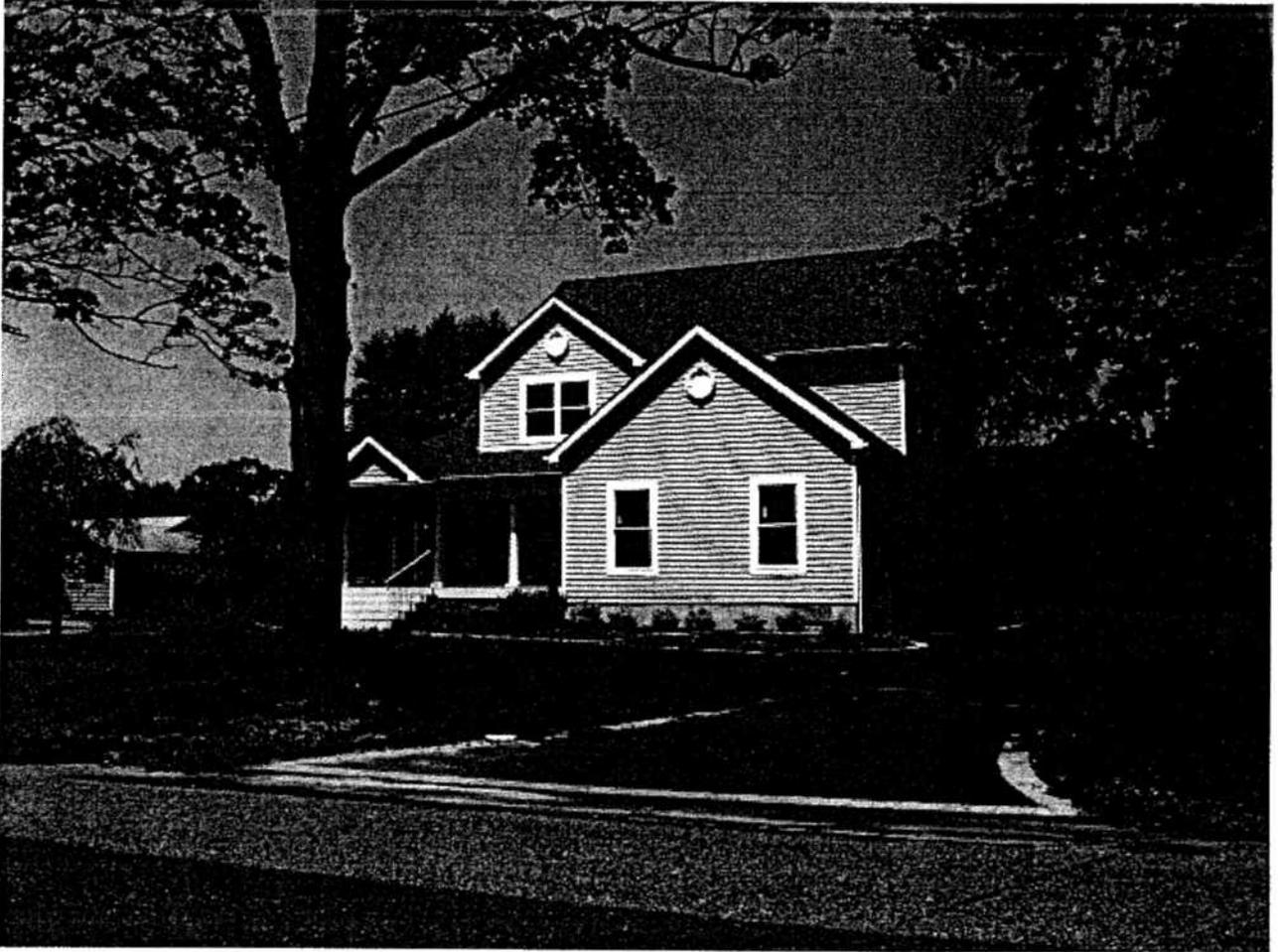
SALE #1-S/W CONVENT ROAD

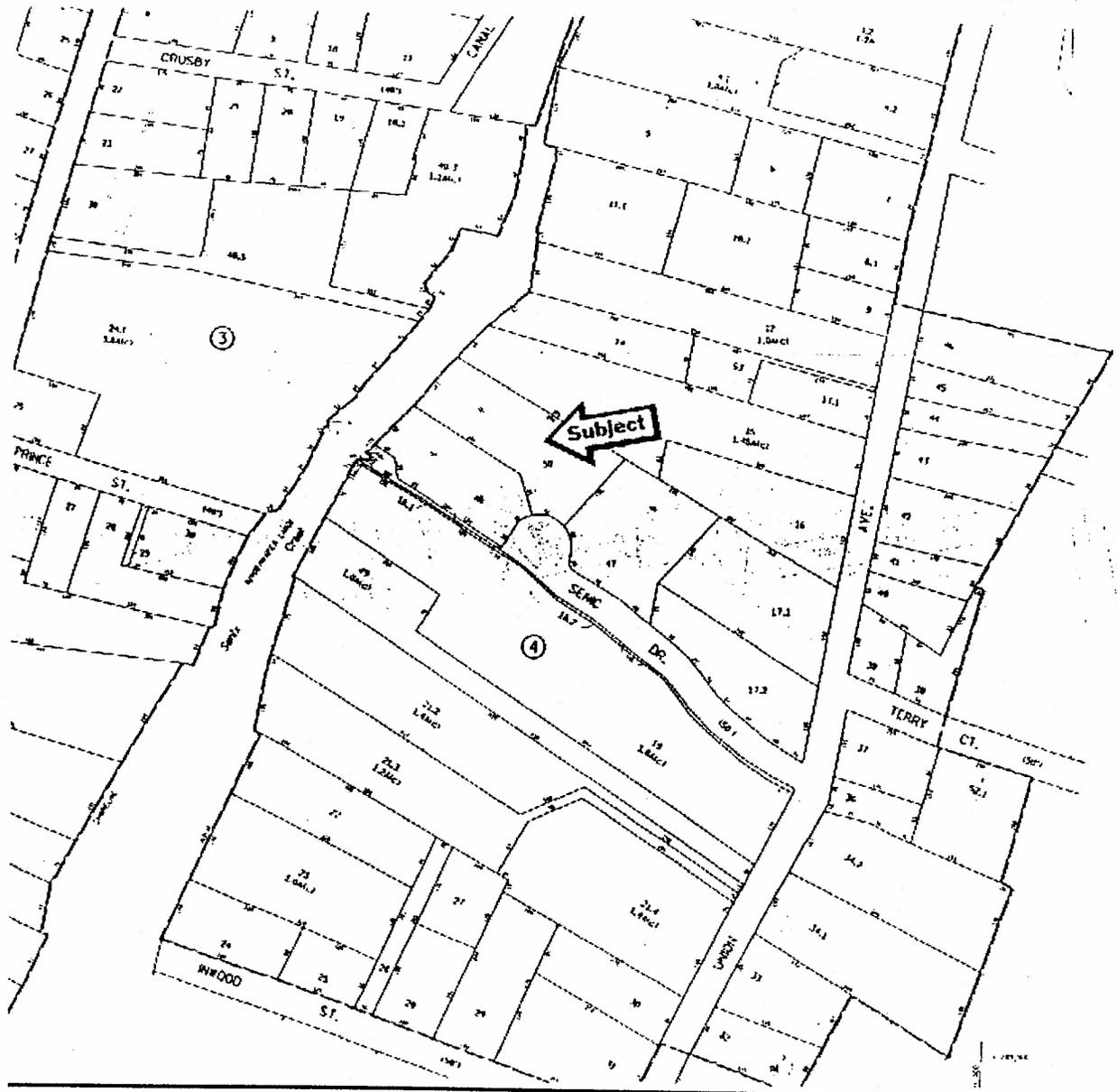


SALE #2-BARNES ROAD



SALE #3-ESTATE ROAD





200-886-
4-50

OF SUBJECT

Patricia Murphy

COUNTY OF SUFFOLK



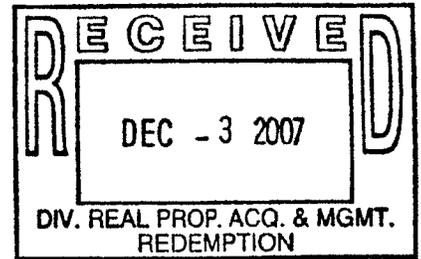
STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES
DIRECTOR OF PLANNING

File #07-6.04
November 30, 2007

Ms. Cathy O'Neal
Suffolk County Department of Environment & Energy
Division of Real Property Acquisition & Management
H. Lee Dennison Building 2nd Floor
100 Veterans Memorial Highway
Hauppauge, New York 11788-0099



Dear Ms. O'Neal:

I am writing in response to your letter dated November 27, 2007 regarding the disposition of tax lien parcels. We have reviewed the following parcel and there is no objection, for environmental and/or floodplain management reasons, to its redemption in accordance with Section 215 of New York State County Law:

0200-886.00-04.00-050.000 – Not Improved

Sincerely,

Laretta R. Fischer
Principal Environmental Analyst

File #07-6.04
cc: W. Thompson

LRF:bd

**SUFFOLK COUNTY DEPARTMENT OF PLANNING
"SECTION 215" REVIEW FORM**

Tax Map Parcel Number: 0200-886.00-04.00-050.000

Town of: Brookhaven

How Acquired by Suffolk County: X Nonpayment of Taxes _____ Donation _____ Other (explain)

Improved _____ residential structure
 _____ Road
 _____ Other

Unimproved X

Site Characteristics:

On or adjacent to surface water (stream, river, pond, lake, bay)	_____	Lies within designated stream corridor	_____
Freshwater wetland	_____	Lies within the Floodplain Management Zone	_____
Adjacent to freshwater wetland	_____	Lies within designated Planning Area boundaries and property is important for Plan implementation	_____
Tidal wetland	_____		
Adjacent to tidal wetland	_____		
Wooded, Deciduous	_____		
Wooded Pine Barrens	_____		
Lies within Hydrogeologic Zone	_____	Property is adjacent to County Parkland	_____
Lies within County-designated Pine Barrens Watershed Boundaries	_____		
CORE	_____	Property is important for general County use (State use)	_____
COMPATIBLE GROWTH	_____		

Other: _____

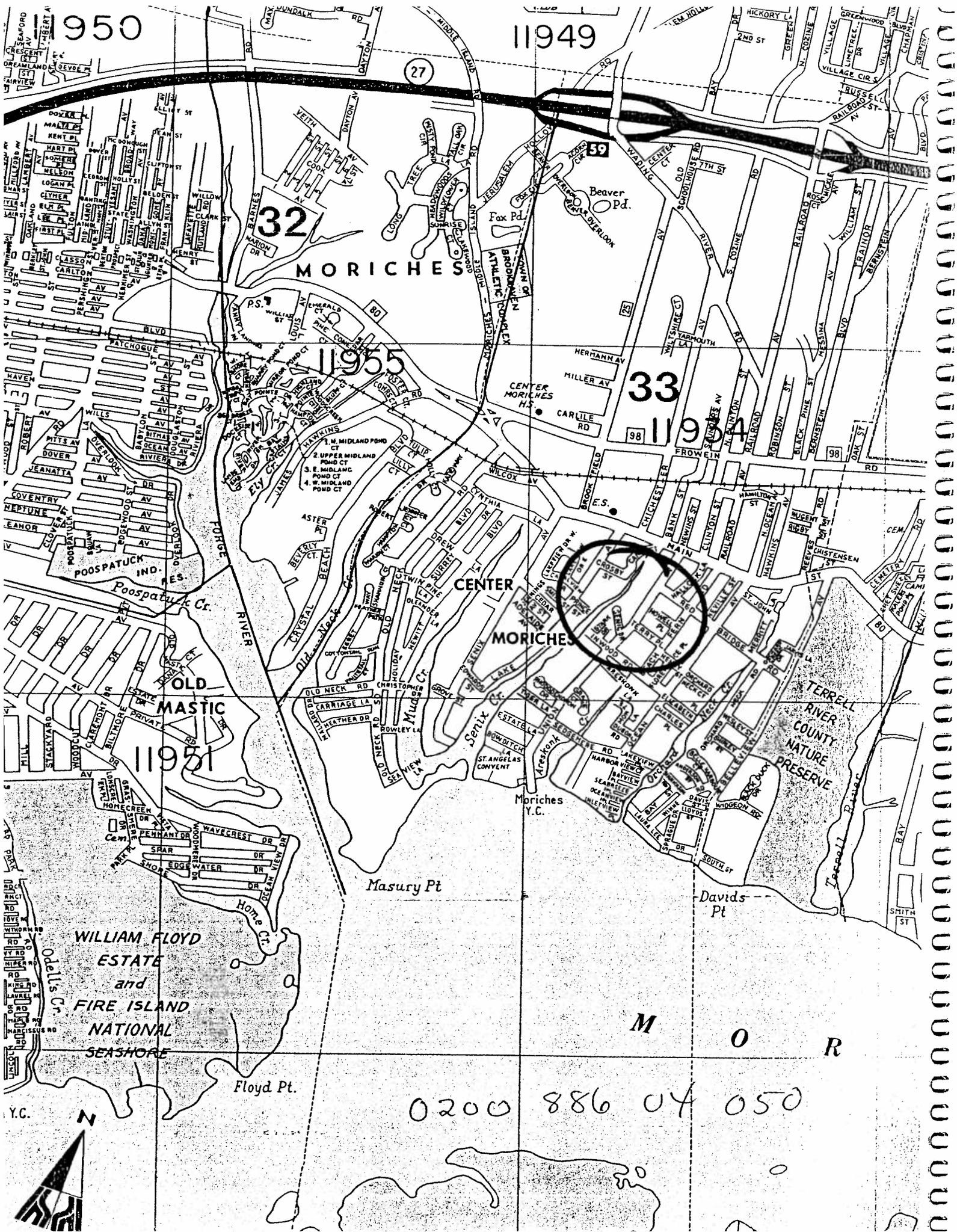
Description of Hardship: _____

Planning Department Recommendation/Comments: _____

No objection

Reviewed by: **Lauretta Fischer**

Principal Environmental Analyst Date: November 30, 2007 File # 07-6.04



950

11949

32

MORICHES

11955

33

11954

CENTER

MORICHES

OLD MASTIC

11951

WILLIAM FLOYD ESTATE and FIRE ISLAND NATIONAL SEASHORE

Floyd Pt.

Masury Pt

Dauids Pt

TERRELL RIVER COUNTY NATURE PRESERVE

M O R

0200 886 04 050



**APPLICATION FOR RECOVERY OF REAL PROPERTY ACQUIRED BY SUFFOLK COUNTY
County of Suffolk**

1. Information Concerning Applicant(s)

Name of Applicant(s) PATRICIA MURPHY	Address ALBER & LOGLISCI LLP 5036 Jericho Turnpike - Suite 305 Commack, New York 11725	Telephone Number (516) 456-5894
--	--	---

2. Property for Which Recovery is Desired

Location or Address 7 Senic Drive Center Moriches, NY 11934	Date of Recording of Suffolk County's Tax Deed 8/18/2006			
Suffolk County Tax Map Number	District 0200	Section 886	Block 4	Lot 50

3. Description of Instrument from Which Applicant's Interest Derives

Liber 11974	Page 431
Other (If applicant is not the prior owner, specify nature of applicant's interest) Applicant is the Surrogate Court appointed Administrator of her father's estate (Ronald DeConza). RONALD DeConza was the sole owner of record before the tax deed.	
Grantor James Juliano and Celia Juliano	Grantee RONALD DeConza
Date of Execution 6/24/1999	Date of Recording 7/8/1999

4. Description of Extenuating Circumstances Which Led to Loss of Property

(See Governing Section of County Code §27-3)

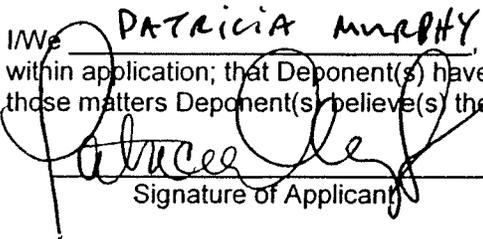
Last private owner of record (RONALD DeConza) died 10/14/03. After his death, court proceedings were commenced to name an administrator of his estate. During said period, taxes for the property were not paid. The estate has been the subject of strong & combative litigation amongst family members.

(Attached additional pages, if necessary)

5. Acknowledgement

State of New York)ss:
County of Suffolk)

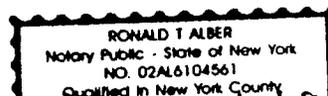
I/We **PATRICIA MURPHY**, being duly sworn, depose and say that Deponent(s) is/are the applicant(s) in the within application; that Deponent(s) have read the foregoing application and know(s) the contents thereof; and that as to those matters Deponent(s) believe(s) them to be true.


Signature of Applicant

Signature of Applicant

Sworn to before me this **15th** day
of **MARCH**, 200**7**


Notary Public of the State of New York



Mar. 15, 2007 6:39PM

AL & LOGISCI LLP

EXHIBIT D

No. 5067

P. 7/7

CERTIFICATE OF DEATH

REGISTER NUMBER: 2071

1. NAME: FIRST **RONALD** MIDDLE **DECONZA** LAST **DECONZA**

2. SEX: MALE FEMALE

3. DATE OF BIRTH: MONTH **10** DAY **14** YEAR **2003**

4. PLACE OF DEATH: HOSPITAL INPATIENT HOSPITAL OUTPATIENT NURSING HOME PRIVATE RESIDENCE HOSPICE FACILITY OTHER

5. TIME OF DEATH: **7:30** P.M.

6. NAME OF FACILITY: **9 COLERIDGE RD HOLBROOK**

7. LOCALITY: CITY **BROOKHAVEN** TOWN **SUFFOLK** COUNTY **SUFFOLK**

8. MEDICAL RECORD NO. **080-32-7110**

9. DATE OF BIRTH: MONTH **12** DAY **18** YEAR **1941**

10. DECEASED'S RACE: White/Caucasian

11. DECEASED'S EDUCATION: High school graduate or GED

12. SOCIAL SECURITY NUMBER: **080-32-7110**

13. USUAL OCCUPATION: **WHOLESALE**

14. RESIDENCE: CITY **NEW YORK** STATE **NEW YORK**

15. MANNER OF DEATH: Natural Cause

16. IMMEDIATE CAUSE: **Non-small cell lung cancer**

17. PERIODICITY OF CAUSE: **3 yrs.**

18. SIGNATURE OF REGISTRAR: **Stanley Allan**

19. DATE FILED: **10/15/2003**

20. SIGNATURE OF PHYSICIAN: **Kenneth Gold MD**

21. ADDRESS OF PHYSICIAN: **24 E. Main St. Bayshore, NY 11706**

22. MANNER OF DEATH: Natural Cause

23. IMMEDIATE CAUSE: **Non-small cell lung cancer**

24. PERIODICITY OF CAUSE: **3 yrs.**

Stanley Allan
TOWN CLERK/REGISTRAR

EXHIBIT B

LETTERS OF ADMINISTRATION

AMENDED

FILE NO. 848A2003



SURROGATE'S COURT : SUFFOLK COUNTY
THE PEOPLE OF THE STATE OF NEW YORK

To All to Whom These Presents Shall Come, or May Concern, Greeting:

WHEREAS, RONALD DECONZA, deceased, died intestate on October 14, 2003; domiciled in the County of Suffolk, State of New York and by decree of the Surrogate's Court of Suffolk County dated November 8, 2006, PATRICIA MURPHY was/were appointed administrator(s) of the estate of said deceased upon qualification and filing of a bond in the sum of \$50000.00 dollars;

NOW THEREFORE WITNESSETH that PATRICIA MURPHY having qualified as Administrator(s) of said estate, and having filed a bond in the sum of \$50000.00 dollars, Letters of Administration are hereby granted and issued to him/her with the powers and duties thereunto appertaining by law.

Dated, Attested and Sealed
November 8, 2006

HON. JOHN M. CZYGIER, JR.
Surrogate, Suffolk County

Michael Cipollino

SEAL

MICHAEL CIPOLLINO
Chief Clerk of the Surrogate's Court

LAW OFFICES OF
ALBER & LOGLISCI LLP

Contact us at:

Phone: 631 – 462 – 6900

Fax: 631 – 462 – 6999

Web: www.alberlaw.com

Located at:

5036 Jericho Turnpike

Suite 305

Commack, New York 11725

"A Commitment To Professional and Reliable Legal Representation"

March 15, 2007

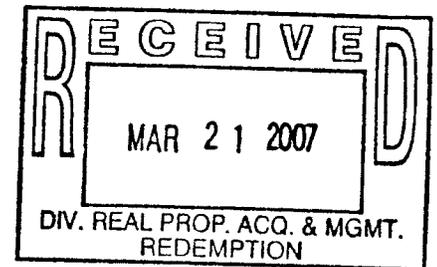
VIA OVERNIGHT MAIL
& FACSIMILE (631-852-3203)

Edward P. Romaine

Suffolk County Legislator – 1st District

423 Griffing Avenue – Suite 2

Riverhead, New York 11901



Re: **URGENT REQUEST** for letter in support of redemption of the property located at 7 Senic Drive, Center Moriches, New York 11934 (the "Property") on behalf of Patricia Murphy ("Applicant"), Court appointed administrator in the matter of the Estate of Ronald Deconza (the "Deceased").

Dear Mr. Romaine:

It is with great respect and hope that I submit this letter on behalf of **PATRICIA MURPHY**, the above-referenced Applicant, requesting your support and sponsorship of her **APPLICATION FOR RECOVERY OF REAL PROPERTY ACQUIRED BY SUFFOLK COUNTY**. I have been retained by her in light of the severe hardship that the Deceased's estate could realize if Applicant does not gain your support and sponsorship and a redemption is not granted. Set forth below please find the relevant facts which frame our request for your support.

A. **Suffolk County Local Law No. 16-1976**

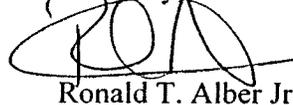
- Pursuant to SCLL No. 16-1976 a party has a period of up to six (6) months to redeem property affected by a recorded tax deed.
- In this particular case, the tax deed was recorded August 18, 2006 which is more than six (6) months ago.

D. Extenuating Circumstances Leading to the Loss of the Property

- The last private owner of public record prior to the filing of the above-referenced tax deed, Ronald Deconza, died and therefore was unable to make tax payments. See enclosed death certificate (**EXHIBIT D**).
- Applicant did not receive any: (1) tax bills for the Property; (2) notification that any taxes were in arrears; or (3) public announcement of the tax delinquency.
- Subsequent to: (1) Applicant being appointed as administrator to the Deceased's estate; (2) settling some of the combative estate issues with opposing parties; and (3) learning that the Deceased owned the Property, Applicant contacted the appropriate tax office to determine what, if any, taxes were due and owing. It was then, and only then, that Applicant learned that a tax deed had been filed.
- Applicant immediately thereafter contacted the Suffolk County real property division and learned that her time had expired to exercise her rights under SCLL No. 16-1976.
- Prior to Applicant's being appointed Administrator of the Deceased's estate, she lacked any necessary power and knowledge to make any tax payments or cure any tax arrears.

In light of the complex estate matters and severe hardship the estate would face if not granted redemption, this matter is of extreme urgency. Your prompt attention to this matter is greatly appreciated. Should you, or anyone acting on your behalf, have any questions please do not hesitate to contact me. Thank you in advance for your consideration.

Sincerely,



Ronald T. Alber Jr.

cc: Via Overnight Mail & Facsimile (631-852-1566)
Suffolk County Division of
Real Property Acquisition and Management
300 Center Drive
Riverhead, New York 11901-3398

B. 215 Application Time Requirement

- The time period for filing such application is within two (2) years six (6) months of the filing of the tax deed.
- This application is therefore being made within the required time period.

C. Necessary Background Information

Property Information

- Suffolk County Tax Map: District 0200, Section 886, Block 4, Lot 50
- Address: 7 Senic Drive, Center Moriches, New York 11934
- The subject Property consists of vacant unimproved waterfront land.
- The estimated fair market value of the Property is approximately \$300,000+ according to reliable and local comparative sales and values.

Title/Ownership

- A tax deed, dated August 4, 2006, was filed by Angie M. Carpenter, the County Treasurer, on August 18, 2006 in the Office of the Suffolk County Clerk's Office in **LIBER 12465 PAGE 374** in favor of the County of Suffolk conveying fee simple title to the above-referenced Property.
- Prior to filing the tax deed, title to the Property was vested in Ronald Deconza.
- Ronald Deconza acquired title to the Property from James Juliano and Celia Juliano by deed, dated June 24, 1999, which was recorded July 8, 1999 in the Office of the Suffolk County Clerk's Office in **LIBER 11974 PAGE 431**.
- Enclosed please find a ten (10) year chain of title (**EXHIBIT A**).

Parties

- Ronald Deconza died on October 14, 2003.
- Subsequent to Ronald Deconza's death, his daughter Patricia Murphy was appointed by the Surrogate's Court as administrator of his estate. See Amended Letters of Administration enclosed herewith (**EXHIBIT B**).
- The estate has been the subject of combative litigation.

Tax Arrears Resulted in Filing of Tax Deed

- After Ronald Deconza died, property taxes appear to have fallen into arrears totaling an estimated \$2,069.09. (**EXHIBIT C**).